



**Ministry of Labour Report on
Status of Migrant Workers
in the Qualified Industrial Zones**

May 2006
Amman

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1- Background

The National Labor Committee (NLC) is an American non-profit organization that was established in 1981 with the aim of defending the human and labour rights of workers within a changing global economy with a special focus on multi-national corporations. The NLC investigates the situation of workers within American corporations in developing countries with the aim of raising the awareness of the American consumers on situations where there are violations of rights.

The NLC published a report on Jordan in May 2006 with the title: 'Jordanian-American Free Trade Agreement descends into human trafficking and forced labor.' The methodology of the report is solely based on open interviews with migrant workers in the Jordanian Qualified Industrial Zones (QIZ) who came mostly from Bangladesh. Other interviews were held with workers in Bangladesh, who used to work in Jordan and who's rights were violated. The Report did not interview any employers or government officials. The report mentions violations in 28 establishments in the QIZ compounds of Dhuleil, Sahab, and Madinat Al-Hassan. The report concludes that migrant workers face abusive working conditions in the Jordanian QIZ and that employers are not complying with labour rights. Some of the abuses mentioned are nonpayment (or delay) in wages, confiscation of passports, long working hours, non payment for overtime and violence and abuse in the workplace.

As a country which considers itself as part of the international community which complies with basic human and labour rights, the NLC Report has serious implications for Jordan. The Report can also impair Jordan's economy which has grown substantially in the past few years and where the export led textiles and garment sector has been one of the major growth sectors. Within this context, the Ministry of Labour (MoL) undertook its own investigation through its labour inspectors of all the establishments mentioned in the NLC Report in addition to others which were not mentioned in order to verify the allegations which were made.

This report presents the findings of MoL's investigation. The report first highlights some of the efforts already being made in regulating the labour market, presents the actions taken as a result of its investigation and finally provides a detailed overview of the current and future steps to be taken in order to improve migrant workers' working conditions and rights.

In parallel to this report, the MoL had developed a draft Action Plan for the effective management of labour migration and protection of migrant workers. This Action plan is based on the International Labour Organization's guidelines and focuses on all migrant workers not just those in the export zones. This action plan still needs to be discussed with other stakeholders before official national adoption and implementation.

It is important to mention here that MoL's ability to swiftly react to the NLC report is based on its pre-existing commitment to the issues raised. Many actions presented in the Action Plan are already in process. Additionally, discussions had previously taken place with the International Labour Organization (ILO), who are developing a Decent Work Country Program for Jordan. It has already been decided to include labor migration management as one of the major component of the ILO country program.

2- Jordan: Economy, employment and the Qualified Industrial Zones

Jordan's Economy and Labour Force

Jordan considers itself as part of the international community which upholds the rights of workers regardless of nationality, sex or race. As a country, it had ratified major human and labour rights conventions, including those of the International Labour Organization. In fact, the national law is based on these international standards.

During the past few years Jordan has been undergoing a period of reform, economic openness and global integration. In a short time Jordan has managed to enter an Association Agreement with the European Union, sign a free trade agreement with the United States and successfully join the World Trade Organisation. All these international trade agreements which have positively contributed to growth of exports and attracting foreign investments, are based on adherence to core labour standards. These standards are broadly recognised as fundamental rights which all workers are entitled to and the fact that in order to achieve economic growth with development, market oriented economies and labour standards principles are interdependent.

During 2004 Jordan has achieved a measure of Economic Growth: 7.7% as compared to 4.1% during 2003. One of the fastest growing sectors has been the garment and textiles which amounted to almost 30% of total exports during 2005. Currently, there is a general positive investment climate in the country. At the national policy making level, the National Agenda has been launched and endorsed by H.M. King Abdullah last November 2005. This provides a new framework for social and economic development for the next decade. One of the priority components of the National Agenda is investment promotion, job creation and political development and civil liberties. The National Agenda therefore puts equal emphasis between economic growth and human rights.

Within the above context, Jordan is facing an employment challenge. This challenge pertains to a contradiction between high unemployment rates and poverty levels and the increasing number of migrant workers who are occupying the new emerging jobs in the export zones. There are many reasons which contributed to this situation. Some of these relate to the inefficiency of information channels which coordinate labour market demand and supply and the mismatch between labour market demand and the outputs of the education and training system. Nevertheless, one outstanding factor is that the working conditions in the Qualifying Industrial Zones (QIZ) are of sub-standard levels as far as Jordanians are concerned. During 2000 the Ministry of Labour together with the ILO undertook a survey of Jordanian women workers in the QIZ.¹

The conclusions were that while the QIZ had provided rural Jordanian women with new employment opportunities, wages were low, working hours were long, sanitary conditions were dire, there was no opportunity for occupational development and a very limited number of women were aware of their labour rights or the existence of trade unions. When non QIZ workers were interviewed as a control group, it was found that wages were higher, working hours were less and women stayed longer in employment.

The Qualified Industrial Zones

Investments in the garment sector started to flow into Jordan upon the ratification of the QIZ Agreement in November 1997. Al-Hasan Industrial Zone was the first among the QIZs in Jordan. It

¹ Women workers in the textiles and garments industries in Jordan: A research on the impact of globalization. Ministry of Labour and International Labour Organization, 2000.

started with two companies; namely, Boscan and Al-Asr. By October 1999, several zones were qualified including, Al-Dhulail,, Al-Hussein bin Abdullah II Industrial Zone. In the following years, other places were qualified including Jordan Valley Exit, Cyber City (Jordanian University for Science and Technology), Hallabat, Mushatta, Al-Mawarid and Hollywood at the Hashimiya University Campus.

