

WORKPLACE MONITORING REPORT

October 2018



WOMEN'S ACTION **WACTION**
for **BETTER WORKPLACES**

Trust for Democratic Education and Accountability – TDEA

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WORKPLACE MONITORING REPORT
WAction – Women’s Action for Better Workplaces

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LIST OF ABBREVIATIONS

WAction	Women's Action for Better Workplaces
TDEA	Trust for Democratic Education and Accountability
ILO	International Labour Organization
NGO	Non-Governmental Organization
EOBI	Employees Old-Age Benefits Institution
WWA	Women Workers' Alliance
KP	Khyber Pakhtunkhwa
OSH	Occupational Safety and Health
SoP	Standard Operating Procedure
WWF	Workers' Welfare Fund

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Women's Action for Better Workplaces (WAction), a project of Trust for Democratic Education and Accountability (TDEA), conducted workplace monitoring exercises in five project districts – Karachi, Lahore, Peshawar, Quetta and Islamabad.

More than 100 women workers across the project districts were mobilized, organized and trained for the monitoring of 105 workplaces for their compliance with the labour laws. The process of monitoring was extensive and required, at times, an entire working day, navigating around a workplace to get the required information.

Jublee Bano (Capacity Building Officer), Mahpara Farrukh (Advocacy Officer) and Fatima Raja (Capacity Building Manager) developed the monitoring checklist, while Sangat Development, Foundation's Shehnaz Rafique, National Organization for Working Communities' Chaman Gul, Centre for Peace and Development's Aminullah, United Rural Development Organization's Zil-e-Huma and WAction's Jublee Bano, Mussarat Malik and Samina Mukhtar conducted the field exercises with the help of Women Workers Alliance in Lahore, Karachi, Quetta, Peshawar and Islamabad, respectively. Anam Amjad (Monitoring Officer) compiled and cleaned the data while Yasser Javed, Deputy Director Data Management supervised the statistical analysis of the data.

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Shahid Fiaz

Chief Executive Officer

Trust for Democratic Education and Accountability

MAJOR FINDINGS

Women's Action for Better Workplaces (WAction) conducted Workplace Monitoring Exercise at 105 workplaces in five project districts i.e. Karachi, Lahore, Islamabad, Peshawar and Quetta. The monitoring of workplaces was conducted on standardized checklists. Keeping in view the difference in provisions of the laws governing the industrial, public and private workplaces, two checklists were developed, one for the public and private sector and the other for factories. Along with the general provisions in laws that apply on all the workers such as availability of contracts, leaves, daily working hours, occupational safety and health, the monitoring checklists had specific sections related to the rights of women workers such as provisions for paid maternity leaves, separate washrooms, equality in wages as well as compliance with Sexual Harassment at Workplace Act 2010. The monitoring exercise highlighted some patterns of illegalities and irregularities that exist in various employment sectors of the economy. Following are some major findings of this exercise:

1 Irregularities in Contracts and Other Related Benefits

There appears to be direct relationship between the knowledge of the employees about the wage rules and their status of employment. The monitoring data shows that as many as 100 percent workers in the industrial sector who had contracts knew about wage rules, while at 93 percent workplaces, the workers without contracts did not have any knowledge about such rules. Further research is required to study the nature of relationship between the two variables – whether the knowledge about wage rules leads to the award of contracts or vice versa.

The violations related to the working hours, provisions of leaves (annual and casual) are also found to be directly related to the non-provision of contracts. In more than 60 percent workplaces where workers did not have contracts, they were spending more than eight hours a day while the workers at 45.5 percent workplaces were not allowed the legally mandated one-hour rest break. All those workplaces where women workers had contracts were paid minimum wages according to the law, while those women workers who were not provided with the contracts, were not being given the legally prescribed minimum wages.

In public and private sectors, the inconsistencies related to wages and availability of contracts had similar patterns. At 90 percent workplaces where workers had contracts, they were being paid wages as had been mentioned in their contracts, whereas more than 80 percent workers without contracts were not being paid the minimum wages. The irregularities related to rest breaks and leaves were also glaringly higher for the workers without contracts. More than 50 percent workplaces where workers were not provided the contracts were found to be working for more than eight hours a day and their annual, casual and medical leaves were being compromised.

During the monitoring exercise, a visit was made to a pharmaceutical company where more than a thousand people were working while only 600 of them were given contracts while the rest of the workers were hired through a sub-contractor. The factory management had refused to regard the workers hired through sub-contract as their own workers and did not take any responsibility for their labour rights.

Such irregularities are also compounded because Standing Orders Ordinance (1962) at the federal level and Standing Orders Ordinances at the provincial level apply to only those organizations which have 25 or more workers. Such instances gave rise to the practice of contracting and sub-contracting of workers at the same premises leading to perpetual exploitation of the workforce. In case of private

¹ The term "workers" in the report refers to both male & female workers, for women workers specifically the term "women workers" is used.



companies, this law renders small companies unaccounted for with regards to their legal responsibilities towards their workers.

Contracts are found to be an important factor for protecting fundamental legal rights of the workers and regularization of contracts turns out to be an important pre-requisite for securing these rights.

1.1 Irregularities in Contracts and Paid Maternity Leave

Employers awarding contracts to their employees do not necessarily implement the provisions of the maternity leaves as per the law in its entirety perhaps due to poor and incoherent legal framework and an even weaker enforcement. As many as 50 percent women workers, who had contracts, were allowed to have eight weeks of paid maternity leaves while the rest of them were allowed to have legally mandated 12 weeks of paid maternity leaves. In more than 45 percent workplaces where women workers did not have the contracts were not given maternity leaves, especially in the industrial sector.

In public and private sectors as many as 79 percent workplaces where women workers had contracts, the women were allowed to have full 12 weeks of paid maternity leaves. However, at 45.5 percent workplaces where women workers did not have contracts were not allowed any maternity leave at all.

Public sector has specifically included a rule barring a woman from availing maternity leave according to her own physical and medical condition. It is mandatory for a woman, in public sector to take six weeks maternity leave prior to delivery and six weeks after that. It was observed that if a woman in public sector fails to avail six weeks maternity leave prior to her delivery, she is often denied the entire 12 weeks leave after the delivery.

In private sector and factories, there are various practices that are marred by patriarchal norms. Such as, it was found during the monitoring exercise that there is an unspoken rule in various private and industrial organizations that they often discourage hiring a married woman or a female who is pregnant. One of the other unspoken practice that perpetuates this sort of discrimination includes giving indirect messages to the pregnant women to leave the job or face termination notice once she goes on her maternity leaves. This was reported by a woman worker belonging to a small media organization and was pregnant herself at the time of monitoring.

1.2 Irregularities in Contracts and Discrimination Against Women

It was found that provision of contract is not a guarantee that the workplaces are adhering to the principle of non-discrimination in occupation or wages. None of the workplaces that were monitored had any written policy or any clause in the contract regarding the non-discrimination.

Pakistan is signatory to eight fundamental ILO conventions, out of which two conventions C100 (Equal Remuneration Convention) and C111 (Discrimination (Employment and Occupation) Convention) talk about inclusion of non-discrimination clauses based on caste, sex, creed or religion in policies and contracts of workers. However, the federal labour laws are silent on these provisions, while the provinces have included one clause in their updated Payment of Wages Acts. However, there is no penalty in case of violation of these clauses.

1.3 Availability of Child Care Facility

The results from the monitoring of workplaces show that there is no direct link between the provision of contract and the availability of child care facility for women workers. As many as 84 percent workplaces in public and private sectors and 90 percent monitored factories did not have any child care facility. Keeping in view the care work that is prime responsibility of women in our culture, child rearing becomes one of the prime challenges for women that hinder their contribution into formal economy. The meagre

10 percent workplaces that were found to have child care facility did not have any standard operating procedures (SoPs)². Hence, most of these places only had one small room with no child care attendant, no separate places for playing, dining and taking rest. Out of 10 percent workplaces where child care facility was available, only three percent allocated a small room for four to six children and their caretakers while only a mattress was available for them to sit or take rest.

Recommendations

- Display of minimum wages notification should be ensured at all workplaces as per the law while the labour inspectors should regularly penalize the workplaces that violate the law;
- Awareness raising sessions should be arranged for the benefit of workers not given copy of contracts by employers. It would raise awareness regarding legal significance of the document. Workers should know that contract and other legal provisions that should be a mandatory part of the contract are equally indispensable for job security. Comprehensive inspection is very important for the enforcement of all the legal provisions related to contract. According to the law, the labour inspector is responsible for checking the contract register and cross check it with the number of workers working at a workplace. This also includes the workers who are hired through sub-contractors. It is important that labour inspector undertakes the monitoring exercise as per the rules of the laws.
- An amendment in the Standing Order Ordinances is needed to make sure that the provisions of leaves (annual and casual) and other benefits such as provident fund are applicable to all organizations. Its without limiting the applicability of the law to only those organizations with 25 or more workers.
- The labour laws (Factories Act 1934 and related provincial acts, Shops & Establishment Act 1969 and related provincial acts) should be amended to declare subcontracting for regular work as illegal. It should be declared that all the workers, on any specific premises are the responsibility of the owner/management.
- Non-provision of maternity leaves to women should be included in the fundamental illegal labour practices. While, strict penalties should be introduced to ensure that employers who are not paying full 12 weeks paid maternity leave to women are penalized.
- Government should start a campaign to acknowledge women workers' role in the economy and denounce discrimination against women based on their reproductive status.
- Comprehensive provisions related to discrimination in occupation and wages based on sex should be contained with all the relevant federal and provincial laws and strict penalties should be introduced for better enforcement.
- Labour laws specifically require inclusion of the provision of day care centre. The laws must also specify the number of women employees for the provision of a day care centre at a workplace. Internationally, for the workplaces with 25 or more women, it is mandatory for a workplace to have a child care facility available at the premises.
- The rules or SoPs are very important to ensure that adequate space is allocated for the day care facility. The Punjab Commission on the Status of Women (PCSW) has developed very comprehensive SoPs that may be adopted as regulations for the laws.

2 Irregularities related to Occupational Safety & Health (OSH)

A written OSH policy for factories is legally mandatory according to the Factories Act 1934. The data of monitoring of workplace report shows that there is direct relationship between presence of a written policy at workplace and knowledge of workers regarding OSH as well as the existence of OSH enforcement committee. Workers from as many as 100 percent monitored workplaces where written OSH procedures were available had the knowledge about their occupation related safety procedures.

² SoPs are important for day care centers to adhere with some standards. Various government organizations (such as Punjab Commission on the Status of Women) and other companies and non-governmental organizations have SoPs for day care centers. The SoPs developed by Punjab Commission on the Status of Women are applicable on all government departments in Punjab.



Contrarily, workers from around 10 percent workplaces where written OSH procedures were not available, they were unaware of the safety guidelines related to their occupation.

A written OSH policy comes out as a positive relationship with regular awareness sessions on OSH. Fifty percent workplaces where written OSH procedures were present had regular sessions on OSH while the workplaces where written OSH procedures were absent, the awareness sessions were never held.

The presence of OSH enforcement committee has positive relationship with written OSH procedures. As 60 percent workplaces where OSH enforcement committee was established also had written OSH procedures. However, this positive relationship doesn't translate into representation of women workers in OSH enforcement committee as only four percent workplaces were found to have women representatives as part of their OSH enforcement committees.

According to the monitoring of workplace findings, cleanliness and written OSH procedures at workplace have a direct relationship. As many as 80 percent workplaces with written OSH policy had a regular cleanliness schedule while more than 90 percent workplaces without any written OSH policy were found to have been violating the regular cleaning practices.

2.1 Irregularities Related to OSH and Separate Washrooms for Women

The monitoring of workplace findings shows that the presence or absence of written OSH procedures doesn't have any impact on the presence of separate washrooms for women and men at workplaces. As, all the monitored factories were found to have separate washrooms for both men and women. This is probably because of the provision in Factories Act 1934 according to which the factory management should ensure separate latrines for men and women at their premises. However, cleanliness and adherence to the hygiene standards did have positive relationship with written OSH procedures. As many as 70 percent factories without written OSH guidelines were found to have been violating the basic cleanliness principles as prescribed in the law. While, 80 percent factories with written OSH procedures were complying with the cleanliness guidelines as per law.

The legal regime for public and private workplaces does not bind the workplaces to form or display written OSH procedures for workplaces. Furthermore, on these workplaces, there is no legal binding for the employer to provide separate washrooms for women and men. Therefore, 14 percent public and private workplaces did not have separate washrooms for women in their staff.

In public sector it was also found that women belonging to different grades had different experiences with regards to access to separate washrooms. The officer level women in the ministries, for instance, were found to exercise their powers and hence they are able to secure clean and separate washrooms for themselves. The women working in lower grades had serious issues with access to washrooms, because they are not allowed to use the washrooms 'designated' for the officers. Moreover, at places where separate washrooms were available for the women belonging to the lower cadre, the provided facilities had poor standards and lacked cleanliness. Therefore, the women preferred not using those washrooms. More than three women workers pointed out that men use the washrooms reserved for women without any restriction and even when they were told not to do so, the practice continued.

In private sector, some women working for non-governmental organizations pointed out that moving their office facilities from residential to commercial areas has deteriorated the access and cleanliness of washrooms for women. The plausible reason for such worsening conditions is that the commercial buildings do not follow rules for construction of separate washrooms for women and men on each floor.

Recommendations

- A comprehensive law encompassing all possible workplaces and related OSH measures must be passed. Women inclusion in OSH committees and other oversight bodies related to OSH must be made mandatory by law.

- Laws related to Factories, shops and establishments must have provision for separate washrooms for men and women regardless of their number in an organization.
- Comprehensive provisions related to cleanliness of washrooms must be made part of the laws, both for factories as well as for shops & establishments.

3 Irregularities Related to Various Social Security Schemes and Institutions

The availability of contracts did not help secure workers right to social security scheme or registration with various social security institutions. As many as 38 percent workplaces from industrial sector that issued contracts to their workers have registered their workers with the Employees Old Age Benefit Institute (EOBI). While none of the registered workers from the monitored factories had EOBI cards.

Registration with Workers' Welfare Funds (WWF) comes out as most disappointing area as no workplace from the monitored industrial sector had registered its workers with WWF. However, the situation of registration of workers with EOBI in public and private sector was better than the factories and workers from more than 80 percent monitored workplaces that issued contracts to its workers who had been registered with EOBI. However, mere registration seems to have no impact on the availability of EOBI cards (which is mandatory for claiming the benefits) as none of the workers from these workplaces were actually issued EOBI cards.

The dismal situation of registration of workers with social security institutions seems to be an indication towards employers' reluctance to pay the contribution against each registered employee that they have to submit to these institutions every month. In certain cases, where employers have registered their workers with these institutions, the number of registered workers is far less than the total number of employed workers at that particular workplace.

Recommendations

- The inspection checklists do not have a specific section to monitor registration of all workers with various social security institutions This important aspect needs to be included in the inspection checklists.
- In order to ensure that social security institutions and labour department have same data regarding workers, coordination mechanism between these departments must be established.
- Penalties for employers who are not complying with legally mandatory registration of workers with social security institutions need to be increased to make it meaningful enough for effective compliance.
- The laws should be amended to provide workers a provision to self-register themselves with the social security institutions.

4 Irregularities in Industrial Relations

The monitoring of workplace report has found out that presence of unions in the industrial sector does not have any positive correlation with exercising of right to association by workers. Only three percent workplaces from industrial sector were found to have a registered union but none of these unions had the right to collective bargaining. The right to association of women workers is found to be compromised further as none of the factories had women workers as part of the unions or office-bearers. Moreover, no union had any separate wing for women workers either.

The situation in public and private sector was not any better, however, the percentage of workplaces where unions exist were found to be 20 percent. However, out of the total 20 percent workplaces that

had unions none had the status of Collective Bargaining Agent (CBA). Only one percent unions were found to have women workers as members of unions while none of the unions from monitored workplaces had separate wings for women workers.

Recommendations

- Comprehensive clauses for women inclusion in unions and penalties for effective implementation must be made part of the Industrial Relations Acts at provincial and federal level.
- Union registration authorities must comply with the law and ensure that unions without the mandatory membership of women in a union are not registered.

5

Irregularities Related to Implementation of Sexual Harassment at Workplace Act 2010

Implementation of Sexual Harassment at Workplace Act 2010, in letter and spirit, is a prerequisite for conducive workplaces for women. The monitoring of workplace report has found out that existence of Anti-Sexual Harassment Committee or display of Code of Conduct against sexual harassment (both are mandatory by virtue of the 'Protection against Harassment of Women at Workplace Act') has not helped women come forward as no case was reported in any of the monitored industrial workplaces. Women workers filed complaints in 12.5 percent workplaces where anti-sexual harassment policy was available, and such complaints were also filed in eight percent workplaces where anti-sexual harassment policy was not in place. This anomaly shows that the presence of a policy did not have any positive impact on the filing of complaint or incidence of sexual harassment.

As many as 72 percent workplaces in public and private sectors and 40 percent factories that were monitored do not display the Code of Conduct against sexual harassment. Out of the total 105 monitored workplaces, 69 percent of these did not have an anti-sexual harassment committee in place. While, 72 percent workers in private and public sectors and 40 percent workers out of the entire monitored factories did not know about the existence of the committee.

In the workplaces where anti-sexual harassment committee were found to be in place, the committee members were reported to be gender insensitive or favoured the harasser once the case was reported. In one of the monitored workplaces from public sector in Islamabad, a worker registered the complaint against the harasser. The anti-sexual harassment committee decided in favour of harasser, despite having numerous testimonies against him. The woman worker filed a complaint to the Federal Ombudsperson, who issued three notices to the committee, but the committee did not appear before the Ombudsperson until a notice of arrest was issued for the committee members. By the time the committee appeared before the Ombudsperson, three months had already been passed.

The committee was asked to do the investigation again and when the committee gave the decision in favour of the harasser, yet again, the Ombudsperson termed the investigation of the committee unsatisfactory and decided to investigate the case in person. After the investigation by the Federal Ombudsperson, the harasser was found guilty and was terminated from his position. This process took around five long months and the woman was forced to work in the same premises with the harasser compromising her physical security in sheer violation of the law. According to the law, as soon as the complaint is registered, the complainant and the accused should not be working in the same premises. This situation not only reflects the insensitive attitude towards women but also points at a serious lack of understanding and implementation of laws. Another important point in this incident was that the complainant (woman) did not know about the existence of any anti-sexual harassment committee. She only found out once WAction's Women Workers Alliance (WWA) member displayed the Code of Conduct against sexual harassment at the office premises.

Recommendations

- A coordination mechanism must be established between Federal and Provincial Ombudspersons against Sexual Harassment and respective labour departments/ministries for effective enforcement of Sexual Harassment at Workplace Act 2010
- Labour Departments (at federal and provincial levels) should train its staff on the provisions of the Sexual Harassment at Workplace Act 2010. A comprehensive section related to sexual harassment must be made part of the inspection checklists.

INTRODUCTION AND BACKGROUND

Women's Action for Better Workplaces (WAction), funded by the Embassy of the Kingdom of the Netherlands, is being implemented by the Trust for Democratic Education and Accountability (TDEA) in five metropolitan cities of Pakistan - Islamabad, Lahore, Karachi, Peshawar and Quetta. WAction is working towards improved awareness of rights and entitlements of women workers, and generating action amongst women workers, employers and policy makers. It is meant for improved administrative and legislative governance of labour, particularly for women workers in the country.

Pakistan's extensive labour law regime includes 130 federal and provincial laws. Specifically, 26 federal laws and 86 provincial laws - of which Khyber Pakhtunkhwa (KP) has 28, Balochistan 8, Punjab 22 and Sindh 28 - govern the subject of labour covering a wide range of labour issues and various types of occupational sectors in the country. Following the 18th Amendment to the Constitution of Pakistan in 2010 (the 18th Amendment), the power to legislate on the subject of labour was devolved to the provinces. Each province has, therefore, either developed its own version of the federal law governing labour or continues to apply the existing federal laws on the subject.

Although Pakistan is signatory to the eight core conventions of International Labour Organisation (ILO), sections of domestic labour laws are clearly antagonistic to the principles of the core ILO conventions, i.e. employment of children, provision of day-care centres and gender-biased language in the text. It also includes discriminatory provisions for women workers related to work hours, and obstructions for women from performing certain functions in a trade.

At one hand the regime of labour laws need a significant overhaul, while on the other hand implementation of the existing laws is equally important to change the situation of labour force and women workers in Pakistan. In order to ascertain the extent of compliance with labour laws by various organisations in the formulation and implementation of workplace policies, WAction undertook a monitoring of workplace exercise in each of the five project districts. These districts cumulatively host one-seventh of Pakistan's population and more than half of the country's female workforce in the formal sector³. The monitoring of workplaces was conducted by Women Workers' Alliances that were formed in all the five project districts comprising women workers from public, private and industrial sectors. Women Workers' have been formed and capacitated to take up the issues of women workers with various line departments and other stakeholders to collectively work for administrative actions for better work environment.

70% Monitored Private & Public Sector Entities Violating Country's Labour Laws

In private and public sector entities, across the federal and provincial capitals, 70% of workplaces are found to violate the country's labour laws.

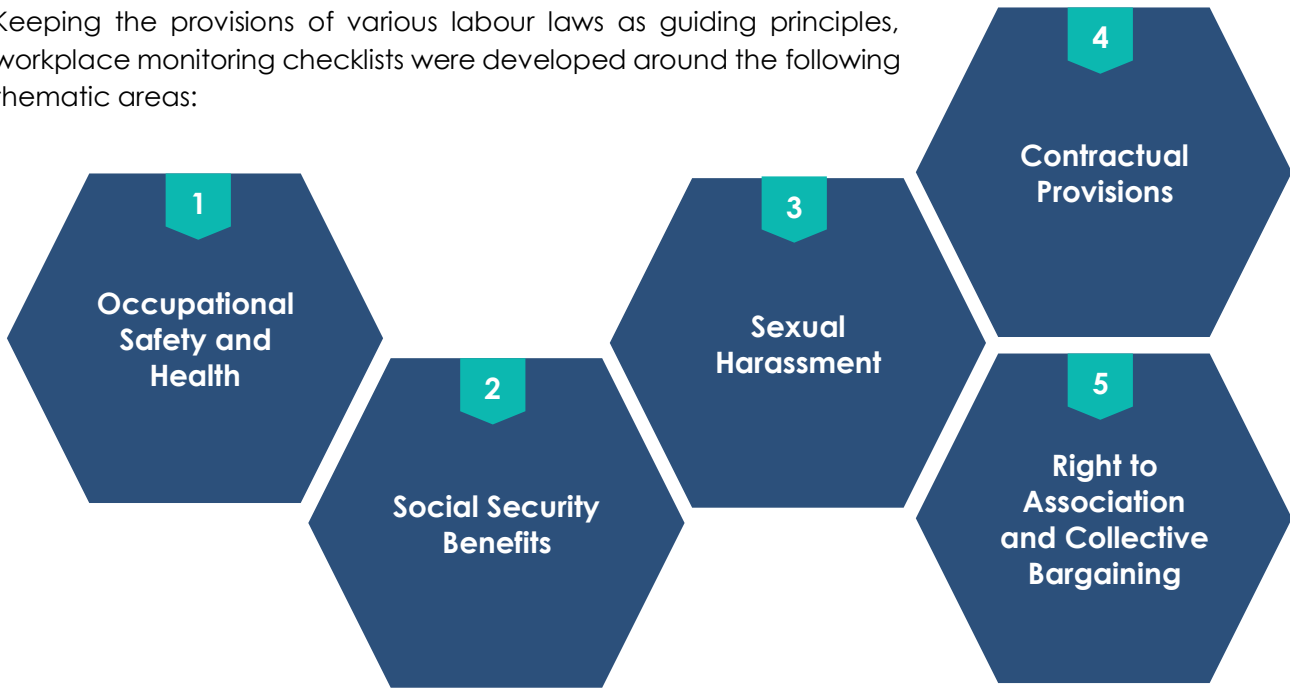
87% Monitored Factories Running Without Trade Unions

In 87 percent of the monitored factories no workers are part of any trade union and in 91 percent of the factories no trade unions exist.

