



Guidelines for workers and employers



Leaves and Holidays

**Labour & Human Resource Department
Government of the Punjab**

Leaves and Holidays

The labour laws provide for the weekly rest days as well as leaves and holidays for various occasions and reasons.

Weekly rest day

Every worker must be given one rest day (24 hours) every week. The rest day can be on a Sunday or any other day. The employer should determine the rest day and inform the employees through a notice in the workplace. Employer cannot compel employees to work on rest day unless under very exceptional circumstances.

Leaves and Holidays

The workers are entitled to various kinds of leaves. Most leaves are fully paid, however some leaves can be availed on half or without pay. These include;

Type of leave/holiday	Factory workers and commercial establishments	Workers of shops
Casual leave	10 with full pay	10 with full pay
Sick Leave	16 (on half pay)	8 with full pay
Earned Annual Holidays	14 with full pay	14 with full pay
Festival Holidays	Gazette (usually 10) with full pay	Gazette (usually 10) with full pay
Weekly Holiday	1	1
Compensatory Holiday	1 on full pay in lieu of unveiled festival holiday only for factory workers	None

What is factory?

Those enterprises or establishments where 10 or more workers are employed in a manufacturing process are called as factories.

What is shop?

Any premises employing 1-19 employees used wholly or in part for the wholesale or retail sales of commodities or articles either for cash or on credit or where services are provided to the customers.

What is Commercial Establishments?

The commercial establishments having 20 or more employees (called as workmen) include those entities involved in the business of advertising, commission, or forwarding, a clerical department of a factory, a joint stock company, insurance company, a bank, a broker's office or stock exchange, a club, a hotel, a restaurant, a cinema, and also other establishments which are declared by the Government by notification in the official gazette.

Which laws of the land protect the workers' right to leaves and holidays?

Different laws including the Factories Act, 1934, The Shops and Establishments Ordinance, 1969, West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 provide for leaves and holidays to workers in factories and establishments. Besides, there are Mines Act, 1923, Newspaper Employees (Conditions of Service) Act, 1973 and Road Transport Workers Ordinance, 1961 which cover professions that do not fall in the ambit of laws mentioned earlier.

Which leaves/holidays lapse if not availed?

If a worker does not avail himself of the following leaves or holidays, he cannot carry un-availed leaves or holidays to the next year. They lapse and cannot be encashed:

Q. 1: Casual leaves Q. 2: Sick leaves

Which leaves/holidays accumulate?

If a worker does not avail himself of the annual holidays, he can carry them to the next year subject to a maximum of 14 days.

What are Compensatory Holidays?

If a worker is deprived of his weekly holidays, he should be given compensatory holidays of equal number to the holidays lost, with pay.

What are the leaves and holidays entitlement for daily wage, piece-rated and contract workers?

The leaves and holidays entitlement for these categories are as follow:

Daily-wage workers & piece-rated workers:

There is no specific provision in the law for the weekly holiday for the piece rated workers working . at home. However the piece rated or casual workers in the factories, shops or commercial establishments have the same rights of leaves and holidays as other workers.

Contract Workers:

They are entitled to all the leaves and holidays that a regular worker avails. The employers are supposed to fulfill the contractual obligations which include grant of leave and holidays to workers.

Apprentices:

The apprentices are entitled to weekly rest day and gazetted holidays.

What happens if annual leaves are not availed by employees at shops and establishments?

Such leaves cannot be accumulated beyond 30 days and the surplus, if any, will lapse. If an employee does not avail a leave or leaves, he may request the employer to pay him full wages for the period in cash.

Can an employer require an employee to work on weekends and national holidays?

Yes, he can but in that case he has to give the later a holiday three days before or after the weekly holiday. The employee who works on a weekly holiday is entitled to a compensatory holiday which should be awarded as soon as possible, but before passing of 10 days. The employee who works on national, public or festival holidays must be given a compensatory holiday with full pay and a substitute holiday for working on public holiday. This means that rate of pay for working on public holidays is double the daily rate of normal pay.

Which workers are entitled to maternity leave and under which law?

A female worker who has completed her four months of employment or qualifying period may have up to six weeks prenatal and postnatal leave during which she is paid a salary drawn on the basis of her last pay.

These benefits are covered under The Maternity Benefit Ordinance, 1958 is applicable to all industrial and commercial establishments employing women excluding the tribal areas. The said law also places restrictions on the dismissal of the woman during her maternity leave. Similarly, The Mines Maternity Benefit Act, 1941, is applicable to women employed in the mines in Pakistan.


What to do if you have a complaint?

If an employer is not granting the leave or holidays as per law, a person may approach the government authority (which most of time is Commissioner for Workmen Compensation who is also the Authority under Payment of Wages) for redressal of the complaint. . Such applications can be filed either individually or collectively. These authorities are present in each district.. You can visit or phone your respective District Officer Labour to find about the Authority.

For more information

visit: www.ciwce.org.pk
you can download this leaflet as well as other awareness materials on labour laws from our website

For complaints and inquiries

 Call toll Free: **0800 33 888**
or visit the office of District Officer (Labour)
in your district

A publication of

LABOUR AWARENESS CELL

Directorate of Labour Welfare,
Labour & Human Resource Department
Government of the Punjab

 www.ciwce.org.pk  info@ciwce.org.pk

Authors: Saeed Ahmed Awan, Director (RI)
Arzeem Shakir, Assistant Director, (RI)
Syed Hasnat Javed, Joint Director Labour
Review: