



DECENT WORK CHECK

JORDAN 2023

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WageIndicator Foundation - www.wageindicator.org

WageIndicator started in 2001 to contribute to a more transparent labour market for workers and employers by publishing easily accessible information on a website. It collects, compares and shares labour market information through online and face-to-face surveys and desk research. It publishes the collected information on national websites, serving as an online library for wage information, labour law, and career advice for workers/employees and employers. The WageIndicator websites and related communication activities reach millions of people monthly. The WageIndicator concept is owned by the independent, non-profit WageIndicator Foundation, established in 2003. The Foundation has offices in Amsterdam (HQ), Ahmedabad, Bratislava, Buenos Aires, Cape Town, Islamabad and Venice.

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INTRODUCTION

Decent Work is the type of work for which all of us aspire. It is done under conditions where people are gainfully employed (and there exist adequate income and employment opportunities); the social protection system (labour protection and social security) is fully developed and accessible to all; social dialogue and tripartism are promoted and encouraged; and rights at work, as specified in ILO Declaration on Fundamental Principles and Rights at Work and Core ILO Conventions, are practised, promoted and respected.

WageIndicator Foundation has been working since late 2007 on raising awareness concerning workplace rights through a unique tool, i.e., **Decent Work Check**. The Decent Work Check considers different aspects necessary to attain “decent work”. The work makes the abstract Conventions and legal texts tangible and measurable in practice.

The Decent Work Check employs a double comparison system. It first compares national laws with international labour standards and scores the national regulations (happy or sad face). If national regulations in a country are not consistent with ILO conventions, it receives a sad face and its score decreases (and vice versa). It then allows workers to compare their on-ground situation with national regulations. Finally, workers can compare their scores with national scores and see whether their working conditions are consistent with national and international labour

standards. The Check is based on de jure labour provisions, as in the labour legislation.

A Decent Work Check is beneficial both for employees and employers. It gives them knowledge, which is the first step towards any improvement. It informs employees of their workplace rights while enlightening employers about their obligations. Decent Work Check is also helpful for researchers, labour rights organisations conducting surveys on the situation of rights at work and the general public wanting to know more about the world of work. For example, WageIndicator teams worldwide have found out that workers, small employers and even labour inspectors are not, sometimes, fully aware of the labour law. When you are informed – being a worker, self-employed, employee, employer, policymaker, labour inspector – there is a greater possibility that you ask for your rights (as a worker), you comply with rules (as an employer), and you strive to enforce these (as a labour inspector).

The work is relevant to the challenges posed to the future of work, especially the effective enforcement of legislation in financially constrained states, a rise in precarious employment and analysing of the impact of regulatory regimes.

In 2023, the team aims to include at least 15 more countries, thus taking the number of countries with a Decent Work Check to 125!

MAJOR LEGISLATION ON EMPLOYMENT AND LABOUR

1. Constitution of Jordan, 1952
2. Jordanian Labour Law, 1996 and its amendments (2010, 2019)
3. Social security Law. 2014
4. Collective Agreement, 2019
5. Education Law No. (3), 1994
6. Flexible Working System Regulation No. (22) of 2017

The text in this document was last updated in June 2023. For the most recent and updated text on Employment & Labour Legislation in Jordan in Arabic, please refer to: <https://rawateb.org/jordan>

01/13 WORK & WAGES

ILO Conventions

Minimum wage: Convention 131 (1970)

Regular pay & wage protection: Conventions 95 (1949) and 117(1962)

Jordan has ratified Convention 117 only.

Summary of Provisions under ILO Conventions

The minimum wage must cover the living expenses of the employee and their family members. Moreover, it must relate reasonably to the general level of wages earned and the living standard of other social groups. Wages must be paid regularly on a daily, weekly, fortnightly or monthly basis.

Regulations on work and wages:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Minimum Wage

The minimum wage is determined and regulated under the Jordanian Labour Law of 2003. The minimum wage is determined and set by the Tripartite Commission for Labour Affairs. The Ministry of Labour established the Commission with representation from tripartite partners, that is, the Government (Ministry of Labour), worker groups and employer associations. The Minister for Labour chairs the Commission. The Commission determines the minimum wage, in general, for the region, a particular profession, or any particular age by considering the living cost indicators issued by the competent official authorities. The amount of wage is set and determined in the employment contract. If the employment contract fails to do so, the worker shall receive the estimated wage for work of similar nature. If that is not possible, the worker's wage is determined according to custom (urf) in the city or country. In case that is also not possible, Court has the authority to determine wages for a worker in line with the provisions of Jordanian Labour Law.

Under the Jordan Labour Law, paying workers wages at a rate lower than the statutory minimum wage or wage discrimination based on gender is a punishable offence, with a fine ranging between 500-1000 Dinars. The penalty is doubled in case of a repeat offence.

Source: §43, 52, and 53 of the Jordanian

Labour Law, 1996 and its amendments (2010, 2019)

Regular Pay

Under the Labour Law, wages are defined as all cash or in-kind entitlements added to the remaining entitlements that should be provided in the law, employment contract, or internal regulation of the enterprise or that has become the custom to pay except the overtime wages. On completion of a wage period, employers must pay wages within seven days of wages becoming due. Wage periods are not prescribed in labour law. The legislation does not fix any period for regular payment of remuneration. Employers cannot make any deductions other than those authorized by the law. The allowed deductions include recovery of the following: loans or advances made by the employer (any single deduction may not exceed 10% of the worker's wage); adjustment of overpaid wages; legally required contributions to Social Security; workers' subscriptions to provident funds; housing provided by the employer; debts settled through a court ruling, or amounts imposed on workers for violations under the bylaws, or for destroying the employer's tools or equipment (deduction cannot exceed the wage of five days per month).

Employees' signature on any statement or record of remuneration or receipt for a specified amount should not diminish their right to any additional payment under the law, internal regulations, or employment contract.

Source: §2 and 46-49 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

02/13 COMPENSATION

ILO Conventions

Compensation overtime: Convention 01 (1919)

Night work: Convention 171 (1990)

Jordan has not ratified both the conventions.

Summary of Provisions under ILO Conventions

Working overtime is to be avoided. Whenever unavoidable, extra compensation is at stake - minimally the basic hourly wage plus all additional benefits you are entitled to. Following ILO Convention 1, the overtime pay rate should not be less than one and a quarter-time (125%) the regular rate.

Night work means all work performed during not less than seven (07) consecutive hours, including the interval from midnight to 5 am. A night worker is a worker whose work requires the performance of a substantial number of hours of night work which exceeds a specified limit (at least 3 hours). Convention 171 requires that night workers be compensated with reduced working time, higher pay, or similar benefits. Similar provisions are found in the Night Work Recommendation No. 178 of 1990.

If a worker has to work on a national/religious holiday or a weekly rest day, they should be entitled to compensation. However, not necessarily in the same week, provided that the right to a paid compensation is not.

If a worker has to work during the weekend, they should acquire the right to a rest period of 24 uninterrupted hours instead, not necessarily over the weekend, but at least in the following week. Similarly, if a worker has to work on a public holiday, they must be given a compensatory holiday. A higher pay rate for working on a public holiday or a weekly rest day does not take away the right to a holiday/ rest.

Regulations on compensation:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Overtime Compensation

The general working hours in Jordan are 8 hours a day and 48 hours a week over a maximum of six working days. However, the maximum limit of weekly working hours and rest periods can be distributed such that the total hours do not exceed 10 hours per day.

In case of overtime, the maximum working hours are set to be 10 hours per day, including overtime (8 regular hours + 2 overtime hours).

As the working week is 6 days, the maximum overtime hours in a week are 12. Therefore, the maximum working hours inclusive of overtime are 60 hours per week. Child workers' general and maximum working hours are 6 hours per day. After every 4 hours of continuous work, a rest period of 60 minutes is provided by the law.

Employers with 10 or more employees must set internal regulations regarding working conditions like working hours, daily or weekly rest periods, violations, penalties and precautions. Workers may be required to work after official working hours upon assignment from the employers.

Upon their consent, workers may be employed over their regular working hours. In both cases (voluntary or compulsory overtime), the overtime payment is made at a minimum rate of 125% of the worker's average remuneration for typical working

days and 150% for working on a weekly rest day or an official/public holiday.