³ Labour Force Survey 2014-15, Government of Pakistan, Statistics Division, Pakistan Bureau of Statistics, available at <http://www.pbs.gov.pk/content/labour-force-survey-2014-15-annual-report>.
<http://data.worldbank.org/data-catalog/world-development-indicators> (Accessed on August 31, 2016)



Keeping the provisions of various labour laws as guiding principles, workplace monitoring checklists were developed around the following thematic areas:



The formal sector of economy is loosely divided into manufacturing, public and services sector. Keeping in view the applicability of various laws and in order to operationalise the project, the workplaces are divided into public, private, and industrial sectors. Public sector contains all the government institutions, semi government, government corporations and line departments, while the private sector includes various services, such as banks, telecommunication companies, NGOs, restaurants, schools, hospitals etc. Industrial sector includes private sector factories and industrial units.

METHODOLOGY

The monitoring exercise started in May 2017. By January 2018 major part of the exercise was completed, including analysis of the data. By August 2018 the report was designed and written.

Task	Duration
Listing of employers	1 month
Short listing of employers	1 week
Development of monitoring checklist	1 month
Capacity building of alliance	2 weeks
Mock exercise	2 days
Monitoring of workplace field work	3 months
Data processing	1 months
Data analysis	1 month
Report writing	1 month

The monitoring process started with mapping prospective employers for workplace monitoring. For the mapping exercise, lists of employers were obtained from Labour department, Chambers of Commerce, and Employee Old-Age Benefits Institution (EOBI). A total of 1,318 employers from project-specified employment sectors were identified. **Short listing** of employers for the purpose of the study was carried out using the following criteria:

PREFERRED EMPLOYERS WITH AT LEAST 25 PERCENT PROPORTION OF WOMEN WORKERS

Contacted employers with easy accessibility in terms of willingness and permission for monitoring

Two versions of a comprehensive **monitoring checklist**⁴ were developed; one for factories and one for shops and establishments (commercial as defined in the labour laws). The purpose of developing two separate checklists was to accommodate different laws that are applicable to factories and shops and establishments. As mentioned previously, each checklist was divided into thematic or topical sections including physical environment, contract and provisions in contract, sexual harassment, right to unionization and social security benefits. The questions in the checklists were devised in accordance with relevant provisions in laws. While, in a few cases, questions were formulated in view of Pakistan's commitments to international conventions related to labour and women's rights as well as constitutional provisions.

Development of monitoring checklists was followed by **capacity-building of monitors**. The project staff was trained in the monitoring framework and checklist, who in turn replicated the training sessions for Women Worker's Alliance (WWA) members tasked with carrying out the monitoring survey in their respective project districts. **Approval** for workplace monitoring was sought from employers through formal channels, where required.

⁴ Monitoring checklists are included as annexures.



The monitoring checklist was piloted through a mock monitoring session in four workplaces, which helped to improve the monitoring framework. A total of 150-200 copies of monitoring checklists were printed and shared with project staff in project-specified districts.

As many as 331 women workers from the WWA were actively involved in the monitoring process. Their support enabled access to workplaces, as some WWA members surveyed their own workplaces. In each project district, the cross-sector WWA alliance is an integral component of WAction. The project has supported the alliance to actively take up issues of women workers with various stakeholders including labour departments, employers, policy-makers, political parties and legislators.

TABLE 1 Breakdown of Monitored Workplaces

No.	Sector	Total
1	Public Sector	35
2	Private Sector	41
3	Industrial Sector	29
TOTAL		105

A total of 105 workplaces, including 35 in the public sector, 41 in the private sector, and 29 in the industrial sector were monitored in the project districts, including Islamabad, Quetta, Karachi, Peshawar and Lahore.

SECTION - I

CONTRACT and WAGES

This section provides detailed analysis regarding provision of contracts and wages including payment of minimum wages, provision of leaves, standard working hours, rest breaks and provision of maternity/paternity leaves in accordance with the law. Each sub-section is related to various aspects of provisions under these subjects.

1.1 Irregularities Related to OSH and Separate Washrooms for Women

TABLE 2 Labour Laws on Contract and Payment of Wages

No.	Name of Law	Provisions
1	The Industrial and Commercial Employment (Standing Orders) Ordinance, 1968	These laws require employers to provide every worker at the time of his/her appointment, transfer or promotion with an order in writing, showing the terms and conditions of service.
2	Punjab Industrial and Commercial Employment (Standing Orders) (Amendments) Act 2012	
3	The Sindh Terms of Employment (Standing Orders) Bill, 2015	
4	The Khyber Pakhtunkhwa Industrial and Commercial Employment (Standing Orders) Act, 2013	
5	The Minimum Wages Ordinance 1961	Every employer or his agent or the manager of an establishment shall fix the period in respect of which wages to employees shall be payable and shall be responsible for the payment to persons employed by him of all wages required to be paid under this Ordinance.
6	The Sindh Minimum Wages (Amendment) Act, 2018	<ul style="list-style-type: none"> ▪ No wage period, so fixed, shall exceed one month. ▪ The wages of every employee in any establishment shall be paid on a working day before the expiry of the seventh day of the last day of the wage period in respect of which the wages are payable. ▪ All wages shall be paid in legal tender. <p>Employers, under the West Pakistan Minimum Wage Rules 1962, are required to maintain a Wage Register, issue wage slips in authorized format and a Muster Roll as prescribed under the law.</p>

Private and Public Workplaces

90 percent of workplaces in public and private sectors discriminate in wages between men and women workers.

In complete disregard of International Labour Organisation (ILO) conventions C100 and C101, and provisions in certain laws, 90 percent of workplaces in public and private sectors

Industrial Workplaces

52 percent of factories that were monitored for the study do not pay women workers the prescribed minimum wage.

More than half (54 percent) of factories compromise on one or more aspects of wages and contracts. For example, the majority (65 percent) of workplaces in the project cities do not



discriminate in wages between men and women workers.

In violation of one of the basic rights of workers, 11 percent of workplaces in the federal and provincial capitals do not provide contracts to their workers.

Employers in the federal and provincial capitals have yet to incorporate policy for people with disabilities (PWDs) to make the workplace conducive for people with special needs; seventy-three percent of workplaces do not have any provisions for specially-abled people.

Twenty-five percent of public and private workplaces do not have women in managerial positions.

display wage rules, thus, keeping workers uninformed about government or workplace policies regarding minimum wage, payment day and payment schedule. Similarly, violating the country's labour laws, 75 percent of industrial workplaces do not issue contract letters to their employees.

Significant numbers of women workers in the industrial sector are not paid minimum wage, as prescribed by the law, in the project cities; fifty-two percent of factories that were monitored for the study do not pay women workers the prescribed minimum wage. Overall, the data reveals that 50 percent of industries do not pay their employees (both men and women) the legally required minimum wage.

Sixty-two percent factories in the major cities have yet to institutionalise policies for specially-abled people to make workplaces conducive for people with special needs. These results suggest that employers will have to take drastic steps to recognise people with special needs as a productive workforce.

Figure 1 Workplace Non-compliance with Legal Requirements Regarding Contracts and Wages (Private and Public Sectors)

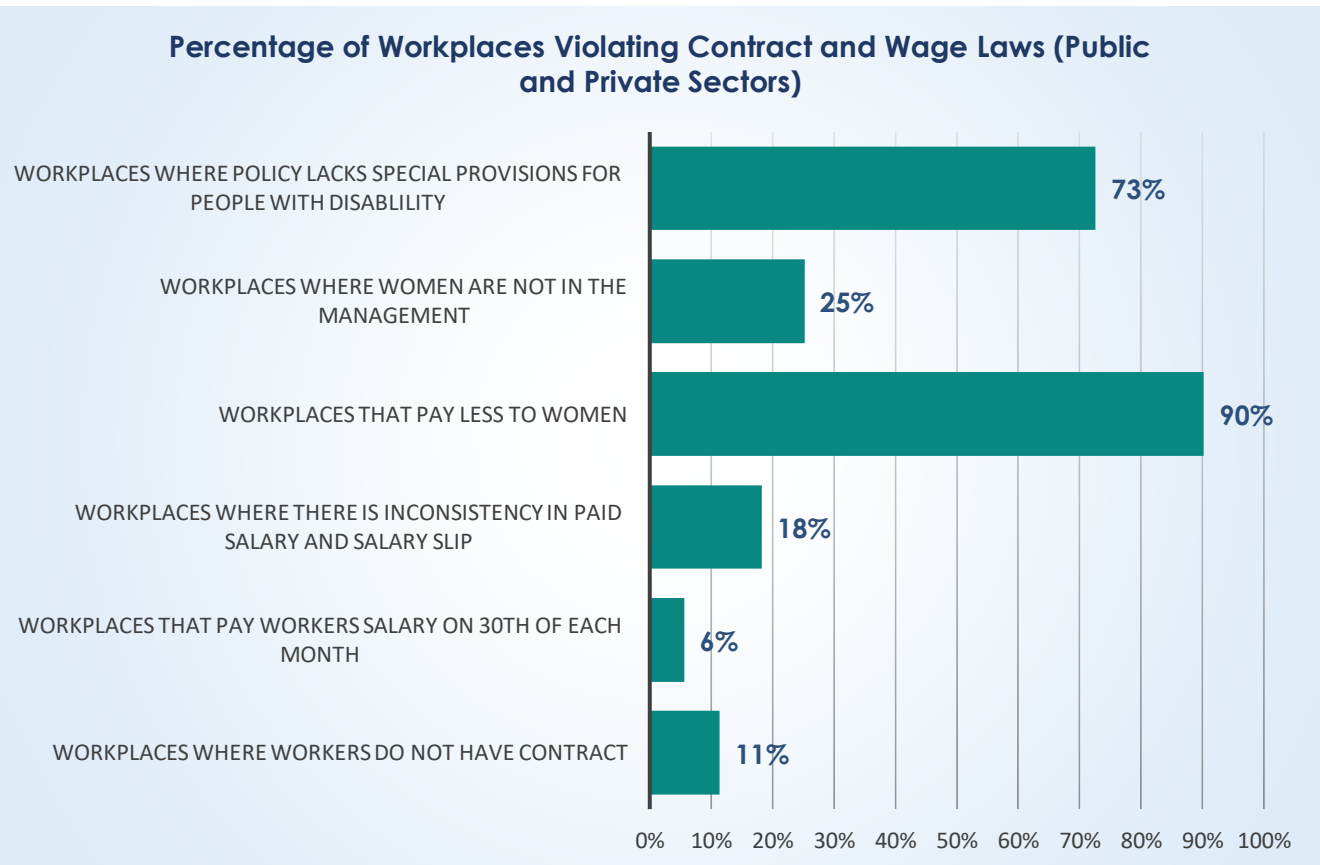


Figure 2

Incidence of Workplace Non-compliance with Legal Requirements Regarding Contracts and Wages (Industrial Sector)



1.2 Leaves

TABLE 3 Labour Laws and Provisions Related to Leaves

No.	Name of Law	Provisions
1	The West Pakistan Shops and Establishments Ordinance 1969, and Factories Act 1934	<p>Weekly Holiday in Establishments and Factories: One day each week in addition to the leave and holidays as may be admissible</p> <p>Daily, Weekly Hours and Over-time and Over-time wages: Nine hours a day and 48 hours a week for adult (seven hours a day and 42 hours a week for adolescent). Overtime work to be calculated at double the ordinary rate of wages payable to him as per time and conditions for payment of wages.</p>
2	The Sindh Shops and Commercial Establishment Act, 2015 and Sindh's Factories Act 2015	<p>Annual Leave: Fourteen days after continuous employment.</p> <p>Casual Leave: Workers are entitled to Casual leave with full pay for 10 days in a year.</p>
3	The Punjab Shops and Establishments (Amendment) Act, 2013 And Punjab's Factories (Amendment) Act 2012	<p>Sick Leave: Workers in shops and established are entitled to sick leave with full pay for eight days whereas workers in factories are entitled to 16 days with half pay.</p>
4	The Khyber-Pakhtunkhwa Shops and Establishment Act, 2015 And KPs Factories Act 2013	<p>Festival Holidays: All the festival holidays declared by government will be given to workers.</p> <p>Wages during leave or holiday period will be fully paid by the employer.</p>



Private and Public Sector

Ten percent of private and public sector workplaces are not compliant with the provisions for weekly, annual, casual and sick leaves.

In six percent of workplaces, workers do not get their weekly rest day. In as many as 13 percent of workplaces, employees are not allowed to take annual leaves. Whereas, 11 percent deny their workers casual leaves and 10 percent do not provide sick leaves to their employees.

Industrial Sector

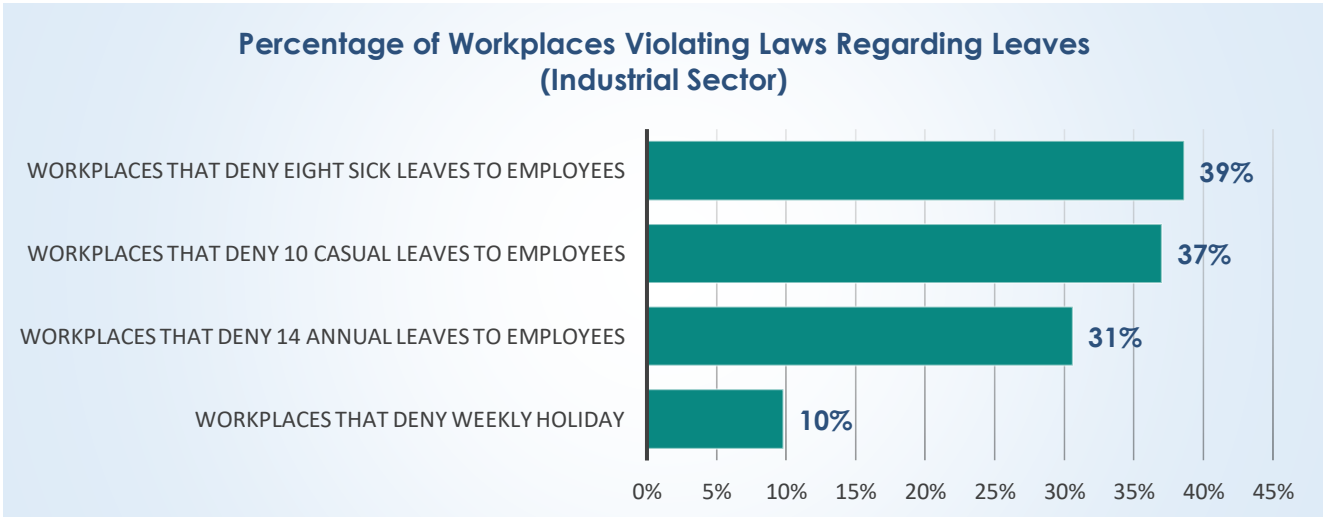
31 percent factories deny the 14-day annual leave to their workers.

Twenty-nine percent of factories in all five cities do not comply with the provisions for leaves in labour laws; thirty-nine percent of the factories do not grant sick leaves to their employees; 37 percent do not offer the 10 days casual leaves while 31 percent factories deny the 14-day annual leave to their workers. Moreover, 10 percent do not provide weekly breaks to their employees.

Figure 3 Incidence of Workplace Non-compliance with Legal Requirements Regarding Leaves (Private and Public Sectors)



Figure 4 Incidence of Workplace Non-compliance with Legal Requirements Regarding Leaves (Industrial Sector)



1.3 Working Hours and Rest Breaks

Private and Public Sector

84 percent of the workplaces lack anti-discrimination clauses in women workers' contracts.

A major factor contributing to exploitation of workers as well as organisational resources is lack of compliance with the weekly working hours stipulated in the law.

Our findings show that more than half (56 percent) of private and public organisations do not follow the law regarding working hours and rest breaks.

Twenty-nine percent of workplaces do not abide by the weekly working hours set by the law. Workers are not allowed the daily one-hour rest break in 16 percent of public and private workplaces. Half of the workplaces monitored do not provide women with flexi-breaks, which is not covered in the law but recommendations are put forward for making them compulsory.

Fifty-one percent of public and private sector organisations surveyed have not restricted overtime to 12 hours a week, and in 60 percent workplaces overtime is not paid at double the normal rate.

Seventy-four percent of workplaces that provide contract letters to their employees do not include termination clauses in contracts. Moreover, 84 percent of the workplaces lack anti-discrimination clauses in women workers' contracts.

Industrial Sector

On average, 69 percent of factories in the five cities do not provide women workers with breast-feeding breaks.

Fifty-two percent of the factories in federal and provincial capitals violate provisions in the law for weekly working hours.

In 54 percent of the workplaces, weekly overtime of workers exceeds than the prescribed limit as per law i.e. 12 hours at maximum on weekly basis, which means 2-3 hours extra in a day with a maximum spread over of nine hours. And these factories do not pay overtime on double the normal rate as prescribed by the law.

On average, 69 percent of factories in the five cities do not provide women workers with breast-feeding breaks. While, the vast majority (95 percent) of the factories do not include termination clauses in workers' contracts.

Fifty-nine percent of the factories violate the law regarding weekly working hours for workers.

Figure 5

Incidence of Workplace Non-compliance with Laws Regarding Working Hours and Rest-breaks (Private and Public Sectors)

Percentage of Workplaces Violating Working Hours and Rest-Break Laws (Private and Public Sectors)

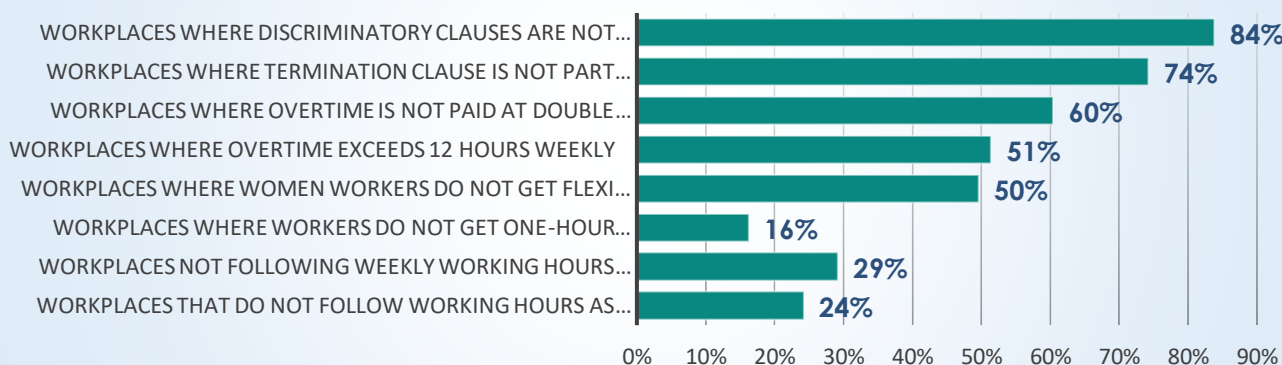
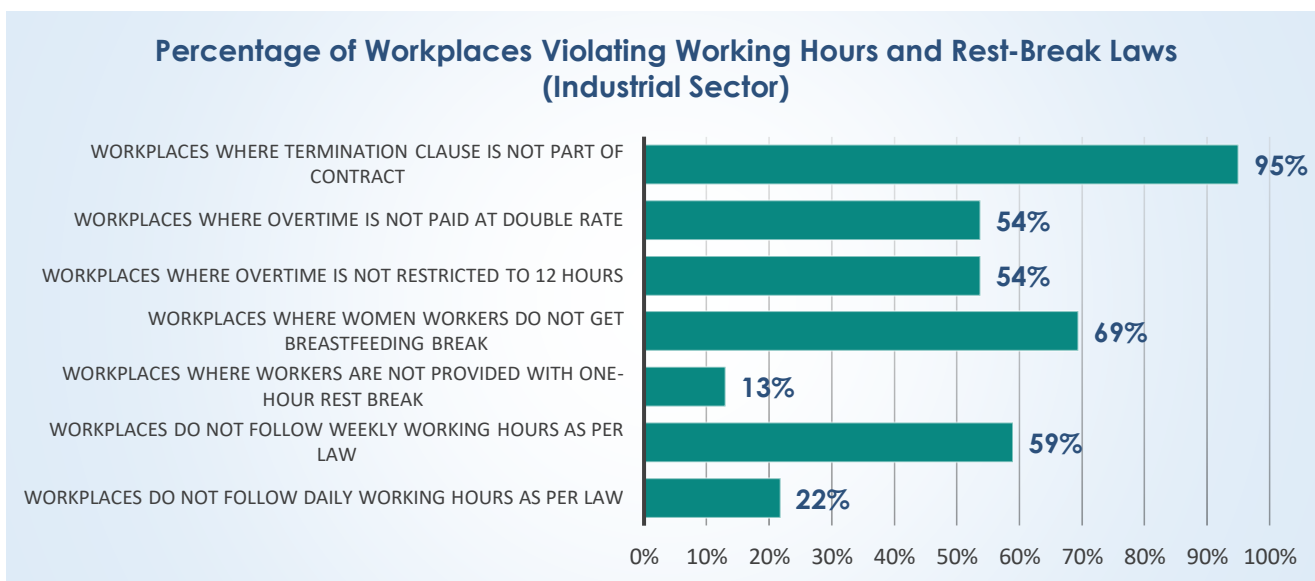




Figure 6

Incidence of Workplace Non-compliance with Laws Regarding Working Hours and Rest-breaks (Industrial Sector)



1.4 Maternity Benefits

TABLE 4 Labour Laws on Maternity Benefits

No.	Name of Law	Provisions
1	West Pakistan Maternity Benefit Ordinance, 1958	Maternity Leave and Benefits: Female employees are entitled to a maximum of 12 weeks (or three months) of maternity leave with full pay. The six-week post-natal leave is compulsory.
2	The Sindh Maternity Benefits Act, 2018	
3	The Punjab Maternity Benefits (Amendment) Bill, 2015	Sindh Maternity Benefits Act mandates 16 weeks of paid maternity leave with four weeks pre-natal and 12 weeks post-natal. The law also allows nursing breaks to lactating women for four times a day.
4	The Khyber Pakhtunkhwa Maternity Benefits (Amendment) Bill, 2015	KP allows one-month arduous work relaxation immediately: Preceding six weeks prior to delivery and succeeding six weeks after delivery.

Private and Public Sector

Maternity benefits are among the most neglected rights of women; forty-six percent of workplaces do not provide women workers maternity benefits as required by labour laws.

Thirty-nine percent of workplaces monitored in the five project cities lack clear policies and procedures regarding maternity benefits to women workers.

Compulsory maternity leaves are not extended to eligible women in 24 percent of public and private workplaces. Moreover, among workplaces that provide maternity leaves, only 31

Industrial Sector

60 percent of monitored factories in the five project districts do not provide maternity leaves to women workers. provisions for maternity benefits in labour laws.

Fifty-six percent of factories lack clear procedures regarding maternity leaves in their policies.

Sixty percent of the factories do not provide maternity leaves to women workers. Moreover, 40 percent of the factories that allow maternity

percent provide them as paid leaves. Paternity leaves seem to be rarely allowed as almost three-quarters (73 percent) of the monitored workplaces do not provide it to their employees.

leaves violate the law by not providing paid maternity leaves.