Today, the garment and textile sector is one of the leading manufacturing sectors in the Jordanian Economy. It has been and will be an engine of growth. The exports of this sector amounts to almost 30% of the manufactured Jordanian exports (see Table 1). The USA is the first trading partner for Jordan in terms of exports. Garments amount to almost 90% of the Jordanian exports to the USA.

Table One: Jordanian Total Exports and Garment Exports

	2000	2001	2002	2003	2004	2005
Total exports	1,346,581.3	1,628,732.5	1,963,942.5	2,136,667.9	2,753,023.9	3,049,561.2
National exports	265,764.6	274,362.0	407,194.1	488,949.5	446,397.4	479,339.4
Garment exports	74,988.1	203,326.2	357,605.2	478,747.6	708,611.6	684,671.3
Rate of Garment export of total exports	6.6%	12.5%	18.2%	22.4%	25.7%	22.5%
Rate of Garment export of total national exports	6.9%	15%	22.9%	28.5%	30.7%	26.6%

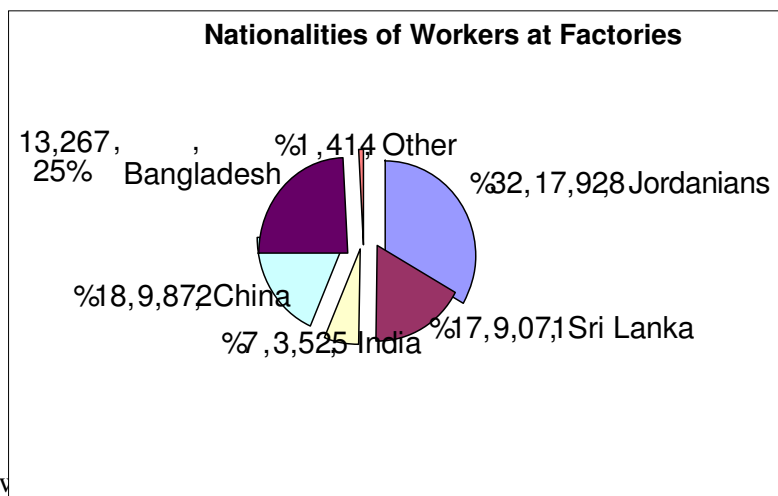
Jordan's garment industry was born out of a peace treaty with Israel (QIZ agreement) and an exceptional trade agreement with the US (the FTA , Jordan being the first Arab country to sign such an agreement). The expansion and increase in sourcing from Jordan had contributed to the global economic integration of Jordan. These agreements have helped in introducing the "Made in Jordan" brand and opened up unique export opportunities for Jordan to access the US market and results have been very favorable under these agreements. Jordan's exports to the US barely reached \$17 million, 8 years ago before the agreements were signed; today they have surpassed the \$1 billion mark.

There is currently 9 Industrial zones in Jordan and 114 Investment companies. Out of these, 59 companies export their products to the United States of America and they hold QPR certificates. Companies operating as subcontractors count for 55 companies.

Table Two: Number of Migrant and Jordanian workers in QIZ companies

Industrial Zones	All Companies			
	No. of Companies	No. of Workers	Jordanian Workers	Migrant Workers
Al-Hasan-Irbid	45	18,395	8,232	10,163
Parks (Tajamu'at) - Sahab	41	14,621	3,618	11,003
Dhuleil	15	12,586	2,302	10,284
Al-Hussein bin Abdullah- Kerak	4	4,037	2,017	2,020
Cyber City- Irbid	5	3,045	885	2,160
Qualified Subcontractor-Al-Zay	1	1,141	759	382
Al-Kastal	1	148	41	107
Jordan Valley Exit	1	62	62	-
Al-Hallabat-Al-Dhuleil	1	42	12	30
TOTAL	114	54,077	17,928	36,149

According to the statistics issued by the Ministry of Labor for April, 2006, the total workers number at the QIZs reached 54077 workers (males and females); out of them, 17928 (33%) are Jordanians; and 36149 (67%) migrant workers of different nationalities including (Sri Lankan, Chinese, Indian, and Bangladeshi).



Jordanian workers (28%), Sri Lankan at 17%, Indian at 7%, and other nationalities at 1%. There are differences among the companies who hold QPR certificates and subcontractors in terms of the percentage of foreign workers. Jordanians in the subcontracting companies are merely 24%.

In brief, the rate of foreign workers in the QIZs is witnessing a constant increase. In 2001, the rate of Jordanian workers was 64%. However, the Jordanian workers are at present a minority at the QIZs.

Despite the high unemployment rates among Jordanians, yet QIZ employers suffer from the lack of qualified and committed workers. On the other hand, Jordanians might be reluctant to work in this sector due to the difficult working conditions and low wages.

3- Role of the Ministry of Labour in labor market management

Within the context of the Jordanian labour law and ILO's labour standards, the Ministry of Labour seeks to balance the rights of workers (Jordanian and migrant) to decent and safe jobs and the needs of employers to have skilled and productive workers. The Ministry's current strategy is comprised of the following objectives:

To create a productive and skilled work-force.

To expand social protection for all workers.

To promote workers rights.

To enhance social dialogue between government, workers and employers.

As an institution the Ministry has a labor inspection and complaints mechanisms. Despite some institutional limitations, such as a limited number of labor inspectors, the Ministry, nevertheless, has been able in the past 2 years to make significant achievements in terms of new initiatives, programs and projects. Most of these relate directly or indirectly to migrant workers and following are some examples.

