

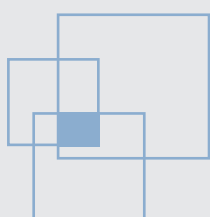


International
Labour
Organization



WORK PERMITS AND EMPLOYMENT OF SYRIAN REFUGEES IN JORDAN

Towards Formalising the
Work of Syrian Refugees



Regional Office for Arab States

WORK PERMITS AND EMPLOYMENT OF SYRIAN REFUGEES IN JORDAN

**Towards Formalising the
Work of Syrian Refugees**

International Labour Organization
Regional Office for Arab States

First published 2017

Publications of the International Labour Office enjoy copyright under Protocol 2 of the Universal Copyright Convention. Nevertheless, short excerpts from them may be reproduced without authorization, on condition that the source is indicated. For rights of reproduction or translation, application should be made to ILO Publications (Rights and Licensing), International Labour Office, CH-1211 Geneva 22, Switzerland, or by email: rights@ilo.org. The International Labour Office welcomes such applications.

Libraries, institutions and other users registered with reproduction rights organizations may make copies in accordance with the licences issued to them for this purpose. Visit www.ifrro.org to find the reproduction rights organization in your country.

Work permits regulations and employment outcomes of Syrian refugees in Jordan: towards the formalisation of Syrian refugees employment / International Labour Organization, Regional Office for Arab States. - Beirut: ILO, 2017.

ISBN 9789221304654 (print); 9789221304661 (web pdf)

ILO Regional Office for Arab States.

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

ILO publications and digital products can be obtained through major booksellers and digital distribution platforms, or ordered directly from ilo@turpin-distribution.com. For more information, visit our website: www.ilo.org/publns or contact ilopubs@ilo.org.

For ILO Regional Office for Arab States publications, contact:
ILO Regional Office for Arab States
P.O.Box 11-4088 Riad El Solh 1107-2150
Beirut – Lebanon

Publications are available on: www.ilo.org/arabstates

Note: For the purpose of this study, “Syrian workers” include both Syrian persons of concern registered by **The Office of the United Nations High Commissioner for Refugees (UNHCR)**, as well as other Syrians in Jordan. Also, the term “refugee” indicates all categories of Syrians in Jordan. Interviews were conducted irrespective of the status of participants either with **UNHCR** or the Government of Jordan.

Table of Contents

Preface	6
Executive summary	7
Key trends	9
Confirming assumptions	12
Study focus and objectives:	15
Methodology	17
Sampling.....	18
Background	19
Regulations governing work permits for Syrians.....	20
State of Affairs: 2015 ILO-FAFO impact assessment findings vs. current situation	24
Main Findings	30
Finding #1.....	30
Finding #2.....	33
Finding #3.....	35
Finding # 4.....	37
Finding #5.....	40
Finding # 6.....	41
Finding # 7.....	42
Finding # 8.....	43
Finding # 9.....	45
Finding # 10.....	47
Finding # 11.....	48
Finding # 12.....	51
Finding # 13.....	53
Conclusions and recommendations	55
Policy and Programme Recommendations	55
Areas for future research	59
Annex I. Definitions and relevant regulations	60
Annex II – Summary of UNHCR Related Reports	64
Key Findings of the UNHCR Jordan Participatory Assessment (based on AGDM), conducted end of 2016	64
Annex III. Syrian Worker Questionnaire (Work Permit)	67
ANNEX IV. Employer focus group discussion questionnaire	71
ANNEX V. Female Syrian workers in the agricultural sector (Mafraq) focus group discussion questionnaire	73

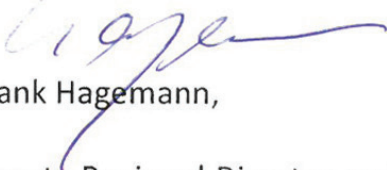
PREFACE

Work permits have been at the centre of the policy debate on the Syrian refugee crisis in Jordan, following a commitment by the Government of Jordan and the international community to join forces to create jobs for both Syrian refugees and Jordanians.

The number of work permits issued is often used as an indicator of how successful efforts have been in including more Syrian workers in the labour market. The fact that 45,000 work permits have so far been granted to Syrian workers to date is in itself an important achievement.

However, work permits can also be a deceptive indicator because they do not necessarily measure actual job creation but rather the legalisation of employment. Indeed, the vast majority of work permits delivered so far have been to Syrian refugees who were already working. Secondly, obtaining a work permit is only the first step towards the formalisation of Syrian refugee employment. It is not a guarantee of decent work.

In this context, policy makers and international partners are debating the costs and benefits of ongoing reforms to the work permit system, while also looking at possible alternatives that can both serve as indicators and provide the necessary decent work guarantees. We hope the following research will prove useful for this dialogue.



Frank Hagemann,

Deputy Regional Director and Director of the Decent Work Technical Support Team for the Arab States, International Labour Organization

Executive summary

In 2015, the ILO, in partnership with the Oslo-based FAFO Institute for Applied International Studies, carried out an assessment on the impact of the Syrian refugee influx on the Jordanian labour market. The assessment provided a better understanding of the employment profile of Syrian refugees in Jordan.

At the time of the assessment, Syrian refugees in general did not have the legal right to work in Jordan, however, 10 per cent of those who worked were able to obtain a work permit for various exceptional reasons. The rest of the Syrian refugee workforce was working in an expanding informal economy, characterised by low and declining wages, long work days, and poor working conditions, including lack of work contracts. This was not only unfavourable for Syrian workers, but also for Jordanian workers who suffered from pre-existing decent work deficits that were further exacerbated by increased competition for jobs with Syrian refugees in an unregulated market.

Since the 2015 impact assessment, a number of policy and legislative reforms have been made concerning the employment of Syrian refugees and Jordanians. On February 4 2016, the United Kingdom, Germany, Kuwait, Norway and the United Nations hosted a Syria Donor Conference in London, where members of the international community came together and pledged their support for Syria and the region. Through the London Conference, Jordan secured pledges for \$1.7 billion in grants and concessional financial support for its Syria refugee (national) response plan, as well as pledges to simplify the rules of origin¹ to export to the European market.²

The plan, known as the Jordan Compact, placed job creation for Syrian refugees and members of the Jordanian host communities at the centre of its vision. The Jordan Compact is also anchored in Jordan's growth agenda and aims to turn the Syrian refugee crisis into a development opportunity. However, it is also clear that the 200,000 jobs to be created for Syrian refugees under the Jordan Compact will be secured through the formalisation of existing jobs and the decrease of reliance on migrant workers.

In line with pledges made at the London Conference, a new trade agreement between Jordan and the EU was signed, which allows for a relaxation of the rules of origin.³ Jordanian companies are required to hire Syrians and ensure that they make up 15 per cent of the total workforce of each factory to benefit from new terms of trade under this agreement.⁴ At the same time, companies must

¹ According to the World Trade Organization, rules of origin are the criteria needed to determine the national source of a product. Their importance is derived from the fact that duties and restrictions in several cases depend upon the source of imports. https://www.wto.org/english/tratop_e/roi_e/roi_info_e.htm

² For more information on relaxing the rules of origin, please see the following report by the Jordan Strategy Forum: <http://jsf.org/sites/default/files/Relaxing%20the%20Rules%20of%20Origin%20for%20Jordanian%20Industries.pdf>

³ This scheme applies to 52 product groups for a renewable period of ten years. It covers a range of manufactured products produced in 18 Special Economic Zone (SEZs). http://europa.eu/rapid/press-release_IP-162570-en.htm

⁴ This percentage will apply in the first two years of the trade agreement. The quota for hiring Syrian workers will increase to 25 per cent in the third year. The agreement is for the 18 SEZs only and to be expanded to the entire kingdom if the equivalent of 200,000 full time jobs are created.

comply with pre-existing national regulations aimed at the “Jordanisation” of the workforce, which include having sectors and occupations closed to non-Jordanians, having sector-specific quotas for Jordanian workers, and in some sectors, issuing the maximum number of work permits per company.⁵

To help deliver on its commitments to generate more jobs for Jordanians and Syrian refugees,⁶ the government of Jordan has amended work permit procedures and regulations and has agreed to issue permits for Syrian refugees free of charge for a set time period.⁷ As a result of these and other measures, between December 2015 and December 2016, the number of Syrians with work permits grew from approximately 4,000 to 40,000.

However, while the increase in work permits has been a notable success, it is also important to understand (a) what is the likely uptake of work permits in the near future; (b) whether work permits are beneficial for Syrian workers; (c) what policies and programmes need to be amended in order to support a work permit system that is beneficial for Syrian and Jordanian workers alike.

These, and other important questions, will be the focus of this impact assessment.

The assessment tests five core assumptions regarding work permits, namely that:

1. Procedural difficulties in obtaining work permits for Syrian refugees limits their uptake by workers and their employers;
2. Work permits act as an impediment to labour mobility in sectors where workers are linked to a single employer;
3. Work permits increase the risk of labour exploitation where workers are linked to a single employer;
4. Work permits improve social protection coverage for Syrian workers; and
5. Work permits are associated with better working conditions because they imply that workers have accessed a formal job, which is monitored by labour inspectors.

These core assumptions are tested through qualitative and quantitative data generated from 450 questionnaires completed by Syrian workers in three different sectors; services,⁸ agriculture and construction in the governorates of Irbid, Mafraq, Amman and Zarqa. Two focus group discussions were also held with female Syrian agricultural workers to better understand the challenges and opportunities they are confronted with.

⁵ Just before the release of this research report, the Ministry of Labour signed a Memorandum of Understanding with the Construction Contractors Association, which waived all quotas for hiring Jordanians in the sector.

⁶ This includes Jordan’s international commitment to employing 200,000 Syrian workers by the end of 2018.

⁷ This period of time was originally contained to three months, but has been continually extended for three-month intervals since December 2016.

⁸ This assessment combined food services with other general services, such as retail.

What follows is a mixed methods analysis of survey data and focus group discussions that aims to answer the main research question: how have work permit reforms impacted the employment of Syrian workers in Jordan? The assessment provides recommendations on further reforms required to meet Jordan's objective of employing 200,000 Syrian workers, while promoting decent work opportunities for both Syrian and Jordanian workers.

Key trends

Jordan has provided refuge to some 1.266 million Syrians,⁹ of which 656,913 are registered as refugees with UNHCR in Jordan.¹⁰ Forty-nine per cent are of working age - between the ages of 18 and 60.¹¹ Thus there are roughly 322,587 Syrians of working age in Jordan. However, a large backlog in registration with UNHCR likely means that there are many more unregistered. As of January 2017, the total number of Syrians working in Jordan with work permits stood at 44,900. Based on official figures, approximately 282,871 Syrians are either not working, or working without a permit.

The Ministry of Labour's data on the monthly issuance of work permits to Syrians shows that the largest monthly increase occurred immediately after **work permit fees were waived** in April 2016. Between April and May of 2016, the number of work permits issued to Syrian workers increased by 2,668. Prior to this point, work permits had increased by approximately 50 to 150 permits per month.

Another sharp increase was seen following the decision in June 2016 to **waive the requirement for employers to submit proof of social security** for their workers at the time of submitting work permit applications. Between June and July 2016, the number of work permits increased by 13,195. This has been the largest spike to date, where the average monthly increase since April was between 2,000 and 5,000.

The final large spike in issuance followed a decision made in September 2016 to **waive medical examination requirements** for Syrian workers. Instead of paying for an additional medical examination as certified proof of good health from the Ministry of Health, the Ministry of Labour permitted Syrians to use the medical examination they had already undergone to obtain their Ministry of Interior service card.¹² Between September and October, work permits increased by 3,321, where previous months saw increases between 1,000 and 2,000.

⁹ Jordan Response Plan 2017-2019

¹⁰ See <http://data.unhcr.org/syrianrefugees/country.php?id=107>

¹¹ This age range is in accordance with UNHCR. However, this study uses the age range of 15-60 in its biographical information in the questionnaire, although questionnaire and survey data was only collected from workers above the legal working age.

¹² In December 2014, the Government of Jordan issued all Syrians, whether registered as refugees or not, a service card to identify and keep records of Syrians in Jordan.

Since September, monthly increases have been more modest, not exceeding 2,400. In some cases, a decrease was noticed, likely as a result of external factors that drive labour demand, such as reduction of seasonal agricultural activity. It is also evident that the number of new work permits increases in the last month of each grace period, where workers rush to take advantage of work permit fees being temporarily waived. Workers in this study reported a fear of having to pay high fees in the future if they had obtained a permit during the grace period. Such was the case at the end of June, September, and December 2016 and March 2017.

These trends underscore the importance of waiving fees and requirements in order for the work permit system to attract Syrian workers and their employers. This has been a cause of concern as the increase in permits correlates directly with (a) temporary waiving of fees (instead of an indefinite one); (b) lack of social protection requirements – a determinant of decent work. In the medium to long term, the latter could actually drive down working conditions in the sectors where Syrians are being employed, and ultimately dissuade Jordanian workers from entering.

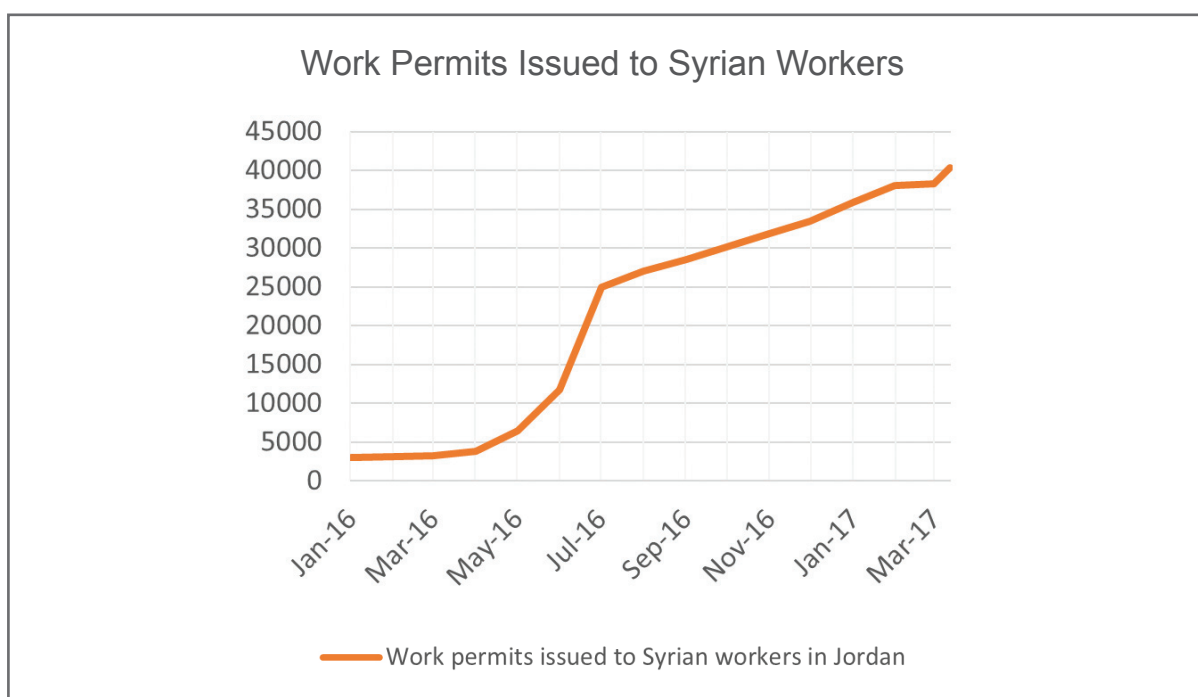


Figure 1

Employers and workers are clearly responsive to changes in the cost of applying for permits, although not always to the benefit of the worker or in the interest of the sector. The data shows that employers and workers are also responsive to sector specific interventions. In May 2016, the decision was made to allow cooperatives to apply for work permits on behalf of Syrian refugee workers in the sector of agriculture. This decision negated the requirement for the work permit to be tied to a single employer, necessary in enabling the worker to move between employers in the context of seasonal labour demand in agriculture. In the agricultural sector, the number of permits issued from May to June 2016 increased by 3,706, where in previous months, no more than 400 new work permits had been issued.

It should also be noted that permits for the sector of agriculture do not require any social security registration, and this has obvious implications for the work conditions in the sector. It also impacts Jordan's social security system – with thousands of workers not contributing to it. In order to support the formalisation of agricultural jobs, the government decrees that are expected for the agriculture sector should take into account approaches for inclusion of agricultural workers in social security.