However, the working hours' provisions do not apply to persons occupying supervisory or managerial positions in an enterprise, sometimes in cases outside the enterprise or those duties that involve travelling within Jordan or abroad.

The Labour Law allows for engaging workers in compulsory overtime for a maximum of 30 days in each case (total of 60 days):

1. To avoid the loss of goods or any other material that might be exposed to damage, avoiding the risks of any technical work or receiving, delivering or transferring certain materials;
2. To carry out annual inventory for the establishment, preparing the balance sheet and the final accounts in addition to preparing for selling with low prices

Source: §55-59 and 75(a) of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Night Work Compensation

No provisions related to night work and night work compensation could be located in the law.

Compensatory Holidays / Rest Days

The law does not provide any substitute day off/ compensatory rest days for workers engaged in work on a weekly rest day or public holiday. It only includes overtime premium payment to the employees.

Weekend / Public Holiday Work Compensation

Workers may be required to work on weekly rest days and public holidays. In such circumstances, when employees have to work on weekly rest days or public holidays (religious or official), they are paid 150% of the normal hourly pay as monetary compensation.

Law does not provide substitute days off for overtime work on weekly and public holidays.

Source: §59 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

03/13 ANNUAL LEAVE & HOLIDAYS

ILO Conventions

Convention 132 (1970) on Holidays with Pay Convention
Conventions 14 (1921), 47 (1935) and 106 (1957) for weekly rest days.
In addition, for several industries, different Conventions apply.

Jordan has ratified the Convention 106 only.

Summary of Provisions under ILO Conventions

Employees are entitled to at least 21 consecutive days of paid annual leave. National and religious holidays are not included. Collective agreements must provide at least one day of annual leave on full remuneration for every 17 days the employee worked or was entitled to be paid.

Workers should be entitled to paid leave during national and officially recognized public holidays.

Workers should enjoy a rest period of at least twenty-four consecutive hours every 7 days, i.e., a week

Regulations on annual leave and holidays:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Paid Vacation / Annual Leave

The Jordanian Labour Law provides paid annual leave of 14 working days for every year of employment. Weekly rest days and public holidays (official and religious holidays) are not counted as part of the annual leave. The length of annual leave is raised to 21 working days once the worker's employment with the same employer exceeds five consecutive years. If the length of service is less than one year, the paid annual leave is proportionate to the time the worker worked during the year. If the service period is less than a year, the workers are entitled to paid leave, calculated proportionately to the duration of employment that year.

Upon agreement, annual leave for any year may be carried forward to the following year. Workers have the right to request to take leave during the year to which it was carried over. The workers' right to take the "postponed leave" drops if the year to which it is postponed lapses and the worker did not request the utilization of this leave during such a year.

Employers are obliged to accept the request of workers to take delayed leave. The 2019 amendment in the Labour Law enables an employee to avail of payment instead of leave if the employer fails to approve the employee's annual leave for two consecutive years. A fine of 100 dinars is also imposed on employers who deny workers their annual leave for two consecutive years.

Considering the worker's interests, an employer may, during the first month of the year, set the date of annual leave for every worker as well as how the leave should be taken. Law allows splitting the annual leave where employees have the right to break the leave into a minimum of two days at any time.

Employees are entitled to receive payment in place of annual leave equivalent to days of leave that have not been used if the employee has been terminated before taking leave. There are no exclusive provisions regarding annual leaves for child workers. However, it can be inferred that child labours are entitled to an annual leave of 14 days.

Source: §61, 62 & 63 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Pay on Public Holidays

Workers are entitled to paid holidays during Public (official and religious) holidays. These include memorial holidays and religious holidays (Muslim origin). The public holidays in Jordan are usually 16 in number.

These are New Year's Eve (1 January), the Anniversary of the establishment of the first Jordanian government in Transjordan (11 April), Labour Day (1 May), Eid Al-Fitr/end of Ramadan (4 days), Independence Day (25 May), Eid al-Adha/Feast of Sacrifice (5 days), Islamic New Year/1 Muharram (), the birthday of the Prophet Muhammad (PBUH) /12 Rabi ul Awwal, Christmas (25 December).

The actual date of Islamic or religious holidays depends on the sighting of the

moon and hence changes every year.

Source: Official Website of Securities depositories Center¹

Weekly Rest Days

Workers are entitled to 24 hours of rest per week after six successive working days. The weekly rest period is reckoned as paid time. The weekly rest day is generally Friday unless the nature of work requires otherwise. Upon approval from the employer, a worker may accumulate weekly rest days and use them all together within a period not exceeding one month.

Workers are entitled to full payment for a weekly rest day unless employed daily or weekly. In such cases, workers are entitled to receive full remuneration for a weekly rest day if worked for six consecutive days before the specified rest day and partial remuneration in proportion to the number of working days if worked for three or more days.

Source: §60 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

¹

https://www.sdc.com.jo/arabic/index.php?option=com_content&task=view&id=2000&Itemid=1175

The text in this document was last updated in June 2023. For the most recent and updated text on Employment & Labour Legislation in Jordan in Arabic, please refer to: <https://rawateb.org/jordan>

04/13 EMPLOYMENT SECURITY

ILO Conventions

Convention 158 (1982) on employment termination

Jordan has not ratified Convention 158.

Summary of Provisions under ILO Convention

The questions under this section measure the security or even flexibility, or precariousness of an employment relationship. Although these are not mentioned in a single convention (severance pay and notice requirement are provided in the Termination of Employment Convention No. 158) however, the best practices in the field require that employees be provided with a written contract of employment; workers on fixed-term contracts should not be hired for tasks of permanent nature; a reasonable probation period (ideally lower than or equal to 6 months) may be followed to assess the suitability of an employee; a period of notice must be specified in an employment contract before severing the employment relationship, and workers are paid severance allowance on termination of the employment relationship.

A contract of employment may be oral or written; however, workers should be provided with a written statement at the start of their employment.

Fixed Term Contract workers must not be hired for permanent tasks as it leads to precarious employment.

A reasonable probation period must be allowed to let a worker learn new skills. A newly hired employee may be fired during the probation period without any negative consequences.

Depending on an employee's service length, a reasonable notice period may be required before an employer may sever the employment relationship.

Employers may be required to pay a severance allowance on termination of employment (due to redundancy or any other reason except for lack of capacity or misconduct).

Regulations on employment security:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Written Employment Particulars

Under the Labour Law, the employment contract should be prepared in Arabic with at least two copies, and each party should retain a copy. Employees may prove their rights through legal methods if the contract is not in writing.

In the case of non-Arab employees, a foreign version of the contract should be prepared following the ministers' instructions. Foreign workers cannot be employed in Jordan without a work permit, initially issued for one year.

For the employment of non-Jordanian workers, a separate written contract may be concluded. Where such a contract is entered into, a copy of the contract must be provided to the Ministry of Labour to issue the work permit. The worker and employer retain a copy of such a contract. The contract must include the following details:

- Term of the contract which would depend on the work permit issued;
- Job Description and Location of Work;
- Employment and Travel Arrangements;
- Wage and Working Hours;
- Overtime and related bonuses;
- Leaves;
- Social Security;
- Health Care;
- Prohibitions on the employer from withholding identification documents of the foreign worker;

- The obligation of the employer to obtain work and residency permits for the whole duration of the employment contract;
- Nondiscrimination in work;
- Worker's right to join trade unions;
- Employer's obligation to provide information about the worker to the Embassy of worker's country;
- Employment Termination conditions;
- Termination Settlement/severance pay;
- Dispute Settlement

It is worth noting that, for the most part, the provisions contained in the contract for foreign workers must adhere to the rules laid down in the Labor law of Jordan.

Source: §15 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); Model Standard Contract for Non-Jordanian Workers in the Textile Garment and Clothing Industry

Fixed Term Contracts

The Labour Law provides for both fixed term and indefinite term contracts. The maximum length of a single fixed-term contract, including renewals, is five years. If a fixed-term contract is implemented after five years, it turns into an indefinite-term contract. A fixed-term contract concludes on its expiry. If both parties continue to execute a fixed term contract after its expiry, it is considered an indefinite extension to the fixed term contract from the time of initial start. A piece-rated worker is an employee engaged on an indefinite term contract if they are engaged regularly at a workplace or perform a series of jobs. The maximum length of fixed-term

contracts is five years under Civil Law. The term of work begins from the time specified in the contract. If a fixed-term contract terminates on its expiration, but both parties continue to implement it, the contract is renewed for an indefinite period.