The Golden List of QIZs:

This is a Code of Practice which was jointly developed by the Ministry and employers associations of the QIZ. Its aim is to ensure employers' compliance of Jordanian law and international labour standards and nurture their social responsibility. The items of the list include:

- Working hours, over-time and on holiday work.
- Environment of work
- Implementing training and recruitment programs for Jordanians.
- Rate of hiring Jordanian workers.
- Compliance with requirements of treatment of migrant workers.

The document includes a list of basic requirements that must be fulfilled by employers in order for the Ministry to give exemptions and facilitate work permits for migrant labor. Employers can become golden list members if they achieve 80% of the list's requirements. Others, will have to pay extra bank guarantees for migrant workers and the amount is based their score (See Annex 1 for full text).

This Code of Practice has been recently finalized and is not launched yet. It will provide the Ministry with a tool to improve monitoring in terms of establishments' compliance of basic standards of Jordanian and migrant labour. Additionally, it will improve establishment's motivation to train and hire Jordanians.

The training and employment fund

The principle of the Fund is to serve the job seeker and the employer through providing demand driven training and job placement. The Ministry pays the minimum monthly wage (95 Jordanian Dinars) for trainees over a period 6 months and provides transportation as well as health insurance. Bi-lateral agreements are established and signed between the Ministry of labor and individual establishments. These agreements specify the type of training which will be provided and explicitly specifies that establishments are obligated to hire the trainees after the training period through one year contracts and provide full benefits and appropriate working conditions. The ultimate aim is to gradually replace the migrant workers with Jordanian workers.

Capacity Building of the Ministry of Labor for employment promotion and poverty alleviation.

This ILO project aims to build the capacity of the Ministry of Labor in general. However it focuses on strengthening the employment services (provided by 23 directorates around the country) and on modernizing the labor inspection system

Strengthening the capacity of social partners for the promotion of social dialogue

This ILO project aims at developing a mechanism for social dialogue in Jordan. Through building the institutional capacity of the Ministry, Chamber of Industry and the General Confederation of Trade Unions. It also aims to establish a social and economic council which will be the institutional mechanism to ensure that social partners participate in national policy making. .

Empowering migrant women in Jordan

This UNIFEM project aimed at improving working conditions of migrant women domestic workers as well as improving the recruitment procedures. Through the project, the Ministry was able to develop a special working contract for non-Jordanian domestic workers in early 2003. This contract augments the coordination with origin countries, and guarantees migrants workers rights. More recently the Ministry has established a new directorate for migrant domestic workers,

The elimination of child labor in Jordan

This ILO Project aims to strengthen the capacity of the Child labor units within the Ministry and the General Confederation of Jordanian Workers. The project also coordinates with civil society organizations to raise awareness.

4- Administrative procedures for obtaining permits for migrant workers in Jordan

There is a by-law for non-Jordanian Workers' permits as well as regulations of their recruitment. However, the Qualified Industrial Zones are granted different procedures through the 'one stop shop' at the Jordan Investment Board in order to encourage new investments into Jordan.

Therefore, applications for migrant workers' work permits for the QIZ are submitted to the Ministry of Labor Representative at the One stop shop for facilitation. As the Jordan Investment Board is the agency responsible for promoting foreign investment in Jordan as well as assisting investors through all stages of their establishment, it is in a position to verify the credibility of the investor.

As such, the Ministry of Labor assumes the role of a facilitator for the Jordan Investment board. This means that the Ministry's approval is usually based on their recommendations

The significant growth in the garment and textile sector, which meant more QIZ companies and an increased demand for work permits, has caused some discrepancies in the licensing procedures or issuing permits to workers. The following box provides two such examples:

An example to licensing a Fragile Institution: Taleen Company

Taleen started operating during 2004 and immediately faced labor disputes. The company failed to pay wages to workers who were mostly Indian. During this time the Ministry's labour inspectors issued as many as 51 penalties. The factory eventually closed entirely in November 2005 and the workers were left stranded. The Ministry has coordinated with the Indian Embassy for the repatriation of the after having the employer (owner) pay them all their wages. Taleen had no financial credibility and should have been given a license to operate. However, it was the Ministry of Labour who had the responsibility to obtain the rights and the welfare of the workers.

An Example to issuing entry visa without having employment contracts: Al-Masar Company

The Company applied for work permits for 350 drivers from India and Nepal (as drivers between Jordan and Iraq) The employer failed to submit a full documentation on the establishment which prompted the labour inspectors to investigate. It turned out that there were very few trucks and some were even rented. Based on this, the work permits were rejected. Later on the Ministry found out that these workers were admitted on tourist visas and dumped by their employer in Aqaba. Coordination with the Embassies to repatriate the workers and obtain their wages was successful but not after a long time when these workers were stranded.

5- Actions taken by the Ministry of Labour in light of the National Labour Committee Report on migrant workers

The Inspection Campaign

As a response to the NLC Report the Ministry of Labour launched a campaign which included the following:

Inspection visits to the factories highlighted in the NLC Report in addition to visits to other factories not mentioned were made through nine inspection teams and who covered: Dhuleil, Al-Hussein Industrial Zone, Kerak, and Industrial Parks.

The Inspection Campaign started with HE the Minister doing a field tour to the Industrial Parks Area/Sahab; Al-Hasan Industrial Zone accompanied with representatives of the embassies of India, China, Sri Lanka. They were also accompanied with the press.

The inspection teams visited the factories mentioned in the report in order to cross-check the information through providing parallel reports.

Representatives of Embassies were asked to choose workers at random from factories for face to face interviews outside the work place. Ministry of Labour officials, with translation from the Embassy staff interviewed the workers. It was felt however that workers did not divulge much information as the atmosphere must have been intimidating (Annex No. 2 for details of these interviews).