Understanding how Syrian workers are impacted by work permit regulations and procedures is critical for the development of interventions that make the best use of Jordan's resources. It is also critical for the development of forward-looking strategies that consider the medium and long term labour market needs of the country.

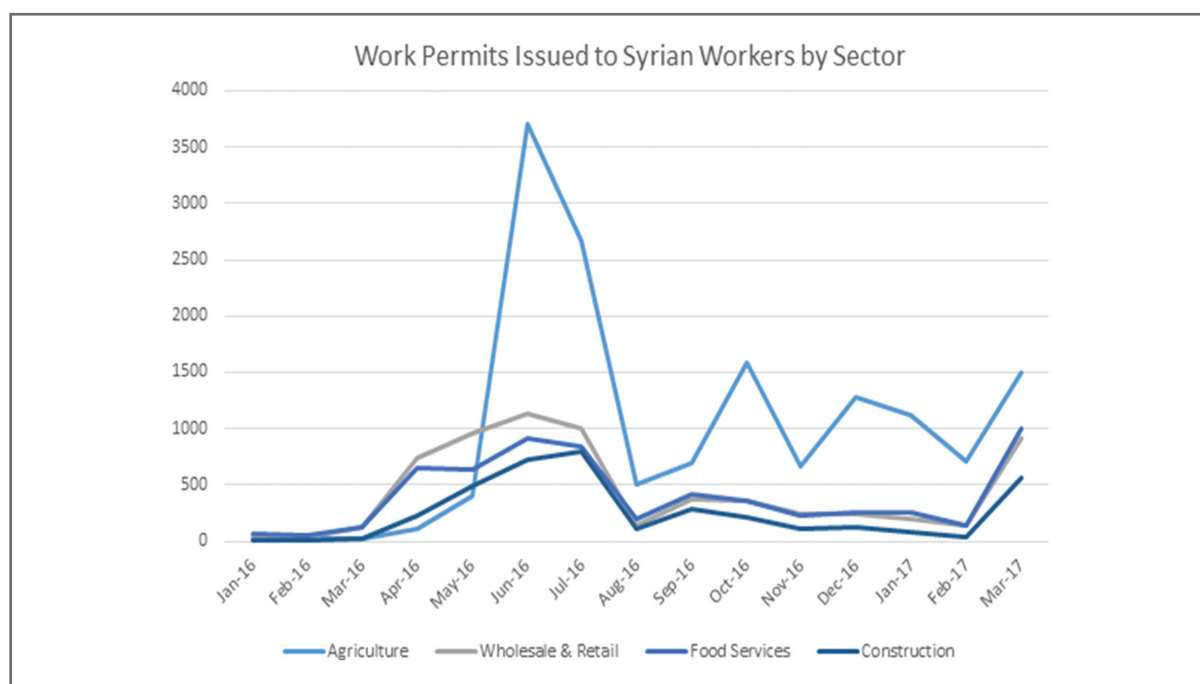


Figure 2

Confirming assumptions

The data in this research comes from questionnaires conducted with 450 Syrian workers, as well as focus group discussions with Jordanian and Syrian employers. The questionnaire data was collected from two groups of Syrian workers: those with work permits and those without, in efforts to investigate differences in the perceived costs and benefits of work permits and their impact on Syrian workers' decent employment.

The qualitative methodology applied is based on a small sample of workers and thus its findings do not represent the entire population of Syrian workers in Jordan. In particular, the decent employment outcomes for Syrian refugees with work permits may be attributed to the general positive attitude of their employer who agreed to assist their workers in obtaining a work permit and provide decent working conditions, rather than to the impact of work permits on wages and working conditions. However, work permits do allow for employment to be more easily monitored by labour inspectors, and offer an important avenue to improve work conditions. Overall, the main findings presented here underline interesting perceptions, but need to be further ascertained through a quantitative methods survey.

One of the main findings of this study is that the majority of Syrians with permits who were included in this research reported that they intend to renew their work permits, while about 92 per cent of Syrians working without a work permit expressed their intent to apply for one. A small minority of Syrians with permits indicated that they did not plan to renew their permits after they expire, largely because they believed that there were no benefits associated with work permits.

In this report, data is used to test five core assumptions. Based on these assumptions, the report recommends possible policy reforms and programmatic approaches required to address some of the weaknesses associated with the work permit system.

Core Assumption 1. Procedural difficulties in obtaining work permits for Syrian refugees limits their uptake by workers and their employers.

During focus group discussions, there was a clear distinction made by Syrian workers and their employers between work permit procedures and requirements. Work permit requirements are set provisions that either the worker or the employer must comply with before they can proceed to submit an application for a work permit, such as social security subscription, quotas for hiring Jordanian workers, occupations that are closed to non-Jordanian workers, as well as related costs. Overall, 44 per cent of Syrians with work permits rated the ease of obtaining a permit at a level of 5 (on a 15- scale, 5 being the easiest) while slightly more than one-fifth of them (22 per cent) found it difficult (rated at a level of 1). In some cases, the financial cost of meeting the requirements, such as enrolling new workers in social security¹³ was passed onto the worker.

¹³ Except in the case of agriculture, where social security subscriptions are not required

Core Assumption 2. Work permits act as an impediment to labour mobility in sectors where workers are linked to a single employer.

As the above trends indicate, sector specific interventions that help meet the characteristics of labour demand, such as the seasonality of employment, are associated with an increase in the issuance of work permits. In certain sectors, such as construction and agriculture, it is a disadvantage for workers to be attached to a single employer. Fourteen per cent of Syrian workers with work permits reported that the permit limited their mobility, with the majority being employed in the construction sector (50 per cent). The same difficulty was reported by 11 per cent of Syrians without permits. Of the third of Syrian worker respondents that reported a liability attached to a work permit, 38 per cent identified it as a limit on their mobility. In focus group discussions, Syrians did not widely perceive being linked to a single employer as increasing the risks for exploitation, but instead felt that it decreased their work opportunities - especially in the construction sector.

Core Assumption 3. Work permits increase the risk of labour exploitation where workers are linked to a single employer.

The majority of Syrian respondents (93 per cent) indicated that they had “good”¹⁴ relations with their employer. This was true for both Syrians with and without permits, where Syrians with permits reported “good relations” in 93 per cent of cases, and those without work permits reported “good relations” in 92 per cent of cases.

Data also seems to indicate that workers with permits are more likely to work longer hours, although they are also more likely to be paid, and when paid, they generally receive higher wages. Syrians working in the sector of agriculture reported working the longest hours. This is the only sector where Syrians are not tied to a single employer but where activities are seasonal – Syrians may wish to work longer hours in order to save for off-months.

Incidents of non-payment or underpayment (payments under the fixed minimum wage) were reported in 10 per cent of the questionnaires with Syrian workers who have work permits. Only 2 per cent reported non-payment, and the remainder reported wages under 150 Jordanian Dinars (about \$US 211)¹⁵ in the last month. One-fifth (20 per cent) of Syrians working without permits reported non-payment (7 per cent) or payment below 150 Jordanian Dinars.¹⁶

¹⁴ No qualitative explanation of “good” was given to research participants, so their perceptions were subjective. In follow-up discussions, it seemed as though “good” was characterised by an absence of hostility, rather than overt kindness or generosity. “Good relations” may also come from low expectations with a general context where labour rights are not known by most workers.

¹⁵ The current minimum wage of migrant workers.

¹⁶ Note that this figure may also refer to cases of underemployment (part-time work).

Core Assumption 4. Work permits improve social protection coverage for Syrian workers.

In June of 2016, a note of clarification was issued by the Ministry of Labour according to which employers are no longer required to present evidence of social security coverage for their employees at the time the work permit applications are submitted. However, employers still have a legal obligation to register all employees with social security once the work permits have been issued. The Social Security Corporation (SSC) has the authority to block the employer's social security registration if they are found in violation. Despite this enforcement mechanism, only 20 per cent of Syrian workers with permits reported being covered by social security, compared to just 3 per cent among those who do not have work permits.¹⁷

It is also worth noting that 13 per cent of Syrians with permits did not know if they were covered by social security, and 7 per cent of Syrians without permits were also not certain. While having a work permit appears to be linked to a greater likelihood of an employee being covered by social security, it is still far from a guarantee, and there appears to be a general lack of understanding on the part of both Syrian workers and their employers concerning social security entitlements and benefits.

Core Assumption 5. Work permits are associated with better working conditions because of the potential for labour inspections.

Overall, with regard to working conditions, Syrians with work permits reported significantly increased likelihood to receive written contracts; however, other indicators of favourable work conditions appeared to be more or less similar between the two groups, such as hourly wages, safety provisions, and relations with their employer.

Having a work permit seems to increase only marginally the likelihood of the workplaces to be inspected, probably because labour inspectors rely on business registration database and other methods (other than work permits database) to decide on the focus of their inspection. The majority (80 per cent) of Syrians reported at least one visit by the labour inspector in their work place. Among Syrian workers with permits, 51 per cent reported that labour inspectors visited their place of employment roughly once a month. Forty-two per cent of workers without permits reported that a labour inspector had never visited their place of employment. At the same time, employers found in violation of working regulations (including no registration of Syrian workers) were visited more often.

Through focus group discussions with employers and workers, it became evident that labour inspections take place primarily to check the work permits of Syrians, rather than the conditions under which they work or the wages they receive. Quantitative evidence supports this assertion, with only 8 per cent of Syrian workers with permits, and 5 per cent of Syrian workers without permits, reporting that working conditions as well as work permits were checked by labour inspectorates, when they visited their work sites for inspections.

¹⁷ Noting the fact that around 20 per cent of the respondents were from the agricultural sector, which does not require social security coverage

Study focus and objectives:

The general objective of this assessment is to gain a better understanding of the impact work permits have on the employment of Syrian workers in Jordan. It utilises data gathered from questionnaires and focus group discussions with Syrian workers, with and without permits, to better understand the challenges and opportunities they face.

In cases where Syrians and their employers are applying for work permits, it tries to uncover their reasons for applying and reapplying. It also explores the procedural difficulties and opportunities Syrian workers face, as well as the costs and benefits of having work permits. In cases where Syrian workers do not have permits, it seeks to understand the institutional, economic and personal barriers that prevent them from applying or obtaining them. Additionally, the research assesses the likelihood for a second-year uptake of work permits.

It concludes by considering what policy reforms and programmatic approaches are required to further enhance the uptake of work permits, and to ensure they are associated with decent work.

Furthermore, it will allow the ILO and UNHCR to amend their programmatic approaches to better support the government's policies in favour of both Syrians and Jordanians. It also provides a preliminary assessment of changes to the employment outcomes of Syrians since 2015 - for a future, in-depth follow-up assessment to the 2015 assessment by the ILO and the Institute for Applied International Studies (FAFO), which examined the impact of the Syrian refugee influx on the Jordanian labour market.

The research and data collected in this study responds to the following five core assumptions. These assumptions guided the research process and aligned questions so that data could be compared with the 2015 ILO-FAFO data.

The five core assumptions include:

- **Core Assumption 1.** Procedural difficulties in obtaining work permits for Syrian refugees limits their uptake by workers and their employers.
- **Core Assumption 2.** Work permits act as an impediment to labour mobility in sectors where workers are linked to a single employer.
- **Core Assumption 3.** Work permits increase risk of labour exploitation where workers are linked to a single employer.
- **Core Assumption 4.** Work permits improve social protection coverage for Syrian workers.
- **Core Assumption 5.** Work permits are associated with better working conditions because of the potential for labour inspections.

Caveats

The research findings cannot be extrapolated to the overall Syrian refugee workforce in the country, as the sample size was modest and the timeframe condensed to one week for data collection. The research sample was also not representative of the population, where it lacked gender representation and representation across sectors and governorates. Also, documented differences in decent employment between refugees who have or do not have work permits can be attributed to the general attitude of the employer wishing (or not) to provide work permits and decent working conditions to Syrian employees, rather than a result of the work permits themselves. However, this research provides useful preliminary findings on the employment status of Syrians with and without work permits that need to be further ascertained through quantitative methods.

Methodology

This report began by general literature review on the regulations governing work permits for Syrian refugees in Jordan, and sought to look at the work permit procedures and requirements before and after the changes in regulations in April 2016. The review of regulations, government documents and other reports allowed to set the goals and objectives of this report, and further helped in constructing the following methodology to proceed with data collection and analysis.

The assessment is based on quantitative data collected through 450 questionnaires and 11 focus group discussions with Syrian workers and their employers in four governorates (Amman, Irbid, Mafrq and Zarqa). Biographical information was included in the questionnaire, and provided information on Syrian workers' age, gender, governorate, sector of work (agriculture, construction or services), residency and labour directorates where their work permit was issued (if applicable).

Questionnaires were distributed to two samples of Syrian workers: those who have work permits (225 questionnaires) and those who do not (225 questionnaires). The sample with work permits provides a counter factual to the sample without work permits, and makes it possible to generate a qualitative assessment of the differences in terms of conditions, wages and work-related entitlement in each of the three sectors (construction, agriculture and services).

It was also possible to compare the two samples' perceptions about work permit procedures and regulations, and ascertain the likelihood of each group applying for or renewing their work permits in the future. The survey questions were designed based on the five core assumptions, and on key findings from the 2015 ILO-FAFO impact assessment, as a comparison point. Focus group discussions were also held to solicit Syrian and Jordanian employers' points of view on work permits. Throughout the research process, efforts were made to collect questionnaires from female participants, but researchers found it difficult to collect an even sample from men and women. Two additional focus group discussions were held with female agricultural workers in Mafrq and Irbid to better understand their unique work situation and focus on the specific challenges they face.¹⁸

Before questionnaires were distributed, a focus group discussion was held in Amman with Syrian workers in the construction sector to validate research tools and ensure their consistent meaning and relevance. The lead researcher validated and produced the final questionnaire, then five researchers participated in a one-day training in Amman to ensure that data was collected, recorded and analysed in a uniform manner and in line with ethical data collection practices.

¹⁸ Noting the fact that around 20 per cent of the respondents were from the agriculture sector, which doesn't require social security coverage.

Three researchers implemented the survey in Amman, Mafrq, Irbid and Zarqa. Each of the three researchers distributed questionnaires to workers in the three sectors of construction, agriculture and services. Two additional researchers, and the lead researcher in Amman, were responsible for qualitative data through focus group discussions with employers in Irbid, Zarqa, Mafrq and Amman.

The lead researcher in Amman oversaw the compilation of data from each of the four governorates. A data analyst conducted quantitative analysis for all questionnaire and survey data. The analysis provided preliminary comparisons between the responses of Syrians with and without work permits and indicated differences in responses between the two groups and between sectors.

Sampling

Non-probability sampling techniques were used to identify workers and employers in the short time period that was available for data collection. Sectors were pre-selected in each of the four governorates based on the prevalence of Syrian workers and past ILO work. ILO registries, including worker, employer and cooperative networks, were used to identify and contact research participants. The use of ILO networks may introduce some bias in responses. Efforts were made to minimise disruptions to work schedules and ensure that employer and worker participation was made anonymous. 450 questionnaires, which included biographical information as part of the questionnaire, were collected with two samples of Syrian workers: those who have work permits and those who do not. The two samples were stratified based on their work permit status. Table 1 shows the breakdown for each sector and governorate.

Table of quantitative data collection (surveys)

Governorate	Sectors	Syrian workers with work permits	Syrian workers without work permits	Total
Amman	Construction	25	25	50
	Services	25	25	50
Irbid	Construction	25	25	50
	Agriculture	25	25	50
	Services	25	25	50
Mafrq	Agriculture	25	25	50
	Services	25	25	50
Zarqa	Construction	25	25	50
	Services	25	25	50
Total		225	225	450

Table of qualitative data collection (focus groups)

Governorate	Sectors	Target
Amman	Construction	Syrian and Jordanian employers
	Construction	Syrian workers and contractors
	Services	Syrian and Jordanian employers
Irbid	Construction	Syrian and Jordanian employers
	Agriculture	Syrian and Jordanian employers
	Services	Syrian and Jordanian employers
	Agriculture	Female agricultural workers
Mafrq	Agriculture	Syrian and Jordanian employers
	Services	Syrian and Jordanian employers
	Agriculture	Female agricultural workers
Zarqa	Construction	Syrian and Jordanian employers
	Services	Syrian and Jordanian employers

Background

According to the 2016 Government of Jordan census, 1.3 million Syrian refugees live in Jordan, 656,913 of whom are registered with UNHCR.¹⁹ Around 515,923 (80 per cent) live outside refugee camps where they rent housing, access jobs and basic services alongside their Jordanian hosts.²⁰ Assistance is targeted to the most vulnerable refugees. The large number of Syrian refugees outside camps places additional pressure on already stretched resources in Jordan, including schools and health services. The labour market, in particular, has struggled to generate sufficient formal sector jobs to accommodate the large number of Syrian refugees and unemployed Jordanians.

