

Collective Care Arrangements in the Informal Labour Market

Road Transport Workers in Pakistan

Road transport workers struggle with low wages, long working hours, poor working conditions, occupational health hazards and lack of social protection. This paper provides an overview of the work environment, labour relations and working conditions in the road transport sector in Pakistan, addressing issues related to social security through collective action.

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In Pakistan, the road transport sector is characterised by non-compliance and non-applicability of labour legislation. The road transport labour force comprises male wage workers, self-employed operators owning a single vehicle purchased on loan from moneylenders on exploitative terms, and small entrepreneurs, who own, individually or jointly, 5 to 20 or a larger vehicle fleet, but fail (or evade) to comply with rules, thereby depriving the employees of the minimum social security the state institutions offer to permanent employees in registered industrial/commercial establishments. In a weekly regulated, competitive work environment, road transport workers struggle with low wages, long working hours, poor working conditions, occupational health hazards and lack of social protection.

In the absence of a unified, regulatory framework, transport activities are governed by a complex mix of formal and informal rules, fiscal arrangements, institutions and mechanisms of mutual help and trust. The sector is also characterised by a strong presence of a number of loosely organised, (vehicle) mode-specific, workers'/operators' unions, or associations, that attempt to address some of the issues on a self-help, collective basis. A few broad-based transport workers' organisations/unions have devised mechanisms to address some of the social security concerns through collective care arrangements. The issues that are given priority are harassment and extortion by law enforcing agencies and lack of economic protection in times of contingencies (injury/death in accidents, loss of assets).

In its broader context, social security refers to benefits that cover both risk management and risk prevention, and is viewed as crucial tool to prevent deprivation (promote living standards) as well as vulnerability to deprivation (protect against falling living standards).¹ In terms of the ILOs concept of "decent work",² social security embraces security of basic needs – and rights – for self and the family (food, health, shelter, education) and of economic needs (job, income, skill formation, access to capital and markets), expanded by the ILO under its Socio-Economic Security Programme into seven forms of work-related security.³

The existing state mechanisms for social security provision (contribution-based social insurance schemes) – employees' social security, workers' welfare fund, workers' profit participation scheme, compulsory group insurance scheme, employees' old-age benefit institution – are applicable only to the formal

sector's permanent employees and have very low coverage even within the formally registered establishments. The tax-financed social protection schemes for the destitute (Zakat and Pakistan Bait-ul-Maal) have low coverage due to poor governance and exclusionary criteria. It is to be noted that the ILO Social Security (Minimum Standard) Convention 1952 (No 102) that identifies nine areas of social benefits – medical care as well as sickness, unemployment, old-age, employment injury, family, maternity, invalidity and survivors' benefits⁴ remains one of the many ILO conventions not ratified by Pakistan. The Constitution's proclamation (Article 38) to provide social security to all is yet to be translated into reality. The overwhelming majority of the road transport workers thus remain excluded from statutory entitlements and benefits, either through legislative/regulatory exclusion or poor governance/implementation mechanisms.

Road Transport: An Overview

The transport services sector, comprising four sub-sectors – road, rail, sea and air transport – contributes 11.1 per cent of the GDP⁵ (excluding manufacture) and employs 2.4 million labour force or 5.7 per cent of total labour force.⁶ This study focuses on road transport, a sub-sector, now almost wholly, under private ownership and predominantly in the informal economy, both as regards finance and labour. Road transport accounts for 91 per cent of passenger traffic and 96 per cent of freight traffic.⁷ The country has a road network covering 2,59,758 km,⁸ with around 4.2 million on-road vehicles, and a road density of 0.32 km/sq km which is lower than the average density of 0.50 km per sq km in developing countries (Pakistan needs to develop 1,57,115 km of roads to meet this deficiency). The main source of state investment in the transport sector (infrastructure) is the public sector development programme (PSDP). The development of transport infrastructure is heavily tilted towards big projects – highways, expressways, bridges. In the 1999-2000 PSDP, 27 per cent of the total budget was allocated to the transport sector out of which 88.5 per cent went to the development of highways and bridges and only 7.5 per cent was allocated to rural access roads.⁹

With an annual growth rate of 7 per cent for passenger traffic and 6 per cent for freight traffic, road transportation is the fastest

growing sub-sector, absorbing a large number of unskilled/semi-skilled and skilled workers and generating micro/small enterprises. The sector contributes to the government revenues through taxes and duties on production and import of vehicles and parts, petroleum products and fees on ownership and operation of vehicles. According to an estimate, road-related revenue collection only amounts to Rs 32.5 billion per year (52 per cent from federal surcharge on POL products).¹⁰

Governance

There are three ministries responsible for four modes of transport – ministry of railways (rail), ministry of communications (road and sea) and the ministry of defence (airways). “Each ministry formulates its plans independently and they have negligible coordination with each other...”¹¹ The need for a single ministry of transport was identified in the early decades. The Planning Commission had proposed in 1977 to bring all modes of transport under a single ministry.¹² At present, the ministry of communications is responsible at the federal level for road transportation through the National Transport Research Centre (research and policy guidelines), the National Highway and Motorway Police (implementation of rules) and the National Highway Authority (infrastructure).¹³

In Pakistan, development of road transport services – inter-, intra-city and cross-boundary freight and passenger traffic – has followed distinct phases. In 1947, three large private transport companies, subject to controls by the state authorities, were operating in the port city of Karachi, the hub of transport activity. By 1951, five more private companies (with 30-50 vehicle fleets) came into being.¹⁴ These private companies were rendered unprofitable and disbanded in 1956 due to disabling fiscal and regulatory policies. In the late 1950s, transport control and ownership in major cities was largely taken over by public authorities under the East and West Pakistan Road Transport Corporations with municipal undertakings. In 1969, the Motor Vehicle Rules was enacted. Micro and small entrepreneurs were allowed to enter the market with single/multi-vehicle fleet purchased on loans from informal moneylenders or formal financial institutions.