Figure 7

Incidence of Workplace Non-compliance with Legal Requirements Regarding Maternity Benefits (Private and Public Sectors)

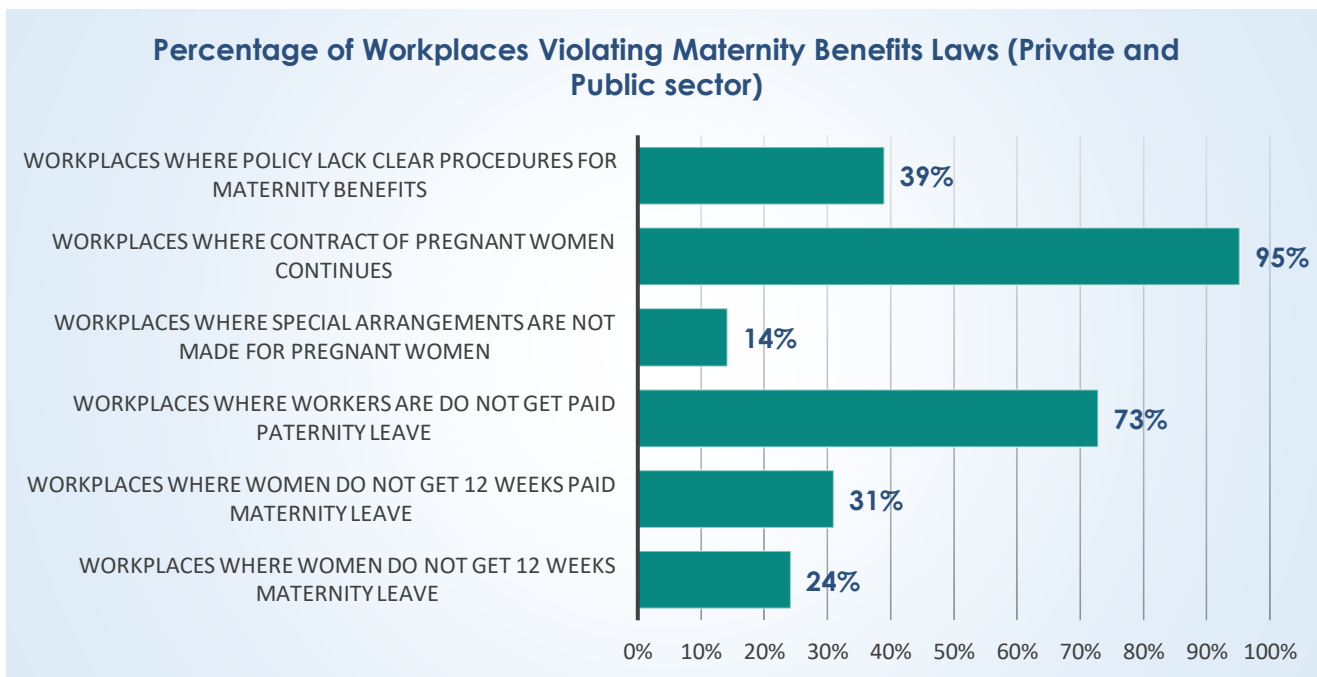
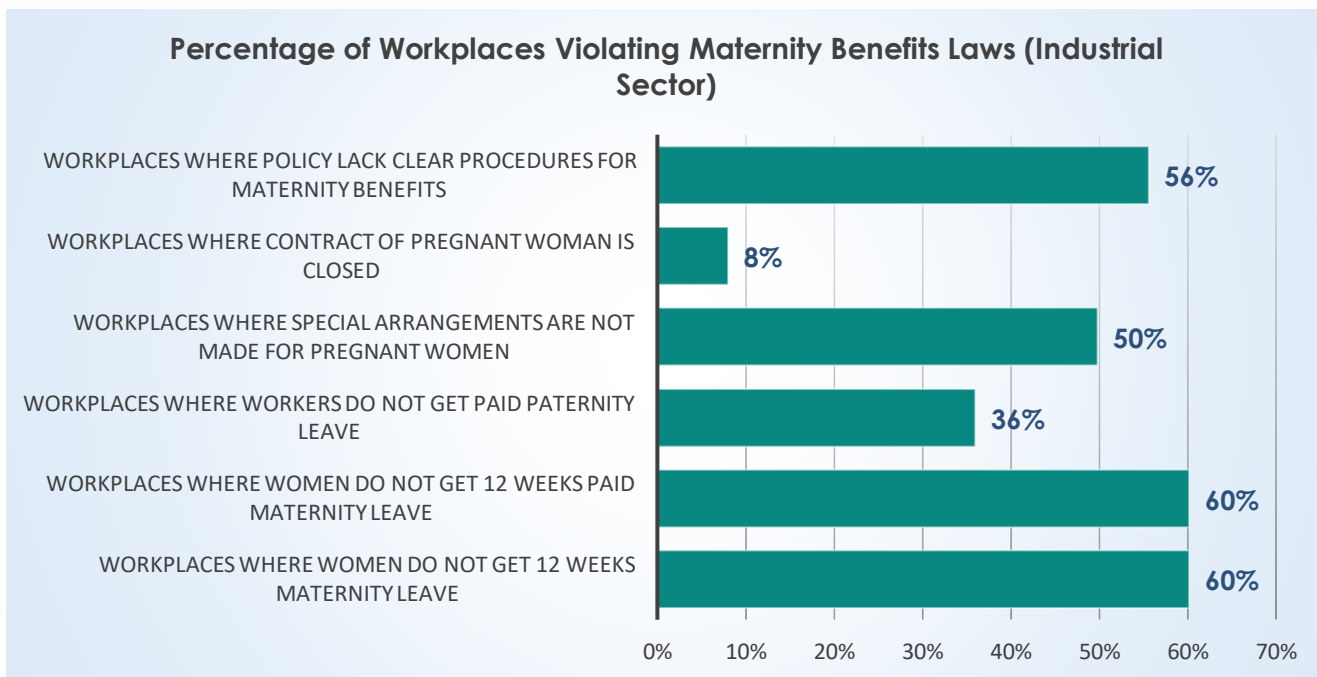


Figure 8

Incidence of Workplace Non-compliance with Legal Requirements Regarding Maternity Benefits (Industrial Sector)



SECTION - II

OCCUPATIONAL SAFETY AND HEALTH (INDUSTRIAL)

This section includes findings regarding factory compliance with special provisions for Occupational Safety and Health (OSH) in the Factories Acts at Provincial and Federal levels. Specific areas of legal compliance measured in the study include the availability of OSH policy and guidelines, policy provisions for workplace accidents, OSH committees, and awareness sessions on OSH.

TABLE 5 Labour Laws and Provisions Related to OSH

No.	Name of Law	Provisions
1	Factories Act 1934	The Factories Act provides detailed measures for the safety and security of workers at workplaces. The safety and precautionary measures revolve around the themes given below: <ul style="list-style-type: none"> ▪ Precautions against contagious or infectious disease, compulsory vaccination and inoculation, power to make rules for the provision of canteens, precautions in case of fire, Fencing of machinery, work on or near machinery in motion striking gear and devices for cutting off power, prohibition of employment of women and children near cotton openers, cranes and other lifting machinery, hoists and lifts, revolving machinery, pressure plant, precautions against dangerous fumes, explosive or inflammable dust, gas, etc. Protection of eyes. ▪ Notice of certain accidents.
2	Sindh Factories Act 2015	
3	Punjab Factories Act 2012	
4	The Sindh Occupational Safety and Health Bill, 2017	The aim of OSH Act in Sindh is to make provisions for occupational safety and health conditions to cover all workplaces, which means it is not limited to factories only. It also talks about decent working environment adapted to the physical and psychological needs of all persons at work.

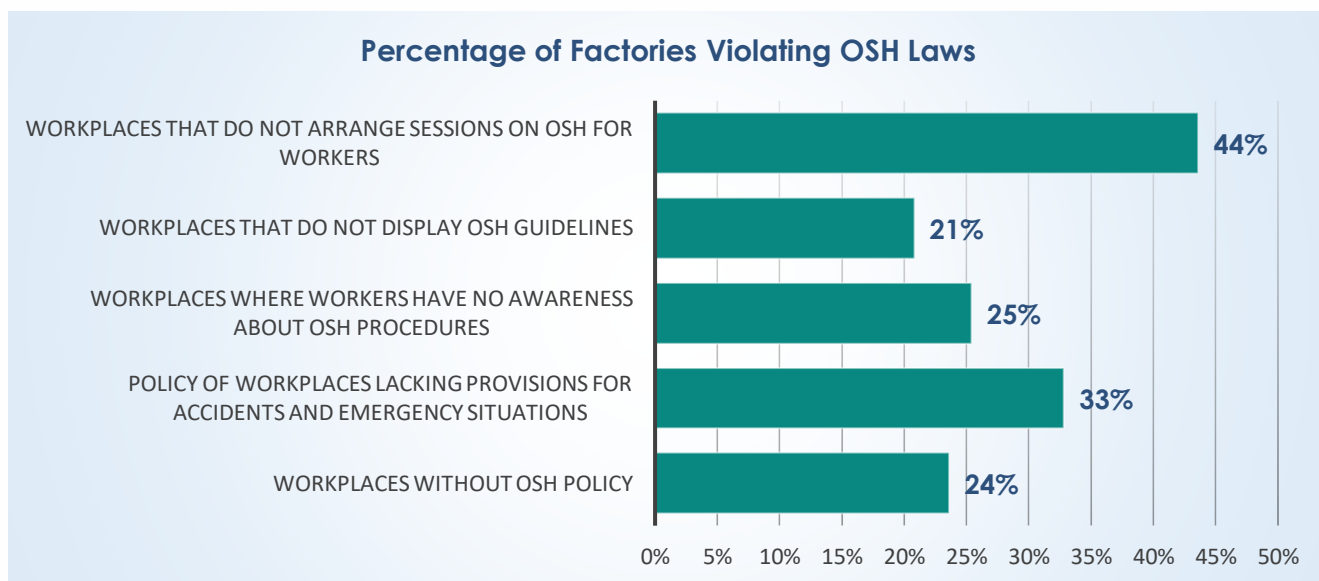
2.1 Availability of OSH Policies and Guidelines

Workplace monitoring reveals that 31 percent of factories in the five project cities do not comply with legal provisions related to OSH policies and guidelines. Among these, 44 percent workplaces have never arranged any awareness session on OSH for its workers (How is it different from bar one of 44%? Which one true.), while 21 percent workplaces do not display the OSH guidelines on a prominent place as per the legal requirement. Workers from 25 percent monitored workplaces are not aware of OSH procedures and rules while policies in 33 percent monitored workplaces lack the mandatory provisions regarding accidents and emergency situations. In total 24 percent workplaces do not have an OSH policy.

Policies in 33 percent monitored workplaces lack the mandatory provisions regarding accidents and emergency situations.

Figure 9

Incidence of Workplace Non-compliance with Legal Requirements Regarding OSH in Factories



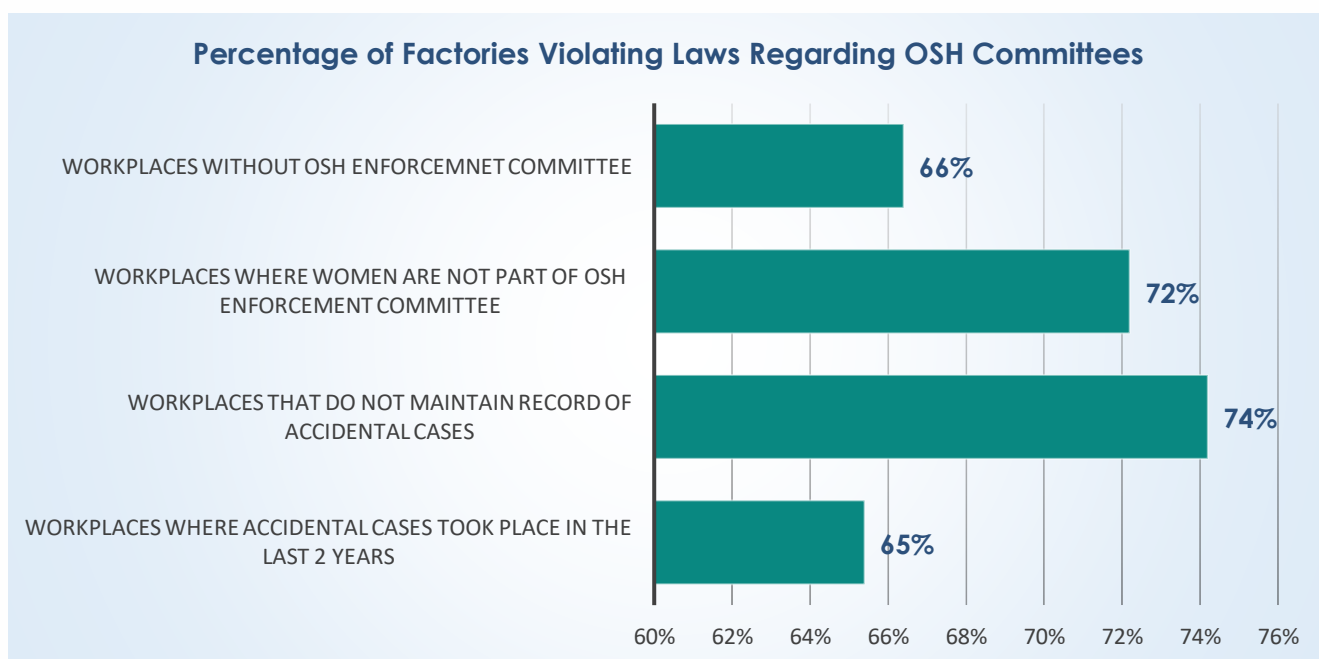
2.2 OSH Enforcement Committees

OSH enforcement committees are responsible to oversee the implementation of OSH policies and it appears to be the most neglected aspects of OSH in factories in all the project cities. As many as 66 percent factories do not have OSH enforcement committees. In 72 percent places where OSH enforcement committee do exists without women are not part of the committee. Seventy-four percent workplaces do not maintain the record of accidental cases which is mandatory according to the law. While, in 65 percent workplaces cases of accident occurred in the last two years.

66 percent factories do not have OSH enforcement committees.

Figure 10

Incidence of Factory Non-compliance with Legal Requirements Regarding OSH Committees



SECTION - III

PHYSICAL ENVIRONMENT

This section includes findings regarding workplace compliance with requirements for physical environment, as stipulated in domestic labour laws and international labour conventions. In order to measure the feasibility of physical environment for workers, indicators were developed that related to cleanliness, lighting system, disposal and waste management system. Questions were also designed for the provision of protective gear and ventilation system, availability of drinking water, availability and access to washrooms, safety and security of workers, availability of mess/canteen, and provision of child care facility at workplace. While, details related to hygiene, lighting and water requirements are provided only in Factories Acts at Federal and Provincial levels, these indicators were also used to monitor private and public workplaces due to the importance of such provisions at workplaces.

5

TABLE 6 Labour Laws and Provisions Related to Physical Environment

No.	Name of Law	Provisions
1	Factories Act 1934	The Factories Act provides detailed measures for acceptable physical environment to make workplaces (factories) conducive. The measures for good physical environment revolve around the themes given below: <ul style="list-style-type: none"> Cleanliness, disposal of wastes and effluents, ventilation and temperature, dust and fumes, artificial humidification, lighting, drinking water, latrines and urinals, floors, stairs and means of access.
2	Sindh Factories Act 2015	
3	Punjab Factories Act 2012	
4	The Sindh Occupational Safety and Health Bill, 2017	The aim of OSH Act in Sindh is to make provisions for occupational safety and health conditions to cover all workplaces which means it is not limited to factories only. It also talks about decent working environment adapted to the physical, physiological and psychological needs of all persons at work.

3.1 Cleanliness

Private and Public Sector

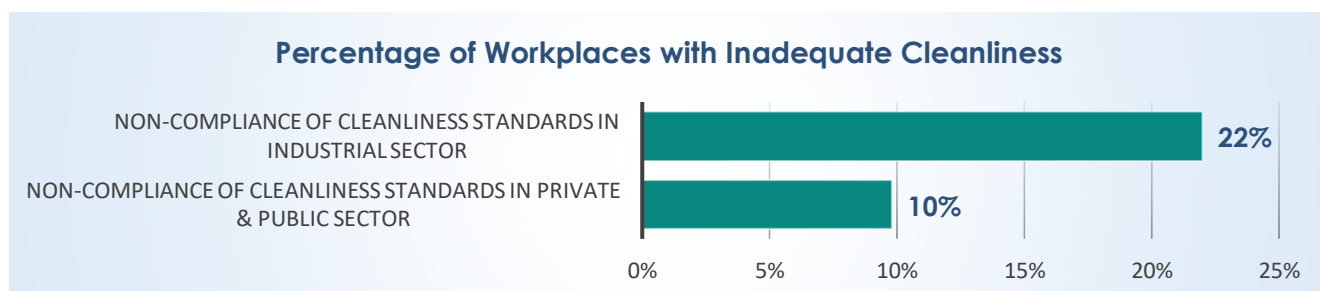
Workplace monitoring reveals that 10 percent of private and public workplaces are not regularly cleaned, including in areas such as passageways, stairways, and floors.

Industrial Sector

Twenty-two percent of the factories do not ensure regular cleanliness of workstations, floors, passageways, and stairways.

Figure 11

Incidence of Workplace Non-compliance with Legal Requirements Regarding Cleanliness



⁵ The legal provisions related to OSH and physical environment in the law are same, therefore table 5 and table 6 do not have any change.

3.2 Lighting System

Private and Public Sector

Twenty-three percent of workplaces in the private and public sectors lack adequate natural or artificial lighting facilities. 25 percent workplaces lack alternative or emergency lighting systems. Fifteen percent have dysfunctional lighting system, i.e. the available systems do not run on full capacity, whereas 25 percent do not have alternative electricity systems.

Industrial Sector

On average sixteen percent of factories in all five cities do not fulfil requirements for proper lighting systems. Alternative or emergency lighting systems are not available in 19 percent of the factories. Twenty-nine percent of factories do not have adequate natural or artificial lighting, also indicating that these factories are not designed to make use of natural light.

Figure 12

Incidence of Workplace Non-compliance with Requirements for Adequate Lighting (Private and Public Sectors)

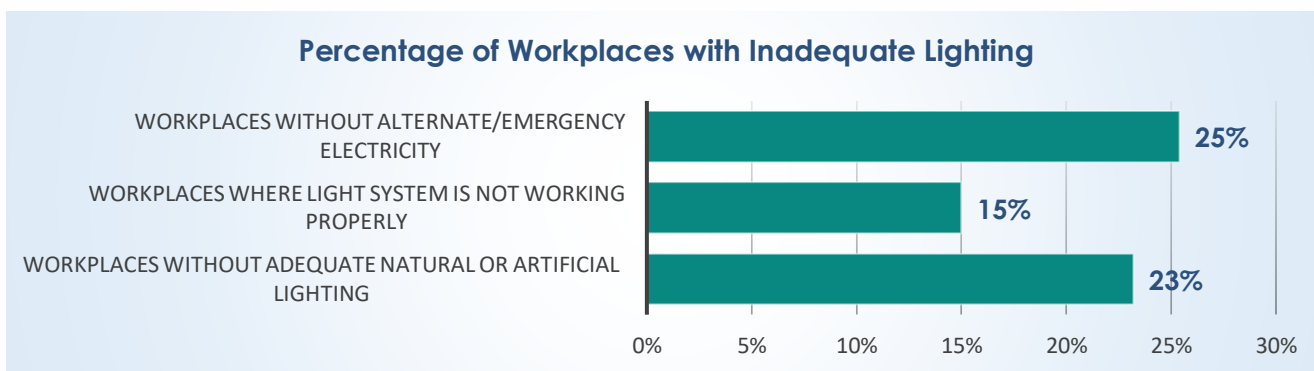
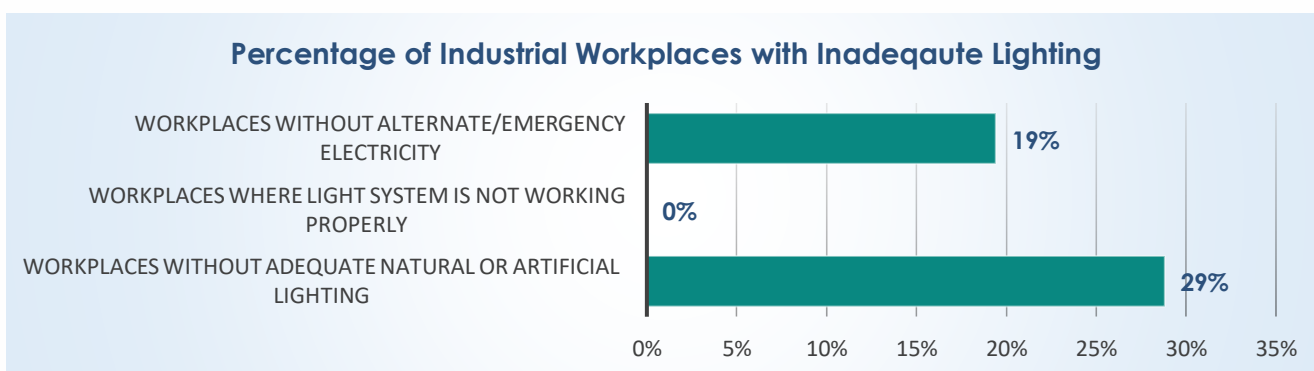


Figure 13

Incidence of Workplace Non-compliance with Requirements for Adequate Lighting (Industrial Sector)



3.3 Waste Disposal and Waste Management Systems (Industrial Sector)

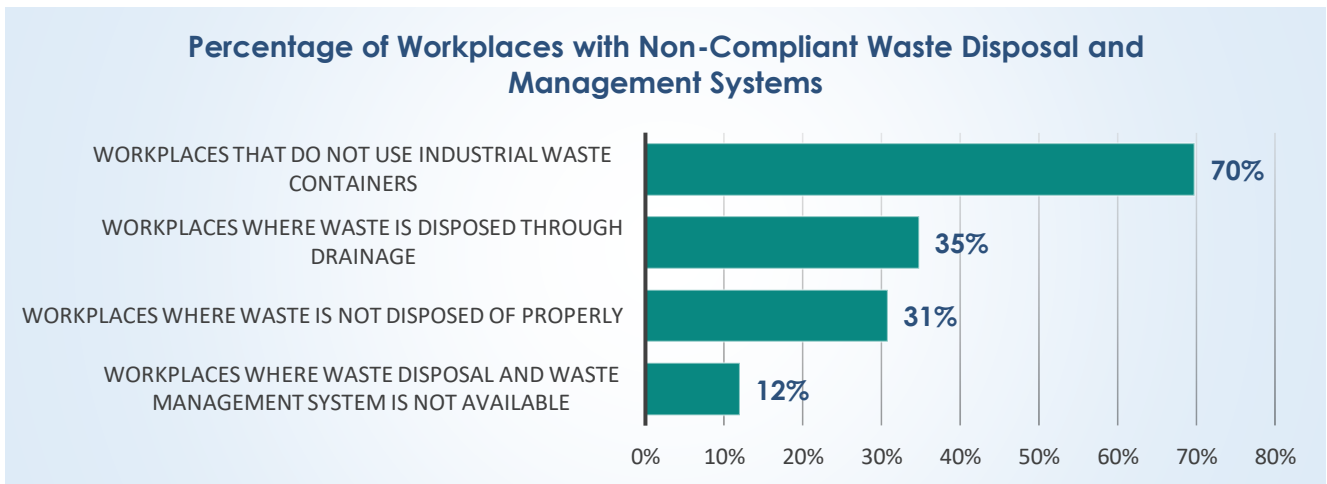
On average more than half (55 percent) of industrial workplaces in the federal and provincial capitals lack proper waste disposal and management systems, breakdown of the percentage is given in the graph below according to which 12 percent lack them altogether. The monitoring data shows that 31 percent of factories do not dispose waste properly, while 35 percent use drainage to dispose their waste. Moreover, up to 70 percent of factories do not utilise containers designed to dispose of the industrial waste.