The general findings of the inspection campaign

- ⇒ The Report mentioned (28) establishments. However it was revealed that Three companies do not exist on the ground. Namely these are: Al Cap Factory, Fresh Taste Factory, Centear Clothing. Another 3 establishments have closed down. Namely these are: Al-Shahd, Al-Yaqout, Taxville
- ⇒ Violations do exist among some factories in terms of over time hours. Workers work above the legal maximum and they are not paid according to the legal overtime which is 125% of the hourly wage.
- ⇒ Some establishments do not observe the official holidays/week-ends in terms of calculating the wages and dues for these days.
- ⇒ Several establishments do not comply with social security laws and cut from the workers wages the employers contribution.
- ⇒ There are some establishments who employ migrant workers with no work permits or with expired work permits.
- ⇒ Housing conditions are over-crowded and sanitary facilities do not fulfill basic standards.
- ⇒ Some of the factories do not comply with safety and health standards.

⇒ The Ministry had already issued penalties to some of these companies previously. In fact during 2005 the Ministry had issued as many 3000 to QIZ establishments.

Actions taken after the 2 the week intensive inspection campaign

- ✓ 59 penalties were issued to the establishments mentioned in the report.
- ✓ 141 penalties for establishments which were not mentioned in the report. During this inspection the Social Security Corporation joined the team which resulted in more penalties.
- ✓ 2 Establishments were closed. The Ministry will ensure that workers in these establishments are placed in other jobs if they wish. More might be closed following the legal time which penalties provide for improvement.
- ✓ Additional measures was to consult with the ILO base d on their experience in Cambodia in the project entitled '*garment sector working conditions improvement project* ' which aims to assist the country in enforcing international labour standards within factories through the capacity building and awareness raising of employers and workers on the possibility of implementing a project.

The following two tables reviews the results of the inspection team to the establishments visited by the ILC Report and present the penalties which were issued.

Results of the Ministry Inspection of the Establishments as compared with the NLC Report

Violations reports by the NLC	Results of Visits by the Ministry of Labor Inspectors
<p>MK – Omani- Workers are beaten</p> <p>Sexual Harassment of Female workers Workers work for 91 hours per week</p> <p>Workers have a one day-off per month They cannot take medical leaves Workers get wages below the minimal wages (46 cents/hour) Workers are subjected to physical punishment and salary cut off as a penalty. Quality of food is poor and no variety</p>	<p>No complaints</p> <p>Not reported Recorded average daily overtime hours is 2-2.30 Holidays are observed according to the law</p> <p>The company Pays the minimum legal wage according to recorded Not reported</p> <p>Food is fine and quantity sufficient</p>
<p>NEEDLE CRAFT- an Emirate Company-</p> <p>Workers put 14-16 hours/day at work</p> <p>Workers get below the minimal wage</p> <p>Female workers are exhausted due to the big load of work Every 14 female workers share a small room Sanitary facilities are very dirty</p> <p>Getting a permission to use the toilette</p>	<p>They work according to the law; overtime is two hours only The company Pays the minimum legal wage according to recorded Not reported</p> <p>Rooms are over-crowded Sanitary facilities are clean and there are cleaning detergents in them No complaints in this respect</p>
<p>WESTERN -Indian- Hiring child workers of 14-15 years old and have their ages registered as 19-20 years. Four female workers were exposed to sexual harassment by the Factory Manager Workers are forced to work seven days a week.</p> <p>Work is for 114 hours/week</p> <p>Workers are being beaten as a punishment for their mistakes. Wage is less than the legal minimal wage</p> <p>There is no water or soap in the toilettes</p>	<p>Could not verify</p> <p>Could not verify</p> <p>The Company violates the maximum legal overtime and it is not based on workers approval The Company violates the maximum legal overtime Could not verify</p> <p>The company Pays the minimum legal wage according to records The sanitary facilities and cleanliness were poor</p>
<p>ALSAFA -Indian- A Bangladesh female worker (20 years) hanged herself in the toilette because she was raped by the Factory Manager.</p>	<p>The forensic medicine report states that she was not raped.</p>

<p>Work is for seven days a week</p> <p>Work is for 104 hours/week and on week-ends</p> <p>Workers were not paid for the first five months of 2005</p> <p>Wage is less than the legal minimal wage</p>	<p>Not always and not all the workers do overtime work</p> <p>Yes when there are extra orders. To be met.</p> <p>Could not verify from records</p> <p>The company Pays the minimum legal wage</p>
<p>GARMENT UNITED- Pakistani Company</p> <p>Passports are confiscated</p> <p>They get less than the minimal wage</p> <p>If the worker is absent for one day, they subtract wages of two days from his payment</p> <p>Working hours extend from 7:00 a.m. till 12 midnight</p> <p>They work on official holidays</p>	<p>This is done in response to the workers' wish</p> <p>Wages are paid according to the minimum legal wage</p> <p>Could not verify</p> <p>Workers do 3 paid hours of overtime work daily without their consent</p> <p>They get days off on official holidays. If they work, they are paid for the overtime.</p>
<p>CALIBAR/Cyber City- Indian Company</p> <p>Working hours per shift are 16 hours from 8:00 a.m. till midnight</p> <p>10% of workers are forced to work in the night shift as well as on week-ends</p> <p>They do 94 hours of work/weekly + 46 hours of forced overtime work.</p> <p>Workers get less than the minimal wage (44 cents/hour</p> <p>Workers do not get the legal allowance rate for the overtime work.</p> <p>Workers get the usual monthly wage every two months. They have to wait for three months to get paid for their overtime work.</p> <p>Female workers are exposed to sexual harassment</p> <p>Workers cannot speak to each other during work and they have to get a permission to go to the toilette.</p> <p>Workers are being looked down upon (undermined) and threatened if they claim their wages.</p> <p>Passports of Workers are confiscated</p> <p>(8-10) workers share small rooms, water is not always available, food is bad; it is not sufficient and has no taste.</p>	<p>According to records overtime work for two hours a day</p> <p>Could not verify</p> <p>This is according to the workers wish; they are paid for the overtime work. The forced overtime work is for two hours/day.</p> <p>The Company applies the minimal wage requirement</p> <p>They are paid for over time</p> <p>Could not verify</p> <p>Could not verify</p> <p>Could not verify</p> <p>Passports are found in the houses of workers</p> <p>Houses of female workers are good and clean. Those of male workers are do not fulfill the basic health standards</p>
<p>SARI- British-</p> <p>Workers do 97 hours/week and the average wage is (37) cent.</p> <p>Payment of monthly wages is delayed</p> <p>Passports are confiscated</p> <p>Workers are being undermined and insulted</p> <p>No medical insurance; there is no doctor or nurse at the factory.</p> <p>Each 10 workers share one room</p>	<p>Workers do 70 hours of work; overtime is calculated and the Company is committed to the minimal wage requirement.</p> <p>No delay in payment according to records</p> <p>Upon the request of workers</p> <p>No complaints in this respect</p> <p>There is a part-time doctor; there is a chartered nurse (female)</p> <p>The space is fine but poor sanitary</p>