In 1971, regional and provincial transport authorities were set up to devise rules and enforce implementation and provincial transport corporations in Sindh, Punjab and NWFP were established to undertake operation of passenger bus services in competition with private operations. Within a decade all these three corporations were running in deficit due to “...lack of entrepreneurship...” and other constraints.¹⁵ The decades of 1980s and 1990s witnessed increased activity of largely re-regulated, fragmented, informal private sector entangled in a myriad of issues besetting all the stakeholders – transport workers, operators/owners, users and regulators. Unlike other stakeholders, the impact of re-regulation and privatisation on road transport workers has been negative as the workers’ terms and conditions of employment are the main target of cost-cutting initiatives.

Till today, regulatory and governance mechanisms of road transportation have not been brought under a unified, central authority. Vehicles are registered by provincial excise and taxation departments, authority for licence issuance and renewal lies with provincial home departments, while grant/renewal of route permits and vehicle fitness certificates are issued by provincial transport departments that work under provincial transport

authorities. The provincial transport authorities and regional transport authorities are responsible for administration and enforcement of the Motor Vehicles Ordinance, 1965 and the Motor Vehicles Rules, 1969¹⁶ and their functions include planning and allocation of routes. These Authorities “...assert day-to-day control over inter- and intra-city passenger transport services which are dominated by the private sector”.¹⁷

As the provincial/regional transport authorities plan, devise and enforce rules/legalisation independent of each other and do not function under a unified federal policy-making body, the governance issues are compounded. Also, dealing with several inefficient and corrupt bureaucracies poses hardship to workers/operators.

Regulatory Framework

The Motor Vehicles Act, 1939 was enacted by the British when Karachi was made the military base (1939-45) during the second world war and necessitated regulation of vehicle movement. The British also promulgated the Motor Vehicles (Drivers) Ordinance, 1942. After independence, the act was amended in 1952 and then in 1965 (Motor Vehicles Ordinance, 1965), followed by the enactment of the Motor Vehicle Rules, 1969. The first highway code was introduced on the basis of UN Convention 1968, and the draft Road Safety Ordinance was formulated in 1977.¹⁸ The draft was finalised and enacted as the National Highway Safety Ordinance in September 2000 to provide for safe driving on highways. The ordinance covers licensing, registration of vehicles, construction, equipment and maintenance of vehicles, traffic control, offences and penalties. The ordinance has several anomalies and needs revision.¹⁹ Its implementation is weak and the majority of transport workers remain uninformed about it.²⁰

Transport Policy

The need for an integrated national transport policy is being identified since decades. The Chartered Institute of Transport (CIT), a private body, drafted a National Integrated Transport Policy in 1977. The CIT modified and updated this draft policy in 1998 for the ministry of communications²¹ “...but received no response whatsoever from the Ministry...”. In 1999, the World Bank facilitated public sector consultations under the Transport Sector Development Initiative and the process of developing the “...first integrated transport sector policy...” began in May 2000. The draft transport policy and strategy document was prepared by the World Bank.²² In October 2004, the Asian Development Bank approved a grant to provide technical assistance to the ministry of communications to formulate a comprehensive national transport policy. The assistance was to finish around June 2005.

To date, planning in the transport sector is being carried out without the “...basis and guidelines provided by a proper ‘Transport Policy’”.²³ Indicative, medium-term planning and strategies for transport laid out in eight five-year plans till 1998 were not implemented. According to the latest plan, termed as Medium Term Development Framework 2005-10, a “...comprehensive and integrated transport policy will be developed during the MTDF.”²⁴

Road Transport Labour Legislation

The Road Transport Workers Ordinance, 1961, was enacted to regulate the hours of work and other conditions of employment of road transport workers. The ordinance stipulates a break of

at least 30 minutes after five hours of driving, limits total driving time to eight hours per day and 48 hours per week, and stipulates at least 24 hours of consecutive rest in a week. The ordinance was amended in 1974 and the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 was made to apply to all road transport services, with the exception of transport workers operating in unregistered small and micro enterprises. Private transport companies with bigger fleet evade the law through various mechanisms devised in connivance with regulatory authorities. In any case, transport workers, due to literacy and information deficits, remain ignorant of both national laws and international standards. The ILO Hours of Work and Rest Periods (Road Transport) Convention (No 153), 1979 (see Box 1), that requires a break after four hours of driving, limits total driving time to nine hours per day and 48 hours per week and recommends at least 10 hours of rest in each 24-hour period, has not yet been ratified by Pakistan.

Systems of Operation

The liberalisation of the road transport market in the 1970s resulted in fragmentation of the sector's structure, with the majority of worker-cum-operators entering the sector to secure a livelihood with little investment, followed by the emergence of individual/joint ownership of small fleet inter-city passenger and freight services. The big investors stayed off the market as they did not envisage public provision paying lucrative dividends. In the late 1990s, large private sector companies were inducted through fiscal incentives. At present, the sector has several systems of operation impacting differently on labour relations and labour rights.