Source: §15 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); §806-809 of the Civil Law of 1976

Probation Period

Under the Labour Law, the probation period may not exceed 3 months, and the employee's wage should not fall below the set minimum wage during this period. There is no provision for renewal of the probationary period and different probation periods for different jobs. During the probation, an employer may terminate the employment without notification or compensation.

Suppose the employer does not decide to terminate the employment contract at the end of the probation period. In that case, it is considered an indefinite-term employment contract, and the probation period should be included in the employee's service.

Source: §35 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Notice Requirement

An Employment Contract can be terminated in any of the following cases: by mutual consent; expiry of fixed term contract; death, disability or illness leading to incapacity for work (subject to verification by a medical report issued by a Medical Authority); and on employee reaching the superannuation age.

Under the Labour Law, for an indefinite term contract, either party may terminate the contract by giving the other party 30 days' written notice. The notice may not be withdrawn without the approval of both parties. The employment contract remains valid during the term of notice and is considered part of the service.

When employers terminate the contract, workers may be exempted from work during the notice period. Employers may request employees to work, except for the last seven days of notice. In all cases, the legislation entitles employees to wages during the notice period.

When employees terminate the employment contract and quit work before the notice period, the workers should not be entitled to the payment of wages. Instead, they should compensate the employer for that period by the equivalent of the wage for such period.

Law allows employers to terminate the employment contract without serving any notice period in a case where the economic or technical circumstances require a reduction of the size of the workforce, replacement of a production system with another, or permanent halting of work which may result in the termination or suspension of all or part of the indefinite employment contracts. However, employers must duly notify the Ministry of Labour in such a case.

Employers can also terminate an employment contract without serving a notice period when employees impersonate the personality or identity of another or present forged certificates or documents for the purpose of benefiting themselves or harming others; fail to fulfil their obligations in pursuance to the

employment Contract, commit an error resulting in great material loss for the employers (after notifying competent authority within 5 days); violate the internal regulations including the safety conditions of the of work and the employees (after providing warning notice in writing twice); employees are absent without a legitimate reason for more than twenty non-consecutive days during a year or for more than ten consecutive days provided that the discharge is preceded by a written; disclose work related secrets; a court, in a final judgment, finds the worker guilty of a criminal offense or a misdemeanour involving dishonourable or immoral conduct; found at work in a manifest state of intoxication or under the influence of any drugs or psycho-tropic substances, or if committed, an act violating principles of moral conduct, at the workplace; strikes or insults the employer, the manager in charge, a superior, a fellow worker or any other person in the course or on account of work.

According to the Labour Law, employees have the right to leave employment without serving any notice period while preserving their legal rights to end-of-service indemnities and entitlements to damages if they are employed in work markedly different in nature from that agreed in the contract of employment unless it is necessary to prevent occupational accidents, etc.; employed in conditions necessitating a change of residence, unless such a change has been stipulated in the contract; downgraded from the agreed level of employment; remuneration is lowered except in case of partial disability due to work injury; a medical report issued by a medical authority proving a work that is hazardous to their health; the employer,

or the person acting on their behalf sexually abuses, strikes or insults the worker in the course or on account of their work.

Law entitles employees with either a compensation equivalent to two months' wage/payment in place of the notice period or reinstatement to the original position in case of their dismissal due to arbitrary discharge and against the legal provisions.

Source: §14, 17, 23, 25, 28, 29 &31(a, f) of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Severance Pay

Severance pay is regulated under the Jordanian Labour Law. An employee not subject to the provisions of Social Security Law, whose contract is terminated for any reason, is entitled to compensation based on the average wage of one month for each year of service and a proportionate amount for parts of the year. The compensation should be calculated based on the last wage during employment. For example, suppose the wage is calculated on a commission or per piece basis. In that case, the compensation should be calculated on the monthly average of the employee's wages during the twelve months preceding the termination of service. The compensation should be calculated based on the total monthly average of the service and the intervals that fall between one job and the other. However, no more than sixty days for any such job intervals should be considered a continuous service period if the employee's service does not reach the required time limit of one year.

Source: §32 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

05/13 FAMILY RESPONSIBILITIES

ILO Conventions

Convention 156: Workers with Family Responsibilities Convention (1981)
Workers with Family Responsibilities (1981)

Jordan has not ratified Conventions 156.

Summary of Provisions under ILO Convention

Paternity leave is for the new fathers around the time of childbirth and is usually of shorter duration.

Recommendation (No. 165) provides for parental leave as an option for either parent to take an extended leave of absence (paid or unpaid) without resigning from work. Parental leave is usually taken once the maternity and paternity leave has been exhausted. For working parents, laws may define the portion of parental leave that has to be compulsorily taken by fathers or mothers.

Flexible Work Option for Parents / Work-Life Balance Recommendation 165 asks employers to look into the measures for improving general working conditions through flexible work arrangements.

Regulations on family responsibilities:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Jordan Labour Law, 2019 (Amended)
- Flexible Working System Regulation No.22 of 2017
- Collective Agreement, 2019

Paternity Leave

The Jordanian Labour Law provides paid paternity leave to the fathers on the birth of a child. Under the Labour Law, a worker is entitled to three days of paid paternity leave.

Source: §66 of the Jordan Labour Law, 1996 and its amendments (2010, 2019)

Parental Leave

According to the Jordan Labour Law, women working in an enterprise employing ten or more workers are entitled to one year of unpaid leave to raise their children. The employees have the right to return to their position on the expiry of such leave. However, the workers can lose this right if they engage in gainful employment during that leave period.

Source: §67 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Flexible Work Option for Parents / Work-Life Balance

Under the Jordanian Labour Law, a worker with family responsibilities, an employee who is pregnant or taking care of a child or caring for an elderly person is entitled to

flexible work contracts. However, flexible work contracts are possible only while considering the nature of work and getting mandatory approval from the employer. In addition, the flexible work contract may be part-time work, where the employee has a right to reduce working hours.

It can be worked with flexible hours; the worker has the right to distribute daily working hours that do not exceed the normal working hours.

It can be an intensive work week where the worker has the right to distribute weekly working hours on days less than the usual number of working days in the enterprise. However, the working hours should not exceed ten hours per day.

It can be a flexible year, where the employee can distribute the annual working days over specific months of the year, provided that the stipulations of the labour law are not exceeded. The law also provides options for remote work.

Under the collective agreement, employees must establish nurseries with one or more qualified nurses if they have workers in the same workplace with fifteen or more children under the age of five. Employers may also establish a joint nursery in the same geographical area. If unable to provide a nursery, an alternate must be provided.

Source: §3 & 4 of the Flexible Working System Regulation No. 22 of 2017; §8 of the Collective Agreement, 2019

06/13 MATERNITY & WORK

ILO Conventions

An earlier Convention (103 from 1952) prescribed at least 12 weeks maternity leave, 6 weeks before and 6 weeks after birth. However, a later convention (No. 183 from the year 2000) requires that maternity leave be at least 14 weeks, of which six weeks of compulsory leave should be after childbirth.

Jordan has not ratified Convention 103.

Summary of Provisions under ILO Convention

Workers should be entitled to medical and midwife care during pregnancy and maternity leave without additional cost.

During pregnancy and while breastfeeding, a worker should be exempt from work that might bring harm to you or your baby.

The total maternity leave should last at least 14 weeks.

During maternity leave, a worker's income should be at least two-thirds of her preceding salary.

Workers should be protected from dismissal or discriminatory treatment during pregnancy and maternity leave.

Workers have the right to return to the same or equivalent position after receiving maternity leave.

After childbirth and re-joining work, a worker must be allowed paid nursing breaks to breastfeed the child.

Regulations on maternity and work:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Collective Agreement, 2019
- Social Security Law, 2014

Pregnancy Testing/ Inquiry in recruitment

Jordanian Labour Law has no provisions for the prohibition of pregnancy testing or an inquiry related to pregnancy while making a hiring decision. However, the textile sector collective agreement from 2019 prohibits hiring decisions depending upon or connected to the results of pregnancy tests. In addition, it bans pregnancy tests as a requirement in employment, especially for female migrant workers before they are recruited in Jordan (unless their national legislation requires them to do so).