In 2013, the Jordanian economy generated 48,571 new jobs,²¹ the majority (61 per cent) of which were unskilled/semi-skilled jobs. This does not cater for the growing supply of high-skilled Jordanian university graduates who struggle to find suitable employment after their studies. According to the National Department of Statistics, the unemployment rate in Jordan has risen from 14 per cent in the third quarter of 2015 to 16 per cent in the third quarter of 2016.²² The Syrian refugee crisis has accentuated weak labour market indicators, including

¹⁹ <http://data.unhcr.org/syrianrefugees/regional.php>

²⁰ Ibid

²¹ These jobs were in wholesale trade and retail (20.4 per cent), the public sector (14.7 per cent), transformative industries (12.3 per cent) and education (11.4 per cent).

²² The jobless rate was recorded at 13.8 percent for men and 25.2 percent for women.

job-poor growth, and strong segmentation²³ between the private and public sectors, men and women, nationals and foreigners and the formal and informal economy.

The presence of Syrians in the informal economy provides a fresh supply of easily exploited labour and is said to fuel “a race to the bottom” that affects the wages and work conditions of not only Syrians, but also Jordanian workers. The formalisation of work for Syrians is a critical element in the Jordan Response Plan to the Syria Crisis. Bringing Syrian workers into the formal economy should improve work conditions by opening up their work to labour inspections. Regular and well-managed inspection has the potential to decrease instances of sub-standard working conditions, and unfair competition between businesses.²⁴

Work permits are the chief mechanism by which the Jordanian government monitors and controls the entry of foreign labour in the labour market. The processes and regulations that govern their issuance determine the actual and indirect costs associated with obtaining them. These costs may include both time and financial investments on the part of workers and employers.

Understanding the effects of work permit regulations is critical to develop a system where the benefits of permits outweigh the costs for all parties - and thus incentivise employers and workers to apply.

Regulations governing work permits for Syrians

Based on the demand for and availability of qualified Jordanian labour, the Ministry of Labour determines which occupations are open to foreign labour. As of January 2017, there were 17 professions closed to foreign workers in Jordan. These include administrative and accounting professions, clerical professions, telecommunication jobs, jobs in sales, most technical professions, including mechanical and car repair, engineering, education and some professions in hospitality. There is no set criteria for the government to define these closed occupations.

Employers who are found recruiting or hiring foreign workers in closed professions are issued fines ranging from 200500- Jordanian Dinars (about \$US 280700-) per worker found in violation. The foreign worker is also liable for deportation at the expense of the employer and may be banned from working in Jordan for a three-year period if found in repeated violation. This penalty has been lifted in the case of Syrian workers, considering the conflict inside Syria. Despite this, many Syrians who have participated in the research still cited a fear of deportation if found in violation of labour laws.²⁵

²³ This segmentation is not only because of choices of workers and companies, but also enshrined in legislation (minimum wages, quotas, for example). The Jordan Compact and the EU trade agreement add quotas on an already very segmented labour market.

²⁴ See http://www.ilo.org/wcmsp5/groups/public/@ed_dialogue/@lab_admin/documents/instructionalmaterial/wcms_141403.pdf

²⁵ The number of refoulement has been on the increase for Syrians in the past few months but it is unclear whether it is on the basis of work permits.

The majority of occupations that are open to foreign labourers (including Syrians) are unskilled/semi-skilled/technical, and are concentrated in the agriculture, construction, manufacturing and service sectors. In 2016, UNHCR conducted a rapid assessment, which found that the main reason Syrians reported not having a work permit for their jobs was that the job was not eligible for formalisation based on the list of closed occupations. Specifically, 24 per cent said they “freelance,” 9 per cent said that they prefer short term/daily/seasonal jobs and 13 per cent believed that permits were not available for the occupation (closed occupation, freelance or on a short-term basis).²⁶

While certain sectors require additional foreign labour to meet demand in unskilled/semi-skilled occupations, the participants in this 2017 impact assessment noted that it is not uncommon for Syrian workers to work in closed occupations within different sectors. Their work permit may indicate that they are employed as an agricultural worker, but in actuality they work in another sector. This points at the lack of efficiency of the complex system of punitive regulations to promote the policy goal of Jordanisation it is supposed to serve.

To acquire a work permit, Syrian refugees must have an employer willing to apply on their behalf in an occupation that is open to foreign workers. The Syrian worker and their employer apply for a year-long work permit at the Labour Directorate where the employer is located.

The Ministry of Labour recently allowed for work permits to be issued for a period of less than six months. Preliminary feedback from employers and Syrian workers seems to indicate however, that few are willing to invest the necessary time and resources for anything that covers less than one year.²⁷ There is a need to ensure that regulatory decisions are based on thorough evidence and tripartite negotiations, piloted on a small scale, announced through targeted campaigns and up-scaled (possibly with a grace period, when required).

Employers are normally required to pay a fee for each foreign worker they hire under a work permit, but in the case of Syrian refugees, this fee has been waived for a set period of time.²⁸ At the time of application, Syrian workers and their employers must present a copy of the Syrian worker’s Ministry of Interior identity card.²⁹ In addition to the worker’s documents, two copies of the written contracts signed by both the employer and the employee, along with an application form must be submitted. There is also a 10 Jordanian Dinars (about \$US 14) document processing fee that employers are expected to pay.

²⁶ In November 2016, UNHCR conducted a rapid assessment using UNHCR Helpline to better understand access to and perceptions of work permits amongst Syrian refugees living in Jordan.

²⁷ This decision was made to primarily cover foreign consultants that complete a specific, time-bound task.

²⁸ The decision was made in April 2016 to waive fees for a three-month period. This three-month grace period has been renewed four times ever since, and is to be extended again for three more months as of April 2017.

²⁹ To obtain a Ministry of Interior ID service card, the worker is required to undergo medical examination. The requirement for Syrian workers to obtain an additional medical examination certificate was waived in September 2016.

There are exceptions to these regulations for certain sectors. For example, in the sector of agriculture, cooperatives are permitted to apply for work permits on behalf of Syrian workers,³⁰ thus negating the requirement for workers to be tied to a single employer. This provision was made to meet the sector's seasonally-driven demand for labour, where a worker is most efficient if they can move between employers according to peak harvest seasons for different crops. In the construction sector, Syrian workers are permitted to move between employers with the permission of the Ministry of Labour. This responds to the sector's demand for short-term labour to complete tasks in projects that last less than one year, such as small residential projects. If the project under which the Syrian worker was originally hired to work in is completed before their year-long work permit period ends, they are allowed to work for another employer until their year-long work permit expires.

It should also be recognised that any new provisions require clear and up-to-date information to be effectively disseminated and communicated to Syrian workers and their employers, in order to clarify obligations and entitlements, as well as managing expectations. Both Syrian workers and their employers said that the different provisions in each sector generated confusion and actually discouraged some employers and Syrian workers from applying for a permit in the first place.

³⁰ Minister of Labour degree 6751/A/ع dated 222016/5/.

Pre-2016 Work Permit Procedures and Requirements

1A. Employer Procedures

1. Employer must visit the Labour Directorate in the relevant district to complete legal procedures
2. Employer pays document verification fee (10 JD)
3. Employer pays work permit fee (180-350 JD)

1B. Employer Requirements

1. Business license
2. Commerical registration of enterprise
3. Two copies of written contract, which must be signed by both parties (worker and employer)
3. Work permit application form
4. Social security subscription issued by social security office
5. Bank guarentee

2A. Syrian Employee Procedures

1. The employee must undergo a medical examination to obtain a certificate of good health from the Ministry of Health
2. The employee must identify an employer who is willing to apply on their behalf

2B. Syrian Employee Requirements:

1. Ministry of Health Examination Certificate
2. Passport
3. Personal photo

Post-2016 Work Permit Procedures and Requirements

1A. Employer Procedures

1. Employer or representative (see below) must visit the Labour Directorate in the relevant district to complete legal procedures
2. Employer or representing organisation (see below) pays document verification fee (10 JD)

1B. Employer Procedures:

1. Business license
2. Commerical registration of enterprise
3. Two copies of written contract, which must be signed by both parties (worker and employer)
4. Work permit application form

2A. Syrian Employee Requirements

1. The employee must identify an employer or representative (see below) who is willing to apply on their behalf

2B. Syrian Employee Requirements:

1. Passport or Ministry of Interior service card
2. Personal photo

Unemployment and labour force participation

At the time of the 2015 ILO-FAFO impact assessment, unemployment among the Syrian refugee community stood at 60 per cent.³² Among the unemployed Syrian refugees, 65 per cent cited a “lack of work permit” as the main reason they were unemployed. Since 2015, Syrian workers have been granted access to the labour market and various measures have been taken to facilitate the issuance of permits. Some of these measures helped alleviate the financial burden placed on employers and Syrian workers, which had been cited by 64 per cent of Syrian respondents in the 2015 ILO-FAFO impact assessment as a reason they had not applied for a permit. According to Ministry of Labour data, the number of permits issued to Syrians surged from 4,000 to approximately 40,000 once fees were waived, although as the graph (figure 1) illustrates, the rate of issuance has stagnated. This again highlights how much work permits rely on fees being waived in order for Syrians and their employers to apply for them. Results from the questionnaire indicate that Syrians with work permits intend to re-apply in 93 per cent of cases, but 42 per cent of these respondents indicated that they will only do so if fees are still waived.

Work permits

According to the 2015 ILO-FAFO impact assessment, roughly 18 per cent of Syrian refugees³³ reported to have applied for a work permit, but only 40 per cent had successfully been granted one. Since 2015, various policy measures have been taken to facilitate Syrian refugees’ access to the labour market through the issuance of work permits and, as a result, few Syrians in this research reported unsuccessfully applying for work permits. Of the few that had, approximately 70 per cent cited “closed occupation” as a reason they had been denied a work permit.³⁴ In some cases, exceptions can be made to the closed profession if the employer can provide proof that a Jordanian worker is not qualified, available or willing to fill the position. Evidence from focus group discussions, however, indicates that Syrians are filling closed occupations regardless of available Jordanians – but for smaller payment.

Work conditions

Hours of work

The 2015 ILO-FAFO impact assessment revealed that Syrian refugee workers were more often employed on the basis of a verbal agreement, or employed without contracts, compared to their Jordanian counterparts. In the current 2017 assessment, written contracts were only reported by 33

³¹ The before and after section does not assume that possible changes are due to the new regulatory framework on work permits.

³² This percentage applies to Syrian refugees outside of camps only.

³³ This number applies to Syrian refugees outside of camps at the time of the study.

per cent of Syrian workers with work permits, despite the fact that written contracts are required for the issuance of work permits (unless when applying through a cooperative). Among Syrian workers without permits, only 6 per cent reported having a written contract.

Other indicators of work conditions seem to also remain consistent with the findings of the 2015 ILO-FAFO impact assessment. Thirty-six per cent of Syrian workers worked 40–59 hours a week in the 2015 ILO-FAFO impact assessment, while as many as 30 per cent worked 60 hours or more, including 16 per cent working 80 hours or more. In the current 2017 assessment, 44 per cent of workers with permits worked 40–59 hours a week, while 35 per cent worked 60–79 hours a week and 5 per cent worked over 80 hours. Among those without work permits, 40 per cent worked 40–59 hours, 30 per cent worked 60–79 hours and only 4 per cent worked over 80 hours per week.

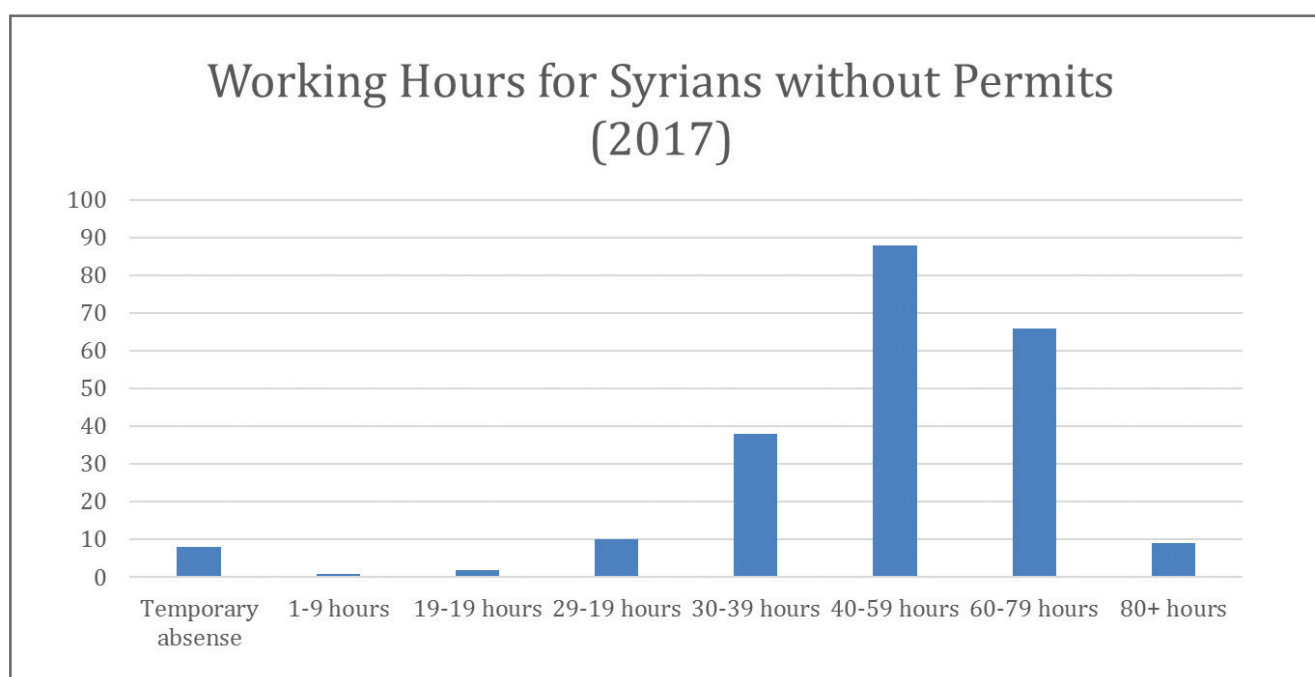


Figure 3

While the current 2017 assessment survey targeted a small number of workers, findings still suggest that those with work permits work more hours. This could be related to the fact that Syrians with work permits are more likely to be paid, and when paid, generally earn more. Although in this research, only 10 per cent of Syrian workers with permits reported receiving overtime pay, where there is a possibility that they may be paid at piece rate. It could also be perpetuated by the reported lack of labour inspections that would check if maximum hours of work per week were being adhered to. Ninety-five per cent of Syrian workers indicated that labour inspectors only checked work permits, not the conditions under which workers were employed.

Wages

The minimum monthly wage for all foreign workers in Jordan is 150 Jordanian Dinars (about \$US 211). Among Syrian refugee workers surveyed in the 2015 ILO-FAFO impact assessment, 50 per cent reported earning between 200 and 399 Jordanian Dinars (equivalent to \$US 280-562) in the

month preceding the study, while 44 per cent made less than 200 Jordanian Dinars, and less than 10 per cent made 400 Jordanian Dinars (about \$US 564) or more.

In the current 2017 assessment, data shows that almost 60 per cent of Syrian participants with work permits earned between 200-399 Jordanian Dinars – significantly above the minimum wage. For those without work permits 43 per cent reported earning between 200-399 Jordanian Dinars. The difference in wages of Syrians with and without work permits is more likely to stem from the general positive attitude of employers rather than an impact of the work permits themselves. Further comparison can be seen in the graph below, which compares findings from the 2015 ILO-FAFO impact assessment with findings from the two samples used in the 2017 assessment. Due to differences in data reporting, comparison with the groups earning below 199 Jordanian Dinars is not possible, although the 2015 ILO-FAFO impact assessment reported that less than 44 per cent of Syrian workers were earning less than 200 Jordanian Dinars.