Many skilled workers are self-employed as owner-cum-drivers (operators) and unskilled as cleaners/conductors of the public service vehicle (bus/wagon/mini-bus/loader suzuki/taxi/motor rickshaw/school van) purchased through loans from traditional moneylenders. The intra-city passenger and freight vehicle ownership falls under this category. At times, a single vehicle is owned jointly by two-three persons (i.e., driver, conductor) who pool in money to purchase the vehicle from the owner/permit holder at a high interest rate. A single vehicle service cannot be registered as an establishment or company. The vehicle is not insured as insurance companies charge high premium for individually owned public transport vehicles due to a rising incidence of arson and looting. The workers under this arrangement (see Box 2) are the most vulnerable, have no social security and live under the constant risk of losing their livelihood (in case of injuries in accident or damage/loss of vehicle).

Inter-city passenger and freight services are dominated by small (bus/transport goods) registered companies, either under proprietorship or joint ownership. The services comprise 5-20 vehicle fleet, and are run by hired employees (drivers, helpers, conductors) paid on per-trip basis without any base salary. Often, owner-driver of single vehicle operates under the umbrella of these small companies through paying monthly commission and accessing the bus stand/parking facility and the company's clout in dealing with regulators (law enforcing agencies, legal structures). The owners of these companies evade laws and the workers are deprived of decent work and social security benefits. A few big companies (i.e., Daewoo Bus Service Company) – with a fleet of more than 100 vehicles – that have emerged since late 1990s

comply with labour legislation and maintain standards for labour rights to quite an extent.

In intra-city transport services (mini-buses, wagons, taxis, rickshaws), particularly in big urban centres, the informal employment contract is based on the residual income principle.²⁵ The worker retains whatever amount is left after paying a contractually fixed amount to the vehicle owner and the gasoline charges. The worker, thus, has to maximise returns in order to maximise his income, which results in long working hours on the roads and disregard of occupational health and safety measures.

Labour Force Characteristics

Transport workers – drivers, conductors, cleaners, helpers – in Pakistan are predominantly male, with the exception of a couple of woman taxi drivers found in big cities. Women, due to social barriers and cultural constraints, refrain from entering the sector though since late 1990s women are being inducted by a few medium-to-large sized passenger transport companies as hostesses or as office workers. The review of data of the select number of transport workers²⁶ indicates that the majority belongs to the age group 20 to 45 (for the work is physically-mentally demanding), is literate and semi-skilled or skilled. These characteristics are corroborated through an earlier study²⁷ where the bulk of workers were found to be in the 20-40 year age-group, literate and skilled. The schooling reported by an older cohort (age group 35-50) is limited to 5 to 8 years, while the young workers (age

Box 1: ILO Road Transport Convention

The ILO Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No 153), concerns hours of work and rest periods in road transport. It is the only ILO Convention which deals exclusively with conditions of work in road transport. The main clauses of the Convention state that:

- Every driver is entitled to a break after four hours continuous driving or after five hours continuous work;
- The maximum daily total driving time should not exceed nine hours;
- The maximum weekly total driving time should not exceed 48 hours;
- The daily rest period must never be less than eight consecutive hours.

As of August 2005, only eight ILO member states (Ecuador, Iraq, Mexico, Spain, Switzerland, Turkey, Uruguay and Venezuela) had ratified the instrument.

Box 2: Life on the Road

Mustachioed, grim-faced, 44-year-old Najibullah Khan is on the road for the last 29 years. He works as a driver on long-distance route – Karachi to Islamabad. "I get Rs 1,500 per trip. A trip takes 26-27 hours. I make about 6 trips a month and that adds up to Rs 9,000 per month". Born in a village in Musakhel, Mianwali, Najib dropped out of school after class 6 and was pushed into the labour market as a child. Initially he worked as bus cleaner and helper. When he got his licence at 18, he took to driving. In 1973 he came to live in Karachi where he shares a rented accommodation with another person. Najib's family members (parents, wife and 5 children) work as sharecroppers in the village. These days he is paying a monthly instalment of Rs 1,000 to the moneylender for a loan of Rs 10,000 he took to help his family buy agricultural inputs.

"There is one more driver along with me in the bus, and we take turns after 4-5 hours of driving, taking 2-3 hours rest in between. After each trip I am off the bus for 24 hours and busy with maintenance of the vehicles and carry out related errands. I get little time to spend with my family whom I visit fortnightly". For Najib, there are no holidays, no medical or other facilities and no social security.

group 20-35) tend to have 12 or more years of education. Family size varies from 6 to 20 members (including dependent and extended family members).

The majority of the workers originally belong to rural areas, a trend indicative of diminishing livelihood opportunities in rural communities, a decline in agricultural and agri-based occupations, and consequent rural-to-urban migration. Many of the workers appear to enter the transport sector when their income generating activities – as petty shopkeeper, fruit-seller, tailor, goldsmith, manual labour, cleaner, mechanic, etc – collapse under pressure of contingencies (prolonged illness, death, loss of assets) or market forces in the absence of social safety nets. A PILER survey conducted in 2001 showed that 31.5 per cent of the respondent transport workers had been unemployed in the past 12 months and the modal period of unemployment was two months.²⁸

With the exception of administrative work and financial management, many of the occupations in the road transport sector (i.e., driving, cleaning, assisting passengers, loading/unloading, vehicle maintenance) do not require higher education and formal skill formation. Easy transferability of skills (basic driving skill, vehicle maintenance/repair) acquired on-job (traditional 'ustaad-shagird' pattern) is one of the factors that make this sector absorb the steady flow of literate, unemployed labour force. The sector also holds opportunities for self-employment as the amount of investment required to own a used vehicle, or new light weight vehicle (taxi/rickshaw) can be accessed through traditional credit lines, or raised through social support networks (family/relatives/friends).

The most vulnerable, at the lowest rung of the hierarchy, are those who work on daily, or per trip, wages as helper, conductors and cleaners in long-distance freight and passenger transport vehicles. This workforce comprises unskilled, illiterate or barely literate, unemployed young men who are being increasingly pushed out of the deprived rural or semi-urban environs in search of livelihood (see Box 4). Roaming at bus 'addas' in small towns and big cities, they are hired on a casual basis on site by driver/operators on low wages, treated harshly and often fired on slight pretexts and kicked out of the vehicle on the highway. Lack of steady employment poses hindrance to skill formation and traps the workers in a vicious cycle of deprivation. These workers are also discriminated against by transport workers' organisations and are denied membership due to several factors that include inability to pool in to the membership fund due to unstable employment/low wages.

The select data indicates that the road transport workers do not have women wage earners in their families, indicative of either male perception of woman's traditional role – harboured by rural Pakhtun community who dominate road transport sector – or non-reporting of income-generating activities of their women due to the social construct of honour.

Working Conditions

The road transport sector is marred with one of the most critical and damaging working condition – long and irregular working hours. Often the workers (on the inter-city routes) are on the vehicle for as long as 26 hours at a stretch. The work includes not just driving or assisting passengers, but loading/unloading, training, cleaning and maintenance, work related to ensuring the safety of the vehicle and its cargo and passengers, administrative formalities or work linked to legal or regulatory (either formal

or informal) obligations. Working time also includes waiting periods when the worker cannot freely dispose of his time and needs to be at the work-station waiting to be called on duty. On intra-city routes bus workers work on average 14 hours a day while rickshaw and taxi drivers are at the wheels (on average) 12 hours a day.²⁹ Transport workers in Pakistan are faced with a hazardous work environment that includes worn-out and poorly maintained vehicles, dilapidated roads, poor traffic management on city routes/highways, lack of traffic signs, road-side facilities, properly designed bus/truck terminals, parking facilities and rest houses. Ill-designed, uncomfortable seats for drivers and absence of a proper seating area for conductors/helpers compound the hardship at the mobile workplace.

In addition to poor physical infrastructure of the work environment, road transport workers have to deal with threatening

Box 3: Bilateral Commercial Enterprise

Initially established as Daewoo Pakistan Bus Services in 1997, and now a partnership between Chaudhry Brothers, Lahore, and Daewoo Korea with 49/51 shareholdings, the Sammi Daewoo Pakistan Express Bus Services has a fleet of 150 buses plying on intercity routes in 15 cities of the provinces of Punjab and NWFP, operated by 2,500-3,000 employed staff. "The drivers are paid between Rs 10,000 and 18,000 per month. The company has 400 females working as hostesses, getting between Rs 7,500 and Rs 12,000 per month. Guards are paid Rs 4,500", informs Naveed Dar, ticketing manager, Daewoo Bus Stand, Lahore. The employees are insured, entitled to leave and other facilities and are paid bonuses. Drivers are educated on traffic rules and regulations but made to pay themselves if they violate traffic rules. "In case of accident, the company pays full compensation and medical services". It cannot be said, however, that workers do not have grievances and labour rights are ensured. Some of the workers once tried to form a union but the company fired them all. Since then, no attempt has been made to unionise the workers.

Box 4: Vulnerable and Dispossessed

Ghulam Sabir, 26-year old, clad in crumpled shalwar qameez, is reclining on a seat in a bus parked at the General Bus Stand on Bund Road, Lahore. Unassuming, frail and shy, he doesn't look like he wields a gun hidden in his shalwar: Sabir works as a gun man on a long route inter-city bus run by a small company. He gets Rs 200 per trip and makes 15 trips a month pooling a monthly income of Rs 3,000 to a household of 15 members with two more members (his father and a brother) earning more or less the same amount.

Sabir is a new entrant to transport sector labour force. Till a few months back he was working, for the last 12 years, as tailor/embroiderer in his family micro enterprise. He started as a child worker at the age of 14 after he dropped out from school, studying up to class 7. "We had five sewing machines. A few months back the shop was gutted with fire caused by an unplugged iron. Whatever little assets we had, went up in smoke. In the villages there is no concept of insurance. In any case, most small businesses like ours cannot afford insurance. Kalalwala, where I live, is a small village, with no opportunities for employment. My family doesn't own any land. So I left home and boarded the bus for the city, got down at the adda where I found this job." He doubts that with this paltry amount he could ever save money to buy sewing machines and go back to the work he was comfortable with.