	conditions.
<p>MINA GARMENTS- Jordanian Company Workers are physically abused with rulers and scissors</p> <p>Passports and ID cards are confiscated A prior permission is required to go to the toilet Workers feel exhausted due to the long working hours</p> <p>Workers get less than the minimal wage (48 cents/hour)</p> <p>No annual leaves or weekends</p>	<p>According to the workers, they are treated well Upon the workers' request No complaints in this respect No complaints.</p> <p>They work for long overtime hours which are not calculated in the legal manner. The Company does not pay salaries on time and does not observe the minimal wage requirement Workers have annual leaves; none complained about this matter</p>
<p>AL-NAHAT APPARELS In February/2006, some of the Bangladeshi workers went on strike because they did not receive their wages for their over time Passports are confiscated Workers get less than the minimal wage (21 cents/hour) They work 95 hours/week</p> <p>No week ends Each 10 workers share a small room</p> <p>Forced overtime work</p> <p>The Factory is very hot in Summer Some workers do not hold residence permits</p>	<p>Upon request of workers According to company minimum wage is observed They do 4-6 hours of daily overtime work and they are paid for it. They work on week-ends if they wish The housing is outside the parks so could not visit Forced overtime work is during large orders which need to be met</p> <p>There are workers who did have work permits</p>
<p>SOUTHERN APPARELS- Indian Company- Workers are of 16-25 years old. No week-ends</p> <p>They work 96 hours/week and get less than the minimal wage (44 cents/hour) Passports are confiscated Female workers are exposed to sexual harassment No doctor or nurse in the work place</p>	<p>Could not verify Workers are forced to work on weekends and they are not paid over time for it Average salaries are less than the legal minimal wage Passports are confiscated Could not verify No doctor or nurse in the work place</p>
<p><u>Al-Hussein bin Abdullah II Industrial Estate/Kerak</u> HONORWAY APPAREL- A Chinese Company workers do 95 hours of work/week</p> <p>Passports are confiscated Workers are being looked down upon; insulted, smacked and beaten</p>	<p>The Company violates maximum legal overtime Upon request of workers No complaints by workers</p>

<p>They receive less than the minimal wage</p> <p>Papers of attendance and wages are forged or manipulated</p> <p>Bangladeshi workers went on strike, the Factory Manager asked some of the Jordanians to beat them. The Police detained the Bangladeshi workers before returning them to the housing area; they were given one meal/day before returning them to their homeland.</p>	<p>The Company is committed to the minimal wage requirement</p> <p>Nothing to prove it</p> <p>Could not obtain police records on the incident</p>
<p><u>Sahab Industrial Parks:</u></p> <p>Main trend- Chinese Company-</p> <p>There are 20 video cameras installed to videotape the workers round the clock</p> <p>Trafficking of workers</p> <p>Prior permission to go to the toilette</p> <p>Work for seven days/week. Work is till 12:00 midnight.</p> <p>Working on official holidays</p> <p>They get less than the minimal wage</p>	<p>There are cameras in the production halls.</p> <p>Could not be verified</p> <p>Not reported by workers</p> <p>Work during weekends</p> <p>Some official holidays</p> <p>Overtime is calculated on the basis of JD 85; which is less than the minimal wage.</p>
<p>IVORY- Indian Company-</p> <p>Long working hours from 7:00 a.m. till 2:00 after midnight, seven days/week. One day off per month</p> <p>Working on official holidays</p> <p>They get less than the minimal wage</p>	<p>Friday is a weekend for all workers and they are paid for their over time</p> <p>They're paid according to the Law for working on official holidays</p> <p>According to records wages abide by minimum wage</p>
<p>PACIFIC – Indian Company-</p> <p>They work 92 overtime hours till midnight</p> <p>They work on official holidays</p> <p>No sick leaves are granted</p> <p>If they go to the toilet without getting the permission, they are punished with a one or two day wage cut off.</p>	<p>They work 10 hours as a daily average and they receive for the overtime work</p> <p>They work and they are paid for it</p> <p>Could not verify</p> <p>Could not verify</p>
<p>PRESTIGE APPAREL- Indian Company-</p> <p>Passports and ID cards are confiscated.</p> <p>They work 94 hours/week and get 44 cents/hour.</p> <p>No sick leaves; no annual leaves</p> <p>Workers are forced to do 41 hours/week as overtime</p> <p>Workers are threatened that they will be returned back to their countries without getting their wages if they disclose the conditions at work.</p>	<p>Upon request of workers</p> <p>They work an average of 10 hours/day. They are paid for overtime</p> <p>Very limited sick and annual leaves are allowed</p> <p>Workers are forced to do 41 hours/week as overtime</p> <p>Could not verify</p>
<p>ATLAMTA TEXTILE- an Emirate Company-</p> <p>Passports are confiscated</p>	<p>Upon request</p>