Source: §8 of the Collective Agreement, 2019

Free Medical Care

No provisions are given in the labour law regarding free medical care.

No Harmful Work

There are no provisions in Jordanian Labour Law regarding prohibiting unwholesome and hazardous work to women during pregnancy and after childbirth to protect the mother and child.

Maternity Leave

Maternity leave is provided and regulated under the Jordanian Labour law. Women

employees are entitled to 10 weeks of paid maternity leave, including rest before and after the child delivery. The compulsory post-natal leave is at least 6 weeks. Engaging a worker in employment before the expiry of mandatory post-natal leave is prohibited.

Source: §70 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Income

In line with the Social Security Law, an insured female worker is entitled to a paid allowance during her maternity leave equivalent to her last wage. Under the Labour Law, maternity leave is 10 weeks. In this case, maternity leave is covered under social security.

The maternity allowance is paid through a contributory social insurance system where employers pay monthly contributions at 0.75 % of employees' wages.

The female employees with 6 months of contribution to the social insurance before childbirth are eligible to receive maternity allowance.

The maternity leave allowance is suspended if the employee commences work during maternity leaves.

Source: §70 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); §42-47 of the Social Security Law, 2014

Protection from Dismissals

Labour law states that a woman worker's employment may not be terminated or given notice once she has reached at least

the sixth month of pregnancy or is on maternity leave.

Source: §27 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Right to Return to Same Position

There is no specific provision in the law granting a worker the right to return to the same position after her maternity leave. However, it is implied from article 27 of the Labour Law that a worker cannot be dismissed during her pregnancy and maternity leave, which means that the right to return to work is guaranteed.

Source: §27 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Breastfeeding/ Nursing Breaks

After exhaustion of maternity leave, a nursing woman worker is entitled to a paid nursing break of one hour a day within one year of delivery.

Employers engaging at least 20 women employees are required to provide a suitable place under the supervision of a qualified governess to care for the children whose ages are less than four years, provided their number is not less than ten.

Source: §71& 72 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

07/13 HEALTH & SAFETY

ILO Conventions

Most ILO OSH Conventions deal with occupational safety hazards, such as asbestos and chemicals.

Convention 155 (1981) is the relevant general convention here.

Labour Inspection Convention: 81 (1947)

Jordan has ratified the Convention 81 only.

Summary of Provisions under ILO Conventions

In all fairness, the employer should ensure that the work process is safe.

The employer should provide protective clothing and other necessary safety precautions for free.

Workers should receive training in all work-related safety and health aspects and must have been shown the emergency exits.

A central, independent, and efficient labour inspection system should be present to ensure workplace safety and health.

Regulations on health and safety:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Collective Bargaining, 2019

Employer Cares

The Labour Law requires employers to take all the necessary precautions to protect workers from health risks or occupational hazards while performing their work. Therefore, before starting work, the employer should arrange a medical examination for the employees to determine their safety and health condition concerning the type of work they are required to perform.

Employers must inform workers about the risks before starting work and require them to use the necessary personal protective equipment. The employers should also provide means and medical first-aid equipment for the employees in the enterprise, following the standards set by a decision from the Minister and taking the necessary precautions to protect workers from health harms and risks while at work. The workers should use the essential protective equipment and pledge to maintain it and follow and execute the issued instructions to safeguard their health and avoid work injuries; they should not obstruct the execution of instructions or misuse or damage the tools provided for labourer protection and safety.

Employers are required to ensure an environment free from pollution in all forms and protect from everything that may harm the health of an employee, such as hazardous fire, explosions or the storage of combustible materials, their transfer and circulation by providing means and

adequate technical equipment following the instructions of authorities and also prohibit any kinds of mental inhibitors at the workplace.

Under the 2019 Collective Agreement, each employer should establish a Joint Labour-Management Committee in each factory, following the Jordanian labour law. Workers can become members of the committee either through elections or can be chosen by workers of the relevant facility under the supervision of the union. In addition, employers must provide clean drinking water, adequate space to rest and dine in lockers or wall cabinets, and clean and separate restrooms for both genders.

Source: §78-83 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); §10 of the Collective Agreement, 2019

Free Protection

Labour Law requires employers to provide free personal protective equipment (means of protection) to workers involved in hazardous work. The employers should adequately train the labourers or employees for the job or function, inform them about the risks before returning to work, and provide them with protection, including personal protective equipment such as clothes, eyeglasses, gloves, and shoes and also provide instructions for using, maintaining and cleaning such equipment. The employers should also provide means and medical first-aid equipment for the employees in the enterprise under the standards set by a decision from the Minister.

Employers should not charge workers expenses or deduct any amount from their

wages to provide personal protective equipment. They should take the necessary precautions to protect themselves from health harm and work risks while at work.

Source: §78 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Training

Employers must inform employees of work hazards and protection methods before starting work.

Source: §78(2) of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Labour Inspection System

The Jordanian Labour Law provides for work inspection, and the Ministry of Labour exercises control over labour inspection under the labour law provisions. Labour inspectors must perform their duties honestly and in good faith and not disclose any secrets from their knowledge during their official duties. Employers are required to maintain employment registers at the workplace, which can be presented before the labour inspector during the inspection. Employers are further required to send monthly returns to the Ministry of Labour with all details of employees. Labour inspectors can use this information during inspection. In addition, labour inspectors have the powers of the judicial police. A labour inspector may recommend the removal of labour law violation within seven days. The Ministry of Labour may decide upon the closure or sealing of the establishment until the breach is removed or a court issues a decision on it.

In accordance with article 85 (a) of Labour Law, the Regulation of Forming Committees and Supervisors of Occupational Safety and Health has been framed by the Ministry of Labour. The regulations provide for forming safety and occupational health committees, the appointment of supervisors in public and private institutions, and determining the speciality of those committees, their supervisors, and their duties.

Establishments with 20-50 employees must have a full-time technician specialising in vocational safety and health. Establishments with 201 to 500 employees are required to have a specialized supervisor, 2 technicians and a committee.

Source: §85(a) of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); §1-10 of the Regulation of Forming Committees and Supervisors of Occupational Safety and Health 1998.

08/13 SICK LEAVE & EMPLOYMENT INJURY BENEFIT

ILO Conventions

Convention 102 (1952), Conventions 121 (1964) and 130 (1969) concerning Social Security, Employment Injury Benefits and Medical Care and Sickness Benefits

Jordan has ratified the Convention 102 only.

Summary of Provisions under ILO Conventions

A worker's rights to work and income should be protected when illness strikes. The national labour law may provide that sickness benefits may not be paid during the first 3 days of your absence. Minimally, a worker should be entitled to an income during the first 6 months of illness. This income should be at least 45 per cent of the minimum wage. (Countries are free to opt for a system which guarantees 60 per cent of the last wages during the first 6 months of illness or even during the first year). In addition, a worker must be entitled to paid sick leave.

A worker should be entitled to medical care without additional cost during illness. In addition, employees and their family members should have access to the necessary minimal medical care at an affordable cost.

A worker should not be fired during the first 6 months of illness.

If a worker is disabled due to an occupational disease or accident, they must receive a higher benefit. In the case of temporary or total incapacity/disability, a worker may at least be provided 50% of his average wage. In contrast, in the case of fatal injury, the survivors may receive 40% of the deceased worker's average wage in periodical payments.

Regulations on sick leave & Employment Injury Benefits:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Collective Agreement, 2019

Income

Under the Labour Law, a worker is entitled to paid sick leave of fourteen days based on the report of a physician approved by the establishment. It should be renewable for another fourteen days in case of hospitalization, based on the report of the medical committee that is approved by the enterprise. Furthermore, employees are entitled to full payment of the last earnings for up to fourteen days, which may be extended to twenty-one days with five years of service with the same employer.

Employers are liable to pay for the cash sickness benefit of the private sector employees.

Source: ISSA Country Profile for Jordan, 2018; §65 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Medical Care

The Collective Agreement states that the employers must provide a health clinic at the workplace approved by the Ministry. The clinic must be equipped with medical staff. The medical staff must include a general physician and at least a nurse. The clinic should be open during working hours. Employers must maintain the medical records of the employees. Workers without delay should be referred to a specialized doctor in emergencies and at the employer's expense. However, provisions

regarding free medical care for sick workers could not be located.