Unsure of what the future holds for him, Sabir, who looks tired and lethargic, remains on board for 24 hours, followed by 24 hours rest. While on the bus, he takes small naps during the day, cramped in a seat, when the vehicle is passing through safe areas. At night he must keep vigil. "For being a gunman, you don't need any training. There are so many weapons in villages and cities that every man knows how to use a gun. Luckily, I have not come across any bandits on my vehicle. So far, so good", he smiles wearily.

and corrupt regulatory infrastructure and the rising service provision cost (see Box 5). Harassment and extortion of 'bhatta' by traffic police and check posts officials are a norm and transport workers have to co-opt them, else devise mechanisms for confrontation. Low literacy levels, inadequate skill formation in the absence of proper training and refresher courses on traffic rules and regulations, and lack of awareness on labour rights and legislation, hinder empowerment and render road transport workers vulnerable.

Occupational Health and Safety

Two major health risks, linked with transport workers in the country, are drug addiction and HIV/AIDS. Cargo and passenger transportation on long-distance inter-city and trans-border routes require long working hours and night-time driving hence increased probability of pushing workers to take drugs to fight off sleep and exhaustion. Also, trans-border drug trafficking between Pakistan and Afghanistan make harmful drugs easily accessible to workers. Unofficial estimates and media reports indicate high incidence of drug addiction among road transport workers.

Though Pakistan has low prevalence of Acquired Immuno-Deficiency Syndrome (AIDS), the number of AIDS and HIV positive cases is increasing. According to UNICEF estimates of 2005, there are 70,000 to 80,000 (or 0.1 per cent) HIV positive people in the country with a 7 to 1 male/female ratio. The two categories of people most infected with HIV/AIDS are cited to be sex workers and transport workers operating on long-distance routes. As the nature of work keeps the workers away from their conjugal families for longer period, the workers, mostly men, are more prone to avail services of sex workers, hence at higher risk.

Road transport workers are faced with a number of safety issues, topped by driver fatigue, which is considered the main cause of accidents in the transport industry around the world. In Pakistan, a total of 9,377 traffic accidents were reported in 2002-03. Of them, 4,045 accidents were fatal, resulting in the loss of 4,813 human lives,³⁰ including those of drivers and other transport workers. The incidence of serious injuries in Pakistan is reported at 41.2 per 1,000 persons per year, traffic accidents being the most common cause. According to a study,³¹ 36 per cent of these injuries are transport related. In the PILER study

Box 5: Informal Fiscal/Governance Arrangements

Umar Hyat, in his early 40s, is owner-driver of a bus plying on the Karachi-Hyderabad route. He left his home town in Mian Chunno, in 1978 after he finished class 10 and secured work as a bus conductor. He took to driving in 1980. In the early 1990s he was able to raise some money through the help of his father and bought a second-hand vehicle. Umar pays Rs 1,500 per month commission to an established bus service company to operate his vehicle under its name. "They let me use their office facilities and the bus 'addas' for embarkation and disembarkation of passengers. They also help me deal with police and other officials. But I have to bear all the costs that are incurred in such cases. It is just the company's clout that helps me settle things quickly".

"After paying Rs. 800-900 'bhatta' to various check posts, monthly commission to the company, the vehicle's maintenance cost and the other driver and conductor's salaries and food, I am left with around Rs 12,000 per month", he states. "I can't take day's off work. If I do, from where will I, and my family of six members, get our next meal? The only advantage of owning the vehicle is that nobody can kick me out of work. As long as the bus is there, and I am hale and hearty, I will keep driving and earning".

on urban transport workers, 40 per cent of the respondents reported work-related injury incidences.³²

The high figure of traffic accidents is related to fatigue and lack of sleep and rest, excessive hours of work, poor road design, and ignorance and violation of traffic rules and regulations. Stress caused by harassment of law-enforcing agencies (traffic/highway police, check posts and custom officials) for extortion of money is a common condition. Aggressive behaviour (verbal or physical assault) and humiliation hurled by passengers is frequent. In addition, the workers run the risk of vandalism, robbery, dacoity and vehicle-jacking, where the consequences (physical injury or damage/loss of the vehicle) have to be borne by the workers.

Box 6: Rickshaw Drivers' Association: The Beginning

Rickshaw driver, Mohammad Yusuf Khan, 29, works for 12 hours at a stretch, is one of the three earners in a family of eight. He studied up to class 8 and after a few years' of odd jobs, he took to rickshaw driving in 1996. "After paying commission to the owner, I was left with a meagre amount of Rs 1,500 – 2,000 per month. So in 2003 I took a loan of Rs 50,000 from the moneylender. I pay him a monthly instalment of Rs 3,000 out of Rs 6,000 that I earn in a month, which is inadequate but at least now I own the rickshaw and once the loan is paid off, my take-home earnings will increase". Yusuf has no social security coverage and once when he suffered an accident, he paid for hospitalisation through support from his family members and partly from a small loan from a friend. He finds the attitude of traffic police harsh and humiliating, though he pays them a total of Rs 500 per month as 'bhatta'.

The only silver lining for Yusuf is his participation in a recent initiative – Muslim Youth Transport Federation – a yet-to-be-registered organisation formed by young and educated rickshaw drivers in Muslimpura, a small town near Baghbanpura, Lahore. "At present we have 64 members. We are trying to expand our membership. There must be at least 200 members to have real impact, both in terms of fund raising, and in dealing with police harassment. Still, we support each other in times of crises through pooling in whatever individual resources we do have".