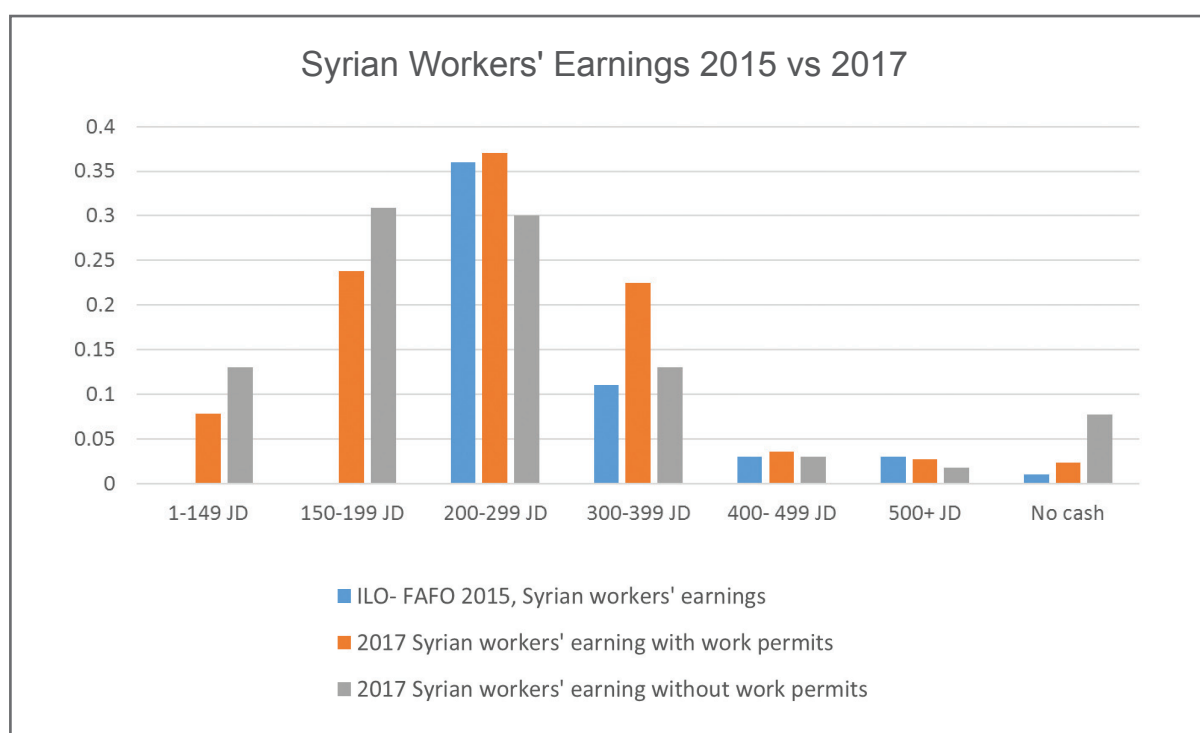


Figure 4

Number of jobs

Contrary to the situation in other countries where refugees work many small jobs to make ends meet,³⁵ the 2015 ILO-FAFO impact assessment found that less than 0.5 per cent of the Syrian refugee workers contacted reported to work in more than one job. In this current assessment, a minimal percentage of respondents declared working more than one job: 3 per cent of Syrians with work permits and 1 per cent of those without work permits reported working more than one job. Of those who did report working additional jobs, they reported cleaning houses, selling honey, serving as guards and working in restaurants.

³⁵ Betts (2016) Refugee Economies: Rethinking Popular Assumptions

Social security

In 2015, 96 per cent of Syrian workers had no social security³⁶ specified in their contract or agreement. In the current 2017 assessment, results suggest that this figure has increased, particularly among Syrian workers with work permits. As previously noted, employers are required to enrol all of their employees in social security. A recent letter of clarification was issued by the Ministry of Labour stating that evidence of social security coverage was not required at the time of submitting a work permit application, although employers must enrol their new employees soon after work permits are issued.

Despite the government's requirement that all formally employed workers be enrolled in social security,³⁷ only 20 per cent of Syrian workers with permits reported being covered by social security, compared to just 3 per cent among those who do not have work permits. Since the 2015 ILO-FAFO impact assessment, Syrians who have social security coverage have increased by 16 per cent, while a slight decrease in coverage seems to have occurred among workers who do not have permits. While 16 per cent is a notable increase, it is worrying that so few workers reported benefiting from social security, despite the fact that the Social Security Commission can block employers' business transactions, if they do not register their workers. It is also worth noting that 13 per cent of Syrians with permits did not know whether they were covered by social security, and did not know what benefits social security provided.

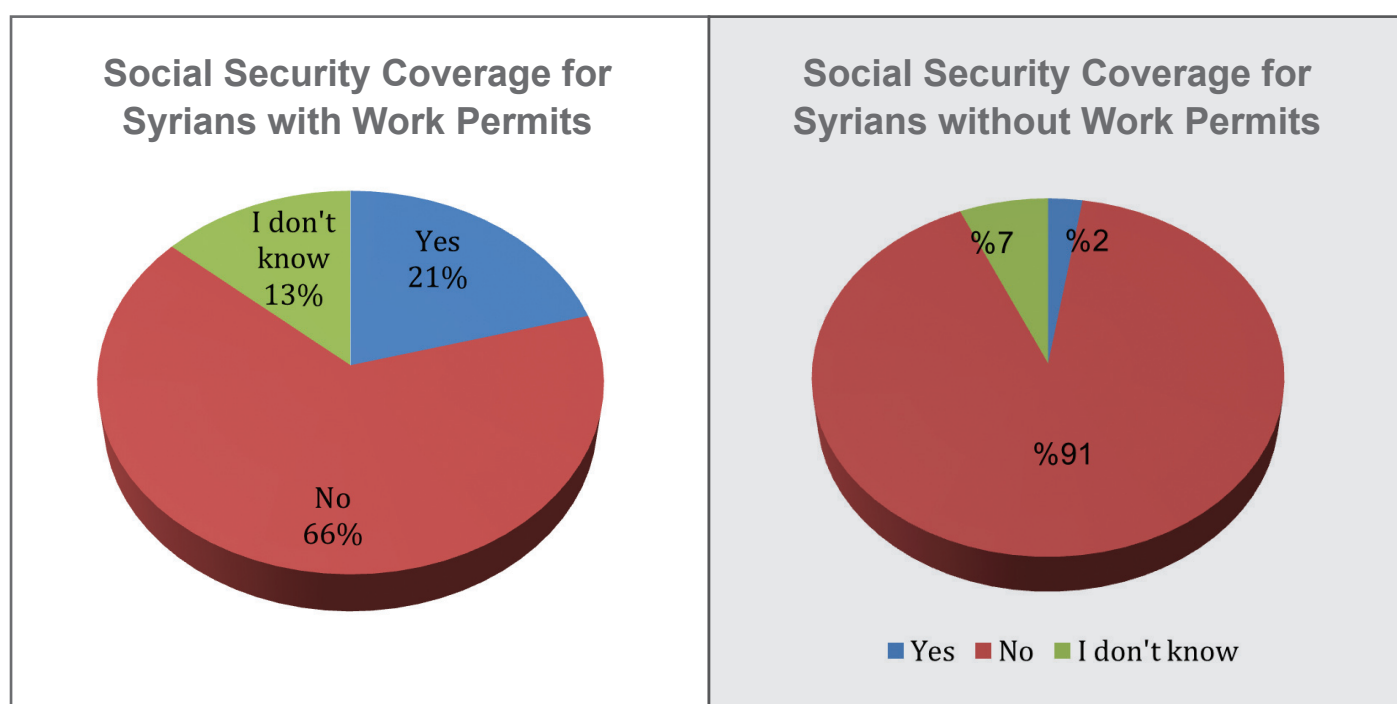


Figure 5 and 6

³⁶ See Annex I for Social Security Law.

³⁷ With the exception of the agricultural sector where this requirement does not apply.

Work safety

According to findings from the 2015 ILO-FAFO impact assessment, approximately 30 per cent of Syrian refugee workers reported having been informed by their employer about work-related hazards and necessary safety precautions. The current assessment indicates that far more Syrians now report being informed about safety precautions. It is evident that more Syrian workers in the 2017 assessment report have access to information about work safety than those surveyed in the 2015 ILO-FAFO impact assessment, but the increase is most notable in the service sector, which is more visible to the public – including government officials and labour inspectors.

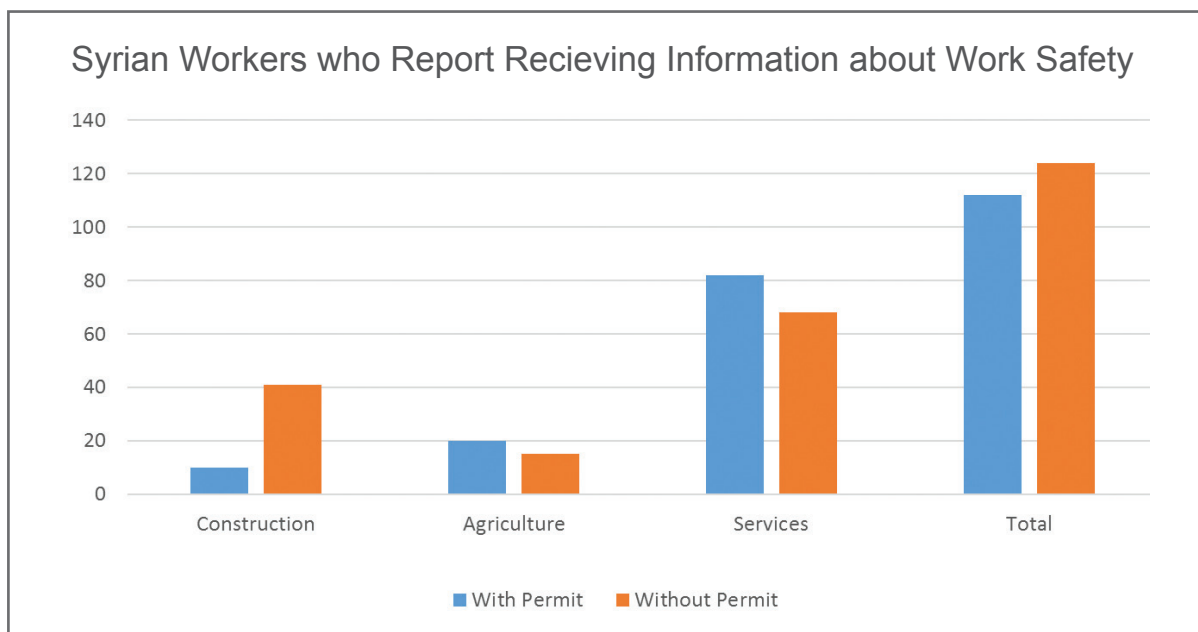


Figure 7

The above figures rely on Syrian workers' understanding of what constituted information about work safety; this however is not what is considered to be sufficient safety information under the provisions of Occupational Safety and Health (OSH).³⁸

Researchers asked Syrian participants whether they had received safety equipment from their employers. This was then compared to the sector-specific safety recommendations issued by the ILO.³⁹ Sixty-four per cent of Syrian workers reported adequate safety equipment being provided. At the same time, roughly 63 per cent of all Syrian workers reported that they would not wear safety equipment even if it were provided to them. The majority of Syrian workers that reported they would wear safety equipment if it were provided were in the service sector, and the majority who reported they would not, were in the construction sector.

³⁸ OSH: Occupational Safety and Health.

³⁹ See Annex I for Safety Procedures and Equipment by Sector <http://ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and-health/lang--en/index.htm>.

The 2015 ILO-FAFO impact assessment found that of the work sites that were visited during fieldwork, none of the construction workers, regardless of their nationality, were wearing safety equipment or protection gear, so it appears that little has changed since 2015. Focus group discussions with Syrian construction workers demonstrated that there is a lack of enforcement mechanisms and sanctions for violating safety procedures.

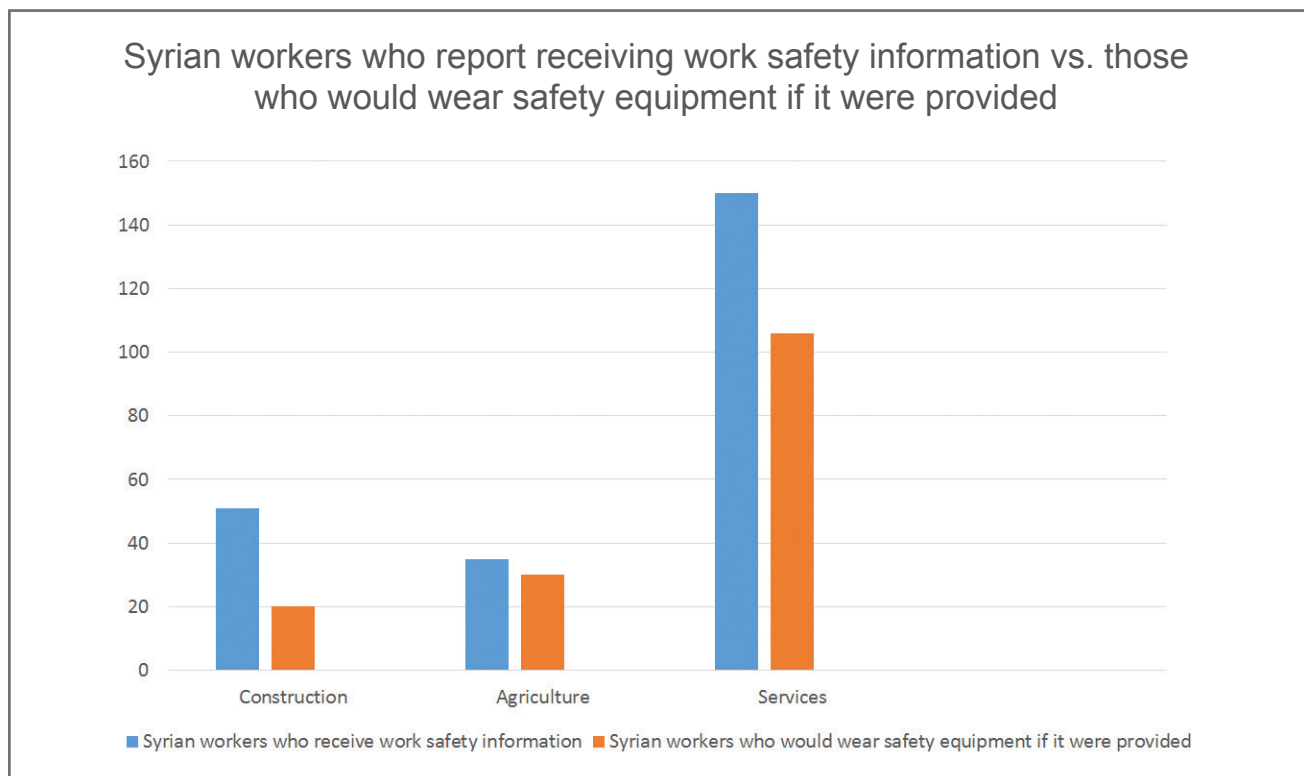


Figure 8

Main findings

Finding #1

There is still scope for progress towards formalising the work of Syrian refugees in Jordan. An estimated 85,000 Syrian refugees are currently employed, 45,000 of whom have acquired work permits. This means that another 40,000 could be added to the number of Syrian refugees with permits, through sector specific incentives.

Amongst refugees registered by UNHCR, 292,000 are of working age (18-59),⁴⁰ and approximately 350,000 of those who work in Jordan are above 16.⁴¹ Based on findings from the 2015 ILO-FAFO impact assessment, the labour force participation rate among Syrian men in Jordan was approximately 51 per cent.⁴² The study also estimates the labour force participation rate by sector. If estimates of labour force participation from the 2015 ILO-FAFO impact assessment are applied to the current data available on the number of work permits issued in each sector, the number of Syrian workers working with and without permits can be roughly estimated. These estimates are only an educated guess of overall trends in work permit uptake that the future Labour Force Survey of the Department of Statistics should confirm.

