

GOVERNMENT OF PAKISTAN
Ministry of Interior

NOTIFICATION

Islamabad, the January, 2023.

S. R. O. (I)/2023.- In exercise of the powers conferred under section 36 of the Islamabad Capital Territory Domestic Workers Act, 2022 (XXV of 2022), the Government is pleased to make the following rules, namely:-

1. Short title and commencement. - (1) These rules shall be called the Islamabad Capital Territory Domestic Workers Rules, 2023.

(2) It shall come into force at once.

2. Definitions. (1) In these rules, unless the context otherwise requires—

(a) "Act" means the Islamabad Capital Territory Domestic Workers Act, 2022 (XXV of 2022);

(b) "Chairman" means the Chairman of the Board;

(c) "Committee" means the committee constituted under section 23 of the Act;

(d) "Division concerned" means the Division to which the business of the Act stands allocated;

(e) "Member" means the member of the Board.

(2) All other words and expressions used in these rules, but not defined herein, shall have the same meaning as are assigned thereto in the Act.

3. Meetings of the Board. - (1) Meetings of the Board shall be convened by notice in writing given to each member by the Chairman, indicating such time and place of meeting as the Chairman may direct.

(2) Meetings shall be convened as frequently as the Chairman considers necessary.

(3) The decision of the Board shall be taken by the majority votes of the members present in the meeting.

4. Minutes of Meetings. - The minutes of each meeting of the Board shall show the names of the members present to be recorded in such form as may be directed by the Chairman, and a copy thereof shall be communicated to each member as soon after the Meeting as possible.

5. Committee. - (1) The Committee may investigate, prepare report and provide recommendations as its scope and competence envisaged under the Act.

(2) The Committee shall be headed by the Assistant commissioner or an officer equal the rank of the Assistant commissioner.

6. Composition of the Committee. - (1) The composition of the committee shall be determined by the head of the committee from time to time as per requirement of the business of the committee.

(2) The composition of the committee shall be determined by the Commissioner with the consultation of the Division concerned, if and when it involves an officer of any Division.

7. Execution of agreement. - (1) If a contract in the letter of employment between a worker to whom minimum rate of wage applies and his employer provides for the payment of a wage lower than the minimum rate of wage fixed under the Act, the

contract shall have effect as if for that lower wage there were substituted the minimum rate fixed under the Act.

(2) Any contract agreement, in the letter of employment under section 5, whether made before or after the commencement of the Act, whereby a worker purports either to relinquish or reduce his right to a minimum rate of wage or any privilege or concession accruing to him under the Act shall be null and void in so far as it purports to reduce the minimum rate of wage fixed under the Act.

8. Publicity for minimum rates of wages. - (1) The commissioner ensures the minimum rate of wages fixed by the Government are given to all employers and workers concerned.

(2) The Commissioner office shall take steps to display minimum rate of wages fixed by the Government in prominent places in Urdu, English and any other local language.

9. Power of an administrator. - (1) The power of administrator shall be deemed to be a public servant within the meaning of the Pakistan Penal Code and shall for the performance of his duties under the Act, have the powers to-

(a) enter at any time any premises which any employer of domestic workers to whom minimum rates of wages fixed under the Act apply, carries on his business and to require the production for examination of any such evidence of any person as he may deem necessary for carrying out the purposes of the Act;

(b) examine, either alone or in the presence of any other persons, as he thinks fit, with respect to any matter under the Act, any person whom he has reasonable cause to believe to be or to have been a domestic worker to whom minimum rate of wage applies or was applicable or the employer of any such person or a servant or agent of the

employer employed in the employer^s business, and to require every such person to be so examined and sign a declaration of the truth of the matters in respect of which he is so examined; and

- (c) take any other action which is necessary for the implementation of the Act.

10. Application for claims.— Where a domestic worker claims that he has been paid less than the minimum rate of wages applicable to him, the worker himself or any legal practitioner or any officer of a registered authorized in writing to take action on his behalf or any administrator or any other authorized official may submit the claim or to such person or persons as may be appointed to act on its behalf:

Provided that every such claim shall be submitted within six months from the date on which the minimum rates of wages should have been paid.

12. Appellate authority.— (1) The Appellant authority shall be before full Bench of Commission under the Industrial Relations Act, 2008 (IV of 2008).

13. Letter of employment.— (1) Format of letter of employment shall be as, as prescribe in the annexure (I) with these rules.

14. Vaccination and medical examination. – (1) Every employer, on yearly basis, shall ensure medical examination of a domestic worker in a household by a registered medical practitioner and the domestic worker shall also be vaccinated and inoculated against such diseases at such intervals and expenses, if any, of such medical examination, vaccination and inoculation shall be borne by the employer and domestic worker shall be vaccinated by the employers regarding pandemic diseases such as Covid-19 Hepatitis A,B,C and other such diseases as specified by the government through special notification.

15. Mode of payment and wages. – (1) The Mode of payment of wages shall be through modern means of transaction (micro finance banking or regular bank accounts).

16. Termination of domestic worker. – (1) The termination of employment shall be subject to one month's prior notice in writing either by the domestic worker or by the employer and in lieu of notice, one month's wages shall be paid calculated on the basis of average of wages earned during the preceding three months.