Box 7: The Union and the Law Enforcing Personnel

The Mini-Taxi Workers' Union, Hyderabad, was formed by taxi drivers in 1977. The union has 600 members, is registered with the labour department and has a collective bargaining agent status. In Hyderabad city there are around 650 mini-taxis. "We banded together to address the issues we are facing and foremost is lack of social security. There are contingencies – traffic accidents, damage or loss of vehicle, prolonged illness, police cases – that can threaten our livelihood. We do not have either personal or vehicle insurance. Most of us earn barely enough to survive – around Rs 3,000 if you don't own the taxi, or around Rs 6,000 if you own the taxi. On average, each of us has 6 to 8 dependents. The other serious issue is of harassment by traffic police and other law enforcing agencies that we face daily. It was to counter these problems that about 100 taxi drivers got together and registered the union. Gradually our membership increased.

"We started from a membership fee of 50 paise (Rs 0.50) per day. We now collect Rs 3 per day from the members. The union has a rented office and three paid office bearers who provide round the clock services to taxi drivers in need of guidance on documentation and other work-related legal procedures. After taking care of the salaries and office expenses, we are left with a fund of Rs 20,000 to 30,000. Through this fund we help our members tide over contingencies. The unions provide from 50 per cent to 100 per cent of the expenses incurred during a contingency. The amount given to the member varies from case to case".

"The union handles approximately 1,000 requests annually for financial help. Hyderabad is a congested city with narrow lanes and chaotic traffic. Minor accidents are very common which nonetheless cause damage to the vehicle or lead to involvement of law enforcing agencies and court procedures".

— Rao Shagir Ahmad, Mini-Taxi Workers' Union, Hyderabad

Loading and unloading heavy cargoes, transport of hazardous materials and wastes (the nature of which is often not known to workers) exposure to noise, vibration and pollution, in addition to irregular and low-nutrient meals at road sides eateries, stress from long working hours and night driving pose serious health risks for many transport workers. Locally manufactured vehicle bodies (truck/bus/mini-bus) usually lack sound technical design and specifications. Economising of space leads to narrow seating and uneven floor with protruding edges posing hazards to conductors/cleaners/drivers' assistants while negotiating the constricting and mobile work-station. Often trucks, containers and long cargo vehicles of tall height do not have an easy climb to the driver's seat. Overloading of cargo and passengers is a common phenomenon, which increases the risk of accidents.

Ergonomic hazards include back and other injuries caused by lifting excessive weight during loading and unloading cargo. Poorly designed driving seats that cannot be adjusted to provide proper support and long-term comfort, often result in back problems or other musculoskeletal damage. Ergonomic injury may also result from repetitive use of poorly placed vehicle controls or gear box. Exposure to polluted air may increase the risks of breathing problems and lung diseases. In the PILER, 11 per cent of rickshaw-drivers had reported breathing problems. Drivers are also at risk of hearing loss caused by prolonged exposure to loud engine noises.

Organisation/Unionisation

The informal work relations pose a number of barriers to the road transport workers in organising/forming unions. Unregistered enterprises and resultant exclusion from labour legislation, clash of interests with big-fleet owners of the same mode and between heavy and light vehicle operators, diversity of work force and modes of operation, plethora of provincial and federal regulatory mechanisms and constant mobility make it difficult for road transport workers to organise. Despite numerous constraints, workers have adopted the existing traditional indigenous organisational mechanisms to advance their occupational interests (see Box 6).

The road transport workers have been organising themselves into groups since the late 1970s on the pattern of community-based, non-profit organisations. The workers involved with specific modes of transport (truck, bus, taxi, rickshaw, donkey-carts, etc) mobilise co-workers locally around issues confronted in the daily work routine. Unlike formal sector trade unions, registered with the labour department under Trade Unions Act, 1926, many road transport workers' organisations get themselves registered with social welfare department, due to the relatively user-friendly nature of these laws. However, there are several transport workers' organisations with larger membership that are registered with the Registrar of Trade Unions under IRO 1969 and have obtained the status of collective bargaining agent. Dynamic leadership – comprising activists-workers who are well-informed on governance issues, legislation and ground realities, have better communications/negotiation skills and networking with resource organisations/government offices – plays an important role in organisations that have collective bargaining status.

Though these networks, or associations, are membership-based, they vary in size, longevity, institutionality, and the degree of success. The active associations are those that adhere to the Constitution, hold regular elections, stick to their objectives,

interact with other civil society organisations and learn strategic tactics to deal and dialogue with other stakeholders. By 2005, all major, and most of the intermediary, cities have each had a number of transport workers' associations or unions. In the city of Karachi there are numerous informal sector associations in the transport sector, representing informal transport workers/operators, who "...not only act as a powerful bargaining force but in case of riots in the city, they can use their 'muscle' to

Box 8: Pakistan Transport Workers' Federation

The Federation, with a membership of around 8,000 transport workers from the provinces of Punjab and NWFP, is an alliance of five unions – All Pakistan Goods Transport Workers' Union, Mini Goods Transport Workers' Union, Pakistan Civil Transport Workers' Union, Wagon Drivers' Union and the Rickshaw Drivers' Union. Founded in 1981, the Federation was the outcome of an initiative undertaken by the office bearers of All Pakistan Goods Transport Workers' Union, which has the largest membership, to bring transport workers on a single platform. The objectives were to provide protection to transport workers, push for improvement in working conditions and enable access to rights, particularly of social security.