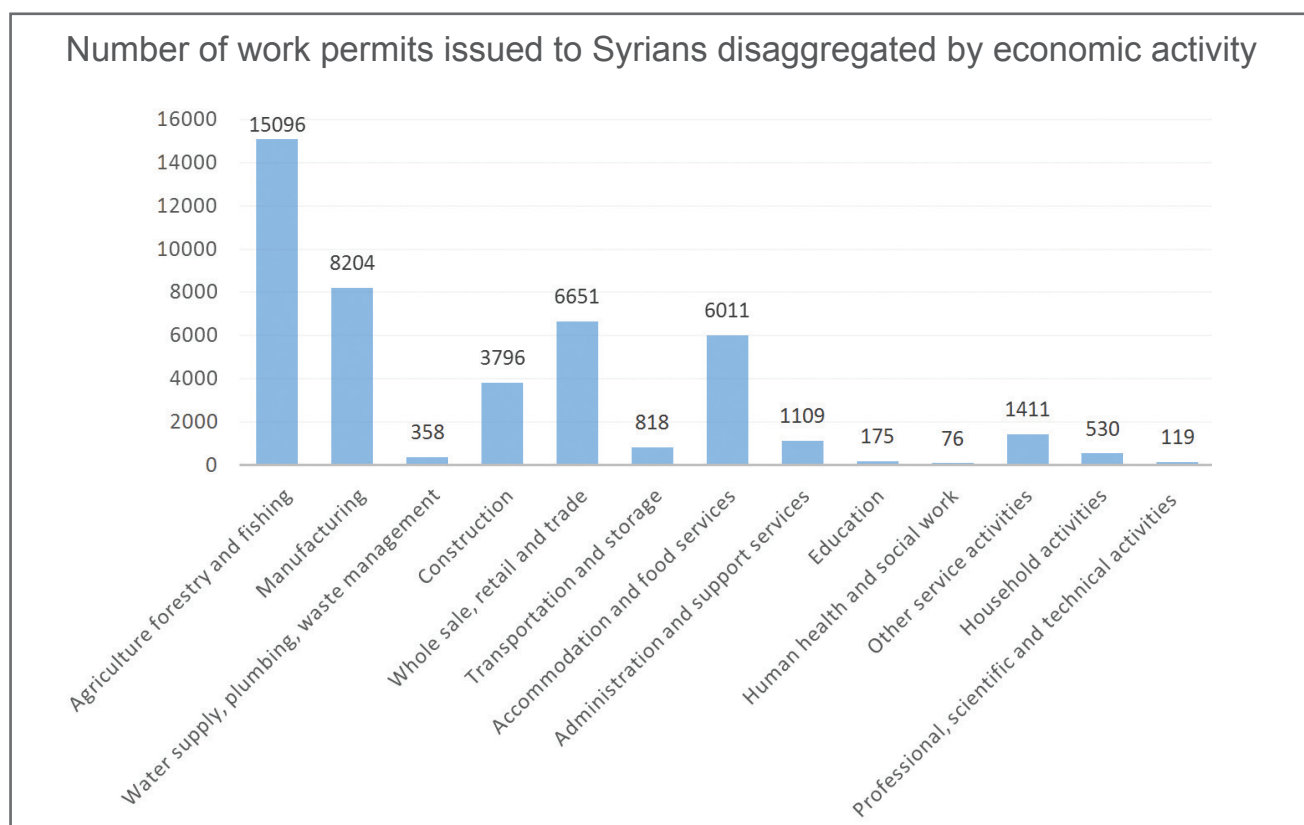


Figure 9

⁴⁰ Seen <http://data.unhcr.org/syrianrefugees/country.php?id=107>

⁴¹ While the legal working age in Jordan is 16, the 2015 ILO-FAFO impact assessment used the age range of 12-60 to calculate working age given the large number of under-aged Syrians working in Jordan. For consistency, this study will use the same age range, although questionnaire and survey data was only collected from workers above the legal working age.

⁴² The questionnaire data collected in this study comes largely from male workers (93 per cent of the questionnaire's sample population), so the 51 per cent estimate for men is applied to approximate the total number of Syrians working in each sector.

In agriculture, estimates are not available, although the 2015 ILO-FAFO impact assessment estimated that approximately 7 per cent of Syrians in Jordan were skilled workers in agriculture.⁴³ The estimate is corroborated by UNHCR data on occupational background in Syria which records 31,000 Syrian refugees having had an agricultural-related profession. It can be therefore estimated that around 14,000 Syrians are working informally; yet 14,126 have permits. The ease of obtaining work permits in agriculture is attracting many Syrian workers who may have been working informally or working in other sectors. In focus group discussions, Syrians indicated that they applied for agricultural permits because it had fewer requirements, but in practice, they worked in other sectors.

According to the 2015 ILO-FAFO impact assessment, 40 per cent of working Syrians were employed in construction. If approximately 201,042 Syrians are active in the labour force, and 84,000 (42 per cent) are employed, this would mean that 33,600 Syrians work in construction, of which 3,000 are formally registered by the Ministry of Labour with work permits. This means that roughly 30,600, or 91 per cent of Syrians, are working in construction without permits. Construction includes the largest group of Syrian workers without work permits – and deserves sector specific interventions.

Shortly prior to the release of this report, the Ministry of Labour signed a Memorandum of Understanding with the Construction Contractors Association waiving the quotas for hiring Jordanian labour in the sector. The Memorandum of Understanding also enables Syrian employees to move freely between employers in the sector after they receive permission from the Ministry, their first employer and the new employer. The work permit is issued through the Construction Contractors Association (similarly to the ones issued in agriculture by cooperatives). While it is too early to draw conclusions, 500 new work permits issued in the 10 days following the signing of the Memorandum of Understanding indicate this could be a viable solution for more construction workers as well as workers in other sectors. The information that this research has generated seems to suggest that the sectors that have adopted sector specific interventions have the highest rate of enrolment, although there still is room for further reform.

It is estimated that roughly 12 per cent of working Syrians are employed in the manufacturing sector. This figure would suggest approximately 10,080 Syrians are working in the sector, of which 7,058 have work permits, leaving 30 per cent working informally.

The 2015 ILO-FAFO impact assessment estimated that approximately 23 per cent of Syrians were working in the wholesale and trade sector. This would mean approximately 19,320 Syrians are working in the sector, of which 5,874 have permits. That is a shortfall of 13,446 work permits, which would mean that approximately 70 per cent are working without a permit. The 2015 ILO-FAFO impact assessment estimated that 8 per cent of Syrians in Jordan were working in food services. If this is applied to the estimated current Syrian workforce, roughly 6,720 Syrians are working in the sector, of which 5,214 have permits.

⁴³ According to UNHCR self-reported occupational data over 31,000 refugees were engaged in agricultural related activities when in Syria.

Estimate of Syrians Working With and Without Permits by Sector

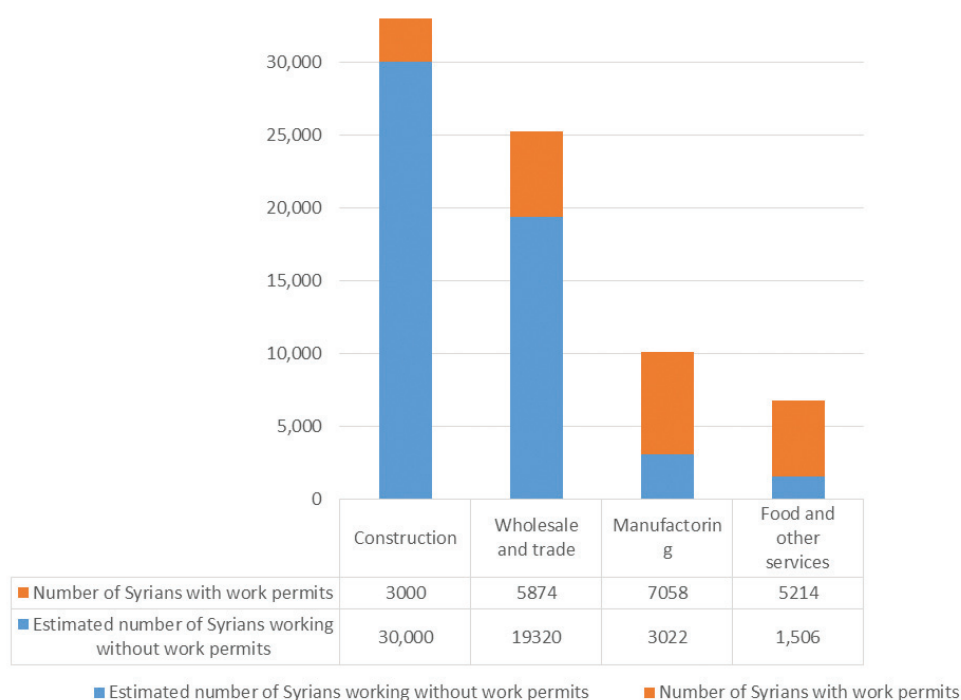


Figure 10

The chart above shows in which sector the estimated 85,000 Syrian workers currently without work permits are employed. In order to increase the work permit uptake in these sectors, there is a need to continue to expand sector specific interventions that are cost effective and take into account decent work principles – including social security. Beyond this action, there is a need to increase the labour force participation of women through the creation of jobs they are likely to find attractive (flexible schedule/home based work), and through targeted measures that take their needs into consideration (access to day care and transport as well as focus induction training).

Finding #2

Most respondents with work permits want to renew their work permits, and most respondents without work permits intend to apply for one.

Ninety-three per cent of Syrians with permits who were included in this research reported that they intend to renew their work permits, while about 92 per cent of Syrians working without a work permit expressed their intent to access one if their employer is willing to complete the procedures. A small minority of Syrians with permits (8 per cent) indicated that they did not plan to renew their permits after they expire, largely because they believed that there were no benefits associated with having a work permit.

The perceived benefits of obtaining a work permit were primarily expressed in terms of safety and security. Out of the 450 participants, 75 per cent reported that this was a main benefit. This confirms what UNHCR found during their annual participatory assessment in 2016, where work permits were perceived to be linked to freedom of movement and the sense of being a productive member of society.⁴⁴ It is also worth noting that only 20 per cent of Syrian workers who participated in this 2017 impact assessment felt that work permits provided more job opportunities.

Overall, the majority of all Syrian workers plan to apply for or renew their permits. The intention to apply for or renew permits was not correlated with the reported difficulty of applying for a permit in each sector. Even though Syrian workers rated construction as the most difficult sector to obtain a permit in, 98 per cent of Syrians working in the sector without a work permit indicated that they plan on applying for one. This was followed by 90 per cent of Syrians working in the service sector indicating their intent to apply for a permit, and 58 per cent of Syrians working in the agriculture sector who intend to apply.

One additional reason that was reported to be dissuading Syrian workers from renewing their work permit was the uncertainty surrounding the grace period of waving work permit fees.⁴⁵ Data on work permit issuance indicates that there is a spike in applications in the last month of each grace period. Some Syrian workers rush to obtain permits for fear of the costs rising if the waiver is not extended. Other workers in this study reported a fear of having to pay high fees in the future if they had obtained a permit during the grace period. In this research, only 3 of the 450 Syrian workers reported not intending to apply for a permit because it was too expensive, however 72 per cent (roughly 170 workers) reported that they would only apply or reapply for a permit if fees were waived.

⁴⁴ UNHCR Jordan Participatory Assessment (based on AGDM), conducted at the end of 2016. See Annex II.

⁴⁵ The Ministry of Labour has extended the grace period for three month intervals since April 2016 creating a degree of uncertainty and fear among Syrians. This grace period extension is reportedly subject to market forces.

Some employers in focus group discussions provided more detailed reasons for why they thought their Syrian employees would not request renewal. Reasons include Syrians wanting to move to a different sector, having an opportunity to migrate, fearing that work permit fees will no longer be waived (either because it increases the financial burdens of the work permit or it deters employers from hiring Syrians) and fearing that aid and medical support would be cut. This is in spite of the fact that various awareness-raising campaigns have been conducted by the government of Jordan, in cooperation with the ILO and UNHCR, to disseminate reliable information that eligibility for aid and subsidies is not dependent on their unemployment status. This would suggest that new modalities of communication are required.

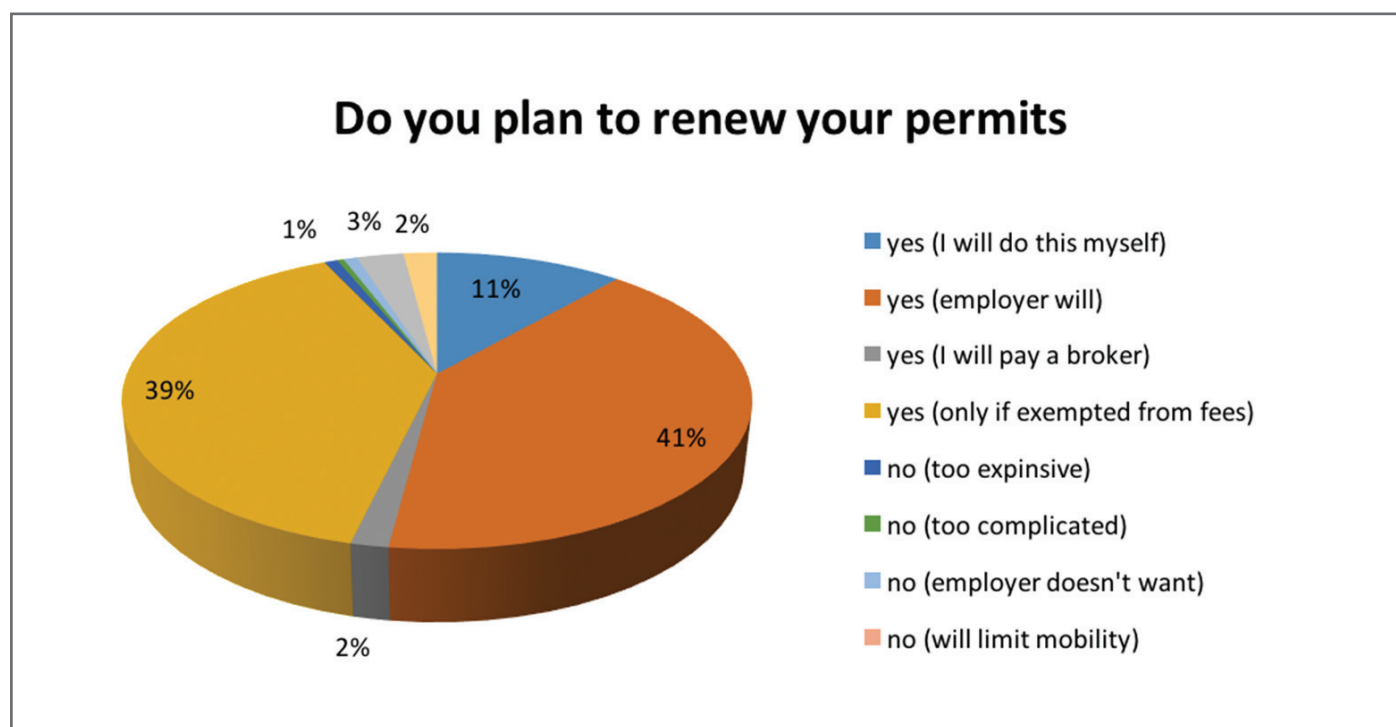


Figure 11

Finding #3

Work permits were perceived as being related to a sense of safety and stability (rather than tangible benefits), and to almost no disadvantage.

When asked what benefits work permits provided, 48 per cent of all surveyed Syrian workers indicated that they believed safety and security (in terms of being checked by inspectors or at check points) was a benefit, while 19 per cent said that work permits protected their labour rights, although it was not clear if participants understood what these rights were. An additional 16 per cent believed that it gave them job stability (in terms of finding and maintaining a good job), and 13 per cent thought it provided them with more job opportunities. A small minority believed that work permits had no benefits at all.

Through focus group discussions, it appeared that work permits were perceived to primarily give Syrians a sense of stability and security regardless of their employment situation. It served to legitimise their presence in Jordan and potentially protect them against deportation. Even when Syrian workers did not work in the sector that their work permit indicated, they reported that it was better to have a work permit than no permit at all.

Syrian workers generally reported more benefits than liabilities to their work permits. Of all Syrian workers who believed that there were liabilities, 48 per cent indicated that one of the liabilities was potentially being exploited by their employer. Forty-four per cent of Syrians with work permits and 32 per cent without believed that it gave them no flexibility and limited their mobility, while 8 per cent of Syrians with permits and 19 per cent without permits believed that it caused them to have low wages. The majority (70 per cent for Syrians with permits and 74 per cent without), however, believed that there were no liabilities at all.

Very few workers indicated that work permits provided them increased protection in terms of labour rights, while UNHCR qualitative evidence and phone interviews show that work permits provide more general protection in terms of mobility, and reduced fear of being deported or sent to a camp. Nearly all Syrian workers in this survey reported that only work permits were checked during labour inspections, while a very small minority reported that both work permits and work conditions were checked during inspections.