12 percent of industrial workplaces in the federal and provincial capitals do not have waste disposal and management systems.



Figure 14

Incidence of Workplace Non-compliance with Waste Disposal and Management Requirements



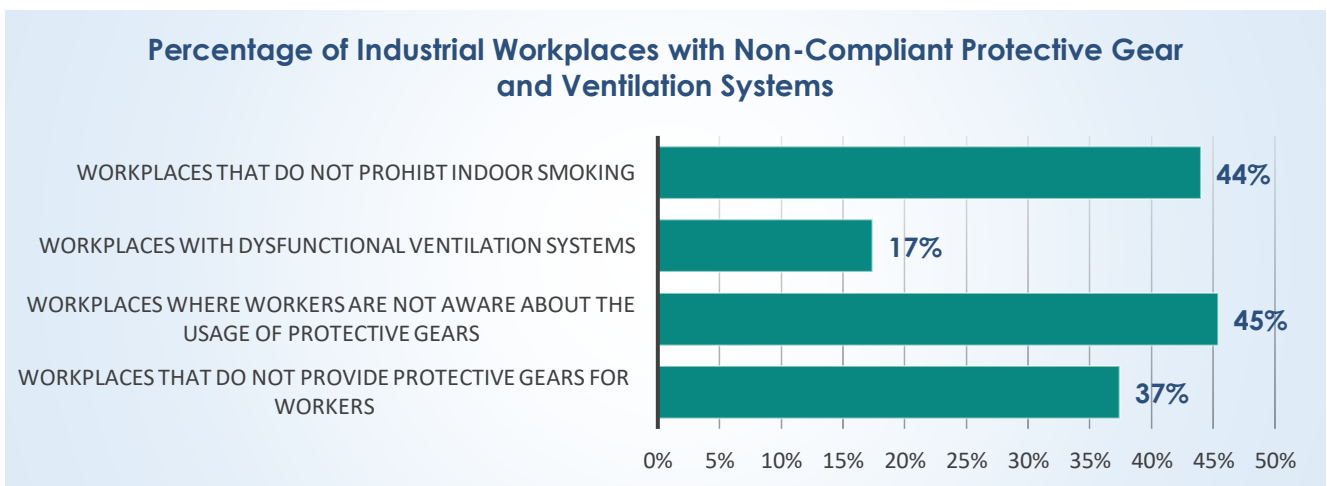
3.4 Protective Gears and Ventilation System (Industries)

Up to 37 percent of factories in the federal and provincial capitals do not provide the legally mandated protective gear to employees, while workers in 45 percent of the monitored factories are unaware of the usage of protective workplaces measures. As for ventilation, 17 percent of factories do not ensure properly functional workplace ventilation, whereas 44 percent do not prohibit indoor smoking.

37 percent of factories in the federal and provincial capitals do not provide the legally mandated protective gear to employees.

Figure 15

Incidence of Factory Non-compliance with Legal Requirements Regarding Protective Gear and Ventilation



3.5 Access to Drinking Water

Private and Public Sector

Thirty-four percent of private and public workplaces across the five cities do not provide safe drinking water to their employees. There are one in 10 workplaces where workers do not have access to safe drinking

Industrial Sector

There are one in 10 workplaces where workers do not have access to safe drinking water. Seven percent of factories have drinking water points at distances

water. In all five project cities, workers from 83 percent of workplaces do not have access to tap water. To ensure hygiene, the legally required distance between drinking water and washing area should be at least 20 meters. However, 12 percent of workplaces have drinking water points at distances less than 20 meters from washing areas.

less than the legally mandated 20 meters from washing areas. In 51 percent of the factories workers do not have access to tap water.

Figure 16

Incidence of Workplace Non-compliance with Legal Requirements Regarding Workers' Access to Drinking Water (Private and Public Sectors)

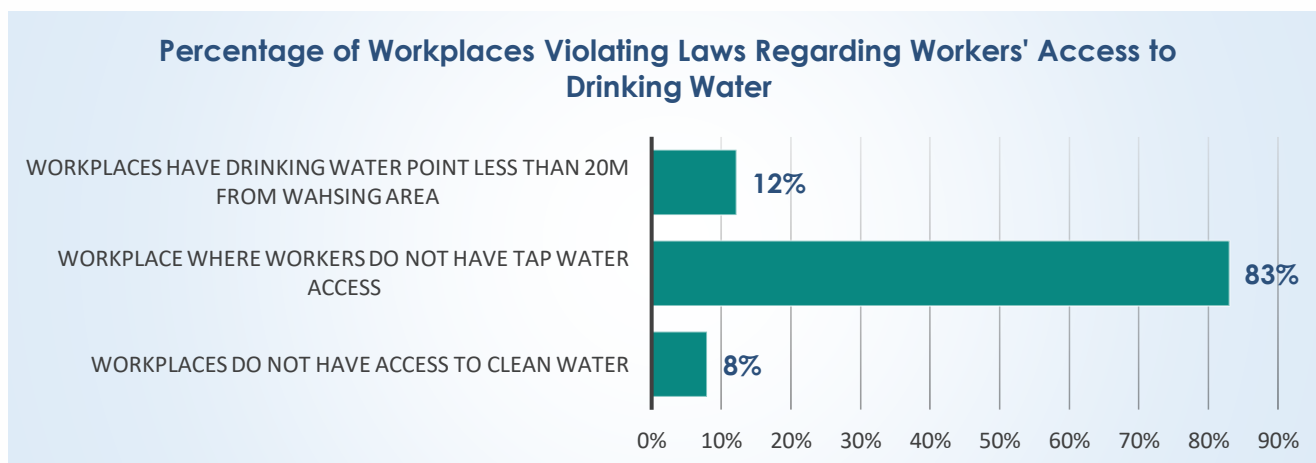
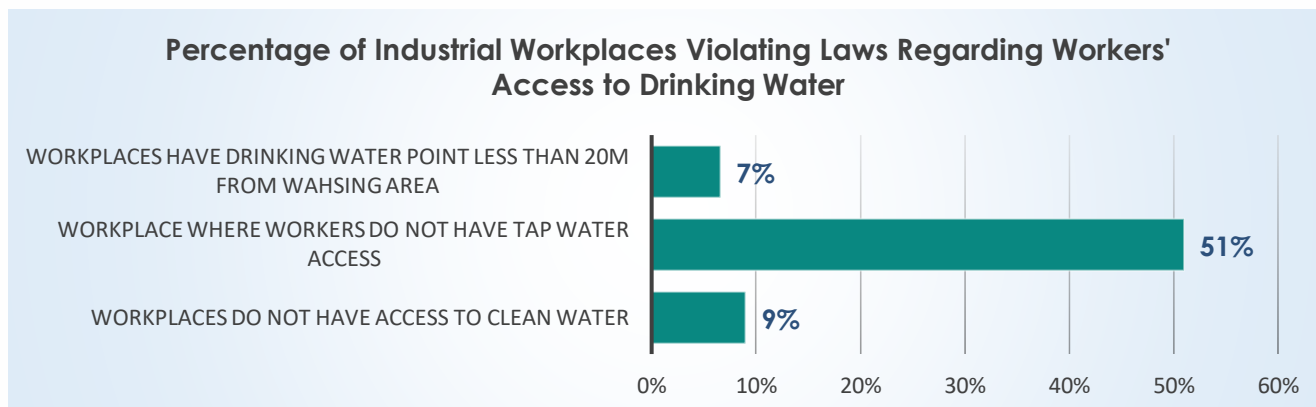


Figure 17

Incidence of Workplace Non-compliance with Legal Requirements Regarding Workers' Access to Drinking Water (Industrial Sector)



3.6 Access, Availability and Cleanliness of Washrooms

TABLE 7 Labour Laws that Mention Separate Washrooms for Women

S No.	Name of Law	Provisions
1	Factories Act 1934	Latrines and urinals in factories act: Every factory must have male and female toilets which are conveniently situated and accessible to workers.
2	KP Shops and Establishment Act, 2015	



3	Sindh Factories Act 2015	KP's law ensures provision of separate washroom for women in shops and establishment employing five or more women.
4	Punjab Factories Act 2012	Sindh Factories Act 2015 prescribes to provide separate enclosed latrines and urinals for male and female workers, but leaves it to the government to decide on the number of washrooms.

Private and Public Sector	Industrial Sector
14 percent of Private and public sector workplaces do not provide separate washroom facilities for women workers.	100 percent of factories provide separate washroom facilities for women workers, but 39 percent do not comply with cleanliness standards.

Twenty percent of workplaces violate minimum standards regarding cleanliness of washrooms. Around 14 percent of workplaces do not provide separate washroom facilities for women workers. In two percent of workplaces washrooms do not have water and light facility. The study finds that workers are not restricted from using washrooms at any of the monitored workplaces in all five cities.

Thirty-nine percent of factories violate minimum standards regarding cleanliness of washroom. All the factories provide separate washroom facilities for women workers. However, 12 percent of washrooms have no access to water and light. Four percent of factories restrict the access of workers to washroom.

Figure 18 Incidence of Workplace Non-compliance with Legal Requirements Regarding Availability, Access and Cleanliness of Washrooms (Private and Public Sectors)

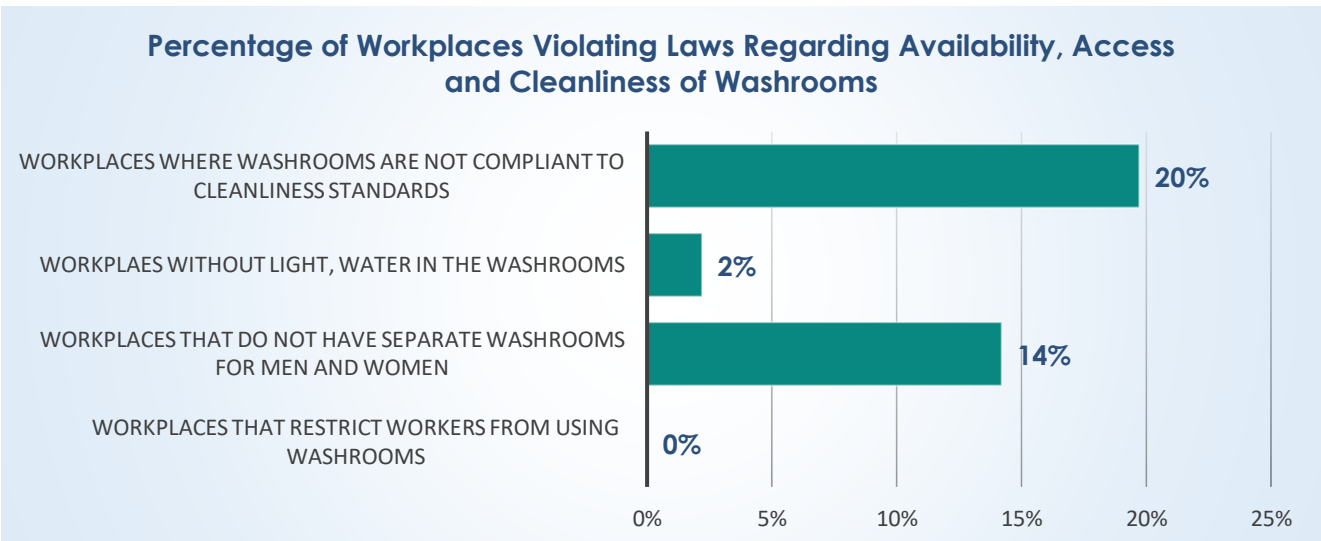
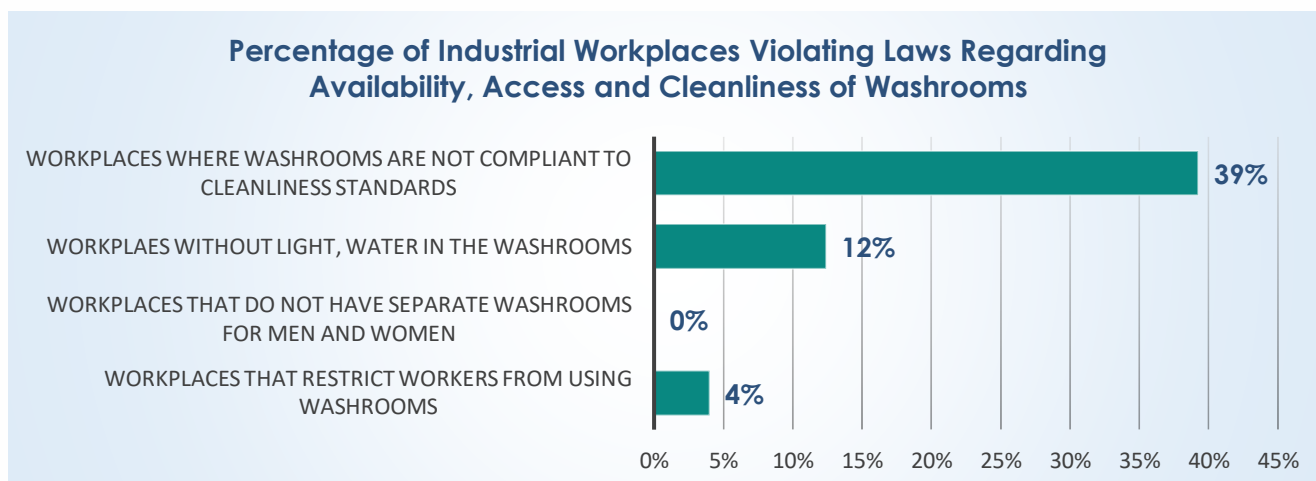


Figure 19

Incidence of Workplace Non-compliance with Legal Requirements Regarding Availability, Access and Cleanliness of Washrooms (Industrial Sector)



3.7 Safety and Security of Workers

Private and Public Sector

Industrial Sector

More than 53 percent of private and public sector workplaces and 38 percent of factories have not installed fire alarms.

Measures for safety and security of workers are among the most neglected aspects of physical environment at workplaces. Forty-one percent of surveyed workplaces showed lack of precautionary and safety arrangements to protect workers against emergencies, i.e. fire, exhaustion, infections, earthquake, etc.

More than 53 percent of the workplaces have not installed fire alarms, and in 57 percent of the workplaces workers are not aware of the sound of a fire alarm. 64 percent of the private and public sector organisations do not arrange capacity-building exercises for workers to prepare them to fight fire or any other emergency situation. There is no fire extinguisher in 30 percent of the workplaces.

Thirty percent of workplaces do not provide first aid box at the premises, and in 33 percent of the workplaces the first aid box is not accessible to workers.

Forty-one percent of the monitored factories show non-compliance with safety and security requirements for workers. Thirty-eight percent of factories lack fire alarms, and 20 percent do not have fire extinguishers. There are no alternate safe exits in 28 percent of the factories. First aid box is missing in 36 percent of factories and is inaccessible to workers in four percent of the factories.

Fifty-four percent of the factories do not arrange training workshops for their employees on safety and security to handle emergency situations such as fire outbreaks.



Figure 20

Incidence of Workplace Non-compliance with Legal Requirements Regarding Worker Safety and Security (Private and Public Sectors)



Figure 21

Incidence of Workplace Non-compliance with Legal Requirements Regarding Worker Safety and Security (Industrial Sector)



3.8 Workplace Canteens

Private and Public Sector

On average, as many as 53 percent monitored private and public sector workplaces do not provide adequate canteen facilities for workers. The detailed breakdown given in figure 22 shows that mess facility, even when available, does not fulfil the standards mentioned in the law. Such as, 51 percent of the workplaces lack washing facilities in canteens, whereas 77 percent lack committees to run canteen affairs.

Industrial Sector

Mess facilities or canteens are mandated at workplaces when the number of employees exceeds 250, according to the Factories Act 1934. As many as 37 percent of the monitored factories do not provide canteen facilities for the workers. The data shows that mess facilities, when available, do not comply with the legal standards, such as the monitoring data shows that 53 percent factories do not have canteen committees to manage the facilities.

Figure 22 Incidence of Workplace Non-compliance with Legal Requirement Regarding Canteen/Mess Facilities (Private and Public Sectors)

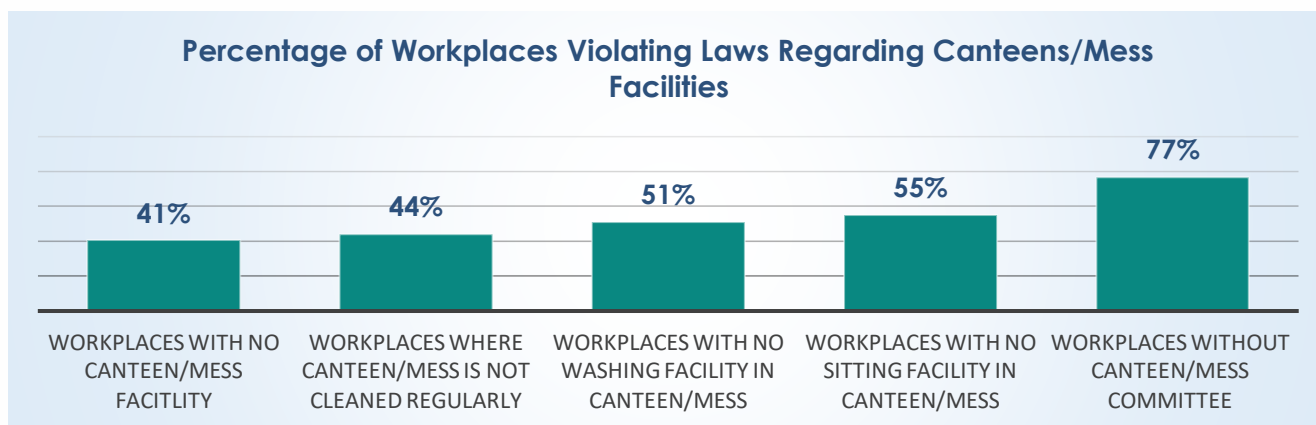
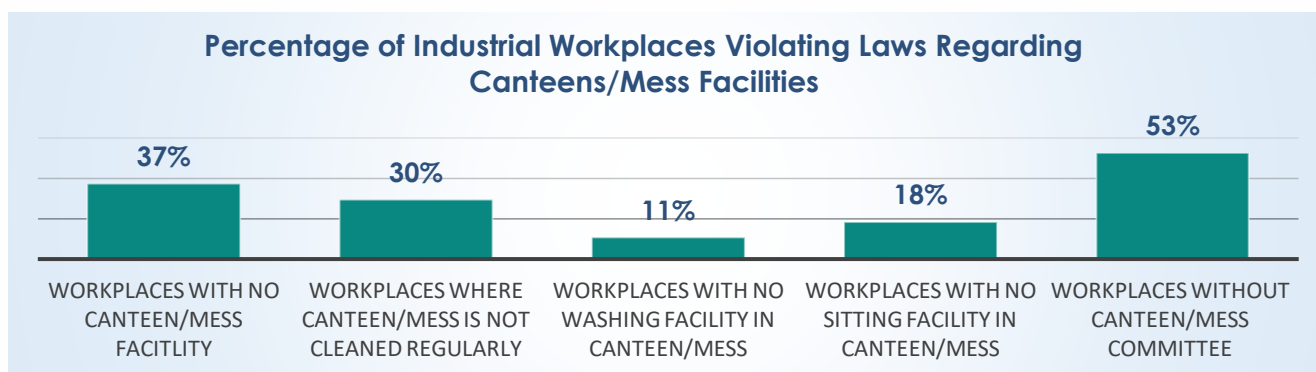


Figure 23 Incidence of Workplace Non-compliance With Legal Requirement Regarding Canteen/Mess Facilities (Industrial Sector)



3.9 Availability of Child Care Facility

TABLE 8 Labour Laws that Mention Day Care Centres

No.	Name of Law	Provisions
1	Factories Act 1934	Factories Act mandates employers with 50 or more workers to provide a facility for children aged six and below.
2	Sindh Factories Act 2015	
3	KP Factories Act 2013	
4	KP Shops and Establishment Act 2015	Sindh Factories Act: 'Suitable room shall be reserved for the use of children under the age of six years.'
		KP Factories act: Where 20+ women work: 'Suitable room shall be reserved for the use of children under the age of six years.'
		KP Shops and Establishment Act 2015 mentions a facility where women workers can bring and nurse their pre-school and infirm children.
5	Sindh Maternity Benefits Act 2018	It is mandatory for every organization employing 10 percent or more employees (women) to establish a day care facility within the premises and installation of CCTV for monitoring the child's well-being.



No.	Name of Law	Provisions
6	Punjab Shops and Establishment (Amendment) Act 2014	Where 25 or more women are employed in an establishment the employer shall reserve a suitable day care room for under six years' old children of the women.

Private and Public Sector

Industrial Sector

As many as 84 percent of private and public sector workplaces and 90 percent of factories do not have day care facility.

Amongst the private and public sector organisations, a striking 82 percent do not provide day-care centres for employees. Day-care centres are an important aspect of conducive workplace to allow women workers to work without the burden of child-care hindering their careers. This also helps to reduce discrimination against women who have to discontinue their work for not finding proper child-care facility. The meagre 18 percent workplaces that have day-care facility do not have supervisors available for child care. Similarly, 85 percent lack SoPs to manage the facility. From the point of view of physical environment, lack of day-care centres is the most common aspect of workplaces in all the cities.

Ninety percent of factories do not provide day-care centres for employees. Apart from very few factories in Quetta and Lahore, none of the factories provide child-care facilities to women workers. All the factories where day care facility is available lack the supervision and Standard Operating Procedures (SoPs).

Figure 24

Incidence of Workplace Non-compliance with Legal Requirement Regarding Day Care Facilities (Private and Public Sectors)

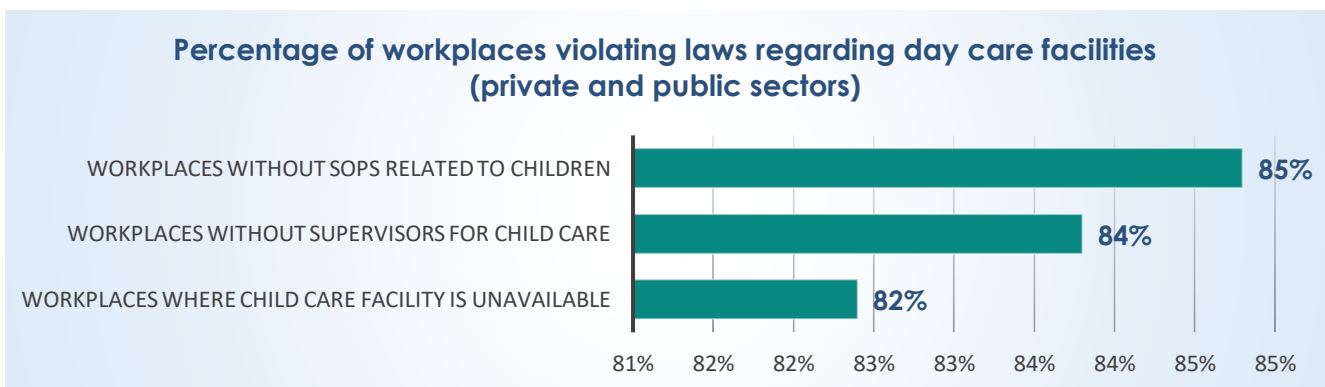
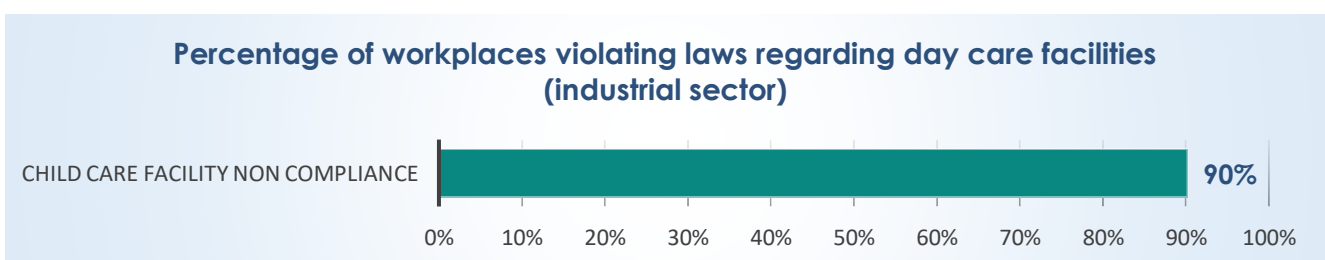


Figure 25

Incidence of Workplace Non-compliance with Legal Requirement Regarding Day Care Facilities (Industrial Sector)



SECTION - IV

SEXUAL HARASSMENT

This section includes the findings regarding the compliance of sexual harassment policies at workplaces with relevant domestic labour laws and international labour conventions. Indicators for measuring compliance included availability of policy, implementation of policy, mechanisms to deal with cases and reporting of cases, are used as part of monitoring exercise.