"We began mobilisation from the city of Lahore, then went to Okara and later expanded our membership and the network to other cities of the two provinces", says Mohammad Rafiq Qureshi, president of the Federation. "Our immediate concern was to tackle excesses suffered at the hands of regulatory bodies, particularly the collection of bhatta by various personnel. It took us several years to tackle the issue. Not only have the law-enforcing personnel stopped harassing our members, they seek the Federation's partnership in their programmes", says Mohammad Rafiq Qureshi, president of the Federation. The Federation membership card has the credibility and clout that let law-enforcing personnel refrain from committing excesses. One of the tactics used by the Federation is tit-for-tat, or brute confrontation: "If a police/excise personnel ask for bhatta/ bribe, our member calls us for help. One of the office bearers reach the spot and ask the official to give us the bhatta instead, threatening to report the corrupt practice immediately to his superior." The Federation's office bearer states that in such a way they have, at times, extorted twice as much amount from the law-enforcing personnel themselves.

At the moment the Federation has 40 support centres in 40 districts. Manned by a team of two and headed by an office bearer designated as district chairman, each centre provides legal guidance and support to transport workers who get embroiled in regulatory problems, such as traffic/highway police harassment, traffic violation or other such cases. "A driver, or a transport worker, who gets into trouble on the way, does not know the location of relevant offices in an unfamiliar town. He calls the district chairman who then guides him through the labyrinthine bureaucratic procedures." The members are helped financially through the Federation fund in legal cases but those who commit traffic violations have to pay through their own pockets. The Federation has on its agenda education of its members on traffic rules and regulations and it regularly arranges, in partnership with motorway police and traffic management authorities, for training and refresher courses in a premises accessed by the Federation for this purpose.

The other important element in the Federation's collective care arrangements is the financial support that the Federation extends to its members in times of crises, such as illness, injury, death. The Federation established its fund in 1990 and maintains an amount of Rs 5,00,000 to Rs 7,00,000 in its kitty to take care of administrative and managerial cost and support its members during contingencies. The Federation initiated life-long stipend scheme to survivor's family in 1995 when a widow of a truck driver wrote a letter asking the Federation for help. The Federation asked her to submit relevant documents testifying that her husband was a driver. She has, since then, been receiving Rs 1,000 per month. After three years, the woman again approached for support for her daughter's wedding. The Federation sent her Rs 5,000. In 1999, the Federation extended a monthly stipend to a driver who was incapacitated after an accident and Rs 1,000 per month to the family of a murdered driver. These workers were not the members of the Federation.

The Federation's office bearers have held several meetings with state officials on the issue of social security and are campaigning for inclusion of transport sector workers in state-sponsored social security schemes.

defend their interests".³³ The unions/federations with larger membership have recognition and credibility and their office bearers are invited by relevant state departments for dialogue and consultation.

The majority of these area-based organisations have low membership, ranging from 50 to under 1,000. Only a few have 1,000 to 5,000 members. Those with large membership are effective as the strength in number not only empowers the organisation but makes collective care arrangement in the form of a welfare fund viable. The genesis of transport workers' organisations/unions shows that these sprang up spontaneously – despite a weak labour movement and non-existence of a democratic political framework of the state – mainly in response to growing vulnerability and insecurity due to inefficient regulatory policies, hostile and corrupt administrative bodies and exclusion from labour protection systems.

The reasons for low membership include lack of mobilisation skills, information deficits (on labour rights, regulatory framework, organisational strategies) and the presence of divisive tendencies among workers leading to emergence of several weak – instead of single strong – vehicle-mode organisations/unions.³⁴ Another factor is the inherent complexity of the transport sector labour force, which is a mix of hired labour, self-employed labour or owner-operators, hence clash of interests, both perceived and real. Though transport owners' associations exist separately, there are many organisations and unions who represent both wage workers and owner-operators/micro entrepreneurs. Owner-operators, in such unions, tend to dominate the leadership and hence organisational politics.

The Workers' Collective Care Arrangements

Review of the work of select transport workers organisations indicates that membership-based unions/federations have evolved certain collective care arrangements in response to threatening and insecure work conditions. The priority issue for transport workers has been securing protection against abuse of power by regulatory personnel. As the prevalent attitude and practice of law-enforcing agencies adversely impinge upon transport workers' already precarious livelihood, the workers have come up with collective, informal arrangements that serve as bulwark against misuse of power and keep the damage at bay.

An important tool – as used by stronger transport unions – is their officially acknowledged identity as union members. The registered unions issue membership cards, on the pattern of national identity cards, which contains the worker's picture, his name, full name of the union/organisation, its registration number and the secretariat address. This card comes handy when the member is approached (in order to harass) by the law-enforcing agencies. "As soon as our member shows this card, the police refrain from excesses".³⁵ The recognition of this particular unions' federation has been made possible due to its strength in number and the political clout/pressure exerted by its key office bearers whose activism (i.e., networking with administrative bodies) over 26-long years have borne fruit. The other strategy, as reported by Pakistan Transport Workers' Federation, is confrontation and tit-for-tat or "rule of the jungle", that is, harassment and committing excesses on the opponents in retaliation (see Box 8).