<p>female workers are exposed to sexual harassment</p> <p>They work 14-15 hours/day</p> <p>Less than the minimal wage (46 cents/hour)</p> <p>Each 10 workers share a small room</p> <p>Small portions of food which is of a very bad quality</p> <p>They are insulted, beaten and smacked.</p> <p>Prior permission to go to the toilet</p>	<p>Could not verify</p> <p>They work 14-15 hours/day overtime on an optional basis and they are paid for it.</p> <p>The Company pays the minimal wage</p> <p>Outside the Parks- could not visit</p> <p>According to the workers, the food is good and sufficient</p> <p>No complaints</p> <p>No complaints</p>
<p>JORDAN DRAGON- A Taiwanese Company-</p> <p>Minimal wage is 51 cents/hour</p> <p>They do 97 hours/week; no weekends; no annual leaves.</p>	<p>Committed to the minimal wage requirement</p> <p>Fridays and official holidays are observed as day off</p>
<p>PARAMOUNT GARMENT- An Indian Company-</p> <p>Some of the workers attempted to flee without taking their passports and seek asylum at a neighboring country. Some of them were taken to prison.</p> <p>They get less than the minimal wage (40 cents/hour)</p> <p>10-15 workers share a small room</p> <p>Workers got ill due to the poor quality of food</p> <p>Sanitary Utilities are very dirty</p>	<p>Passports are confiscated upon request of workers</p> <p>The Company is committed to the minimal wage requirement</p> <p>The room is 16 meters of space and 8 workers share it</p> <p>The food is good and the quantity is sufficient according to workers</p> <p>Sanitary Utilities are very dirty</p>
<p>ASEEL – Indian Company-</p> <p>Workers are being beaten and insulted. Female workers are exposed to sexual harassment</p> <p>Passports are confiscated</p> <p>A prior permission is required to go to the toilet.</p> <p>Workers do 93 hours/week in addition to 45 hours as overtime work.</p> <p>Workers get less than the minimal wage (44 cents/hour)</p>	<p>Could not verify</p> <p>Upon request of workers for fear that the passports might be lost</p> <p>No such complaints.</p> <p>4-5 hours as overtime work</p> <p>Company is committed to the minimal wage requirement.</p>
<p>• AL-Aham- Hong Kong-</p> <p>Workers do 98 hours/week and get less than the minimal wage</p> <p>Workers are being beaten, insulted and smacked</p> <p>Food is of a very poor quality and water is very little.</p> <p>Female workers are exposed to sexual harassment</p> <p>Passports are confiscated</p> <p>A prior permission is required to go to the toilet</p>	<p>Daily overtime work of 2-3 hours and workers are paid for overtime work</p> <p>Nothing to prove it</p> <p>According to the workers, food is good.</p> <p>Could not verify</p> <p>Upon request by workers</p> <p>Nothing to prove this</p>

<p><u>Al-Dhuleil Industrial Park</u></p> <ul style="list-style-type: none"> • Hi-Tech- a Pakistani Company <ul style="list-style-type: none"> - They pay less than the minimal wage (58 cents/hour, 25/cents hours overtime work) - They do overtime work (63 hours/week). - Provisions of the Law do not apply to foreign workers especially in terms of the annual and maternity leaves. 	<p>The Company is committed to the minimal wage</p> <ul style="list-style-type: none"> - Daily overtime of 3.30 hours upon workers' approval <p>Nothing to prove it</p>
<ul style="list-style-type: none"> • PETRA- a Pakistani Company- <ul style="list-style-type: none"> - Long working hours (89hours/week) - Workers are being beaten, insulted and looked down upon. - They get less than the minimal wage and they work on official holidays - Workers are subject to cut off from their salaries as a kind of penalty. - Sanitary facilities are very dirty. - Each 8 workers share a small room with three-layer beds. - No hot water. In some cases, no water at all. 	<p>Could not verify Workers did not divulge any information</p> <ul style="list-style-type: none"> - The Company applies the minim legal wage - Nothing to prove it. - Sanitary facilities are clean - The room is 24 meters of space and accommodates 20 workers - Nothing to prove it.