What are the Liabilities of having a Work Permit

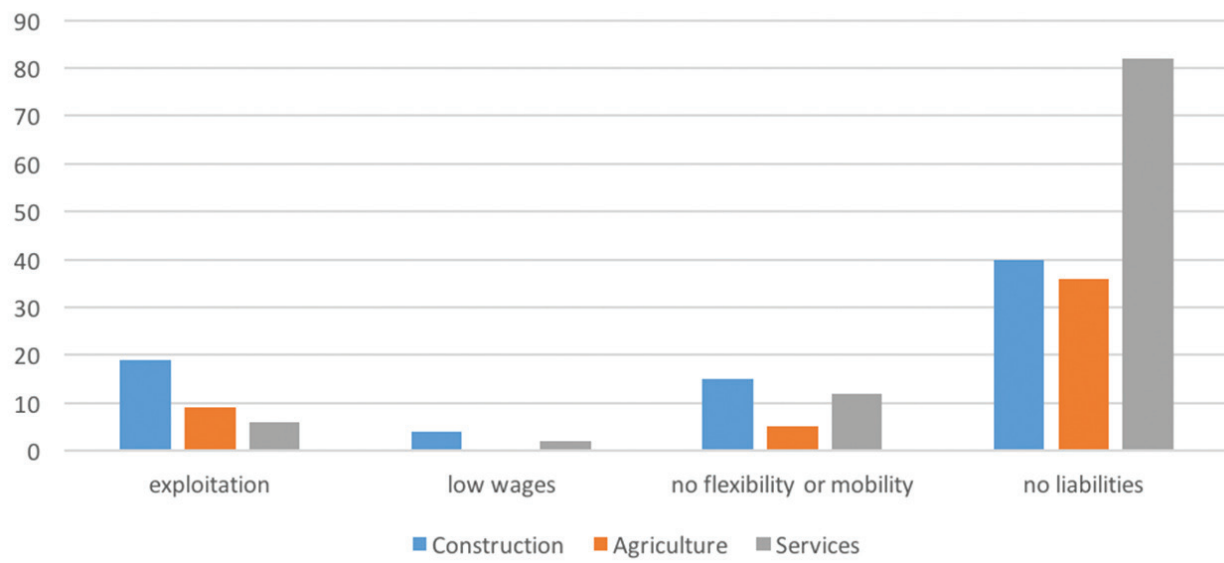


Figure 12

Finding #4

Licenses, quotas and Ministry of Interior cards are the key obstacles to obtaining work permits.

Obstacles to obtaining a work permit were identified by respondents mainly in relation to a difficult compliance with the following: (a) obtaining a business license (for the employer), (b) complying with labour quotas and closed occupations/sector systems, and (c) not having a Ministry of Interior card (for Syrians). Research participants made an important distinction between work permit procedures and requirements. The latter was reported to generate more difficulties than the former. Jordanian and Syrian employers who hired Syrian workers reported that the procedures of obtaining a work permit were fairly simple and have seen little to no change since the Jordan Compact. Work permit requirements, however, have. Work permit requirements can be understood as set provisions that either the worker or employer must comply with before they can proceed to submit a work permit application. Requirements currently include obtaining a business license (for the employer), a Ministry of Interior service card (for Syrian employee)⁴⁶ and, for the employer, complying with other regulations related to migrant workers (quotas/closed sectors/closed occupations/maximum number of work permits). Once these requirements are satisfied, the employer and Syrian worker can proceed to submit their application form and documents according to the indicated procedures. Since the Jordan Compact, changes in requirements have tried to make it easier to obtain a work permit.

When asked to rate the ease of obtaining a work permit on a scale of 1-5, with 1 being the most difficult and 5 the easiest, 29 per cent of all Syrian workers ranked the ease at a level of 5, while an almost an even share (30 per cent) rated it at the most difficult level. Eighty per cent of those that found the process very easy had work permits, while 60 per cent of those who found the process very difficult did not have permits.

In general, there appears to be a sector-by-sector discrepancy in the perceived ease of obtaining a work permit. Fifty-six per cent of Syrian workers with permits who were interviewed indicated that it was easy to obtain a permit to work in the service sector, while the majority who found it difficult worked in the construction sector (80 per cent). Agriculture was generally perceived to be one of the easiest sectors for obtaining a work permit, with the majority of respondents rating the ease at a level of 4 or 5.

⁴⁶ Over 400,000 Syrians in Jordan have a Ministry of Labour card.

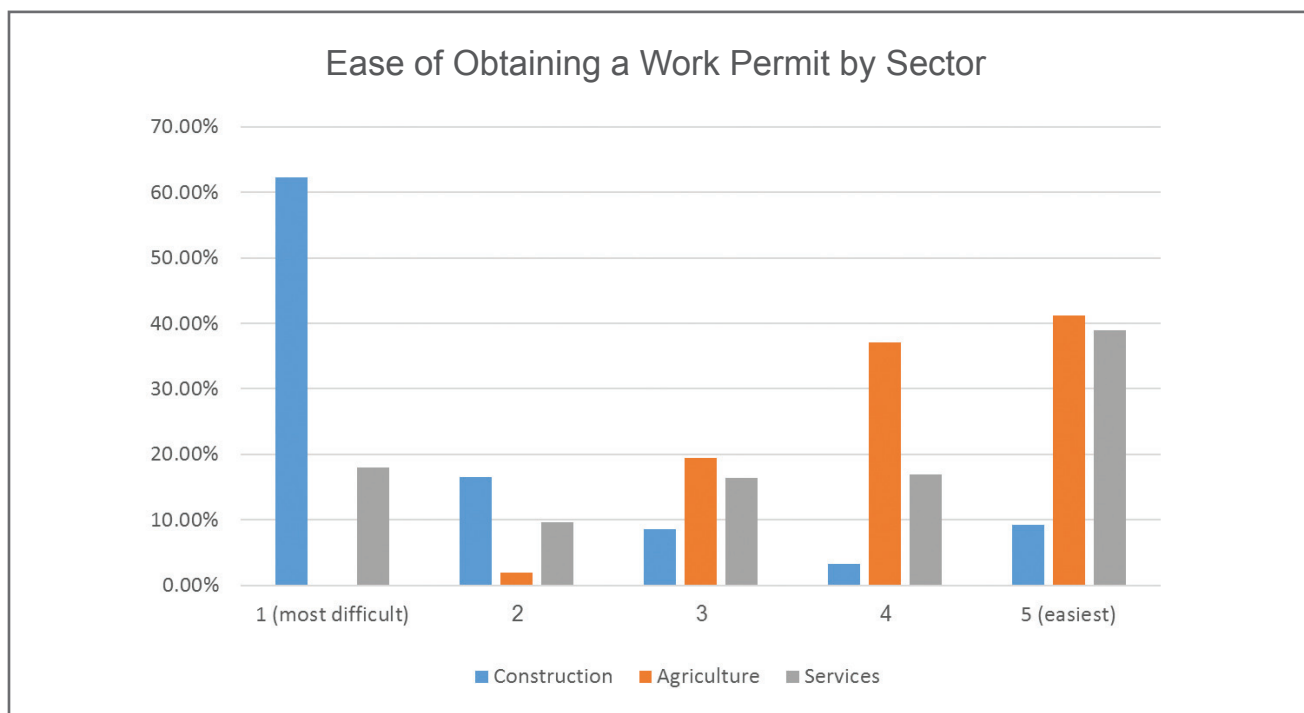


Figure 13

Similar trends were observed among Syrian workers who do not have work permits.⁴⁷ Seventy-one per cent of those who perceived that it was very difficult to obtain a permit (at a level of 1) were working in construction, and the largest concentration of workers who perceived it to be relatively easy worked in agriculture. No worker in agriculture rated the perceived difficulty at a level of 1 (the most difficult).

When asked to give more details about the challenges of meeting the requirements to obtain a permit, the participants indicated that the three requirements that created the most difficulty included paying for the medical examination fees of 30 Jordanian Dinars (about \$US 42), the document verification fee of 10 Jordanian Dinars (about \$US 14) and social security subscription fees (8 per cent of monthly wages). It should be noted, however, that Syrians no longer have to obtain a medical certificate from the Ministry of Health, although some participants were not aware of the change and reported still having to pay the fee. As previously noted, it is also no longer required from employers to provide evidence of social security enrolment for the worker at the time of submitting the work permit application, although they are required to subscribe the worker shortly after the permit has been issued. It should also be noted that the employers are responsible for paying the 10 Jordanian Dinar document verification fee, although some Syrian workers reported paying for their applications.

⁴⁷ For questionnaires with Syrians without permits, this question was based on their experience or perception of the difficulty of obtaining work permits in each sector.

When asked who had applied for their work permit, 76 per cent of Syrians with work permits indicated that their employers completed the process for them, while 20 per cent had applied through a cooperative. Of the remaining interviewees, only 2 per cent applied themselves, and 1 per cent did so through a third party. According to set procedures, Syrian workers in all sectors, except in agriculture, must have identified an employer who is willing to apply for a permit on their behalf. Research participants viewed the work permit application process as a joint exercise, although the employer is legally responsible. In agriculture, cooperatives are permitted to apply on behalf of Syrian workers, thus allowing workers to move within the sector based on seasonal demand for labour.

Employers in the service sector indicated that in the majority of cases, they are the ones applying for work permits on behalf of their Syrian employees. This is consistent with what Syrian workers reported during the survey, with 76 per cent of all Syrian workers reporting that an employer applied for them.

Finding #5

The complex regulatory system generates rent seeking behaviours that benefit neither Jordanian employers nor Syrian refugees.

Another initial finding of this research is that strict restrictions and regulations create unwanted markets that benefit rent seeking intermediaries. Such behaviours include the hiring of brokers by either employers or workers to complete work permit procedures, or hiring additional “invisible” Jordanians in order to meet the quota and hire Syrian workers. These behaviours in general have increased the “price” of work permits, and have a negative impact on the uptake of work permits by both employers and workers.

To employ a sector specific quota of Jordanians within the companies’ work force is a legal requirement. Companies who wish to employ Syrian refugees, but who do not have the required number of Jordanian workers, must hire additional Jordanians to be able to hire Syrians, even if the recruitment reportedly happens “on paper” and that Jordanians do not contribute to the production process. Partial salary, benefits and social security costs for the Jordanian workers are borne by the employer or the Syrian workers or both.

There were also several reported instances where employers or workers illegally hired a third party or “broker” to complete the work permit registration process. Both parties explained that brokers facilitate or even speed up the process. Brokers were reported to have more experience in the application process and have connections that would help overlook certain requirements or expedite procedures. The fees that the brokers charge were reported to range from 100-400 Jordanian Dinars (about \$US 140-563), and covered anything from transportation to vague “processing fees.”

For employers, using a broker was reported to remove some of the time burden of hiring a Syrian worker, and for Syrian workers it was reported to sometimes be the only way to acquire a work permit when employers were not willing to do so. In the construction sector, the use of brokers appeared to be more frequent, as workers prefer to work as freelancers, and do not want to be tied to a single employer. In such cases, brokers may be willing to serve as the “employer” on paper, for a fee.

Finding # 6

Only a third of Syrian respondents with work permits had a written contract – still a far better situation than those without.

Although it is required for employers to provide a copy of a written contract at the time they apply for a work permit, only 33 per cent of Syrians with permits reported having written contracts. Of these workers, 57 per cent did not know the duration of their work with the employer. Some employers indicated that they had a month-long trial period for Syrian workers to ensure that their workers were capable before they started work permit procedures. The one-month trial may partially explain why so many workers were unaware of how long they would be working in their current jobs.

Not surprisingly, written contracts were far less common among Syrians without a work permit, where only 5 per cent reported having a written contract, and in all cases these workers were employed in the service sector.

In agriculture, workers are permitted to move between employers on a seasonal basis, although they are generally employed under year-long work permits. For example, in the *Shafa* region of Irbid, workers stay with a single employer for longer because crops have longer seasons. They typically work for nine months harvesting cucumbers, tomatoes, potatoes and thyme. In Mafraq, employers indicated that almost 60-70 per cent of workers continue to work for the same employer as long as there is harvesting to be done. Many workers adapt to labour market demand and reside in tents close to the farms so they can continue to work in the same region with the same employer as long as there is available work. Approximately 30-40 per cent of Syrian agricultural workers preferred to move from one place to another, or from one employer to another, looking for continuous work or better wages. On average, these workers stayed in their jobs for about four months, which is a typical season for vegetables. Less than 25 per cent of agricultural workers reported to stay in a single location for the entire year, and most of these workers were assigned jobs such as watch guard, or maintenance of irrigation systems.

The construction sector has very different characteristics to the service and agricultural sectors. In the construction sector, job positions are available according to the project's duration. Because of the project-based nature of work, cases of written contracts with one employer for a long period time are rare as employers typically hire many workers at one time, and work ends when the job is completed.

Finding # 7

The majority of Syrian respondents with work permits are not covered by social security.

The Ministry of Labour issued a letter of clarification in July 2016 stating that employers could wait until after their workers received work permits before enrolling them in social security. Although this has been clarified, research participants still expressed confusion and misunderstanding around this requirement. Several employers in the construction and service sector seemed to believe that their Syrian workers did not require social security registrations (while only agricultural workers are not required to be registered).

At the time of this study, monthly social security contributions totalled 22 per cent of the employees' monthly (gross) wages, with employers responsible for 14 per cent and employees responsible for the remaining 8 per cent. Most employers report Syrian workers' wages at the minimum of 150 Jordanian Dinars (about \$US 211), thus requiring the employer to pay approximately 21 Jordanian Dinars (about \$US 29) in contributions, and the Syrian worker to pay approximately 11 Jordanian Dinars (about \$US 15). This amount is typically deducted from the employees' wages.

Only 21 per cent of Syrians with work permits indicated that they are registered with social security, while an abysmal 3 per cent of those without work permits reported being registered. Sixty-six percent of Syrians with work permits reported that they were not subscribed, while an additional 14 per cent were not sure if they were. While having a work permit appears to increase the likelihood of being covered by social security, it is still far from a guarantee, and there is still much confusion on the part of both Syrian workers and employers around social security entitlements and related procedures.

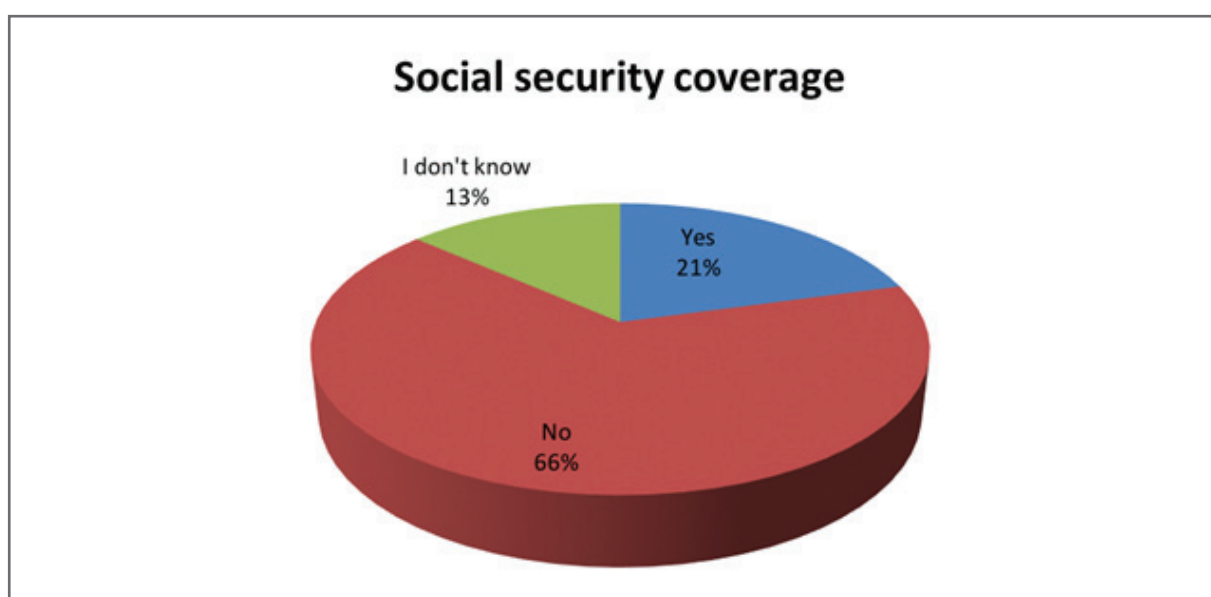


Figure 14

Finding # 8

Syrian respondents with work permits earned more than those without – but not necessarily because of the work permit.