Source: §11 of the Collective Agreement, 2019

Job Security

Under the law, each employee is entitled to a fully paid sick leave for fourteen days per year. In case of hospitalization, it is renewable for another fourteen days. However, provisions for protection from dismissal during sickness could not be located.

Source: §65 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Disability / Work Injury Benefit

Under the law, if employees sustain a work injury that results in death or physical injury leading to the inability to continue work, the employers are liable to transport the employees to a hospital or any medical Center, notify the concerned authorities and send a notice to the Ministry of Labour within a period not exceeding 48 hours after the occurrence of the incident.

Employers have to contribute 2% of the gross monthly payroll. The Social Security Cooperation in Jordan manages the work injury benefits.

Employers are liable to bear the transportation costs or the medical treatment. In case of violations, a fine ranging from 100-500 Dinars is imposed on the employers or managers, and the penalty is doubled in case of recurrence. However, employees can only claim compensation if the injury is the employers' fault.

In case the work injury results in the employee's death or total disability, the employers are obliged to pay compensation equivalent to the wage of 1200 working days. However, the compensation should not exceed 5000 Dinars and should not be less than 2000 Dinars.

Along with that, a survivor's benefit equivalent to 75% of the insured worker's wage is provided.

For permanent total disability (at least 75% of disability), compensation equivalent to 75% of the insured worker's monthly earnings is paid on the day the disability begins. The benefit is subject to an increase of 25% if the persons cannot perform their daily routine tasks, provided that the increase does not exceed the minimum wage.

In the case of temporary disability, employees are entitled to a daily allowance equivalent to 75% of the average wage as of the day on which the injury was sustained. However, if the treatment is outside the hospital, the daily allowance is reduced to 65% of the wage if the injured persons are treated at the approved medical centre.

In the case of permanent partial disability, employees are entitled to compensation based on the percentage of that disability. For a 30%-74% assessed loss of working capacity, 75% of the insured worker's monthly earnings are paid on the day the disability began multiplied by the assessed loss of working capacity. If the loss of working capacity is less than 30%, a lump sum of 75% of the insured worker's monthly earnings on the day the disability began multiplied by 36 months is paid. The employers are obliged to wage for the first three days as of the date of injury.

If work injury results in more than one physical impairment, the employee is entitled to compensation for each impairment sustained, provided the total amount should not exceed the amount payable.

To be eligible for work injury benefits, employees must apply for compensation within two years of its occurrence.

Employees are not entitled to work injury benefits in case of intoxication, injury due to deliberate acts, and failure to comply with mandatory occupational health and safety instructions.

Source: §24, 25, 29, 30 & 31 of the Social Security Law 2014; § 87, 89, 90, & 93 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); ISSA Country Profile for Jordan, 2018

09/13 SOCIAL SECURITY

ILO Conventions

Social Security (minimum standards): Convention 102 (1952). For several benefits somewhat, higher standards have been set in subsequent Conventions
Employment Injury Benefits: Conventions 121 (1964),
The invalidity, Old age and survivors' benefits: Convention 128(1967)
Medical Care and Sickness Benefits: Convention 130 (1969)
Unemployment Benefits: Convention 168 (1988).

Jordan has ratified Convention 102 only.

Summary of Provisions under ILO Conventions

Normally, the pensionable age may not be higher than 65 years. However, suppose the retirement age is fixed above 65 years. In that case, it should give “due regard to the working ability of elderly persons” and “demographic, economic and social criteria, which shall be demonstrated statistically”. The pension can be set as a percentage of the minimum wage or the earned wage.

When the breadwinner has died, the spouse and children are entitled to a benefit, expressed as a percentage of the minimum wage or a percentage of the earned wage. This must at least be 40% of the reference wage.

For a limited period, the unemployed have a right to unemployment benefits set as a percentage of the minimum wage or a percentage of the earned wage.

Invalidity benefit is provided when a protected person cannot engage in gainful employment, before standard retirement age, due to a non-occupational chronic condition resulting in disease, injury or disability. Invalidity Benefits must at least be 40% of the reference wage.

Regulations on social security:

- Social Security Law, 2014

Pension Rights

Under the Social Security Law, the retirement age for an insured male worker is 60 years. An insured female worker is 55 years with at least 180 months of contributions, including at least 84 months of paid contributions.

The old-age pension is financed through contributory social insurance, where the monthly contributions at the rate of 5.5% of the insured worker's wages are deducted by the firm with an increment of 0.25% in January of every year up to 6.5%. Employers also contribute 11% of the payroll to social security benefits (old age pension, survivors', and invalidity benefits). The self-employed workers can voluntarily get insured at 14.5% of the wage, subject to an increase of 0.75% in January of every year up to 17.5%.

An insured person with the minimum number of months of contributions at the normal retirement age may continue to contribute up to age 65 (men) or 60 (women) to qualify for or increase the value of an old-age pension. To receive an early pension, a worker must be aged 50 with at least 252 months (men) or 228 months (women) of paid contributions. The qualifying age for those in hazardous occupations is 45 years with at least 300 months (men) or 180 months (women) of paid contributions, provided that they have worked at least 10 years in hazardous occupations. Early pensions are also paid to certain other groups before age 50, depending upon age, gender and number of paid contributions.

The monthly pension is 2.5% of the insured average monthly earnings up to 1,500 dinars and 2% of the average monthly earnings above 1500 dinars, multiplied by the insured worker's monthly contributions divided by 12. Average monthly earnings are based on the insured worker's earnings in the last 36 months.

There is a provision for old age settlement if the worker does not meet the contribution requirements of the old age pension. A lump sum of 10% of the insured worker's average annual earnings is paid for each year of contributions with less than 10 years of contributions; 12% of average annual earnings are paid with 10 to 18 years of contributions; 15% of average annual earnings are paid with more than 18 years of contributions.

Source: ISSA Country Profile for Jordan, 2018; §59, 60 & 64 of the Social Security Law, 2014

Dependents' / Survivors' Benefit

The Social Security legislation stipulates survivors' benefits. These have the same funding source as old age pension and Invalidity benefits.

Under the Social Security law, the survivors of an insured person are entitled to a survivors' pension if the insured worker died a natural death and the death occurred during the work service, provided that the deceased worker paid no less than (24) actual contributions, six of which must be successive.

The natural death pension is calculated as follows

- 1) Based on the last twelve-month contributions, a 50% rate of the

- average monthly wage.
- 2) The salary indicated above is subject to increase at (0.5%) for each year of the insured contributively years. If the number of contributions amounts to (60) or more contributions, provided that the rate is increased to (1%) of the contribution amount to (120) or more.

The old-age pension is increased by 10% for the insured worker's first dependent and 5% for the second and third dependents, subject to the said dependency requirements and conditions.

In case an insured person who has fulfilled the requirements for old-age entitlements or early retirement pension dies during employment that is covered by the provisions of the law, the survivors are entitled to the highest of the said three types of pensions.

The eligible survivors would include a widow, a disabled widow with no income, sons up to the age of 23 (no age limit for disabled), unemployed, dependant daughters who are unmarried, widowed, or divorced, and dependant brothers younger than age 18, dependant sisters and parents. The pension for a widow, daughter, or sister ceases upon (re)marriage but is resumed if she is later widowed or divorced.

There would be a provision for survivor settlement if the deceased worker did not meet the contribution requirements for an old-age or disability pension at the time of death. For example, suppose the deceased worker had at least two years of contributions. In that case, a lump sum of 15% of the deceased worker's average monthly earnings in the last two years before death multiplied by 24 is paid as

survivors' benefit if the deceased worker had less than two years of contributions, 15% of the worker's average monthly earnings over the whole contribution period multiplied by the number of months of contributions paid.

Source: ISSA Country Profile for Jordan, 2018; §60(E2) & 66 of the Social Security Law, 2014

Unemployment Benefits

Workers entitled to unemployment benefits must be younger than the normal retirement age (60 for men and 55 for women) with a minimum of 36 months of old-age contributions and at least a month's unemployment contributions before the unemployment begins. The firm deducts monthly contributions at 1% of the insured's wage. Employers also contribute 0.5% of the gross monthly payroll. Under the Social Security Law, 75% of the insured worker's last monthly covered earnings are paid for the first month of unemployment. It is 65%, 55% and 45% for the second, third and the fourth month respectively for up to six months. The unemployment benefit is paid for up to three months with less than 180 contributions and up to six months with at least 180.