4.1 Sexual Harassment Policy and Implementation

TABLE 9 Sexual Harassment in the Labour Laws

No.	Name of Law	Provisions
1	The Protection Against Harassment of Women at the Workplace Act, 2010	Defines sexual harassment and stipulates procedures and penalties to deal with sexual harassment
2	The Balochistan Harassment of Women at Workplace Bill, 2015	In addition to the provisions from Federal Act this law requires organisations to form committees for dealing with sexual harassment that must have women member(s)
3	The Khyber Pakhtunkhwa Protection against Harassment of Women at the workplaces (Amendment) Bill, 2018	Defines sexual harassment and stipulates procedures and penalties to deal with sexual harassment

Private and Public Sector

Industrial Sector

As many as 61 percent of private and public sector workplaces and 70 percent of factories do not have written sexual harassment policies.

In private and public sector workplaces, violations include non-compliance with sexual harassment laws that require existence of sexual harassment policy, display of policy, existence of harassment committees, workers' knowledge regarding the members of harassment committees, and arrangement of awareness sessions on sexual harassment. Sixty-one percent of the workplaces do not have written sexual harassment policies; sixty-nine percent have no sexual harassment committee; while in 72 percent workplaces, workers are unaware about the existence of sexual harassment committees and their members. In 78 percent of the workplaces, no awareness-raising sessions on sexual harassment are conducted for employees.

Seventy percent of factories do not have sexual harassment policies, whereas 69 percent of factories lack sexual harassment committees. Workers are unaware about sexual harassment committees in 40 percent of the factories.



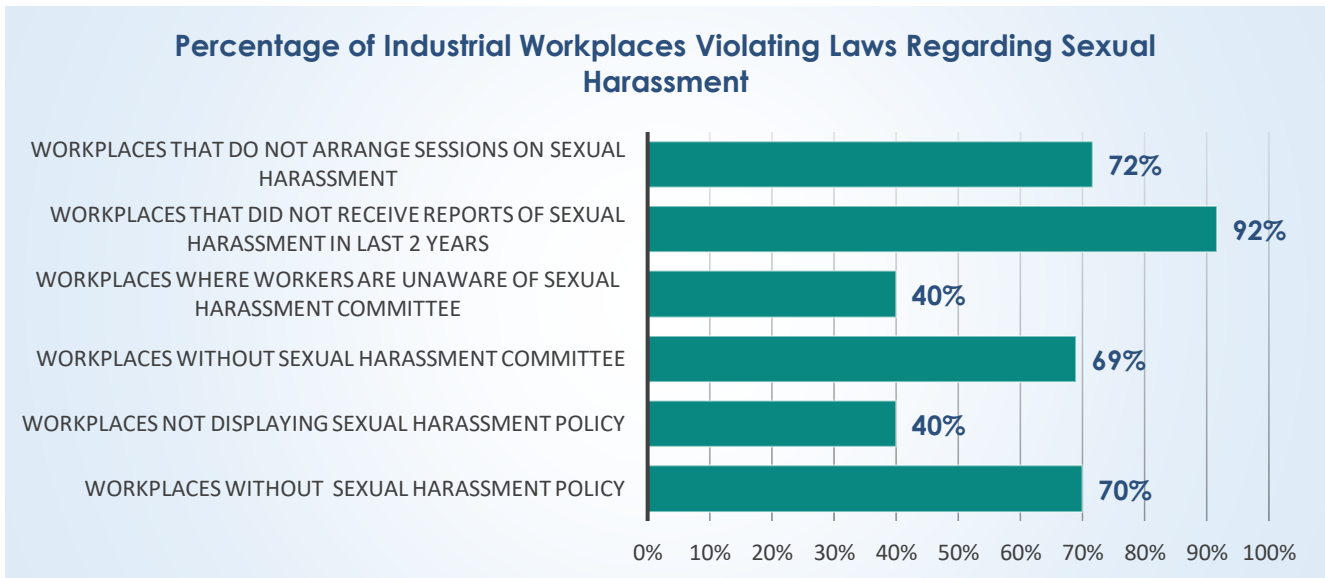
Figure 26

Incidence of Workplace Non-compliance with Legal Requirements Regarding Sexual Harassment (Private and Public Sectors)



Figure 27

Incidence of Workplace Non-compliance with Legal Requirements Regarding Sexual Harassment (Industrial Sector)



4.2 Sexual Harassment Case-Handling Mechanisms

Private and Public Sector

With regards to the reporting mechanism to deal with sexual harassment cases, 70 percent workplaces show negligence in devising adequate mechanisms to deal with sexual harassment cases that are reported.

In 39 percent of the workplaces, sexual harassment cases were reported during the last two years. Twenty-nine percent workplaces took some kind of action against the culprit, including termination of employment. Only 25 percent of the workplaces

Industrial Sector

The workplace monitoring exercise gathered data on the number of sexual harassment cases recorded and registered at factories. The data revealed that as many as 86 percent of factories either lack reporting mechanisms or do not take appropriate measures upon complaint.

Only five percent of the workplaces maintain records of reported sexual harassment cases. Amongst the monitored factories only 14 percent took action

maintained records of reported sexual harassment cases. against the culprit and in 30 percent of the incidences where action was taken the culprits were terminated.

Figure 28

Details on Sexual Harassment Case-handling Mechanisms and Related Measures in Private and Public sectors

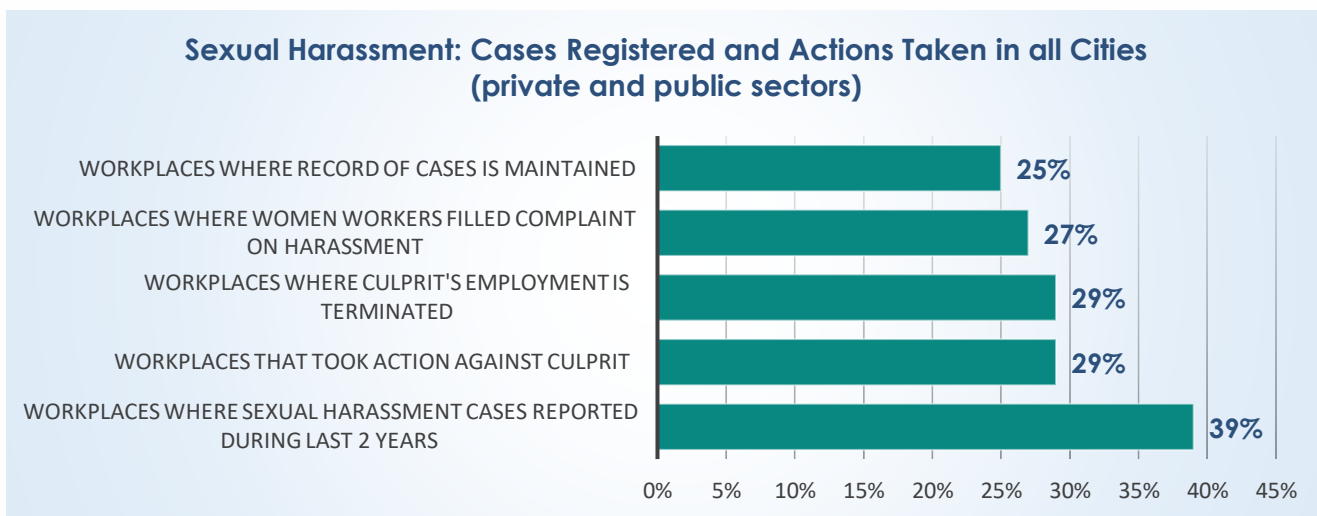
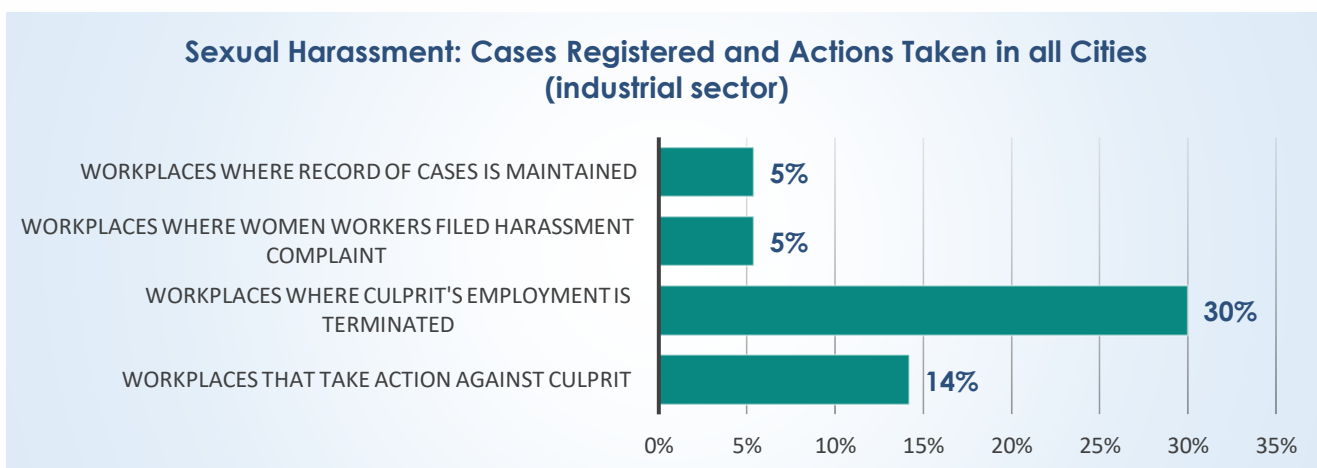


Figure 29

Details on Sexual Harassment Case-handling Mechanisms and Related Measures in Industrial Sector



SECTION - V

SOCIAL SECURITY

This section includes findings regarding the compliance of social security benefits with relevant domestic labour laws and international labour conventions. Indicators for measuring compliance include provision of employee old-age benefits, gratuity, provident fund and workers welfare fund.

5.1 Employees Old-Age Benefits Institution

Workers are registered by their employers with Employees Old age Benefit Institution (EOBI) for compulsory social insurance. Registration extends various old-age benefits to insured persons or their survivors. This section provides details of workplace compliance with EOBI Laws.

TABLE 10 Employee Old-Age Benefits in Labour Laws

No.	Name of Law	Provisions
1	Employees Old-Age Benefits Act, 1976	Ensured person (man 60 years or above, woman 55 years or above) is entitled to a monthly old-age pension at the rate specified in the schedule.
2	The Sindh Employees Old-Age Benefits (Amendment) Bill, 2018	The benefits include Sickness Benefit, Death Grant, Injury Benefit, Disablement Gratuity, Maternity Benefit, Disablement Pension and Survivor's Pension.

Private and Public Sector

67 percent of the private and public sectors workplaces are not registered with EOBI. The 33 percent of workplaces that are registered with EOBI do not have EOBI card.

Industrial Sector

49 percent of the factories are not registered with EOBI. The workers in 37 percent of the factories do not have EOBI cards.

An overall non-compliance analysis shows that 87 percent of the private and public sectors workplaces are either not registered with EOBI, or do not provide EOBI cards and EOBI numbers to their employees. Specifically, 67 percent of the organisations have not registered their workers with EOBI. The number of organisations where employees do not have EOBI number is 76 percent.

On average almost fifty percent of the factories are either not registered with EOBI, or do not provide EOBI cards and EOBI numbers to the workers. Forty-nine percent of the factories have not registered their workers with EOBI. The numbers of factories where employees do not have EOBI number is 63 percent.

Figure 30

Incidence of Workplace Non-compliance with Laws Regarding EOBI (Private and Public sectors)

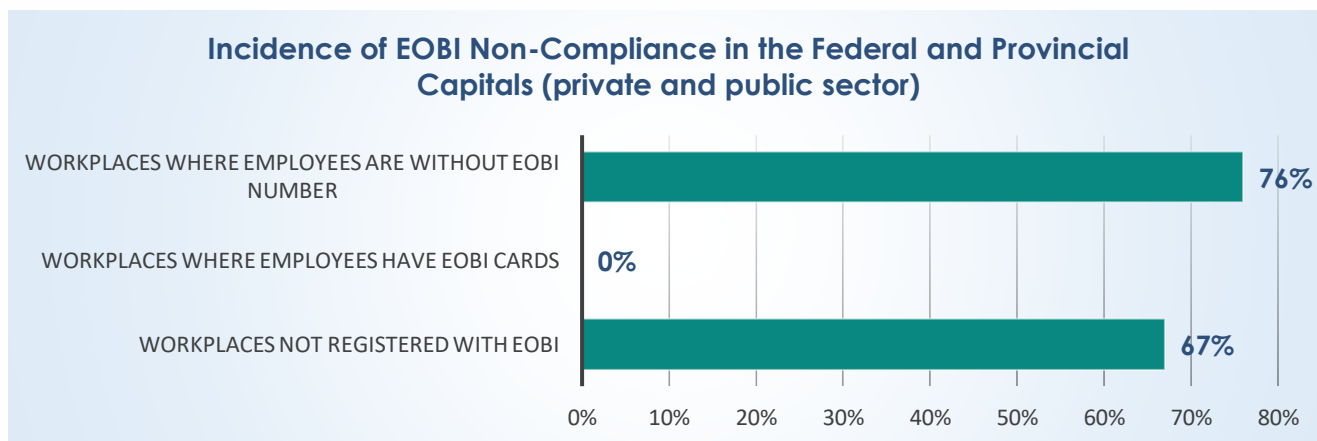
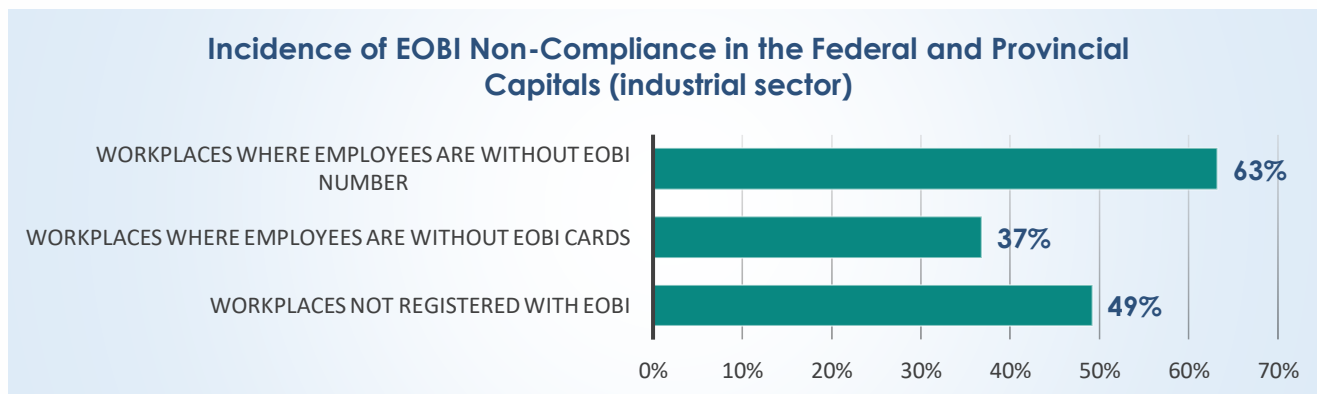


Figure 31

Incidence of Workplace Non-compliance with Laws Regarding EOBI (Industrial Sector)



5.2 Gratuity

Gratuity is one of three prevalent retirement benefits in the employment sectors. It is a "lump-sum" amount of money payable to a worker on leaving service (through retirement, death or termination of service) based on salary.

TABLE 11 Gratuity in the Labour Law

No.	Name of Law	Provisions
1	The Industrial and Commercial Establishments (Standing Orders) Ordinance, 1968	<ul style="list-style-type: none"> ▪ A workplace must have specified number of employees as mentioned in law. ▪ A person must be a permanent worker. ▪ A person has to be a worker as defined in law. ▪ A person must be a permanent worker for 12 months or above. <p>The gratuity should be given to employees under following circumstances as well:</p> <ul style="list-style-type: none"> ▪ Worker resigns from his service ▪ Worker dies while in service of his employer ▪ Worker's organization terminates his services other than misconduct ▪ Worker reaches the superannuation age and retires (Move these underlined points a bit rightward)



Private and Public Sector

The monitoring data suggests that provision of gratuity is slightly better than employee old-age benefits. However, in 52 percent of the workplaces, gratuity is not provided to workers in the first place, whereas 54 percent workplaces do not provide gratuity to a worker's family in case of death.

Industrial Sector

Sixty-four percent of the factories in the federal and provincial capitals do not provide gratuity to the workers in the first place whereas 74 percent of factories do not provide gratuity to a worker's family in case of death.

Figure 32

Incidence of Workplace Non-compliance with Legal Requirements Regarding Gratuity (Private and Public Sectors)



Figure 33

Incidence of Workplace Non-compliance with Legal Requirements Regarding Gratuity (Industrial Sector)



5.3 Provident Fund

Provident fund is a retirement plan for employees, set up under the Provident Fund Act, 1925.

Private and Public Sector

Industrial Sector

As many as 41 percent of private and public sector workplaces and 57 percent of the factories do not provide provident fund to workers.

Forty-one (41% here but in fig its 51%) percent of the workplaces do not provide provident

fifty-seven percent of the factories do not provide provident fund to workers whereas

fund to workers. Findings of workplace monitoring survey reveal that 49 percent of workplaces do not provide the fund to an employee's family in case of death. 67 percent do not provide the fund to the family of a deceased worker.

Figure 34

Incidence of Workplace Non-compliance with Legal Requirements Regarding Provident Fund (Private and Public Sectors)

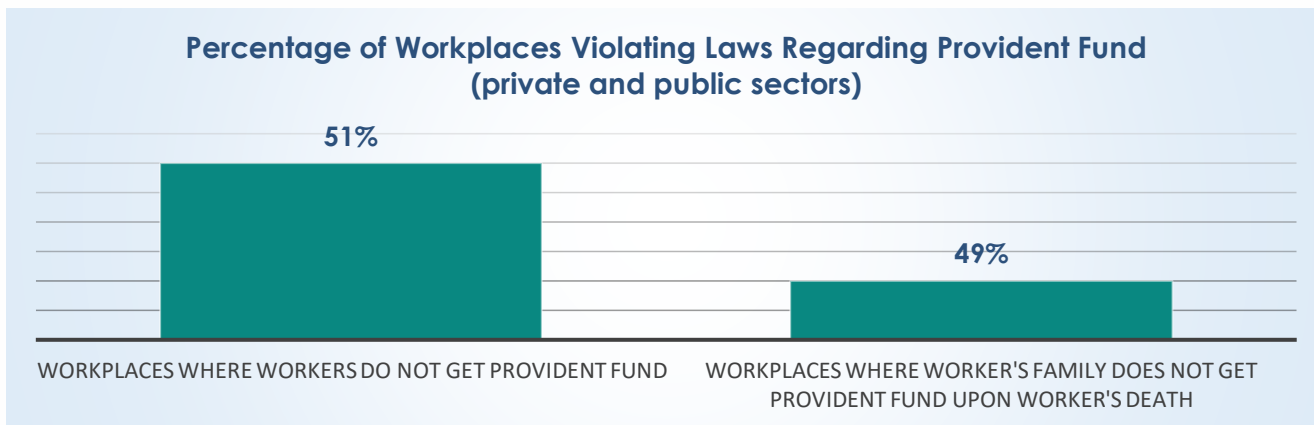
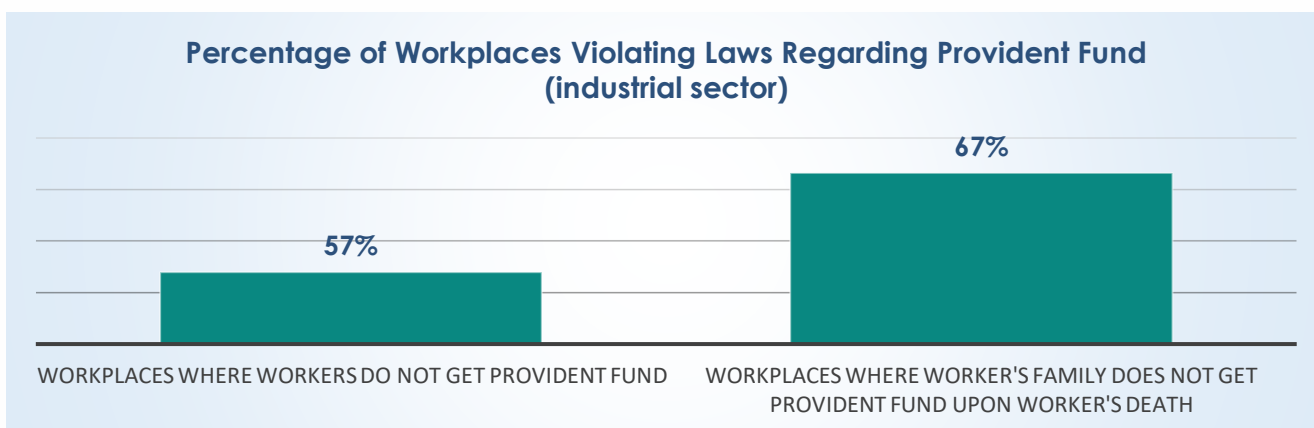


Figure 35

Incidence of Workplace Non-compliance with Legal Requirements Regarding Provident Fund (Industrial Sector)



5.4 Workers Welfare Fund (Industrial Sector)

Workers Welfare Fund (WWF) was established under Workers Welfare Fund Ordinance, 1971 for the provision of low-cost housing and other amenities to the industrial labour force. According to the study's monitoring data, none of the factories (0 percent) are registered with WWF.

Figure 36

Incidence of Workplace Non-compliance Workers Welfare Fund Ordinance 1971 (Industrial Sector)



SECTION - VI

RIGHT TO ASSOCIATION AND COLLECTIVE BARGAINING

This section includes findings regarding workplace compliance with provisions for right to trade unionism and collective bargaining in relevant domestic labour laws and international labour conventions. Indicators for measuring compliance related to trade union/association formation, workers' choice to join any union of choice, women's representation in trade unions/associations, presence of women wings in trade unions and discrimination against workers who are part of any union/association.

