

EXTRAORDINARY

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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 29TH APRIL, 2016.

NO.PAS/Legis-B-36/2015-The Sindh Terms of Employment (Standing Orders) Bill, 2015 having been passed by the Provincial Assembly of Sindh on 21st March, 2016 and assented to by the Governor of Sindh on 25th April, 2016 is hereby published as an Act of the Legislature of Sindh.

THE SINDH TERMS OF EMPLOYMENT
(STANDING ORDERS) ACT, 2015.

SINDH ACT NO. XI OF 2016.

AN
ACT

to provide for regulation of industrial and commercial employment in the Province of the Sindh.

WHEREAS it is expedient to provide for regulation of industrial and commercial employment in the Province of the Sindh and for matters connected therewith or ancillary thereto; Preamble.

It is hereby enacted as follows:-

- (1) This Act may be called the Sindh Terms of Employment (Standing Orders) Act, 2015

Short title, extent, application and commencement.

- (2) It shall extend to whole of the Province of the Sindh
- (3) It shall come into force at once.
- (4) It applies to:
 - (a) every industrial establishment and commercial establishment wherein ten or more workers or employees are employed, directly or through any other person whether on behalf of himself or any other person, or were so employed on any day during the preceding twelve months;
 - (b) such classes of the industrial and commercial establishments as Government may, from time to time, by notification in the official Gazette, specify in this behalf.

Provided that nothing in this Act shall apply to industrial establishments and commercial establishments carried on by or under the authority of the Federal Government or Government, where statutory rules of service, conduct or discipline are applicable to the workers employed therein.

Provided further that the provisions of Standing Orders 13, 15, clauses (6) and (8) of Standing Orders 17 and 20, contained in the Schedule shall not apply, in the first instance, to any industrial establishment wherein not more than 20 persons were employed on any day during the preceding twelve months but Government may, by notification in the official Gazette, extend all or any of the said provisions to any such industrial establishment or any class of such establishment.

2. (1) In this Act, unless there is anything repugnant in the subject or context-

Definitions.

- (a) "collective agreement" means an agreement in writing intended to specify the conditions of employment, and entered into between one or more employers on the one hand, and one or more trade unions or, where there is no trade union, the duly authorized representatives of workers, on the other;
- (b) "commercial establishment" for the purpose of this Act, means an establishment in which the business of advertising, commission or forwarding is conducted, or which is a commercial agency, and includes a clerical department of a factory or of any industrial or commercial undertaking, the office establishment of a person who for the purpose of fulfilling a contract with the owner of any commercial establishment or industrial establishment, employs worker, a unit of a joint stock company, an insurance company, a banking company or a bank, a broker's office or stock exchange, a club, a hotel, a restaurant or an eating house, a cinema or theater, school, colleges, private educational institutions, schools, hospitals, private health centers, clinical laboratories, private security

agencies, other establishment or class thereof which run on commercial and profit basis, and such other establishment or class thereof, as Government may, by notification in the official Gazette, declare to be a commercial establishment for the purposes of this Act;

- (c) "construction industry" means an industry engaged in the construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbor, dock, pier, canal, inland waterway, road, tunnel, bridge, dam, viaduct, sewer, drain, water work, well, telegraphic or telephonic installation, electrical undertaking, gas work, or other work of construction as well as the preparation for, or laying the foundations of, any such work or structure;
- (d) "employer" means the owner of an industrial establishment or commercial establishment to which this Act for the time being applies, and includes -
 - (i) in a factory, the name of the person who shall be the occupier and manager for the purposes of this Act;
 - (ii) in any industrial establishment under the control of any department of the Federal Government or Government, or District Government, the authority appointed by such Government in this behalf, or where no such authority is so appointed, the head of the department; and
 - (iii) in any other industrial establishment or commercial establishment, any person responsible to the owner for the supervision and control of such establishment;
- (e) "factory" means any premises, including the precincts thereof, whereon ten or more workers are working or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on or is ordinarily carried on with or without the aid of power, but does not include a mine, subject to the operation of the Mines Act, 1923(IV of 1923);
- (f) "go-slow" means an organized, deliberate and purposeful slowing down of normal output of work by a body of workers in a concerted manner and which is not due to any mechanical defect, break-down of machinery, failure or defect in power supply, or in the supply of normal materials and spare parts of machinery;
- (g) "Government" means the Government of the Sindh;
- (h) "industrial establishment" means -
 - (i) road transport and omnibus service;
 - (ii) dock, wharf or jetty;
 - (iii) inland steam-vessel;