Source: ISSA Country Profile of Jordan, 2018; §48, 50 & 52 of the Social Security Law, 2014

Invalidity Benefits

The disability pension is payable following the assessed loss of capacity for work due to a nonwork-related disability. However, the worker must have at least 60 months of contributions, including consecutive contributions of 24 months, and apply

within six months of ceasing employment.

In the case of a partial disability, a reduced pension is paid if the insured worker has partial incapacity for any work due to a non-work-related disability. A constant-attendance allowance is paid if the insured worker requires a constant attendance allowance of others to perform daily functions. A pension supplement is paid to supplement the disability pension. The degree of disability is assessed by the Central Medical Committee.

There is a provision for disability settlement for those workers who are assessed with a total or partial incapacity for work due to a nonwork-related disability and do not meet the contribution requirements for the disability pension. If the insured worker has at least two years of contributions, a lump sum of 15% of the worker's average monthly earnings in the last two years before the disability began multiplied by 24 are paid. Suppose the insured worker has less than two years of contributions. In that case, 15% of the worker's average monthly earnings over the whole contribution period multiplied by the number of months of contributions are paid as disability settlement.

Source: ISSA Country Profile of Jordan, 2018; §59, 67 & 70 of the Social Security Law, 2014

10/13 FAIR TREATMENT

ILO Conventions

Convention 111 (1958) lists the discrimination grounds which are forbidden.

Convention 100 (1952) is about Equal Remuneration for Work of Equal Value.

Convention 190 (2019) is about eliminating violence and harassment in the world of work.

Jordan has ratified Conventions 111 and 100 only.

Summary of Provisions under ILO Conventions

At workplaces, equal pay for men and women for work of equal value is a must, regardless of marital status. Pay inequality based on race, colour, sex, religion, political opinion, national extraction/place of birth or social origin is also forbidden. A transparent remuneration system and a clear matching of pay and position should be in place to help prevent wage discrimination.

Convention No. 190 recognizes the right of everyone to a world of work free from violence and harassment. It defines violence and harassment as “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment”. This definition covers physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, among other things.

An employer can't discriminate against you on in any aspect of employment (appointment, promotion, training and transfer) based on union membership or participation in union activities, filing of a complaint against an employer, race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin, temporary absence due to illness, age, trade union membership, disability/HIV-AIDS, or absence from work during maternity leave. (Conventions 111, 156, 158, 159 and 183)

People have the right to work, and there can't be occupational segregation based on gender.

Regulations on fair treatment:

- Jordan's Constitution of 1952 with Amendments through 2011
- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Collective Agreement, 2019

Equal Pay

The Jordanian Labour Law prohibits discrimination in wages on the ground of sex. Men and women cannot be discriminated against in treatment, employment, and remuneration for work of equal value. The legislation stipulates a fine of 500-1000 dinar if the employer pays less than the minimum wage or for any wage discrimination between sexes for work of equal value.

In case the violation is repeated, the penalty is doubled.

Source: §53 of the Jordanian Labour Law, 1996

Sexual Harassment

The Jordanian Labour Law 2013 does not prohibit sexual harassment at work. There is a general prohibition of sexual harassment under the Collective Bargaining Agreement. Under the law, employers should take necessary actions and adopt policies to promote a work environment for workers free from violence, harassment, and discrimination. The prohibited forms of violence, harassment and discrimination include physical, physiological, and economic violence and harassment, including assault, verbal abuse or threatening of workers for any reason

whatsoever, acts inflicting harm, and sexual harassment in all forms. The policy puts measures to prevent physical, psychological and economic violence and sets out complaint procedures in case any worker is subjected to such acts. Employees can terminate the employment contract without serving a notice period if employers or their representatives sexually abuse them.

The employer may also discharge an employee without notice if the employee physically assaults or humiliates the employer, the manager in charge, one of the superiors, any employees or any other person during work. The Jordanian Penal Code (Law No. 16 of 1960) establishes a penalty of imprisonment in the event of “sexual assault”, “indecent flirting or behaviour” offences, “immoral conduct”, and “immoral conduct in public places”. Still, it does not provide a clear definition of sexual harassment.

Source: §8 of the Collective Agreement, 2019; §29a (6) of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); §296-299 of the Jordanian Penal Code, 1960

Non-Discrimination

Following the Jordan Constitution, the state ensures equal work and education opportunities for all citizens without distinction. The Constitution further states that all citizens are equal before the Law. They are equal in rights and general duties, even if they differ in race, language or religion.

The Collective Bargaining Agreement also prohibits discrimination against any worker nor prevents equal opportunity or equal

treatment at work based on race, colour, religion, political views, national origin, disability, or Union membership or participation in activities with the union. In addition, the agreement provides legislation to support and encourage the role of women by providing enabling environment, ensuring equal opportunity and the right to career advancement and security.

Source: §6 of the Jordan's Constitution of 1952; §8 of the Collective Agreement, 2019

Equal Choice of Profession

Under the constitution, work is the right of every citizen. However, the Constitution requires establishing special conditions for the work of women and juveniles.

The Labour Law restricts women's employment in industries and occupations and the times during which women's employment is prohibited. This is to be achieved under the decision of the Minister after consulting the official authorities.

Source: §23 of the Jordan's Constitution of 1952; §69 of Jordanian Labour Law, 1996 and its amendments (2010, 2019)

11/13 MINORS & YOUTH

ILO Conventions

Minimum Age: Convention 138 (1973)

Worst Forms of Child labour: Convention 182 (1999)

Jordan has ratified Conventions 138 and 182.

Summary of Provisions under ILO Conventions

At workplaces, children may not be forced to perform work that could harm their health and hampers their physical and mental development.

All children should be able to attend school. Once this is safeguarded, there is no objection against children performing light jobs between 12 and 14. The minimum age is 15 years however developing countries may set this at 14 years. The minimum age for hazardous work, likely to jeopardize young persons' health, safety or morals, is 18. It can also be set at a lower level of 16 years under certain circumstances

Children should not be employed in work likely to harm their health, safety or morals. It is considered one of the worst forms of child labour. The minimum age for such hazardous work is 18 years.

Regulations on minors and youth:

- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Education Law No. (3) and its Amendments

Minimum Age for Employment

The minimum age for employment is 16 years. The labour law permits children as young as 16 to work as apprentices. The Labour Law sets the minimum age for hazardous employment as 18 years. It restricts hiring juveniles who did not complete 18 years in dangerous, exhausting or health-damaging work. The Jordanian Labour Law requires that a juvenile worker (under 18 years) is not made to work more than six hours daily. After every four continuous hours of work, a break of at least one hour must be arranged. A young worker is prohibited from working overtime or on the weekly rest day, religious feasts and official holidays. Juvenile workers cannot be required to work at night times (between 8 pm and 6 am).

When employing juvenile workers, the employers must request the guardians to submit a certified copy of a birth certificate, a certificate of health competency and the written approval of the juvenile's guardian to work in the enterprise.

Under the education law, the compulsory schooling age is 16 years.

Source: §73-76 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); §10 of the Education Law No. (3), 1994

Minimum Age for Hazardous Work

Under the Jordanian Labour Law, the minimum age for children doing hazardous work is 18. In addition, the law prohibits the employment of juveniles in dangerous, exhausting or unsafe work.

A young or juvenile worker is prohibited from working on a weekly rest day, religious feasts and official holidays. In addition, juvenile workers cannot be required to work during night hours (between 8 pm and 6 am). The types of prohibited hazardous work are determined through the decisions issued by the Minister for Labour after considering the opinions of the competent authorities. Ministerial Order of 2011 defines the types of hazardous employment prohibited for juveniles under the age of 18 years. The Order contains a list of hazards followed by occupations that involve such hazards. These hazards include physical hazards, psychological and social hazards, moral hazards, chemical hazards, and ergonomic Hazards.

Source: §74 & 75 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019); Ministerial Order of 2011, concerning occupations that are dangerous or tiring or harmful to the health of youth

12/13 FORCED LABOUR

ILO Conventions

Forced labour: Conventions 29 (1930)

Abolition of Forced labour: Conventions 105 (1957)

Forced labour is the work one has to perform under threat of punishment: forfeit wages, dismissal, harassment or violence, even corporal punishment. Forced labour means a violation of human rights.

Jordan has ratified both Conventions 29 and 105.