Types of Penalties Issued against Companies

Legal Articles vindicating the warning	Violating Companies
<p>Article (12) of the labour Law Violations in work permits .</p>	<p>1- SARI Company 2- SAFA Company 3- MINA Company 4- Quality Company 5- Southern Company 6- Atlanta Co. 7- Main trend Co. 8- Nahat Co. 9- Al-Aham Co.</p>
<p>Article (8) of the Labour Law - Not providing the Ministry of Labor with any records on establishment, including names and information all on workers</p>	<p>1- Atlanta Co. 2- Main Trend Co. 3- Nahat Co. 4- Al-Aham Co. 5- ASEEL Co.</p>
<p>Article (46) of Labour Law Delay in payment of wages</p>	<p>1- Southern Co.</p>
<p>Article (47) of the Labour Law - Illegal deduction from wages</p>	<p>1- Main Trend Co.</p>
<p>Article (48) :of the Labour Law - Violating conditions for disciplinary procedures</p>	<p>1- Main Trend Co.</p>
<p>Article (52) of the Labour Law -Violation of the minimal wage requirement</p>	<p>1- Western Co. 2- Southern Co.</p>
<p>Article (55) of the Labour Law - There is no by-law to regulate work at the establishment which sets working hours, daily and weekly rest periods.</p>	<p>1- Paramount Garments 2- Prestige Apparel 3- Southern Co. 4- Atlanta Co. 5- Nahat Co.</p>
<p>Article (59) of the Labour Law - Violating conditions of overtime work, does not obtain worker approval for over time and not properly calculating over time payment according to the law.</p>	<p>1- Western Co. 2- Mina Co. 3- High Quality (aljoudeh) Co. 4- HONOR WAY Co. 5- Southern Co.</p>

Violations of Occupational Safety and Healthss

Article	Name of Violating Co.
<p>Articles (78&79)</p> <ul style="list-style-type: none"> - Not providing the needs and measures required to protect workers from risks and diseases that can occur on the job neither any protection measures from the machinery 	<ul style="list-style-type: none"> 1- SARI International Co. 2- SAFA Co. 3- Western Co. 4- MINA Co. 5- Al-Joudah Co. 6- PARAMOUNT Garments 7- PRESTIGE Co. 8- United Co. 9- PACIFIC Co. 10- Southern Co.
<p>Article (83)</p> <ul style="list-style-type: none"> - Do not undertake health checks upon recruitment of workers 	<ul style="list-style-type: none"> 1- Al-Joudah co. 2- PRESTIGE Co. 3- United Co. 4- Pacific Co. 5- Southern Co.
<p>Article (85):</p> <ul style="list-style-type: none"> - Violation of by-laws to form safety committees and appointing supervisors. - Preventive and curative medical care and duties of employers in this respect. - Prevention and safety from machines and industrial apparatus as well as sites of work. 	<ul style="list-style-type: none"> 1- SARI International Co. 2- SAFA Co. 3- Western Co. 4- MINA Co. 5- Al-Joudah Co. 6- JORDAN DRAGON Co. 7- MK Co. 8- PARAMOUNT GARMENTS 9- PRESTIGE Co. 10- UNITED Co. 11- PACIFIC Co. 12- SOUTHERN Co. 13- NAHAT Co. 14- ASEEL Co.
<p>Article (80)</p> <ul style="list-style-type: none"> - Not taking required measures to protect workers from fire, explosive risks; or any other hazardous flammable material. 	<ul style="list-style-type: none"> 1- PRESTIGE Co.

6- Observations on the roles and responsibilities of the Ministry of Labor and other relevant bodies

Based on the previous findings, this section focuses on the existing weaknesses within the system as it relates primarily to the Ministry of Labor but also to other stakeholders.

The Ministry of Labor

(i) Implementation of enforcement measures

- The Ministry does not fully apply its right enact and enforce laws that impose sanctions of criminal charges. Therefore, some establishments are encouraged to repeat violations.
- The focus of the labour inspection mechanism seems to be around Article (12) of the Law which relates to migrant workers permits and legal residencies.

(ii) The capacity of the labour Inspection Staff

- The number of labour inspectors is very limited. Currently there are 88 inspectors with 11 women inspectors, who cover the whole country.
- The Ministry of Labor does not have employment offices in the QIZ areas. There are offices in neighboring areas and these are not properly staffed or equipped.
- The labor inspection staff sometimes fail to follow up on enforcement measures.
- Some of the labor inspection staff need to improve productivity.

(iii) The capacity of the Ministry

- The lack of effective strategic planning and plans of action for the administrative units of the Ministry to follow on consistent basis.
- Some of the Ministry staff are not effective and cannot cope with the volume of responsibilities faced by the Ministry in the changing labor market conditions and requirements.

Other relevant parties

Ministry of Health

- There is no monitoring role for MoH in the QIZ areas. The Ministry of Labour is not as qualified to inspect the health situation of housing, food and sanitary conditions. In fact, if workers housing is not adjacent to the establishment the Ministry of labour has no right to inspect it.

Ministry of Interior

- When faced with problems related to physical sexual abuse of workers at the QIZs the Ministry of Interior should be able to have with male and female professionals as well as interpreters in order to ensure a sound follow up of complaints.
- Slow implementation of deportation procedures for workers who abuse other workers
- The Ministry does not view migrant workers problems which are related to issues such as nonpayment of wages, confiscation of passports of proper and lack of ability to change employers as part of trafficking and forced labour issues.

Jordan Investment Board

- Not verifying the solidity of investors before granting him the required licenses.
- There must be a distinction between investors holding (QPR) and subcontractors. Those holding the (QPR) are subjected to constant monitoring by American companies that contract them and as such they are more compliant with labor standards.

- Not consulting the Ministry of Labor when transferring ownership of investment companies; changing their names; or changing the partners which usually puts workers in vulnerable positions.

Management of Qualified Industrial Zones

- Not undertaking a pro-active role in raising the awareness of investors on their obligations for maintaining labour standards.
- In order to maintain the standing of the QIZs, it is important that the management holds the establishments which are not compliant accountable.