The minimum wage for Syrian workers in Jordan is 150 Jordanian Dinars, which is the minimum set for all foreign workers. Although this is stipulated in the Ministry of Labour regulations, only 20 per cent of Syrians with permits were aware of the correct minimum wage at the time of this study. Of Syrian workers with permits, 23 per cent reported to earn between 150-199 Jordanians Dinars in the month preceding the research, the majority of which were in agriculture. Fifty-eight per cent of respondents did, however, earn above 199 Jordanian Dinars, with the majority earning between 200-299 Jordanian Dinars. Of those without work permits, the majority reported earning between 150 and 199 Jordanian Dinars, closely followed by those earning 200-299 Jordanian Dinars. Although there were only a few Syrian workers who indicated that they had not received cash payment for the work they performed in the previous month, 77 per cent of cases did not have work permits, and most were in the construction sector. It is also important to note that some of the workers work at a piece rate, especially in the construction sector, as working on a piece rate is the norm in the market and the way for them to earn at least the minimum wage.

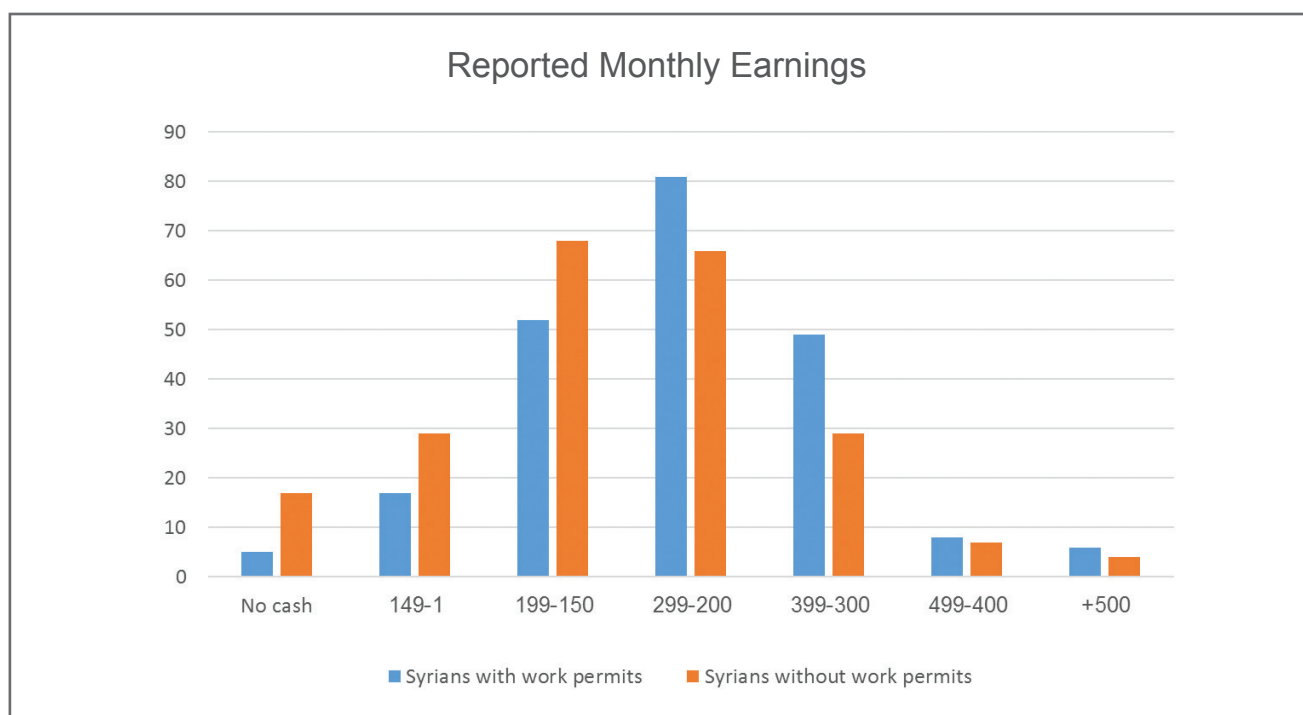


Figure 15

At the sector level, the service sector had the most workers who reported earning between 200-399 Jordanian Dinars (about \$US 280-562), while other sectors had more workers who reported earning less than 149 Jordanian Dinars (about \$US 210). An exception was in the construction sector where several workers with permits reported earning 400-499 Jordanian Dinars (about \$US 563-703).

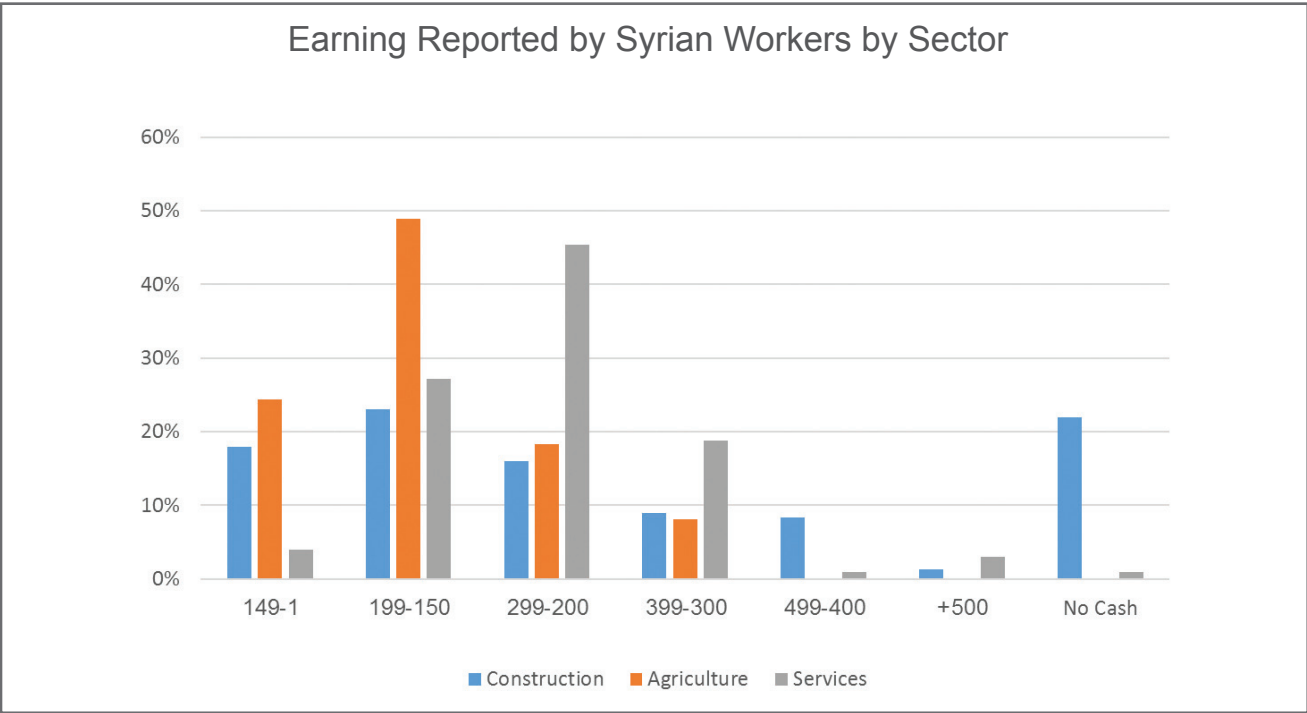


Figure 16

Finding # 9

Most Syrians worker respondents worked excessive hours – and most were paid for extra time.

According to Jordanian labour law, a work week is not to exceed 40 hours, unless otherwise compensated for with overtime pay. The reality of several sectors, however, is that most of the work is actually on a piece rate basis, such as the construction sector. Of the Syrian workers that participated in this research, the majority reported working over 40 hours - with the majority across all sectors reported working between 40 and 59 hours a week. Of the Syrian workers with permits, only 10 per cent reported that they had been compensated with overtime pay.

Although they are legally required to be compensated for these hours, Syrian workers with permits reported working more hours overall, with more workers reporting to work between 60-79 hours a week than workers without permits. This trend was more pronounced in agriculture, where approximately 61 per cent of Syrian workers with permits work over 60 hours a week, and 18 per cent report working more than 80 hours. This compares to 21 per cent of Syrian workers without permits in agriculture working more than 60 hours. Numbers in figure 18 show that the majority of those who receive extra payments are the ones who are working longer hours.

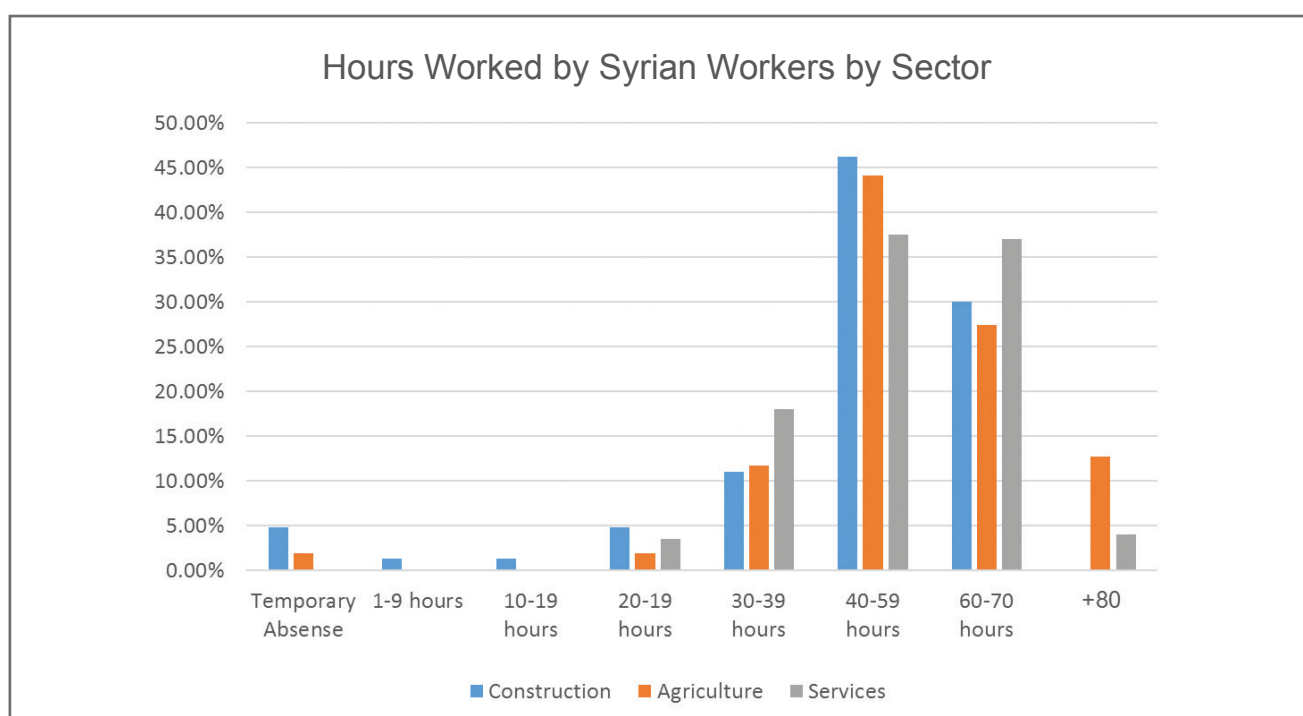


Figure 17

Syrian Workers who Work Longer Hours are Compensated

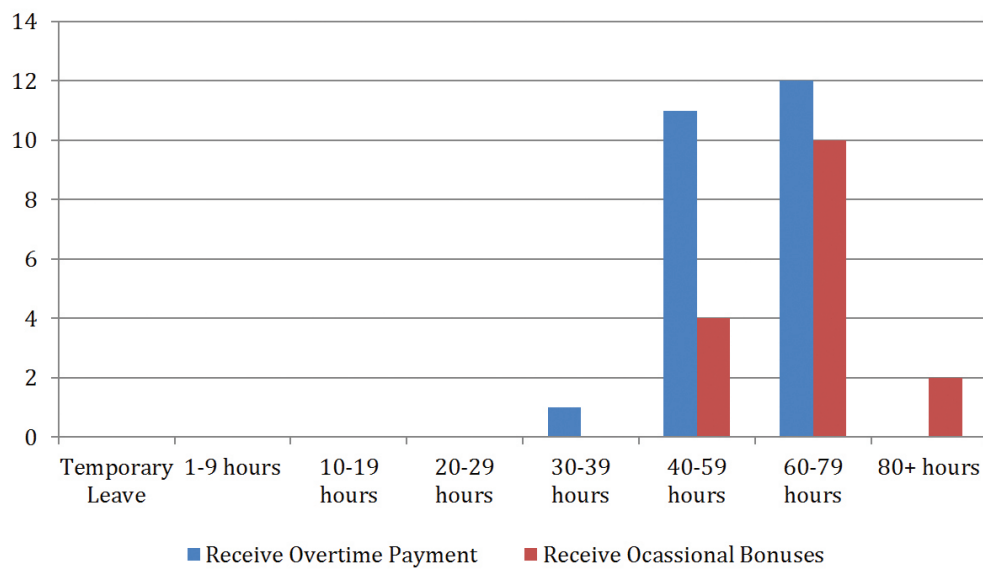


Figure 18

Finding # 10

Occupational Safety and Health was not enforced in most of the workplaces of Syrian refugee respondents – irrespective of whether they had a work permit or not.

When asked if their employers provided them with information on work safety procedures, 52 per cent of Syrians with work permits indicated that they had, while 61 per cent of Syrian workers without a work permit indicated the same. Of all workers, the majority who reported receiving safety information (64 per cent) worked in the service sector. Only 35 per cent of agricultural workers and 34 per cent of construction workers reported receiving adequate information. Sixty-four per cent of all workers received inadequate safety equipment. Again, the majority who reported receiving adequate equipment (67 per cent) worked in the service sector. In construction, only 13 per cent of workers reported adequate safety equipment being provided. It should be noted that 64 per cent of Syrians reported that they would not wear safety equipment even if it were provided.

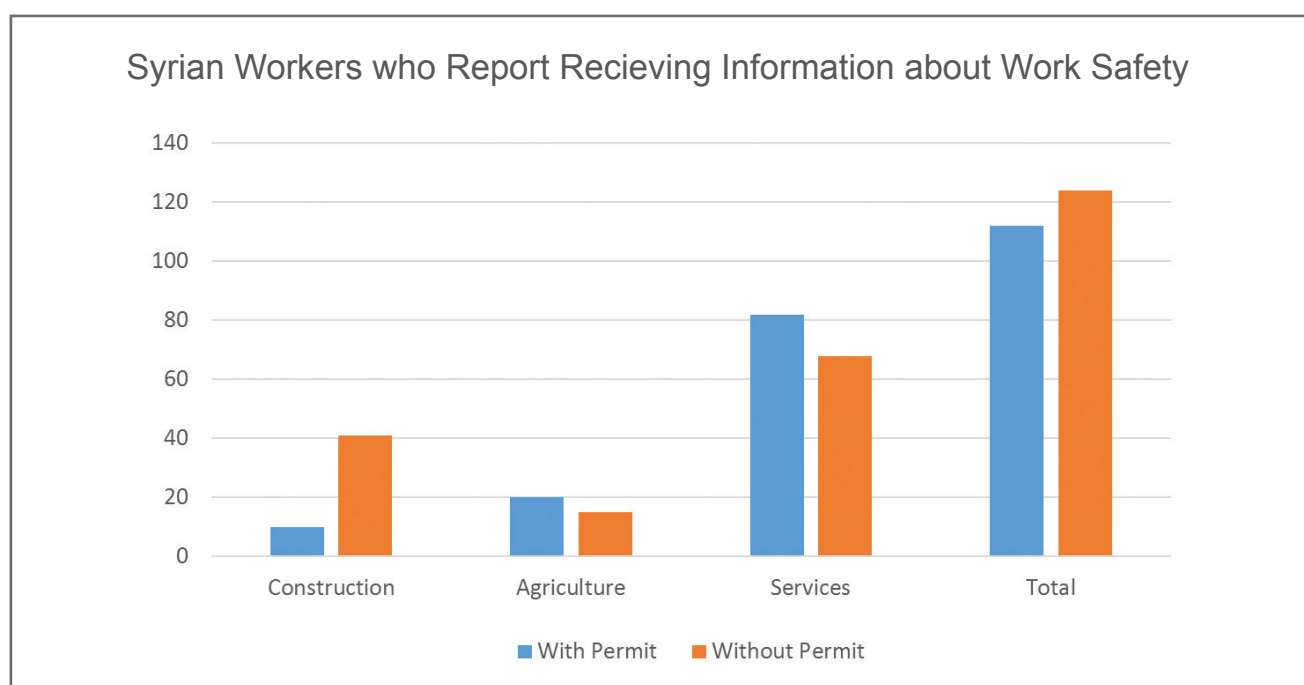


Figure 19

In the focus group discussions, there was a general lack of awareness evident among Syrian workers regarding work safety procedures. Some Syrian workers, particularly in construction, believed that safety equipment (such as a helmet) would get in the way of them doing their job. Further, Syrian workers indicated that there was no incentive for them to use the equipment that they were given, as inspectors did not check work safety nor did they issue fines for violations. This is consistent with the finding in questionnaire responses that only a small minority of Syrian workers (4 per cent) report ever having work conditions checked during labour inspection.