Summary of Provisions under ILO Conventions

Except for some instances, forced or compulsory labour (exacted under the threat of punishment and for which you may not have offered voluntarily) is prohibited.

Employers have to allow workers to look for work elsewhere. If a worker is looking for work elsewhere, they should not be shortened on wages or threatened with dismissal. (In the reverse cases, international law considers this forced labour).

If the total working hours, including overtime, exceed 56 hours per week, the worker is considered to be working under inhumane conditions.

Regulations on forced labour:

- Jordan's Constitution of 1952 with Amendments through 2011
- Jordanian Labour Law, 1996 and its amendments (2010, 2019)
- Collective Bargaining, 2019

Prohibition on Forced and Compulsory Labour

Under the Constitution, forced labour is prohibited. However, work and service may be imposed on any person

- 1) In emergencies, such as war, public danger, fire, flood, famine, earthquake, severe epidemic among humans or animals, diseases or other circumstances might endanger the population's safety.
- 2) As a result of the conviction, the work or service performed should be under the supervision of official authority. The convicted persons should not be hired by any persons, companies, societies or any public body or be placed at their disposal.

No restrictions could be located on forced labour under the Labour Law.

The 2009 Law on the Prevention of Trafficking in Human Beings criminalizes sex trafficking and labour trafficking. The law prescribes a minimum of six months' imprisonment, a fine of 1,000 to 5,000 dinars, or both, for trafficking offences involving an adult victim. The law stipulates 10 years' imprisonment and a fine of 5,000 to 20,000 dinars if the crime involves child victims. Jordan's passport law criminalizes the withholding of passports by an employer, carrying penalties of six months to three years imprisonment and fines.

Source: §13 of Jordan's Constitution of 1952 with Amendments through 2011; 2009 Law on the Prevention of Trafficking in Human Beings

Freedom to Change Jobs and Right to Quit

Workers have the right to change jobs after serving due notice to their employer. The required notice period is 30 days. For more information on this, please refer to the section on Employment Security.

Source: §23 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

Inhumane Working Conditions

Working time may be extended beyond normal hours of forty-eight hours per week and eight hours a day. However, total work hours inclusive of overtime must not exceed ten (10) hours per day. Given this information, the maximum work hours inclusive of overtime are 60 hours per week.

For more information on this, please refer to the section on overtime compensation.

Source: §56 of the Jordanian Labour Law, 1996 and its amendments (2010, 2019)

13/13 TRADE UNION

ILO Conventions

Freedom of association and protection of the right to organize: Convention 87 (1948)

Right to Organize and Collective Bargaining: Convention 98 (1949)

Jordan has ratified the Convention 98 only.

Summary of Provisions under ILO Conventions

Freedom of association means freedom to join a trade union. This is part of fundamental human rights. Employees may not be disadvantaged when they are active in the trade union outside working hours. The list of exclusions for sectors of economic activity and workers in an organization should be short.

Trade unions are entitled to negotiate with employers on the term of employment without hindrance. The freedom of a trade union to negotiate with employers to try and conclude collective agreements is protected. (The ILO has a special procedure for handling complaints from unions about violations of this principle).

Workers have the right to strike to defend their social and economic interests. It is incidental and corollary to the right to organize provided in ILO convention 87.

Regulations on trade unions:

- Jordan's Constitution of 1952 with Amendments through 2011
- Jordanian Labour Law 1996 with its Amendments

Freedom to Join and Form a Union

The Constitution of Jordan stipulates that the citizens have the right to hold meetings within the limits of the law. The state provides freedom to establish societies, unions and political parties, provided there is no violation of the provisions of the Constitution. According to the Constitution, laws are to be formed that should regulate the manner of the establishment of societies, unions and political parties and the control of their resources.

According to Labour Law, employees belonging to any profession have the right to establish a Union under the provisions of the law, with a minimum membership of 50 employees working in the given workplace, related or similar profession is necessary. If it satisfies the membership conditions, employees of that particular profession have a right to join the union. Furthermore, the law prohibits making the employment of employees conditional upon the non-affiliation to a Union or giving up such membership or attempting the dismissal from any Union, prejudicing in any way the rights of the membership, rights or the participation in trade union activities outside working hours. Furthermore, unions and Employers Associations are prohibited from interference, whether directly or indirectly, concerning their formation, management or the means of carrying out their acts.

The right to form and join a trade union is provided to the private sector. At the same time, the civil servants and municipality employees are excluded from the provisions of Labour La. Therefore right to form and join a trade union is not provided to public sector employees. Labour legislation further requires that founders of a trade union must be Jordanian and at least 21 years old.

Source: §16 Jordan's Constitution of 1952 with Amendments through 2011; §3, 97 & 98 of the Jordanian Labour Law 1996 with its Amendments

Freedom of Collective Bargaining

The legislation allows workers to bargain collectively. Under the law, a collective employment contract should be organized on at least three original copies. Each party keeps a copy, and the third copy is deposited with the Ministry for registration. The collective employment contract is applicable as of the date specified in it. In case of not specifying the date, the collective agreement is applicable from the date of registration with the Ministry of Labour. The Minister issues instructions for registering collective bargaining matters relating to it. Finally, the contracts are to be published in the Official Gazette and announced at the workplace.

The collective bargaining agreement discusses issues between the parties, including work conditions and the organization of the labour relations for the workers.

The right to collective bargaining is provided to the private sector, while the civil servants and municipality employees are excluded from the provisions of the

Labour Law.

The Ministry of Labour composes a commission called the Tripartite Commission for Labour Affairs. It is chaired by the Minister and has representatives from workers and employers. The Tripartite Commission assumes the functions assigned under this law and these advisory functions.

- 1) Opinions on matters of work conditions and circumstances;
- 2) Evaluation of issues relating to the labour standards;
- 3) Studying the compatibility of policies and legislation to work with the needs of social and economic development and international labour markets; and
- 4) Discussion on labour disputes.

Source: §3, 39, 42(2) & 43 of the Jordanian Labour Law 1996 with its Amendments

Right to Strike

The right to strike is regulated under the provisions of Jordanian Labour Law. The law does not permit any employee to strike or an employer to shut down the enterprise in case the dispute has been referred to the reconciliation representative, council or the Labour Court or during the time or in times when the settlement is effective, a decision is in force and the strike or closure related to the matters inherent in that settlement. The law does not permit employees to go on strike without fourteen days prior notice. The period is doubled if the work relates to public interest services. Correspondingly, the law does not permit employers to close enterprises without giving fourteen days' notice to the employees as the date set for the

closure/lockout. The notice period is doubled if the work is related to public interest services.

Employees may face a fine of not less than 50 Dinars for the first day and 5 Dinars for each day the strike continues afterwards in case of a strike that is prohibited under the law. In addition, the employees are deprived of their wages for the days during the strike. For an employer to close the enterprise in case of prohibition in the law, a fine of 500 Dinars for the first day and 50 Dinars for each day the lockout continues after that. Moreover, the employers are obligated to pay the employees' wages for the days during the lockout.

The right to strike is provided to the private sector, while the civil servants and municipality employees are excluded from the provisions of the Labour Law. Therefore right to strike is not provided to public sector employees.