TABLE 12 Labour Laws and Provisions Related to Right to Association

No.	Name of Law	Provisions
1	Industrial Relations Act 2012	These laws consolidate and rationalize the legal provisions for formation of trade unions, improvement of relations between employers and employees in establishments and industries.
2	Sindh Industrial Relations Act 2013	
3	The Punjab Industrial Relations Act 2010	
4	The Balochistan Industrial Relations Bill, 2015	The federal law, as well as the laws in Sindh and Balochistan specifically mandate the participation of women in trade unions and its executive councils in same proportion with which they are part of the organization.
	The Khyber Pakhtunkhwa Industrial Relations Act 2010	

6.1 Right to Association

Private and Public Sector

Industrial Sector

Women are part of trade unions in 1 percent of private and public sector workplaces and none of the factories..

The right to trade union is curbed to such an extent that 87 percent of workplaces are found to limit workers from exercising this right.

Trade unions are not present in 80 percent of the workplaces, whereas 99 percent do not have women in trade unions. In 12 percent of the workplaces, members face discrimination in trade unions.

The right to trade union is curbed in 88 percent of factories. In 91 percent of the monitored factories, a trade union does not exist.

None of the factories show women participation in the trade unions. Twenty percent factories report that trade union members face discrimination in factories.

Figure 37 Details on Right to Association Related Provision in Private and Public Sectors

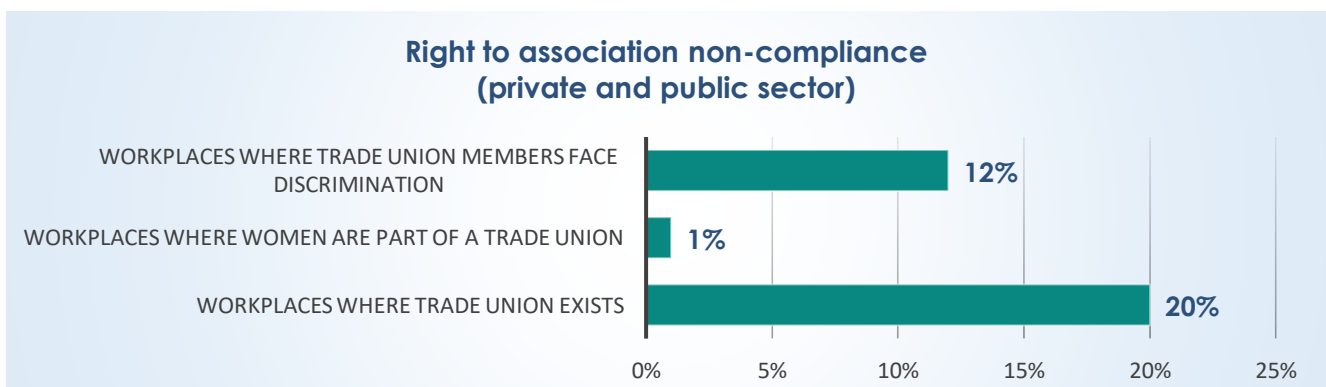
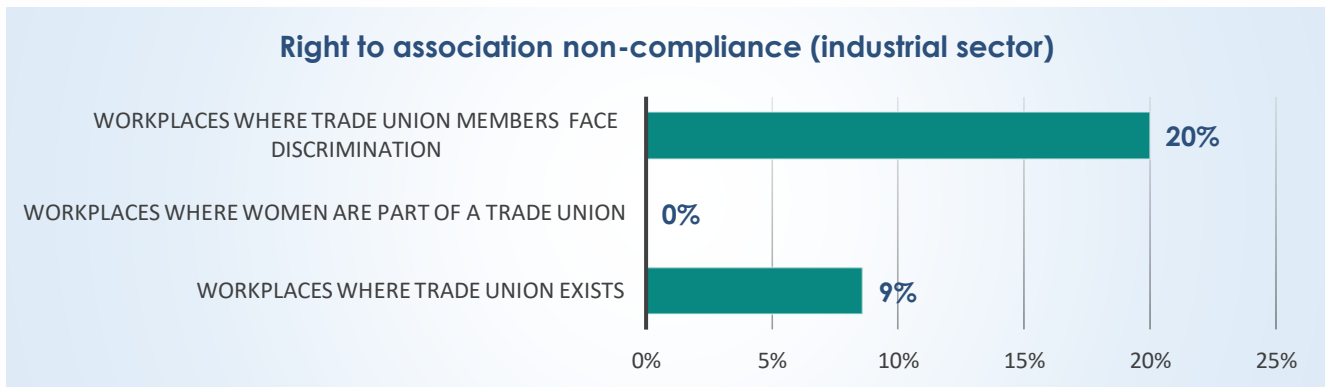


Figure 38

Incidence of Workplace Compliance with Legal Provisions Regarding Right to Association (Industrial Sector)



Conclusion

Private and Public Sector

- Contracts and wages form a key component of labour laws. The legislation around this theme clearly outlines the rules of business and forbids discrimination against women related to wages. The data shows that gender-based discrimination occurs in payment of wages for the same amount of work occurs in 90 percent of workplaces. Eleven percent of workplaces do not issue contract letters to their workers. In the federal and provincial capitals, few employers have developed relevant policies for persons with disabilities.
- Findings suggest that leaves are offered to employees as per the law. However, 10 percent of private and public sector workplaces are not compliant with legal provisions regarding weekly, annual, casual and sick leaves.
- Availability of child-care remains among the most neglected aspect of physical environments at workplaces in the federal and provincial capitals.
- Social security benefits were gauged on three levels including provision of employees' old-age benefits, gratuity and provident fund. Overall, findings show that less than half of the employers in the project cities provide these social security schemes to their employees. An overall non-compliance analysis shows that 87 percent of the private and public workplaces are either unregistered with EOBI or do not provide EOBI cards and EOBI numbers to their employees.
- The number of employers that have developed sexual harassment policies at organisational levels is very low. Even lower numbers of employers display sexual harassment policies for workers and/or provide anti-harassment training sessions.
- Eighty-seven percent of the workplaces violate the right of employees with respect to the right to association. Four in five workplaces have no trade unions and trade union members face discrimination in 12 percent of the workplaces.
- Overall, workplaces are most compliant with laws relevant for physical environment and contracts. However, even within these areas, more than 40-45 percent of the workplaces are not implementing the law.

Industrial Sector

- In the workplace monitoring it was clearly indicated the requirements related contracts and wages, which form a key component of labour laws, is not fulfilled by factories. The legislation around this theme clearly outlines the rules of business and forbids discrimination. Factories workers in all the project cities remain uniformed of the rules around contract and wages because relevant information is not displayed publicly in 75 percent of the factories.
- Employees in 75 percent factories do not receive their contract letters from the factories they work for. The results also show that 52 percent women workers in the industrial sector do not get minimum wage as prescribed by the law. In 62 percent of factories cross all cities factories do not have policy for persons with special needs.
- Twenty-nine percent factories do not comply with the provisions of leaves as per the labour laws.
- Women workers are denied their right to get flexi breaks for nursing or attending to their babies in 67 percent of the total factories. Women workers do not get the 12 weeks paid maternity leaves in 60 percent of the factories, and factories lack clear policy and procedures to provide maternity benefits to the deserving women.
- Organisational safety and health forms an important aspect of factories and their workers. The findings show that 31 percent factories have no clear policy and guideline on OSH when the Factories Act has dedicated a compressive chapter on the topic. Majority of the factories (66 percent) have not enforcement committees, and 74 percent of the factories do not maintain their accidental records.
- The workplace monitoring reveals that from the point of view of physical environment availability of child care is the most neglected aspect of workplaces across the five major cities, as 82 percent of the factories show non-compliance. One in 10 factories violates the minimum standards regarding access and availability of washrooms. Fifteen percent factories in the five project cities do not have the separate washrooms for women.
- Waste disposal and waste management remains a consistent issue in all the cities showing that on

Private and Public Sector

- Non-compliance with social security and sexual harassment laws is observed in 60–70 percent of workplaces. Lastly, right to association is the category where workplaces are least compliant with the law; findings show that only 13 percent workplaces abide by the relevant laws.
- Overall, across the federal and provincial capitals, 70% of workplaces are found to violate the country's labour laws.

Industrial Sector

- average 45 percent of the factories in the project cities do not handle their waste properly.
- In 36 percent of the factories, workers do not get protective gears during their duty hours. And apart from Islamabad all major cities put their worker's in danger by not complying with the protocols of protective gears and functional ventilation system.
- Sexual harassment policy related indicators are violated in 58 percent of the factories. This means factories have either no harassment policy, they do not display the existing policy, there is no harassment committee, or workers are not aware of the harassment committee and its purpose.
- Social security benefits were gauged on four levels including provision of employees' old age benefits, gratuity, provident fund and Workers Welfare Fund (WWF). Overall the result shows that 47 percent of the factories do not comply with these social security obligations towards their employees.
- The right to trade union is curbed in 88 percent workplaces. In 87 percent of the monitored factories no workers are part of any trade union and in 91 percent of the factories no trade unions exist.
- Overall, factories are most compliant to the laws in the categories of physical environment and contract with 64 percent compliance. Right to association and collective bargain is an area where factories are least compliant with non-compliance ratio of 89 percent.
- To conclude - on average - when factories are monitored on the aspect of contract, OSH, aspects of physical environment, sexual harassment compliance, social security provisions and right to association, 57 percent of the factories are non-compliant to the labour laws and international conventions.

Annex-1



WORKPLACE MONITORING CHECKLIST (FACTORY SPECIFIC)

Form ID:

General

Name of Employer/Organization					
Registered name of employer					
Organization/Employer Registration Number					
Act through which the organization is registered	<input type="checkbox"/> Societies Registration Act 1960 <input type="checkbox"/> Companies Ordinance, 1984 <input type="checkbox"/> The Cooperative Society Act, 1925 <input type="checkbox"/> Trust Act, 1882 <input type="checkbox"/> The Pakistan Hotels and Restaurants Act, 1976 <input type="checkbox"/> Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 <input type="checkbox"/> Small Business, Enterprise and Employment Act 2015 <input type="checkbox"/> Others (Please specify) _____				
Province	Federal	Punjab	Sindh	KPK	Baluchistan
District	Islamabad	Lahore	Karachi	Peshawar	Quetta
Contact Details of employer's representative (At the time of monitoring visit)	Name of Representative				
	Contact Number of Representative				
	Email Address of Representative				
Date of Monitoring Visit	Visit 1	Visit 2	Visit 3	Visit 4	Visit 5
Name of Monitor	Visit 1	Visit 2	Visit 3	Visit 4	Visit 5

1. Basic Information

Workplace Type	(Monitor has to tick the workplace type list given below)				
Address of Employer					
Contact number of Employer					
Email Address					
Professional Sector (Tick any one)	Industrial	Public	Private	Entrepreneurial	
Number of Workers	Category	Number			
	Men				
	Women				
	Transgender				
	People with Disability (PWD)	Men: _____ Women: _____			
	Children (under the age of 14)	Boys	Girls	Total	Remarks
	Young Persons (between 14-17)				
Grand Total					
Employees Categorized	Category	Men	Women	Transgender	People with Disability (PWD)
	Managerial				
	Professional				
	Skilled				
	Support staff				
	Grand Total				
Status of Workers	Category	Men	Women	Transgender	People with Disability (PWD)
	Full-Time/Regular Workers				

	Temporary workers				
	Part Time				
	Apprentice				
	Grand Total				

1. Workplace Type I-Industrial Sector

- Sugar
- Cement
- Pharmaceutical
- Food and Beverages
- Brick Kiln
- Sports
- Surgical
- Oil and Gas
- Telecommunication
- Software
- Fertilizer
- Automobile
- Others (Please Specify)

2. Workplace Type II and III-Private/Public Sector

- Hospital
- Post Office
- Kachahri/Chambers
- NGOs
- Insurance Company
- Educational Institute
- Police Station
- Agriculture Department
- Telecommunication
- Beauty Salon
- Vocational Training Center
- Bank
- Hotel Management
- Transportation
- Others (Please Specify)

3. Workplace Type IV-Entrepreneurial Sector

- Gifts and Crafts
- Real Estate/Property Dealer
- Dyes and Dying
- Handicrafts
- Food and Beverage
- Beauty Salon
- Designer (Footwear, women wear, child wear etc.)
- Online Business
- Other (Please Specify)

Section-I

Physical Environment

Instructions for Monitor to Collect Objective Evidence

- Ask from the Human Resource Department or Administration regarding availability of the policy in a written format. In case of non –availability check with the workers/supervisors. If possible kindly collect the copy of the document.
- While documenting accident cases, kindly ask from the health committee members (or relevant committee) to show the register or at-least share the information regarding the register.
- Check the records regarding the trainings on OSH and see if women are given equal opportunity with respect to trainings. We can check number of women employees who attended the trainings vs. men employees
- Most of the questions are based on observation such as cleanliness, lighting provision of specific safety materials etc. However, with respect to provision of services such as clean drinking water please, visit the latrines, drinking water points, lighting placements, workstations and passageways before filling out the following section in the checklist.
- Please ask for the schedule for cleaning floors, latrines, canteen and drinking water facilities.
- Perform a physical verification of the designated room/space for the child care facility, record the number of children who are present at the child care facility and check if the written SOPs for the management of facility are displayed or present with the designated staff.

1. Cleanliness

1	Are the following regularly cleaned (at-least once a day)? <i>Monitor should visit the workstations, floors, passageways and stairways before filling the checklist</i>	
Category	Yes	No
Your workstation		
Floor surrounding your workstation		
Passageways		
Stairways		
2	Are waste bins/containers placed and emptied on regular basis? <i>Monitor should check the number of waste bins/containers placed at workplace and as workers about how many times they are emptied in a day and write in remarks</i>	
	<input type="checkbox"/> Yes <input type="checkbox"/> No Remarks _____	
3	How many times the floor(s) of your workplace are cleaned? <i>Monitor should ask workers and relevant persons about frequency of cleaning workplace specifically ask for the schedule of cleaning</i>	
	<input type="checkbox"/> Daily Basis <input type="checkbox"/> Weekly Basis <input type="checkbox"/> Fortnightly Basis <input type="checkbox"/> Monthly Basis <input type="checkbox"/> Annually <input type="checkbox"/> Any other, please specify _____	

2. Lighting

1	What type of light sources are used at your workplace? <i>Monitor should observe the lighting provisions at workplace</i> <input type="checkbox"/> Natural/Daylight <input type="checkbox"/> Artificial/Electric Bulb <input type="checkbox"/> Both Remarks: _____ _____
	Do the available systems of lighting function properly? <i>Monitor should observe and check the lighting system for its proper functioning</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
3	Are emergency lights/alternative lighting system available at the workplace and its passage ways? <i>Monitor should check if emergency lights, generator or UPS are placed and are in working condition when power outages happen</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____

3. Drinking Water

1	Do all workers have access to safe drinking water? <i>The monitor should also ask from at least 5 workers including 2-3 women workers regarding their accessibility and see if they can go to the drinking water points at all time. The monitor should also see if the drinking water points are situated at each floor and conveniently located, please state your responses in the remarks</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
	What type of drinking water is provided at your workplace? <i>Monitor should observe the clean drinking water facility at workplace and see the type of water that is available</i> <input type="checkbox"/> Boiled Water <input type="checkbox"/> Mineral Water <input type="checkbox"/> Filter Water <input type="checkbox"/> Others (Specify) _____
3	The drinking water point at a distance of at least 20 feet from all washing places i.e. washroom/Toilets? <i>Monitor should check the distance of clean drinking water facility from washing places and specify it in remarks</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____

4. Washrooms/Toilets/Latrines

1	Are latrines conveniently situated within the workplace? <i>Monitor should observe the washroom/toilet location and numbers at workplace and in case of multiple floors, please specify if latrines are available on each floor</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: (please specify if latrines are available on each floor- in case of multiple floors) _____
---	---



2	<p>Are the workers allowed to use latrines at all times? <i>Monitor should confirm from at-least 4-5 workers specifically 2-3 women workers if they are allowed to use latrines at all times</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>																							
3	<p>Are enclosed latrines provided separately for men and women workers? <i>Monitor should check if separate washrooms are provided for women workers at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>																							
4	<p>Are following things available in the latrine: <i>Monitor should fill this section after observing and visiting the Toilets/Washrooms</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #1a3d4d; color: white;"> <th style="width: 60%;">Category</th> <th style="width: 10%;">Yes</th> <th style="width: 10%;">No</th> <th style="width: 20%;">Remarks</th> </tr> </thead> <tbody> <tr> <td>Toilets/washrooms are clean</td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td> </td> </tr> <tr> <td>Availability of detergents, disinfectant</td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td> </td> </tr> <tr> <td>Proper ventilation system i.e. exhausts, windows</td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td> </td> </tr> <tr> <td>Availability of lights and water</td> <td style="text-align: center;"> </td> <td style="text-align: center;"> </td> <td> </td> </tr> </tbody> </table>				Category	Yes	No	Remarks	Toilets/washrooms are clean				Availability of detergents, disinfectant				Proper ventilation system i.e. exhausts, windows				Availability of lights and water			
Category	Yes	No	Remarks																					
Toilets/washrooms are clean																								
Availability of detergents, disinfectant																								
Proper ventilation system i.e. exhausts, windows																								
Availability of lights and water																								

5. Precautions in Emergency

1	<p>Does the workplace have fire extinguishers in working condition? <i>Monitor should physically verify whether the fire extinguishers are functional, placed at a visible point and accessible to all workers at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>			
2	<p>Has there been any training of the workers on firefighting? <i>Monitor should check the record of training on firefighting and also check proportion of women workers who availed these trainings. Also ask from workers if trained personnel are adequate for the size of the organization/institution</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>			
3	<p>Is there an alternate safety exit available at the workplace? <i>Monitor should physically verify the alternate safety/emergency exits</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>			
4	<p>Are safety exit clearly marked and free from obstacles: <i>Monitor should check if emergency/safety exit are clearly marked, unlocked. Also ask workers if they have clear understanding and sufficient knowledge in this regard and explain it in remarks</i></p>			

	<input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
5	<p>Is there any fire alarm available at the workplace? <i>Monitor should check if the fire alarm is placed and properly functional</i></p> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
6	<p>Are the workers familiar with the sound of the fire alarm? <i>Monitor should ask from workers if they are familiar with the sound of fire alarm and remarks section should be filled after pushing the alarm to see the worker's response. (Note: alarm can be pushed if employer allows otherwise verification through asking 4-5 workers at least 2-woman workers should be ensured)</i></p> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
7	<p>Is there a first aid box? <i>Monitor should check the updated first aid box facility provided at workplace and observe if it is adequate and accessible to all workers. Also check if the content complies to the prescribed list</i></p> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
	<p>If yes, then status of first-aid box</p> <input type="checkbox"/> Accessible <input type="checkbox"/> Locked <input type="checkbox"/> Does content comply to prescribed list Remarks: _____ _____
8	<p>What are procedures to support physically disable workmates to escape in case of emergency? <i>(Monitor should physically verify the facilities provided to facilitate PWD in case of emergency. Also ask 2-3 workers including floor wardens if facilities are provided)</i></p> <input type="checkbox"/> Floor Wardens <input type="checkbox"/> Hearing Aids <input type="checkbox"/> Movement/Mobility Aids <input type="checkbox"/> Ramps for wheel chair <input type="checkbox"/> Others (please specify) _____

6. Ventilation and Temperature

1	<p>Is there an exhaust/ventilation system installed at the workplace? <i>Monitor should physically verify the available system of ventilation i.e. exhausts, windows etc. at workplace. Also ask from relevant person if some injuries reported due to improper ventilation system</i></p> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
2	<p>Is smoking prohibited in the office or allowed only in a room with an independent ventilation system? <i>Monitor should check the policy document regarding smoking prohibition. Also ask 4-5</i></p>



workers including women workers about smoking practices at workplace. Monitor may also check any awareness material displayed at workplace for prohibited smoking

Yes No

Remarks: *(The monitor should observe around to see if people are smoking outside at random premises):* _____

7. Canteens

Note: This is applicable only in the case of more than 250 workers employed by the factory or establishment

1	<p>Is there a canteen/mess facility for workers at the workplace? <i>Monitor should check if the employer has been notified to provide canteen for workers by the Labour department and if the notification is extended, the monitor should check for the physical availability of canteen</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____ _____ _____</p>
2	<p>Is it cleaned on a daily basis? <i>Monitor should check that if canteen is well maintained and hygienically kept. H/She should ask from workers about frequency of cleaning the canteen and indicate the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____ _____</p>
3	<p>Is there a washing facility available within the canteen premises? <i>Monitor should fill this question after physical verification of available washing facility such as proper sink and washing area within canteen premises</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____ _____</p>
4	<p>Is there seating facility available at the canteen premises? <i>Monitor should check the available seating facilities in canteen is enough to cater to all workers at the workplace. Also verify if separate counters or eating areas provided for women workers</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____ _____</p>
5	<p>Is there a canteen committee? <i>Monitor should ask relevant person and workers about availability of canteen committee, its TORs and also check the proportion of women workers in committee and specify it in remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____ _____</p>

8. Child Care Facility, Breastfeeding Breaks

1	<p>Is there a space that is specially allocated for child care facility? <i>(The monitor should do a physical verification of the designated room/space for the child care facility, record the number of children who are present at the child care facility)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p> <p>If Yes, what kind of facilities are provided in the space? <i>Monitor should observe the facilities provided at childcare facility e.g. temperature control facilities i.e. ACs, Fans, Heaters etc. separate play area, rest area and activity room etc.</i></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Remarks: <i>(Monitor should observe how big is the space in square meters, how many children are there, is there adequate lighting, cleanliness?)</i></p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p>Is there a trained supervisor available to for the childcare facility? <i>Monitor should meet with trained supervisor/staff designated for child care and also document responses of at-least 1-2 parents of children about this facility</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
3	<p>Are there any SOPs to manage the child care facility? <i>Monitor should check if the written SOPs for the management of facility are displayed or present with the designated staff</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

Section-II

Contract and Contractual Provisions

Instructions for Monitor to Collect Objective Evidence

- The monitor should approach the relevant department and may seek copy of at-least one contract of the workers, one contract of a woman worker, and one contract of a person from management. The monitor may also ask the employees to show a copy of their contract especially in case of the non-cooperation from the employer/administration.
- The monitor should specifically check if the wages and other benefits are given equally to all workers/employees of the same level.
- The monitor should check the answers of the questions once verified from the record.
- The monitor should check the salary slip or any such record that may verify that the salary mentioned in the contract is actually given.
- The monitor may check the leave record and see if the leaves/maternity benefits are being given according to the law.