Next, the membership-based unions give priority to minimum security in times of crisis in the life of the worker to prevent him and his household's sliding into poverty. Mostly it is done

to address work-related contingencies that arise due to traffic accidents resulting in injuries, prolonged hospitalisation or death of the worker. Transport workers organisations, whether narrow or broad-based, help their members in such crises. This is done either through voluntary pooling in money from personal resources and extending it to the affected worker's family (as aid or loan without interest), or utilising the union welfare fund.

The union welfare fund is maintained through mandatory financial contributions of the members. The amount of these welfare funds varies from Rs 30,000 (Mini-Taxi Workers' Union, see Box 7) to Rs 7,00,000 (Pakistan Transport Workers' Federation, see Box 8). The union membership fee is kept affordable

Box 9: All Sindh Private Bus Transport Workers' Union

All Sindh Private Bus Transport Workers' Union represents workers – drivers, conductors – employed in eight private transport companies operating on inter-city routes in the province. The union was registered as a trade union with the office of the registrar of trade unions, directorate of labour, government of Sindh, under IRO 1969, in October 2000. Registration took place after an arduous struggle by the workers for one year. "We formed the union in 1999 after many years of witnessing hardship and sufferings of workers – maltreatment and exploitation by owners, harassment and extortion by officials, lack of security and helplessness in times of crises", tells Sher Nawab Khan, general secretary of the union, near the makeshift office comprising a charpoy under a shady Neem tree at the open space flanking the superhighway where he was advising a bunch of anxious looking drivers and conductors of a bus company who have not received wages for the last three months.

"Some of us who had been driving for years got together, discussed the situation and realised that the only way out could be the formation of a union. But we knew what had happened to the employees of Shalimar Bus Services who dared to register a union. The owners maltreated them and forced them to give in writing that they would never unionise again.

"We decided to form a collective union of the workers of several bus companies and approached the Registrar. The Registrar asked us to bring consent of the owners of the companies. We told him they would not give us the permission. The Registrar then sent his inspector to the Taj Complex, M A Jinnah Road, to verify existence of these companies through their offices. Meanwhile, we also approached the All Pakistan Trade Unions Federation who guided us and facilitated the process of registration.

"We set up our office near Toll Plaza, Gadap Chowk, Superhighway as this is a convenient place for our members to contact us and pay union membership fee. The union collects one-time Rs 120 registration fee and Rs 20 per month membership fee. We have 480 members and the monthly union fund totals to Rs 40,000 to 45,000 that take care of monthly salaries of the four office bearers, office rent, etc, and cater to members' needs during contingencies. At times we get short of funds, particularly when we are handling cases and court procedures, and have to raise emergency funds."

The strength in number has empowered the union to confront unlawful tactics of law-enforcing agencies. In March 2005 when the union refused to pay 'bhatta' to the police station and highway toll office personnel, the union's office was raided and sealed. The union registered complaint against harassment with higher police officials and submitted a petition to the High Court Sindh, Karachi. The court directed the police department to not disrupt lawful activities of the union office bearers. Pursued by the union against Motorway Police, the High Court Hyderabad had given verdict in favour of the union earlier.

"Traffic accidents, and at times illnesses, require long-term and costly treatment which transport workers cannot afford. In such cases, the members are supported fully through the union fund. The union has friends in Baqai Medical University Hospital (near Toll Plaza, Super Highway) who admit the patients referred by us. The Union does not pay cash to the affected member but foots the bills and gives a monthly stipend to the family for household expenses during the worker's hospitalisation and resultant loss of wages. In cases of fatal accidents, the union puts pressure on the owner of the company to pay compensation of Rs 2,00,000 to the survivors of the affected family. The union itself cannot pay such a big amount."

and its collection logistically viable. The collection methods vary from organisation to organisation. Some collect a monthly fee ranging from Rs 10 to 20, other unions/organisations charge a monthly collection per vehicle as well, that is, if an operator owns two or three vehicles, he pays accordingly. The linkages established by office bearers with related resource persons (doctors, lawyers, councillors/politicians, media, NGOs) facilitate the organisations to achieve the objectives of collective care arrangements (legal help, medical care, advise on regulatory procedures, news coverage).

Due to deficits in administrative, managerial and strategic skills among members, these arrangements, however, remain informal, carried out on an ad hoc basis and are dependant on several variables (i.e., involvement of the union in court procedures and subsequent drying up of the funds, inability of members at times to pay dues, goodwill of office bearers).

Some of the activists-office bearers, of larger transport unions/federations, have been lobbying with government officials to bring about the required legislative change to include transport workers as bona fide beneficiaries of state social security institutions. Legislative changes in the state-run social security schemes to include informal/causal workers have been recommended earlier in several evaluations. Self-registration, or self-declaration by worker – as recommended in a recent study³⁶ – establishment of a central, unified institution for universal coverage, and improved compliance through monitoring are essential ingredients of a universal labour protection system. A universal insurance system for transport workers could be evolved with premium paid as part of vehicle and driver licensing and petroleum products taxes.

The single crucial element of workable collective care arrangements is numerical strength which endows collective struggle with political impact and turns mandatory financial contributions into a meaningful asset. Road transport workers do realise the importance of strength in terms of numbers but are not able to mobilise workers and expand membership due to several constraints. Resourceful civil society institutions need to strengthen the existing organisations/unions and facilitate formation of sector-based larger unions through merger of splintered vehicle-mode based self-help groups and small organisations. 

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