Source: §3, 134, 135 & 136 of the Jordanian Labour Law 1996 with its Amendments

QUESTIONNAIRE

The text in this document was last updated in June 2023. For the most recent and updated text on Employment & Labour Legislation in Jordan in Arabic, please refer to: <https://rawateb.org/jordan>

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Check

Decent Work Check Jordan is a product of WageIndicator.org
and <https://rawateb.org/jordan>



National Regulation exists



National Regulation does not exist

01/13 Work & Wages

	NR	Yes	No
1. I earn at least the minimum wage announced by the Government		<input type="checkbox"/>	<input type="checkbox"/>
2. I get my pay on a regular basis. (daily, weekly, fortnightly, monthly)		<input type="checkbox"/>	<input type="checkbox"/>

02/13 Compensation

3. Whenever I work overtime, I always get compensation <i>(Overtime rate is fixed at a higher rate)</i>		<input type="checkbox"/>	<input type="checkbox"/>
4. Whenever I work at night, I get higher compensation for night work		<input type="checkbox"/>	<input type="checkbox"/>
5. I get compensatory holiday when I have to work on a public holiday or weekly rest day		<input type="checkbox"/>	<input type="checkbox"/>
6. Whenever I work on a weekly rest day or public holiday, I get due compensation for it		<input type="checkbox"/>	<input type="checkbox"/>

03/13 Annual Leave & Holidays

7. How many weeks of paid annual leave are you entitled to?*		<input type="checkbox"/> 1 <input type="checkbox"/> 2	<input type="checkbox"/> 3 <input type="checkbox"/> 4+
8. I get paid during public (national and religious) holidays		<input type="checkbox"/>	<input type="checkbox"/>
9. I get a weekly rest period of at least one day (i.e. 24 hours) in a week		<input type="checkbox"/>	<input type="checkbox"/>

04/13 Employment Security

10. I was provided a written statement of particulars at the start of my employment		<input type="checkbox"/>	<input type="checkbox"/>
11. My employer does not hire workers on fixed terms contracts for tasks of permanent nature <i>Please tick "NO" if your employer hires contract workers for permanent tasks</i>		<input type="checkbox"/>	<input type="checkbox"/>
12. My probation period is only 06 months		<input type="checkbox"/>	<input type="checkbox"/>
13. My employer gives due notice before terminating my employment contract (or pays in lieu of notice)		<input type="checkbox"/>	<input type="checkbox"/>
14. My employer offers severance pay in case of termination of employment <i>Severance pay is provided under the law. It is dependent on wages of an employee and length of service</i>		<input type="checkbox"/>	<input type="checkbox"/>

05/13 Family Responsibilities





15. My employer provides paid paternity leave <i>This leave is for new fathers/partners and is given at the time of child birth</i>		<input type="checkbox"/>	<input type="checkbox"/>
16. My employer provides (paid or unpaid) parental leave <i>This leave is provided once maternity and paternity leaves have been exhausted. Can be taken by either parent or both the parents consecutively.</i>		<input type="checkbox"/>	<input type="checkbox"/>
17. My work schedule is flexible enough to combine work with family responsibilities <i>Through part-time work or other flex time options</i>		<input type="checkbox"/>	<input type="checkbox"/>

06/13 Maternity & Work





18. I get free ante and post natal medical care		<input type="checkbox"/>	<input type="checkbox"/>
19. During pregnancy, I am exempted from nightshifts (night work) or hazardous work		<input type="checkbox"/>	<input type="checkbox"/>
20. My maternity leave lasts at least 14 weeks		<input type="checkbox"/>	<input type="checkbox"/>

* On question 7, only 3 or 4 working weeks is equivalent to 1 "YES".





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- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 21. | During my maternity leave, I get at least 2/3rd of my former salary |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. | I am protected from dismissal during the period of pregnancy
<i>Workers can still be dismissed for reasons not related to pregnancy like conduct or capacity</i> |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. | I have the right to get same/similar job when I return from maternity leave |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. | My employer allows nursing breaks, during working hours, to feed my child |  | <input type="checkbox"/> | <input type="checkbox"/> |





07/13 Health & Safety

- | | | | | |
|-----|--|---|--------------------------|--------------------------|
| 25. | My employer makes sure my workplace is safe and healthy |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. | My employer provides protective equipment, including protective clothing, free of cost |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. | My employer provides adequate health and safety training and ensures that workers know the health hazards and different emergency exits in the case of an accident |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. | My workplace is visited by the labour inspector at least once a year to check compliance of labour laws at my workplace |  | <input type="checkbox"/> | <input type="checkbox"/> |









08/13 Sick Leave & Employment Injury Benefits

- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 29. | My employer provides paid sick leave and I get at least 45% of my wage during the first 6 months of illness |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. | I have access to free medical care during my sickness and work injury |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 31. | My employment is secure during the first 6 months of my illness |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 32. | I get adequate compensation in the case of an occupational accident/work injury or occupational disease |  | <input type="checkbox"/> | <input type="checkbox"/> |

09/13 Social Security













- | | | | | |
|-----|---|---|--------------------------|--------------------------|
| 33. | I am entitled to a pension when I turn 60 |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 34. | When I, as a worker, die, my next of kin/survivors get some benefit |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 35. | I get unemployment benefit in case I lose my job |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 36. | I have access to invalidity benefit in case I am unable to earn due to a nonoccupational sickness, injury or accident |  | <input type="checkbox"/> | <input type="checkbox"/> |

10/13 Fair Treatment



- | | | | | |
|-----|--|---|--------------------------|--------------------------|
| 37. | My employer ensure equal pay for equal/similar work (work of equal value) without any discrimination |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 38. | My employer take strict action against sexual harassment at workplace |  | <input type="checkbox"/> | <input type="checkbox"/> |
| 39. | I am treated equally in employment opportunities (appointment,promotion, training and transfer) without discrimination on the basis of:* |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Sex/Gender |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Race |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Colour |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Religion |  | <input type="checkbox"/> | <input type="checkbox"/> |
| | Political Opinion |  | <input type="checkbox"/> | <input type="checkbox"/> |

* For a composite positive score on question 39, you must have answered "yes" to at least 9 of the choices.




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	Nationality/Place of Birth		<input type="checkbox"/>	<input type="checkbox"/>
	Social Origin/Caste		<input type="checkbox"/>	<input type="checkbox"/>
	Family responsibilities/family status		<input type="checkbox"/>	<input type="checkbox"/>
	Age		<input type="checkbox"/>	<input type="checkbox"/>
	Disability/HIV-AIDS		<input type="checkbox"/>	<input type="checkbox"/>
	Trade union membership and related activities		<input type="checkbox"/>	<input type="checkbox"/>
	Language		<input type="checkbox"/>	<input type="checkbox"/>
	Sexual Orientation (homosexual, bisexual or heterosexual orientation)		<input type="checkbox"/>	<input type="checkbox"/>
	Marital Status		<input type="checkbox"/>	<input type="checkbox"/>
	Physical Appearance		<input type="checkbox"/>	<input type="checkbox"/>
	Pregnancy/Maternity		<input type="checkbox"/>	<input type="checkbox"/>
40	I, as a woman, can work in the same industries as men and have the freedom to choose my profession		<input type="checkbox"/>	<input type="checkbox"/>





11/13 Minors & Youth

41.	In my workplace, children under 15 are forbidden		<input type="checkbox"/>	<input type="checkbox"/>
42.	In my workplace, children under 18 are forbidden for hazardous work		<input type="checkbox"/>	<input type="checkbox"/>

12/13 Forced Labour

43.	I have the right to terminate employment at will or after serving a notice		<input type="checkbox"/>	<input type="checkbox"/>
44.	My employer keeps my workplace free of forced or bonded labour		<input type="checkbox"/>	<input type="checkbox"/>
45.	My total hours of work, inclusive of overtime, do not exceed 56 hours per week		<input type="checkbox"/>	<input type="checkbox"/>

13/13 Trade Union Rights

46.	I have a labour union at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
47.	I have the right to join a union at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
48.	My employer allows collective bargaining at my workplace		<input type="checkbox"/>	<input type="checkbox"/>
49.	I can defend, with my colleagues, our social and economic interests through "strike" without any fear of discrimination		<input type="checkbox"/>	<input type="checkbox"/>

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Results

Your personal score tells how much your employer lives up to national legal standards regarding work. To calculate your DecentWorkCheck, you must accumulate 1 point for each YES answer marked. Then compare it with the values in Table below:



is your amount of "YES" accumulated.

Jordan scored 37 times "YES" on 49 questions related to International Labour Standards

If your score is between 1 - 18

This score is unbelievable! Does your employer know we live in the 21st century? Ask for your rights. If there is a union active in your company or branch of industry, join it and appeal for help.

If your score is between 19 - 38

As you can see, there is ample room for improvement. But please don't tackle all these issues at once. Start where it hurts most. In the meantime, notify your union or WageIndicator about your situation, so they may help to improve it. When sending an email to us, please be specific about your complaint and if possible name your employer as well. Also, try and find out if your company officially adheres to a code known as Corporate Social Responsibility. If they do, they should live up to at least ILO standards. If they don't adhere to such a code yet, they should. Many companies do by now. You may bring this up.

If your score is between 39 - 49

You're pretty much out of the danger zone. Your employer adheres to most of the existing labour laws and regulations. But there is always room for improvement. So next time you talk to management about your work conditions, prepare well and consult this DecentWorkCheck as a checklist.