1. Fair Treatment/Wage

1	<p>Are the employers provided a contract document with wages mentioned on it? <i>(Monitor should check the contracts of at least one worker and one women worker. The monitor may also ask the employees to show a copy of their contract especially in case of non-cooperation from the employer/administration)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
2	<p>Are the employers paid wages every 30 days?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
3	<p>Employee's contracts clearly determine the wages earned by them by performing certain tasks on a monthly basis? <i>(The monitor should check the salary slip or any such record that may verify that the salary mentioned in the contract is actually given)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
4	<p>Are women paid similar salary on the same job description as compared to men? <i>(The monitor should specifically check if the wages and other benefits are given equally to all workers/employees of the same level. Ask HR or check the salary slips, if available)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
5	<p>How many women are present in the management of the establishment? Please specify in number <i>Monitor should verify the number of women in management from the employer's record</i></p> <p>Specify Numbers: _____</p>

6	<p>Are there any special provisions in policy regarding working hours, wages, seating arrangements, mobility etc. for people with disabilities? <i>Monitor should check policy document if some special provision for PWD are given in policy document. It may be verified through checking the contract of any one PWD.</i></p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

2. Work Time/Rest Breaks/Pay Benefits/Overtime/Termination

1	<p>What are the daily standard working hours at this particular workplace? <i>Monitor should check whether the policy of standard working hours is consistent with provisions in law. Also document if any special provisions given for women workers in policy regarding working hours. Monitor may also ask from 2-3 workers including women workers about current practices prevailing at workplace</i></p>
	<p>Please specify number _____</p>
2	<p>What are the weekly standard working hours?</p>
	<p>Please specify number _____</p>
3	<p>Are rest breaks scheduled such that each employee gets at least an hour off in between 6 hours of continuous work? <i>Monitor should check whether the provisions for rest breaks in policy document is according to law. Also ask from workers about their responses in this regard Monitor should check whether the workers are being given break for one hour after working of six consecutive hours OR two half an hour breaks for working eight hours or above</i></p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
4	<p>Women are allowed flexible work timings and breastfeeding breaks on return from their maternity leave? <i>Monitor should check the provisions in policy document regarding breastfeeding breaks for women workers. Also ask 1-2 women workers about specific number and duration of breaks provided them</i></p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: please specify number and duration of breaks: _____</p> <p>_____</p> <p>_____</p>
5	<p>Is overtime restricted to a maximum of 12 hours per week?</p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
6	<p>When a worker works over time, compensation is paid at double the ordinary rate paid to him/her? <i>Monitor should check the provisions in policy document regarding overtime compensation. Verify the record of overtime payments and breaks given to workers. Also ask from workers about overtime compensation practices at workplace. According to Law, the overtime would only be paid to the employees who come under the category of worker (not officers). The monitor should check that all workers who qualify for overtime payment are being paid overtime</i></p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>



7	<p>Are there any discriminatory clauses in the contracts given to women? <i>Monitor should check the contract of at-least one man and one-woman worker and document any form of discrimination against women workers</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, Disparity occurs in (tick the appropriate, can select more than one options)</p> <p><input type="checkbox"/> Timings <input type="checkbox"/> Wages <input type="checkbox"/> TORs for the same position <input type="checkbox"/> Over time</p> <p>Any other, please explain: _____</p> <p>The contract includes a termination clause? <i>Monitor should verify it by checking the contract of at least one-man worker and one-woman worker</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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3. Provision of Leaves

1	<p>Employees get at least one day off each week? <i>Monitor should check the provisions given to worker regarding breaks and holidays in contract</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Do the employees get at-least 14 days of paid annual leave, every year? <i>Monitor should check the provisions of annual leaves in policy document and its consistency with law. Also ask from 4-5 workers and at least 2 women workers if they are given paid annual leaves</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>Every Employee is entitled to avail 10 days of casual leave with full wages <i>Monitor should check the provisions of casual leaves in policy document and its consistency with law. Also ask from 4-5 workers and at least 2 women workers if they are given paid causal leaves</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>Every Employee is entitled to avail 8 days of sick leave with full wages (in one year)? <i>Monitor should check the provisions of sick leaves in policy document and its consistency with law. Also ask from 4-5 workers and at least 2 women workers if they are given paid sick leaves</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

4. Maternity Leaves and Benefits

1	<p>How many weeks of maternity leave are women entitled to at this workplace? <i>Monitor should check the provisions for maternity leaves in policy document. Also check if duration of maternity leave is consistent with law)</i></p> <p>Please specify in number _____</p>
2	<p>How many weeks of fully paid maternity leave are women entitled to at this workplace? <i>Monitor should check the annual maternity benefit record showing payment given to women workers</i></p> <p>Please specify in number _____</p>
3	<p>How many weeks of fully paid paternity leave are men entitled to at this workplace? <i>Monitor should check the annual paternity benefit record showing payment given to men workers</i></p> <p>Please specify in number _____</p>
4	<p>Has any woman been fired during her pregnancy? <i>Monitor should check the hiring and firing record with justification and reasons. Also ask randomly from 1-2 women workers if any woman has been fired during pregnancy</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
5	<p>What are specific arrangements to cater the needs of pregnant women at your workplace? (Multiple options can be selected) <i>Monitor should verify the information by asking from at least 2-3 women workers at workplace</i></p>

- Comfortable seating arrangements
- Flexible working hours
- Extra rest breaks
- Assignment of less challenging tasks
- No overtime
- Time offs for pregnancy related appointments
- Others (Please specify) _____

Has any woman been fired while/after availing her maternity leave? *Monitor should check the hiring and firing record with justification and reasons. Also ask randomly from 1-2 women workers if any woman has been fired while/after availing maternity leave*

6 Yes No

Remarks: _____

Are procedures defined for maternity benefits in the organization policies? *Monitor should check the procedures defined for maternity benefits in policy document of the organization. Also ask 2-3 women workers if they have knowledge about procedure of availing maternity benefits*

7 Yes No

Remarks: _____

Section-III

Social Security and Benefits

Instructions for Monitor to Collect Objective Evidence

- Monitor should check one of employees EOBI card or cross check from salary slip about EOBI, Provident fund benefits
- Monitor should ask HR and Admin to show him/her the policy about gratuity and other Allowances or if contract is available the monitor should verify if the provisions are part of the contract
- Monitor may also ask from women workers about social security benefits provided by employer and any other benefits provided to employees.
- Monitor should check the record of pension and gratuity provided by employer at the time of retirement/termination/resignation/death of an employee

1. EOBI (Employee's Old Age Benefits Act, 1976)

1	<p>Is the workplace registered with EOBI? <i>Monitor should ask HR and Admin to show him/her the registration document with EOBI. Also check the policy document and verify if the provisions regarding EOBI are a part of the contract</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>If Yes, do the workers have EOBI cards? <i>Monitor should check one of employees EOBI card or cross check from salary slip about EOBI</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>If No, do the workers have EOBI registration number? <i>Monitor should ask from relevant person and workers including women workers if EOBI registration number is provided to them</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>How many workers with disabilities are registered with EOBI? <i>Monitor should ask it from the HR or relevant department regarding registration of PWD with EOBI and also check if provisions regarding EOBI are part of contract. The information can also be verified through salary slip of PWD</i></p> <p>Specify the Numbers: _____</p>

2. Gratuity

1	<p>Is there a gratuity provision for the workers in the policies of the workplace? <i>Monitor should ask HR and Admin to show the policy document and verify if the provisions regarding gratuity are part of the contract)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Is gratuity being paid to the family, if the worker dies within the service period? <i>Monitor should check the record of pension and gratuity provided by employer at the time of retirement/termination/resignation/death of an employee. Also ask 2-3 workers at least 1-woman worker about current practices regarding gratuity at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

3. Provident Fund (Provident Funds Act, 1925)

1	<p>Is there a provident fund provision for the workers in the policies of the workplace? <i>Monitor should ask HR and Admin to show the policy document and verify if the provisions regarding provident fund are part of contract</i></p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Is Provident Fund being paid to the family, if the worker dies within the service period? <i>Monitor should check the record of provident fund provided by employer at the time of termination/resignation/death of an employee. Also ask 2-3 workers at least 1-woman worker about current practices regarding provident fund at workplace</i></p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p> <p>_____</p>

Section-IV

Sexual Harassment



Instructions for Monitor to Collect Objective Evidence

- The monitor should specifically check the organization's policy on anti-harassment and anti-discrimination.
- Monitor should check whether the sexual harassment policy is displayed at prominent place(s) at the workplace
- Monitor should ask structure and details about anti-harassment committee. Also check the representation of women in committee
- The monitor should check the record of complaints filed by workers especially women workers and actions taken up to address the complaints

1. Sexual Harassment

1	<p>Does the workplace have an anti-sexual harassment policy displayed in compliance with The Act against harassment at Workplace 2010? <i>The monitor should specifically check the organization's policy on anti-harassment and anti-discrimination. Also get a copy of their policy to verify its compliance with the act against harassment at workplace 2010</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
	<p>If yes? Is it displayed at a prominent place as required by the harassment at the workplace act? <i>Monitor should physically verify whether anti-harassment policy is displayed at prominent place/s at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
2	<p>Is there an anti -sexual harassment committee in place at the workplace? <i>Monitor should ask structure and details about anti-harassment committee. Also check the representation of women in committee</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, does the staff know who the committee members are? <i>Monitor should ask at least 4-5 workers and at least 2 women workers about familiarity with committee members</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
3	<p>Has there been a report on sexual harassment over the period of last two years? <i>The monitor should check the record of complaints filed by workers especially women workers and actions taken up to address the complaints</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
4	<p>Has there been any orientation session on sexual harassment policy with the employees? <i>Monitor should ask the relevant person about how frequently workers are oriented about policy. The monitor may also ask from workers about their understanding about policy</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

5	<p>When did last session on sexual harassment conducted for employees?</p> <p>Please specify the timeline: _____</p>
6	<p>Was any action taken against the culprit in case of a filed complaint? <i>Monitor should verify this section after checking the record of action taken against culprit in case of filed complaint. Skip question 5 and 6 if no complaints are filed</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If answer to question number 5 is yes, what sort of action was taken against the culprits?</p> <p><input type="checkbox"/> Terminated <input type="checkbox"/> Demoted</p> <p><input type="checkbox"/> Warning letter issued <input type="checkbox"/> Any other please explain _____</p>
7	<p>How many women have filed sexual harassment related complaint? <i>Monitor may verify this information after checking the record of anti-harassment committee</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please specify the number : _____</p>
8	<p>Has the employer maintained any record of the reported cases?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

Section-V

Right to Association/ Organization/ Collective Bargaining

Instructions for Monitor to Collect Objective Evidence

- Monitor should check record of trade union(s) and ask union members about facilitation provided to protect their rights and entitlements given under IRA.
- The monitor should check the proportion of women members at all levels. Also check the representation of women in management committees.
- The monitor should also check the copies of agreements signed by union leaders. Record the number of issues highlighted and addressed through collective bargaining.

2. Right to Association/Organization and Collective Bargaining

1	<p>How many employees are part of trade union(s)/association(s) of their own choice? <i>The monitor should ask the relevant focal person from administration as well as workers regarding the number of workers who are part of a union and then write the number of workers in the row below</i></p> <p>Please specify the number: _____</p>
2	<p>How many trade union/s exist in this particular workplace?</p> <p><input type="checkbox"/> No <input type="checkbox"/> 1 <input type="checkbox"/> 2</p> <p><input type="checkbox"/> Any other, please specify _____</p>
3	<p>If the trade union/s exist, how many employees are part of the trade union/s?</p> <p>Please specify the number _____</p>
4	<p>Are the CBA representatives elected by the consent of the workers? <i>The monitor should ask at least 5 workers including 2-3 women if they voted formally or informally for the selection of the representative and record their responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
5	<p>How many women employees are part of the trade union/s? <i>The monitor should check the number of women members part of the union/s</i></p> <p>Please specify the number: _____</p>
6	<p>How many women are office bearers of the union/s</p> <p>Please specify the number: _____</p>
7	<p>Is there any separate women wing in the trade union?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please specify the number: _____</p>
8	<p>Do the union members confirm that management does not discriminate against them because of being a part of union? <i>The monitor should ask at least 5 unions members including 2-3 women workers, the monitor should also check if any of the union member was dismissed due to participation sin union activities or barred from taking part in union activities. The monitor should record the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
9	<p>Has the employer made any changes in the workplace related management/policies after collective bargaining efforts from the workers?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, what measures have been taken?</p> <p>Please explain: _____</p> <p>_____</p>

Section-VI

Overall Environment of Workplace for Women Workers

INSTRUCTIONS FOR MONITOR TO COLLECT OBJECTIVE EVIDENCE

- The monitor will gather at least 10 women workers from the particular workplace and ask the following questions from them in a group. The monitor will write down the number of workers responded to a particular option in reply to a question in front of that option.

1. Workplace Environment for Women Workers

1	<p>Are you satisfied by the behavior of male colleagues towards the female colleagues? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Are you comfortable speaking to your male colleagues? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>Do the male colleagues use appropriate language while talking to you and do not use inappropriate gestures and unacceptable language? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>The male colleagues do not stand too close to you or try to touch or invade your personal space? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
5	<p>Do the management give you equal opportunity to speak same as your male colleague of the same grade? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
6	<p>Do you feel that you can challenge the decisions or give your opinions about the decisions openly? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
7	<p>In an all staff gathering do you feel comfortable speaking or giving your opinion? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
8	<p>The contribution of women workers is appreciated/acknowledged as much as men? Please rate? <i>The monitor should specify the number of women chose the option in front of it</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Slightly but not equally</p>
9	<p>What is the perception about women workers at the workplace? <i>The monitor should specify the number of women chose the option in front of it (Note: It can be multiple selection)</i></p> <p><input type="checkbox"/> They work because women just like men are entitled to work</p> <p><input type="checkbox"/> They are breadwinners of the family</p> <p><input type="checkbox"/> They work just for time pass</p> <p><input type="checkbox"/> They work because they are needy</p> <p><input type="checkbox"/> Any other, please specify _____</p>
10	<p>If there is a trade union/association and women are member of it, are women equally participating in the structure? Please rate. <i>The monitor should specify the number of women chose the option in front of it</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Slightly but not equally</p>



WORKPLACE MONITORING CHECKLIST (FACTORY SPECIFIC)

Form ID:

DISCLAIMER

The information containing in this document is kept confidential for the sole purpose of collecting evidence to assess compliance of labour laws in specified employment sectors under WAction (Women's Action for Better Workplaces) project. The gathered information will steer advocacy meetings with legislators/policy makers to advance improvement in existing conditions to make them more conducive. The information will be kept anonymous; it may not be disclosed to any third party or used for any other purposes without written permission of the employer.



Name of Employer/Organization					
Registered name of employer					
Organization/Employer Registration Number					
Act through which the organization is registered	<input type="checkbox"/> Societies Registration Act 1960 <input type="checkbox"/> Companies Ordinance, 1984 <input type="checkbox"/> The Cooperative Society Act, 1925 <input type="checkbox"/> Trust Act, 1882 <input type="checkbox"/> The Pakistan Hotels and Restaurants Act, 1976 <input type="checkbox"/> Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 <input type="checkbox"/> Small Business, Enterprise and Employment Act 2015 <input type="checkbox"/> Others (Please specify) -----				
Province	Federal	Punjab	Sindh	KPK	Baluchistan
District	Islamabad	Lahore	Karachi	Peshawar	Quetta
Contact Details of employer's representative (At the time of monitoring visit)	Name of Representative				
	Contact Number of Representative				
	Email Address of Representative				
Date of Monitoring Visit	Visit 1	Visit 2	Visit 3	Visit 4	Visit 5
Name of Monitor	Visit 1	Visit 2	Visit 3	Visit 4	Visit 5

1. Basic Information



Workplace Type	(Monitor has to tick the workplace type list given below)				
Address of Employer					
Contact number of Employer					
Email Address					
Professional Sector (Tick any one)	Industrial	Public	Private	Entrepreneurial	
Number of Workers	Category	Number			
	Men				
	Women				
	Transgender				
	People with Disability (PWD)	Men	Women		
	Children (under the age of 14)	Boys	Girls	Total	Remarks
	Young Persons (between 14-17)				
Grand Total					
Employees Categorized	Category	Men	Women	Transgender	People with Disability (PWD)
	Managerial				
	Professional				
	Skilled				
	Support staff				
	Grand Total				
Status of Workers	Category	Men	Women	Transgender	People with Disability (PWD)
	Full-Time/Regular Workers				



	Temporary workers				
	Part Time				
	Apprentice				
	Grand Total				

1. Workplace Type I-Industrial Sector

- Sugar
- Cement
- Pharmaceutical
- Food and Beverages
- Brick Kiln
- Sports
- Surgical
- Oil and Gas
- Telecommunication
- Software
- Fertilizer
- Automobile
- Others (Please Specify)

2. Workplace Type II and III-Private/Public Sector

- Hospital
- Post Office
- Kachahri/Chambers
- NGOs
- Insurance Company
- Educational Institute
- Police Station
- Agriculture Department
- Telecommunication
- Beauty Salon
- Vocational Training Center
- Bank
- Hotel Management
- Transportation
- Others (Please Specify)

3. Workplace Type IV-Entrepreneurial Sector

- Gifts and Crafts
- Real Estate/Property Dealer
- Dyes and Dying
- Handicrafts
- Food and Beverage
- Beauty Salon
- Designer (Footwear, women wear, child wear etc.)
- Online Business
- Other (Please Specify)

2. Section – I Occupational Safety and Health

Instructions for Monitor to Collect Objective Evidence

- Ask from the Human Resource Department or Administration regarding the availability of the policy in a written form. Alternately the monitor can ask from the workers/supervisors regarding the availability of the policy document. If possible kindly collect the copy of the document.
- In case of the documentation of the accident cases, kindly ask from the health committee members (or relevant committee) to show the monitor the register or at-least share the information regarding the register.
- Monitor should also check the records regarding the trainings on OSH and see if women are given equal opportunity with respect to trainings. We can check number of women employees who attended the trainings vs. men employees
- Most of the questions are based on observation such as cleanliness, lighting provision of specific safety materials etc. However, with respect to provision of services such as clean drinking water, the monitor should also ask from the. The monitor should also visit the latrines, drinking water points, lighting placements, workstations and passageways before filling out the monitoring checklists.
- The monitor may also ask for the schedule for cleaning the floors, latrines, canteen and drinking water facilities.
- The monitor should do a physical verification of the designated room/space for the child care facility, record the number of children who are present at the child care facility and check if the written SOPs for the management of facility are displayed or present with the designated staff.

1. Occupational Health and Safety

1	<p>Does the Factory have its own policy on Occupational Safety and Health? <i>The monitor should try to get a copy or ask the relevant focal person to show her/him the document.</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>The factory has a written health and safety program/ procedure embedded in any other policy such as HR and Admin? <i>The monitor should try to get a copy or ask the relevant focal person to show the document to her/him</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>The health and safety program cover accident and emergency situations that could arise at the workplace such as fire, chemical spread etc.? <i>The monitor should check if certain provisions are given in the relevant policy regarding accident/emergency situation and fill the section only after verification.</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>Employees are aware of safety procedures required for their workplace? <i>The monitor should specifically ask from at-least 5 employees including at-least 2-3 women employees about safety procedures</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4.1. If yes, how are they informed?</p> <p>Trainings</p> <p style="padding-left: 20px;">b. Material / precautions pasted in relevant sections</p>
5	<p>What language is used in the displayed guidelines? <i>The monitor should look around the workplace to see if any guidelines related to health and safety are displayed there</i></p> <p><input type="checkbox"/> Urdu <input type="checkbox"/> Regional Language <input type="checkbox"/> English</p>
6	<p>Are there regular training sessions regarding Occupational Safety and Health (OSH)? <i>The monitor should ask relevant person to show record of trainings conducted on OSH and see if</i></p>



	<p>women are included in the training, the monitor should see if number of women given training on OSH is proportionate to the number of men</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
7	<p>Is there an OSH enforcement committee? Monitor should meet at-least 1-2 committee members and ask about the frequency of meetings and also document responses of workers regarding functioning of committee in the remarks section</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>7.1. If yes! Do women have representation in committee on OSH? Monitor should specify the number of women present in the committee in 7.1.1 and should meet at-least one-woman committee member</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7.1.1. If Yes, please specify number _____</p>
	<p>Are the injury and accident cases recorded formally in a register, file or computerized record? Monitor should ask the health committee members or relevant committee to show the register or at-least share the information that is documented in the register</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>8.1. if yes, please specify the mode: _____</p>
	<p>How many cases of injury or accident have been reported over the past two years?</p> <p>9.1. Please Specify Numbers: _____</p>

2. Cleanliness

1	<p>Are the following regularly cleaned (at-least once a day)? Monitor should visit the workstations, floors, passageways and stairways before filling the checklist</p>		
	Category	Yes	No
	Your workstation		
	Floor surrounding your workstation		
	Passageways		
	Stairways		

2	<p>Are waste bins/containers placed and emptied on regular basis? Monitor should check the number of waste bins/containers placed at workplace and ask workers how frequently they are emptied in a day and write in remarks</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks _____</p>
	<p>How many times the floor(s) of your workplace is washed using a disinfectant? The question is specific for workplaces where chemicals and hazardous materials are regularly used. Monitor should ask workers and relevant person about frequency of washing workplace using disinfectants and specifically ask for the schedule of cleaning</p> <p><input type="checkbox"/> Daily Basis <input type="checkbox"/> Weekly Basis <input type="checkbox"/> Fortnightly Basis <input type="checkbox"/> Monthly Basis</p> <p><input type="checkbox"/> Annually <input type="checkbox"/> Any other, please specify _____</p>
4	<p>Is there any factory disposal and waste management system in place? Monitor should fill this section after observing and asking from workers about placement of waste management system</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>Are all hazardous materials such as gases, chemicals, fumes etc. properly disposed?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, what kind of system?</p>

	<input type="checkbox"/> Drainage pipeline <input type="checkbox"/> chimney <input type="checkbox"/> Containers <input type="checkbox"/> Burial <input type="checkbox"/> Any other, please specify: _____ Are protective gears i.e. helmets, masks, belts, gloves, shoes, protective clothing etc. provided to men and women workers free of cost? <i>The monitor should see if the particular kind of work (such as in mine, with heavy machinery, marble industry requires a particular safety gear and tick the options accordingly. The monitor should also mention the kind of gear that is provided)</i> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please specify the gears: _____ _____ _____
6	Are workers aware of the use of the gear and using it regularly? <i>The monitor should ask from at least 5 workers including 2-3 women workers to see if they are aware of the use of a particular gear</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____

3. Lighting

1	What type of light sources are used at your workplace? <i>Monitor should observe the lighting provisions at workplace</i> <input type="checkbox"/> Natural/Daylight <input type="checkbox"/> Artificial/Electric Bulb <input type="checkbox"/> Both Remarks: _____ _____
2	Do the available systems of lighting function properly? <i>Monitor should observe and check the lighting system for its proper functioning</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
3	Are emergency lights/alternative lighting system available at the workplace and its passage ways? <i>Monitor should check if emergency lights, generator or UPS are placed and in working condition when power outages happen</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____

4. Drinking Water

1	Do all workers have access to safe drinking water? <i>The monitor should also ask at least 5 workers including 2-3 women workers regarding their accessibility and see ask if they can go to the drinking water points at all time. The monitor should also see if the drinking water points are situated at each floor and conveniently located, please capture your responses in the remarks</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
2	What type of drinking water is provided at your workplace? <i>Monitor should observe the clean drinking water facility at workplace and see the type of water that is available</i> <input type="checkbox"/> Boiled Water <input type="checkbox"/> Mineral Water <input type="checkbox"/> Filter Water <input type="checkbox"/> Others (Specify) _____
3	The drinking water point at a distance of at least 20 feet from all washing places i.e. washroom/Toilets? <i>Monitor should check the distance of clean drinking water facility from washing places and specify it in remarks</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____



5. Washrooms/Toilets/Latrines

1	<p>Are latrines conveniently situated within the workplace? <i>Monitor should observe the washroom/toilet location and numbers at workplace, please specify if latrines are available on each floor</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: (please specify if latrines are available on each floor- in case of multiple floors)</p> <p>_____</p> <p>_____</p> <p>_____</p>																								
2	<p>Are the workers allowed to use latrines at all times? <i>Monitor should confirm from at-least 4-5 workers specifically 2-3 women workers if they are allowed to use latrines at all times</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>																								
3	<p>Are enclosed latrines provided separately for men and women workers? <i>Monitor should check if separate washrooms are provided for women workers at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p> <p>_____</p>																								
4	<p>Are following things available in the latrine: <i>Monitor should fill this section after observing and visiting the Toilets/Washrooms</i></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr style="background-color: #2c5e8c; color: white;"> <th style="width: 55%;">Category</th> <th style="width: 10%;">Yes</th> <th style="width: 10%;">No</th> <th style="width: 25%;">Remarks</th> </tr> </thead> <tbody> <tr> <td>Toilets/washrooms are clean</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Availability of detergents, disinfectant</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Proper ventilation system i.e. exhausts, windows</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Availability of lights and water</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Availability of lights and water</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Category	Yes	No	Remarks	Toilets/washrooms are clean				Availability of detergents, disinfectant				Proper ventilation system i.e. exhausts, windows				Availability of lights and water				Availability of lights and water			
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6. Precautions in Emergency (Chapter III-Clause 25, Factories Act)