7- Moving Forward: Current and future Steps

International Cooperation

- The Ministry approached the International Labor Organization for technical assistance to raise awareness of employers and workers per se to improve conditions and requirements of work at the factories in the Export Qualified Industrial Zones in order to be in line with the international criteria and principles.
- Develop bilateral agreements with labour sending countries to regulate recruitment agencies and ensure unified contracts.
- Develop awareness raising program on trafficking and forced labour
- Adapt ILO experience in Cambodia on improving working conditions in factories in Jordan

Ministry of Labor Procedures

- Implement a temporary freeze on the entry of new guest workers into Jordan until the export factories have been brought into full compliance with Jordanian Law and ILO standards.
- Introduce a bank guarantee by the employer to the Ministry of Labour upon requesting visas which will be used in case of non-payment of wages and to cover any other costs that are due to the workers.
- For cases of violations laws that impose penalties and criminal charges should be enacted.
- The illegal practice of Confiscating workers passports by employers should be immediately stopped
- To develop booklets and information packs on workers rights to be provided to all migrant workers in their own languages on arrival to their country
- Establish a hotline which is equipped with all languages to assist migrant workers
- Implement the recently completed Code of Practice (The Golden List)
- Urge the General Confederation of Jordanian Trade Unions to expand its membership to migrant workers and to cooperate with ICFTU in this process.
- Facilitate (with cooperation form the Ministry of Interior) workers easy transfer to new jobs for the cases of stranded workers or those exposed to abusive employers. For establishments who are shut down by the Ministry due to violations, the Ministry shall seek to find new jobs for the concerned workers if they wish.

Ministry of Labour Capacity

- Increase the number of labour inspectors
- Strengthen the labour inspection mechanism to effectively monitor working conditions within the QIZ and ensure that it has adequate resources.
- Implement night inspection visits as many violations take place at night.
- Focus on the implementation of all the law provisions related to the workers' rights including the minimal wage, payment of wages in a timely manner, daily working hours and overtime work. Registers and logs that must be provided.
- Increase the performance level of the Ministry's staff in general (capacity building for employees to cope with the changing status and developments on the labor market and the Ministry's capacity to respond thereto).

Ministry of Health

- Enforce the Ministry's health inspections to the QIZ housing areas and cafeterias.

Ministry of Interior

- Improve reporting on physical and sexual abuses against workers in the QIZs and overcome the language barriers when investigating incidents(it is not enough to communicate Arabic speaking managers).
- Communicate with the Ministry of labour when physical abuses and other problems are related to working conditions.
- Accelerate procedures of deporting violating workers (who commit physical abuses of other workers) on the expense of the employer.
- Develop a simple clearance form to be filled by workers before leaving the country to ensure that he/she had received their wages and benefits

Investment Promotion Corporation

- Ensure the credibility and history of new investors before issuing licenses.
- There must be a distinction between investors holding (QPR) and subcontractors need to be put under more scrutiny.
- The Ministry of Labor should be consulted before implementing the procedures to transfer ownership of investment companies; changing their names; or changing the partners in order to maintain and protect the rights of workers.

In addition to the above to all the above, the Ministry of Labour has also developed a detailed Action Plan, based on an ILO Framework, as a proposal for all stakeholders for implementation. This Action plan needs to be officially endorsed.

Annex One

CODE OF PRACTICE FOR CORPORATE SOCIAL RESPONSIBILITY FOR QIZ INDUSTRIES IN JORDAN

GOLDEN LIST EVALUATION CRITERIA

The Item	Rate			Mark
	Excellent	Average	Poor	
1. Compliance with the Labor Law				
a. Commitment to minimum wage and Payment of salaries with no deductions and on time	10	5 If housing and food costs are deducted from minimum wage and/or delay in payment by one week	0	10
b. All employees registered in Social Security	10	0	0	10
2. Working hours, Overtime and vacations				
a. Commitment to maximum legal normal working hours (8 hours per day) and maximum legal overtime hours	10 Two hours overtime per day	3 Three hours overtime per day	0	10
b. Overtime is optional and workers are compensated for extra hours at 125% of hourly wage on normal working days and 150% on national holidays	10	0	0	10

c. All workers receive a weekly holiday and other official and religious holidays with the exception of paid overtime on optional basis	5 Fridays and all official holidays	3 Fridays and not all official holidays	0	5
3. Working conditions				
a. Provision of health care, as it is defined in the labour law	5	3	2	5
b. Provision of safety and health standards as defined in the labour law	5	3	2	5
c. In the case of housing of labour the provision of the appropriate conditions according to specifications in Annex 2	5 0.5 for each item in Annex One	3	2	5
d. <i>Note:</i> Does not include establishments which does not provide housing				
4. Committed to Hiring more Jordanians through the training and employment Program and through provision of in-house training centres	10 Have signed agreements with the MoL and have training centres	5 Plans to sign agreement with MoL having established training centres	0	10
5. Percentage of Jordanian workers in the Factory	10 For above 50% or minimum of 100 workers	7 For 15% - 49%	5 For Up to 14%	10
6. Foreign Workers				
a. All workers have the option to keep their passports with them	5	0	0	5
b. All workers have valid	5	0	0	5

residence cards				
c. Commitment to apply/renew all work permits on time	5 Issuance/renewal of work permit within 14 days	3 Apply for legal extension of up to one month	0	5
d. Proof of Export orders in hand to offer continued or new employment for Foreign Workers	5 Valid orders	3 Proof of forthcoming orders	2	5
Total	100	32	13	100

GRADING CRITEREA AND PENALTIES WHEN ISSUING VISAS FOR GUEST WORKERS

- 80 - 100% :** Gold List member
- 51 - 80% :** Bank Guarantee valid for 12 months, renewable every year to be submitted to Labor Ministry for JD 250 per worker
- 41 - 50% :** Bank Guarantee valid for 12 months, renewable every year to be submitted to Labor Ministry for JD 500 per worker
- Below 40% :** No visas would be allowed to bring in guest workers