1	<p>Does the workplace have fire extinguishers in working condition? <i>Monitor should physically verify the fire extinguishers are functional, placed at a visible point and accessible to all workers at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
2	<p>Has there been any training of the workers on firefighting? <i>Monitor should check the record of training on firefighting and also check proportion of women workers availed trainings. Also ask from workers if trained personnel are adequate for the size of the organization/institution</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
3	<p>Is there an alternate safety exit available at the workplace? <i>Monitor should physically verify the alternate safety/emergency exits</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
4	<p>Are safety exit clearly marked and free from obstacles: <i>Monitor should check if emergency/safety exit are clearly marked, unlocked. Also ask workers if they have clear understanding and sufficient knowledge in this regard and explain it in remarks</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

5	<p>Is there any fire alarm available at the workplace? <i>Monitor should check if the fire alarm is placed and properly functional</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
6	<p>Are the workers familiar with the sound of the fire alarm? <i>Monitor should ask from workers if they are familiar with the sound of fire alarm and remarks section should be filled after pushing the alarm to see the worker's response (Note: alarm can be pushed if employer allows otherwise verification through asking 4-5 workers at least 2-woman workers should be ensured)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: (The fire alarm may be pushed to see workers' response): Remarks: _____</p>
7	<p>Is there a first aid box? <i>Monitor should check the updated first aid box facility provided at workplace and observe if it is adequate and accessible to all workers. Also check if the content complies to prescribed list</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>If yes, then status of first-aid box</p> <p><input type="checkbox"/> Accessible <input type="checkbox"/> Locked</p> <p><input type="checkbox"/> Does content comply to prescribed list</p> <p>Remarks: _____</p>
8	<p>What are procedures to support physically disable workmates to escape in case of emergency? <i>Monitor should physically verify the facilities provided to facilitate PWD in case of emergency. Also ask 2-3 workers including floor wardens if facilities are provided</i></p> <p>Floor Wardens Hearing Aids Movement/Mobility Aids Ramps for wheel chair <input type="checkbox"/> Others (please specify) _____</p>

7. Ventilation and Temperature (Chapter III-Clause 15, Factories Act)

1	<p>Is there an exhaust/ventilation system installed at the workplace? <i>Monitor should physically verify the available system of ventilation i.e. exhausts, windows etc. at workplace. Also ask from relevant person if some injuries reported due to improper ventilation system</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
2	<p>Is smoking prohibited in the office or allowed only in a room with an independent ventilation system? <i>Monitor should check the policy document regarding smoking prohibition. Also ask 4-5 workers including women workers about smoking practices at workplace. Monitor may also check any awareness material displayed at workplace for prohibited smoking</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: (The monitor should observe around to see if people are smoking outside at random premises): _____</p> <p>_____</p> <p>_____</p>



8. Canteens (Chapter III, Factories Act)

Note: This is applicable only in the case of more than 250 workers employed by the factory or establishment

1	<p>Is there a canteen/mess facility for workers at the workplace? <i>Monitor should check if the employer has been notified to provide canteen for workers by the labour department and if the notification is extended, the monitor should check for the physical availability of canteen</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
2	<p>Is it cleaned on a daily basis? <i>Monitor should check that if canteen is well maintained and hygienically kept. H/She should ask from workers about frequency of cleaning the canteen and indicate the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
3	<p>Is there a washing facility available within the canteen premises? <i>Monitor should fill this question after physical verification of available washing facility such as proper sink and washing area within canteen premises</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
4	<p>Is there seating facility available at the canteen premises?? <i>Monitor should check the available seating facilities in canteen is enough to cater to all workers at the workplace. Also verify if separate counters or eating areas provided for women workers</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
5	<p>Is there a canteen committee? <i>Monitor should ask relevant person and workers about availability of canteen committee, its TORs and also check the proportion of women workers in committee and specify it in remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

9. Child Care Facility, Breastfeeding Breaks

1	<p>Is there a space that is specially allocated for child care facility? <i>(The monitor should do a physical verification of the designated room/space for the child care facility, record the number of children who are present at the child care facility)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p> <p>If Yes, what kind of facilities are provided in the space? <i>Monitor should observe the facilities provided at childcare facility e.g. temperature control facilities i.e. ACs, Fans, Heaters etc. separate play area, rest area and activity room etc.</i></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Remarks: <i>(Monitor should observe how big is the space in square meters, how many children are there, is there adequate lighting, cleanliness?)</i></p> <p>_____</p> <p>_____</p>
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	<hr/> <hr/>
2	<p>Is there a trained supervisor available to for the childcare facility? <i>Monitor should meet with trained supervisor/staff designated for child care and also document responses of at-least 1-2 parents of children about this facility</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: <hr/></p>
3	<p>Are there any SOPs to manage the child care facility? <i>Monitor should check if the written SOPs for the management of facility are displayed or present with the designated staff</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: <hr/></p>

Section-II

Contract and Contractual Provisions

Instructions for Monitor to Collect Objective Evidence

- The monitor should approach the relevant department and may seek copy of at-least one contract of the workers, one contract of a woman worker, and one contract of a person from management. The monitor may also ask the employees to show a copy of their contract especially in case of the non-cooperation from the employer/administration.
- The monitor should specifically check if the wages and other benefits are given equally to all workers/employees of the same level.
- The monitor should check the answers of the questions once verified from the record.
- The monitor should check the salary slip or any such record that may verify that the salary mentioned in the contract is actually given.
- The monitor may check the leave record and see if the leaves/maternity benefits are being given according to the law.

1. Contract and Contractual Provisions

1	<p>Employment letters/ contracts have been issued to all workers? <i>The monitor should approach the relevant department and seek copy of at-least one contract of the workers, one contract of a woman worker, and one contract of a person from management. If the documents are not given by the relevant department, the monitor should ask the employees to show a copy of their contract. At least 5 workers out of which 2-3 women</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>An updated version of Wage rules is displayed in both English and Urdu languages? <i>Monitor should look around if wage rules are displayed in both English and Urdu languages at the workplace. Monitor should also check if the workers know about these rules and ask from at least 5 workers out of which 2-3 women to see if they have seen the displayed rules and know what is written in it.</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>Do both men and women workers have access to the displayed Wage Rules? <i>Monitor should ask from workers if they know what sort of wage rules are applicable. The monitor should ask from at least 5 workers including 2-3 women workers. The monitor should specify the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
4	<p>Are wages slips issued to the workers? <i>The monitor should check the salary slip or any such record that may verify that the salary mentioned in the contract is actually given. The monitor should also ask from at least 5 workers including 2-3 women workers. The monitor should specify the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
5	<p>Are all workers being paid wages at the prescribed rate?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
6	<p>Are women workers being paid minimum wages?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
7	<p>Are there any special provisions in policy regarding working hours, wages, seating arrangements, mobility etc. for people with disabilities? <i>Monitor should check policy document if some special provision for PWD are given in policy document. It may be verified through checking the contract of any one PWD.</i></p>

	<input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No
	Remarks: _____ _____

2. Work Time/Rest Breaks/Pay Benefits/Overtime/Termination

1	<p>What are the daily standard working hours in this particular workplace? <i>Monitor should check either the policy of standard working hours is consistent with provisions in law. Also document if any special provisions given for women workers in policy regarding working hours. Monitor may also ask from 2-3 workers including women workers about current practices prevailing at workplace</i></p> <p>Please specify number _____</p>
2	<p>What are the weekly standard working hours?</p> <p>Please specify number _____</p>
3	<p>Are rest breaks scheduled such that each employee gets at least an hour off in between 6 hours of continuous work? <i>Monitor should check whether the provisions for rest breaks in policy document is according to law. Also ask from workers about their responses in this regard Monitor should check whether the workers are being given break for one hour after working of six consecutive hours OR two half an hour breaks for working eight hours or above</i></p> <p><input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No</p>
4	<p>Women are allowed flexible work timings and breastfeeding breaks on return from their maternity leave? <i>Monitor should check the provisions in policy document regarding breastfeeding breaks for women workers. Also ask 1-2 women workers about specific number and duration of breaks provided them</i></p> <p><input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No</p> <p>Remarks: please specify number and duration of breaks: _____ _____ _____</p>
5	<p>Is overtime restricted to a maximum of 12 hours per week?</p> <p><input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No</p>
6	<p>When an employee works over time, compensation is paid at double the ordinary rate paid to him/her? <i>Monitor should check the provisions in policy document regarding overtime compensation. Verify the record of overtime payments and breaks given to workers. Also ask from workers about overtime compensation practices at workplace. According to Law, the overtime would only be paid to the employees who come under the category of worker (not officers). The monitor should check that all workers who qualify for overtime payment are being paid overtime</i></p> <p><input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No</p> <p>Remarks: _____ _____</p>
7	<p>Are there any discriminatory clauses in the contracts given to women? <i>Monitor should check the contract of at-least one men and one-woman worker and document any form of discrimination against women workers</i></p> <p><input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No</p> <p>Yes, Disparity occurs in (tick the appropriate, can select more than one options)</p> <p><input type="checkbox"/> Timings <input type="checkbox"/> Wages <input type="checkbox"/> TORs for the same position</p>



	<input type="checkbox"/> Over time Any other, please explain: _____ The contract includes a termination clause? <i>Monitor should verify it by checking the contract of at least one men worker and one-woman worker</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
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3. Provision of Leaves

1	Employees get at least one day off each week? <i>Monitor should check the provisions given to worker regarding breaks and holidays in contract</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
2	Do the employees get at-least 14 days of paid annual leave, every year? <i>Monitor should check the provisions of annual leaves in policy document and its consistency with law. Also ask from 4-5 workers and at least 2 women workers if they are given paid annual leaves</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
3	Every Employee is entitled to avail 10 days of casual leave with full wages <i>Monitor should check the provisions of casual leaves in policy document and its consistency with law. Also ask from 4-5 workers and at least 2 women workers if they are given paid causal leaves</i> <input type="checkbox"/> Yes <input type="checkbox"/> No
4	Every Employee is entitled to avail 8 days of sick leave with full pay (in one year)? <i>Monitor should check the provisions of sick leaves in policy document and its consistency with law. Also ask from 4-5 workers and at least 2 women workers if they are given paid sick leaves</i> <input type="checkbox"/> Yes <input type="checkbox"/> No

4. Maternity Leaves and Benefits

1	How many weeks of maternity leave are women entitled to at this workplace? <i>Monitor should check the provisions for maternity leaves in policy document. Also check if duration of maternity leave is consistent with law)</i> Please specify in number _____
2	How many weeks of fully paid maternity leave are women entitled to at this workplace? <i>Monitor should check the annual maternity benefit record showing payment given to women workers</i> Please specify in number _____
3	How many weeks of fully paid paternity leave are men entitled to at this workplace? <i>Monitor should check the annual paternity benefit record showing payment given to men workers</i> Please specify in number _____
4	Has any woman been fired during her pregnancy? <i>Monitor should check the hiring and firing record with justification and reasons. Also ask randomly from 1-2 women workers if any woman has been fired during pregnancy</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
5	What are specific arrangements to cater the needs of pregnant women at your workplace? (Multiple options can be selected) <i>Monitor should verify the information by asking from at least 2-3 women workers at workplace</i> Comfortable seating arrangements Flexible working hours Extra rest breaks Assignment of less challenging tasks No overtime Time offs for pregnancy related appointments <input type="checkbox"/> Others (Please specify) _____

6	Has any woman been fired while/after availing her maternity leave? <i>Monitor should check the hiring and firing record with justification and reasons. Also ask randomly from 1-2 women workers if any woman has been fired while/after availing maternity leave</i>
	<input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
7	Are procedures defined for maternity benefits in the organization policies? <i>Monitor should check the procedures defined for maternity benefits in policy document of the organization. Also ask 2-3 women workers if they have knowledge about procedure of availing maternity benefits</i>
	<input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____

Section-III

Social Security and Benefits

Instructions for Monitor to Collect Objective Evidence

- Monitor should check one of employees EOBI card or cross check from salary slip about EOBI, Provident fund benefits
- Monitor should ask HR and Admin to show him/her the policy about gratuity and other Allowances or if contract is available the monitor should verify if the provisions are part of the contract
- Monitor may also ask from women workers about social security benefits provided by employer and the kinds of benefits.
- Monitor should check the record of pension and gratuity provided by employer at the time of retirement/termination/resignation/death of an employee

1. EOBI (Employee's Old Age Benefits Act, 1976)

1	<p>Is the workplace registered with EOBI? <i>Monitor should ask HR and Admin to show him/her the registration document with EOBI. Also check the policy document and verify if the provisions regarding EOBI are part of contract</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>If Yes, do the workers have EOBI card? <i>Monitor should check one of employees EOBI card or cross check from salary slip about EOBI</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>If No, do the workers have EOBI registration number? <i>Monitor should ask from relevant person and workers including women workers if EOBI registration number is provided to them</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>How many workers with disabilities are registered with EOBI? <i>Monitor should ask it from the HR or relevant department regarding registration of PWD with EOBI and also check if provisions regarding EOBI are part of contract. The information can also be verified through salary slip of PWD</i></p> <p>Specify the Numbers: _____</p>

2. Gratuity

1	<p>Is there a gratuity provision for the workers in the policies of the workplace? <i>Monitor should ask HR and Admin to show the policy document and verify if the provisions regarding gratuity are part of contract)</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Is gratuity being paid to the family, if the worker dies within the service period? <i>Monitor should check the record of pension and gratuity provided by employer at the time of retirement/termination/resignation/death of an employee. Also ask 2-3 workers at least 1-woman worker about current practices regarding gratuity at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>

3. Provident Fund (Provident Funds Act, 1925)

1	<p>Is there a provident fund provision for the workers in the policies of the workplace? <i>Monitor should ask HR and Admin to show the policy document and verify if the provisions regarding provident fund are part of contract</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Is Provident Fund being paid to the family, if the worker dies within the service period? <i>Monitor should check the record of provident fund provided by employer at the time of termination/resignation/death of an employee. Also ask 2-3 workers at least 1-woman worker about current practices regarding provident fund at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks _____</p> <p>_____</p> <p>_____</p>

4. Workers Welfare Fund

1	<p>How many workers are registered with Workers Welfare Fund?</p> <p>Please specify number of men: _____</p> <p>Please specify number of women: _____</p> <p>If no worker is registered tick here: _____</p>																							
2	<p>Have they benefited from following worker welfare schemes?</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Yes</th> <th>No</th> <th>Number of men benefited</th> <th>Number of women benefited</th> </tr> </thead> <tbody> <tr> <td>Children education</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Marriage grant</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Death grant</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Category	Yes	No	Number of men benefited	Number of women benefited	Children education					Marriage grant					Death grant				
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Children education																								
Marriage grant																								
Death grant																								
3	<p>If No, do the workers have EOBI registration number? <i>Monitor should ask from relevant person and workers including women workers if EOBI registration number is provided to them</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>																							

Section-IV

Sexual Harassment

Instructions for Monitor to Collect Objective Evidence

- The monitor should specifically check the organization's policy on anti-harassment and anti-discrimination.
- Monitor should check whether the sexual harassment policy is displayed at prominent place(s) at the workplace
- Monitor should ask structure and details about anti-harassment committee. Also check the representation of women in committee
- The monitor should check the record of complaints filed by workers especially women workers and actions taken up to address the complaints

1. Sexual Harassment

1	<p>Does the workplace have an anti-sexual harassment policy displayed in compliance with The Act against harassment at Workplace 2010? <i>The monitor should specifically check the organization's policy on anti-harassment and anti-discrimination. Also get a copy of policy to verify its compliance with the act against harassment at workplace 2010</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
	<p>If yes? Is it displayed at a prominent place as required by the harassment at the workplace act? <i>Monitor should physically verify whether anti-harassment policy is displayed at prominent place/s at workplace</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
2	<p>Is there an anti -sexual harassment committee in place at the workplace? <i>Monitor should ask structure and details about anti-harassment committee. Also check the representation of women in committee</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>If yes, does the staff know who the committee members are? <i>Monitor should ask at least 4-5 workers and at least 2 women workers about familiarity with committee members</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p> <p>_____</p>
3	<p>Has there been a report on sexual harassment over the period of last two years? <i>The monitor should check the record of complaints filed by workers especially women workers and actions taken up to address the complaints</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>Remarks: _____</p> <p>_____</p>
4	<p>Has there been any orientation session on sexual harassment policy with the employees? <i>Monitor should ask the relevant person about how frequently workers are oriented about policy. The monitor may also ask from workers about their understanding about policy</i></p>

	<input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____
5	When did last session on sexual harassment conducted for employees? Please specify the timeline: _____
	Was any action taken against the culprit in case of a filed complaint? <i>Monitor should verify this section after checking the record of action taken against culprit in case of filed complaint. Skip question 5 and 6 if no complaints are filed</i>
6	<input type="checkbox"/> Yes <input type="checkbox"/> No If answer to question number 5 is yes, what sort of action was taken against the culprits? <input type="checkbox"/> Terminated <input type="checkbox"/> Demoted <input type="checkbox"/> Warning letter issued <input type="checkbox"/> Any other please explain _____
	How many women have filed sexual harassment related complaint? <i>Monitor may verify this information after checking the record of anti-harassment committee</i>
7	<input type="checkbox"/> Yes <input type="checkbox"/> No Please specify the number _____
	Has the employer maintained any record of the reported cases?
8	<input type="checkbox"/> Yes <input type="checkbox"/> No Remarks: _____ _____

Section-V

Right to Association/ Organization/ Collective Bargaining

Instructions for Monitor to Collect Objective Evidence

- Monitor should check record of trade union(s) and ask union members about facilitation provided to protect their rights and entitlements given under IRA.
- The monitor should check the proportion of women members at all levels. Also check the representation of women in management committees
- The monitor should also check the copies of agreements signed by union leaders. Record the number of issues highlighted and addressed through collective bargaining.

1. Right to Association/Organization and Collective Bargaining

1	<p>How many employees are part of trade union(s)/association(s) of their own choice? <i>The monitor should ask from the relevant focal person from administration as well as workers regarding the number of workers who are part of a union and then write the number of workers in the row below</i></p> <p>Please specify the number _____</p>
2	<p>How many trade union/s exist in this particular workplace?</p> <p><input type="checkbox"/> No <input type="checkbox"/> 1 <input type="checkbox"/> 2</p> <p><input type="checkbox"/> Any other, please specify _____</p>
3	<p>If the trade union/s exist, how many employees are part of the trade union/s?</p> <p>Please specify the number _____</p>
4	<p>Are the CBA representatives elected by the consent of the workers? <i>The monitor should ask from at least 5 workers including 2-3 women if they voted formally or informally for the selection of the representative and record the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks _____</p>
5	<p>How many women employees are part of the trade union/s? <i>The monitor should check the number of women members part of the union/s</i></p> <p>Please specify the number _____</p>
6	<p>How many women are office bearers of the union/s</p> <p>Please specify the number _____</p>
7	<p>Is there any separate women wing in the trade union?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please specify the number _____</p>
8	<p>Do the union members confirm that management does not discriminate against them because of being a part of union. <i>The monitor should ask from at least 5 unions members including 2-3 women workers, the monitor should also check if any of the union member has been dismissed due to taking part in union activities or barred from taking part in union activities. The monitor should record the responses in the remarks section</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Remarks: _____</p>
9	<p>Has the employer made any changes in the workplace related management/policies after collective bargaining efforts from the workers?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, what measures have been taken?</p> <p>Please explain: _____</p> <p>_____</p>

Section-VI

Bonded Labour

Instructions for Monitor to Collect Objective Evidence

- Monitor should ask from 4-5 workers including at least 2-3 women workers about their willingness to work at workplace
- The monitor can tick more than one option, to ascertain whether the workers are being given contracts, if yes, then what are the main contents of the contract

1. Bonded Labour

1	Are all the employees at the workplace are working willingly? <i>Monitor should ask from 4-5 workers including at least 2-3 women workers about their willingness to work at workplace</i>			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
2	What type of wage payment is followed at the workplace?			
	<input type="checkbox"/> Daily Basis	<input type="checkbox"/> Lumpsum	<input type="checkbox"/> Piece Based	
	<input type="checkbox"/> Performance Based <input type="checkbox"/> Any other, please specify _____			
3	Are all accounts of payments documented?			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
4	Are families/some members of the family of workers are also employed at same workplace?			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
	If yes, please specify the number of families working there _____			
5	Are men and women workers free to leave at the end of the shift?			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
6	What type of terms and conditions are included in the contract? <i>The monitor can tick more than one option, to ascertain whether the workers are being given contracts, if yes, then what are the main contents of the contract</i>			
	<input type="checkbox"/> No contract at all			
	<input type="checkbox"/> Only verbal memorandum			
	<input type="checkbox"/> Amount of minimum remuneration			
	<input type="checkbox"/> Duration of working hours			
	<input type="checkbox"/> Leave with pay			
	<input type="checkbox"/> Leave without pay			
	<input type="checkbox"/> Maternity leave			
	<input type="checkbox"/> Medical cover/self/family			
	<input type="checkbox"/> Others, please specify _____			
7	Are the following facilities available at work place?			
	Facility	Yes	No	Comments
	Drinking Water			



	Washrooms/Latrine			
	First aid box			
	Shelter			
	Orientation to preventive health practices			
	Others Please specify			

Section-VII

Overall Environment of Workplace for Women Workers

Instructions for Monitor to Collect Objective Evidence

- The monitor will gather at least 10 women workers from the particular workplace and ask the following questions from them in a group. The monitor will write down the number of workers responded to a particular option in reply to a question in front of that option.

1. Workplace Environment for Women Workers

1	<p>Are you satisfied by the behavior of male colleagues towards the female colleagues? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
2	<p>Are you comfortable speaking to your male colleagues? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
3	<p>Do the male colleagues use appropriate language while talking to you and do not use inappropriate gestures and unacceptable language? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4	<p>The male colleagues do not stand too close to you or try to touch or invade your personal space? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
5	<p>Do the management give you equal opportunity to speak same as your male colleague of the same grade? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
6	<p>Do you feel that you can challenge the decisions or give your opinions about the decisions openly? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
7	<p>In an all staff gathering do you feel comfortable speaking or giving your opinion? <i>The monitor should specify the number of women who said yes and number of women who said no</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
8	<p>The contribution of women workers is appreciated/acknowledged as much as men? Please rate? <i>The monitor should specify the number of women chose the option in front of it</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Slightly but not equally</p>
9	<p>What is the perception about women workers at the workplace? <i>The monitor should specify the number of women chose the option in front of it</i></p> <p><input type="checkbox"/> They work because women just like men are entitled to work</p> <p><input type="checkbox"/> They are breadwinners of the family</p> <p><input type="checkbox"/> They work just for time pass</p> <p><input type="checkbox"/> They work because they are needy</p> <p><input type="checkbox"/> Any other, please specify _____</p>
10	<p>If there is a trade union/association and women are member of it, are women equally participating in the structure? Please rate. <i>The monitor should specify the number of women chose the option in front of it</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Slightly but not equally</p> <p>Remarks: _____</p> <p>_____</p>



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