Finding # 11

The labour inspection was reported as focusing on work permits but not on working conditions.

The majority (80 per cent) of Syrians reported at least one visit by the labour inspector in their work place. Among them, responses varied between once in the last year (26 per cent), to more than once a month (20 per cent). From information gathered during focus group discussions, it appears that more frequent inspections are made in sectors where work is more visible, with the majority of those reporting more frequent visits by labour inspectors concentrated in the service sector. In the agriculture sector, inspections appeared to be less intensive. Employers indicated that the average number of visits in the past year had not exceeded between two and five. It is also possible that workers in the service sector are more aware of inspections because they work in a smaller space for longer periods of time, whereas in agriculture and construction, workers move around large tracts of land or work sites and maybe less likely to be present when inspections occur.

Focus group participants in the service sector indicated that the average number of times that the labour inspectors have visited their businesses was about three or more times a year, and almost all were unannounced visits. One participant mentioned that his shop was not visited by any inspectors for more than six months, and then was visited by an inspector several times in one week. Participants explained that the number of inspections depended on the employer's record of violations. If a business was found in violation, the inspections occurred more frequently. Although this was reported by Syrian workers and their employers, the questionnaire data does not show any correlation between more reported inspections and instances where labour violations are taking place – as a lack of work permits being the most common, if not the only, violation said to be recorded by inspectors.

In the construction sector, focus group participants indicated that labour inspections occurred almost once a week. While inspections are periodic, Syrian workers noted that some inspections were conducted in cases where a worker filed a complaint. Syrian workers believed that the construction sector had more labour inspections than other sectors because violations were the easiest to detect. This would, however, depend on where the construction site was located and how easy it is for inspectors to reach. It is also important to note that none of the Syrian workers in construction reported having labour conditions checked during an inspection. Only their work permits and documentation were checked.

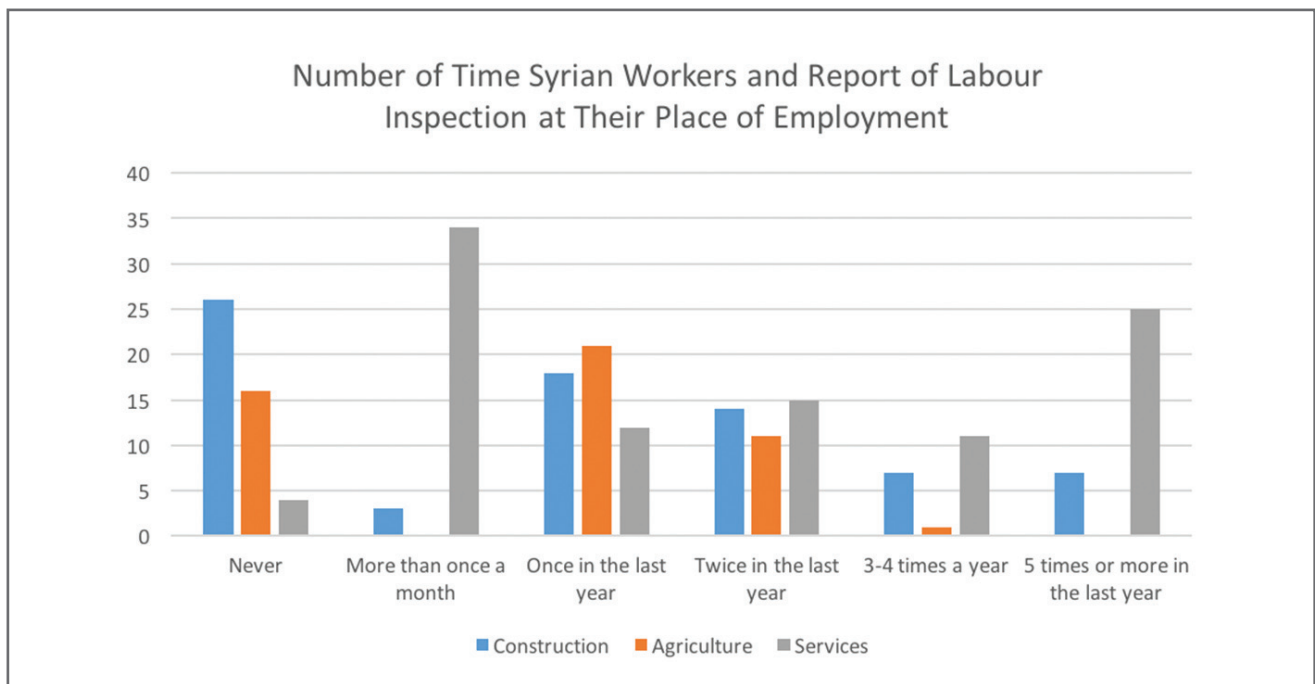


Figure 20

Employers in one focus group offered detailed accounts of the labour inspections process they had observed, which confirms the finding that labour inspections focus primarily on verifying Syrian workers' documentation. According to the employers, the inspector first checked for the employees' IDs, and when there are any Syrian workers, they would then proceed to check their work permits. They would check if the job they were performing matched what was on the permit. Rarely did inspectors reportedly check other items.

Based on observations by employers, it was reported that labour inspectors spoke to workers either individually or in a group, and would speak to employers separately; this may be why the majority of the surveyed participants (who were all Syrian workers) did not report that the labour inspector checked for both the permits and working conditions.

Additionally, employers reported a lack of consistency in enforcement of labour laws, indicating the need for an improved case management system. Only some inspectors provided guidance if they found a violation. This may be one of the contributing reasons as to why there is a lack of awareness on the laws and their application in the workplace.

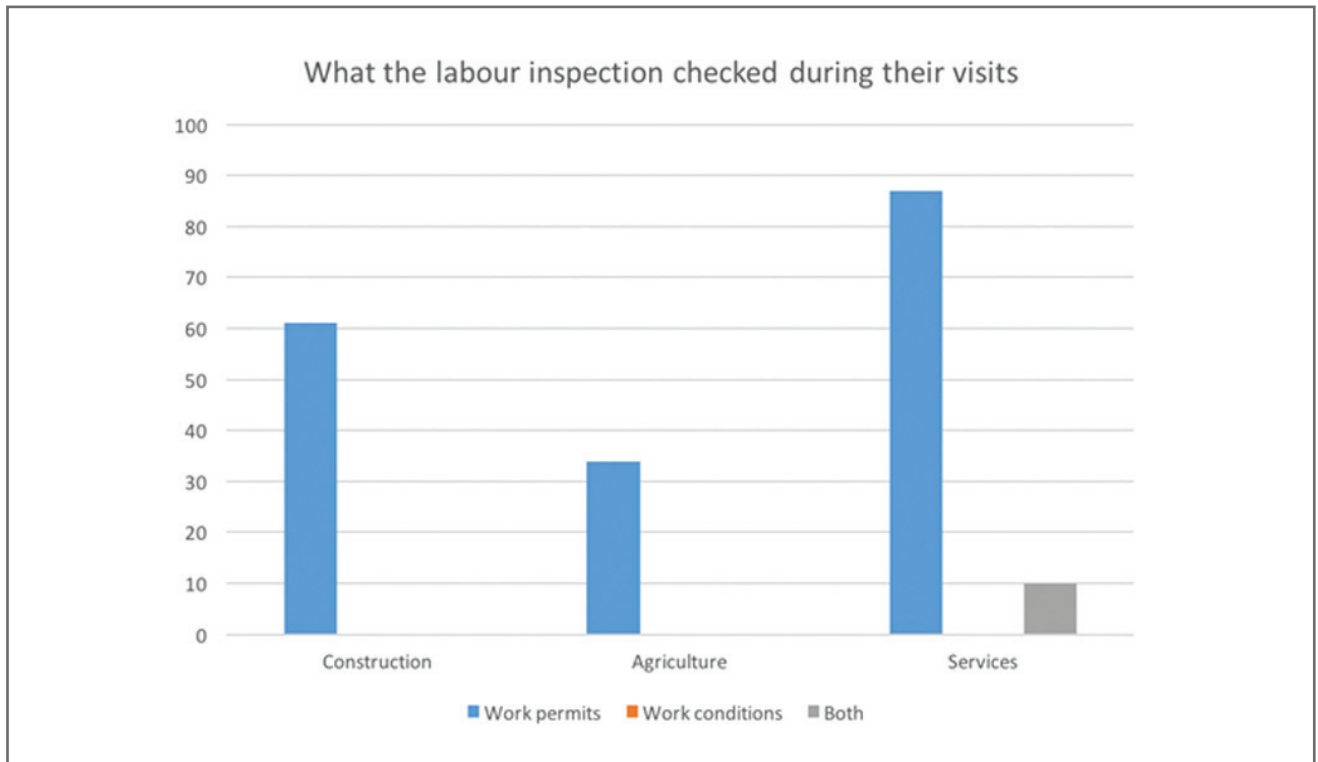


Figure 21

Finding # 12

The under-representation of Syrian women among workers with work permits stems from original low labour force participation, lack of targeted measures, and insufficient targeted communication.

In the Arab states, notable progress in terms of women educational attainment have not translated into improved female labour force participation – currently one of the lowest in the world, at around 18 per cent in non-GCC countries.⁴⁸ This is due to an overall low job creation rate as well as deep-rooted social values according to which households decide for first men to take on a job, irrespective of their potential in the labour market. UNHCR data also shows that female Syrian refugees in Jordan have lower levels of education than women in the larger region and face significant additional barriers to entry, such as family separation and trauma endured during displacement.

While there has been a surge in work permits issued to Syrian refugees following the waiver of fees and other sector specific interventions, the number of permits issued to women has fallen far behind those issued to male workers. Several initiatives targeting women were implemented:

- The Ministry of Labour and UNHCR conducted targeted job fairs for female Syrian workers to encourage their integration into the labour market. Their family responsibilities, and the absence of childcare, prevented them from taking advantage of the work opportunities and produced limited results.
- In October 2016, the ILO, in collaboration with agricultural cooperatives in Irbid and Mafraq, launched an awareness raising campaign that specifically targeted Syrian female agricultural workers. The campaign initiated dialogue to better understand female workers' reluctance to apply for work permits, while also explaining to female workers the importance of obtaining a permit. Following the awareness raising campaign, 1,577 Syrian women applied for work permits in the agriculture sector.

These experiences suggest that targeted information campaigns can be effective, but reaching female Syrian refugees directly (instead of through their husband/brother/son) is challenging. There is a need to first build trust with the communities, and understand the structural barriers that prevent women from engaging.

As already noted, few female Syrian workers could be identified to participate in the questionnaire segment of the research. To enrich research findings with gender sensitive data, two focus group discussions, one in Mafraq and one in Irbid were organised to learn more about the challenges and opportunities female Syrian workers face regarding work permit applications and their renewal.

⁴⁸ See <http://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS>

The focus group discussions that were held with female workers in the agriculture sector in this research confirmed that there is a lack of knowledge among female Syrian workers concerning work permits. It also exposed the different challenges groups of female Syrian workers face based on their family composition and work experiences.

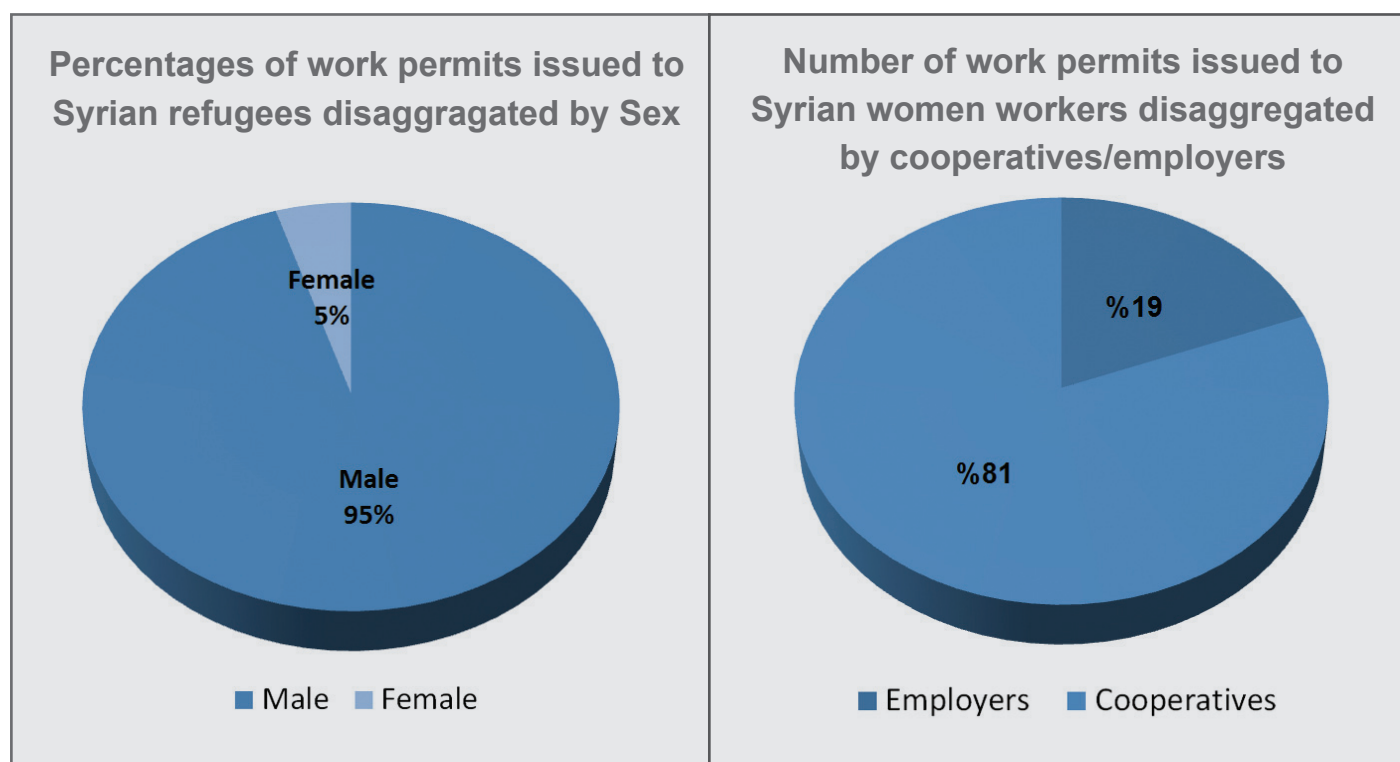


Figure 22 and 23

The two discussions highlighted different challenges faced by female Syrian workers. In Mafraq, all but one female participant were either not working⁴⁹ or unemployed at the time of the discussion, and some had limited past work experience. In contrast, all of the female participants in Irbid had found work in agriculture, and most had been working in the sector for some time. The female participants in Irbid were also almost all heads of their household and responsible for income, while the female participants in Mafraq were, for the most part, dependent on the income of male family members.

⁴⁹ The participant was on temporary leave due to the off season in harvesting.

Finding # 13

The majority of workers in the sectors of construction and agriculture paid the administrative fees associated with their work permits themselves.

In principle, employers are meant to pay for the administrative fees associated with work permits, including social security subscriptions, although Syrian workers report having to cover some, if not all, of the fees. Sixty per cent of Syrians who have work permits indicated that they had to pay for administrative work permit fees themselves (10 Jordanian Dinars), while 38 per cent indicated that their employers had paid. Employers indicated that they sometimes deduct these fees from the worker's salary. In other cases, the cost of work permits is split between the employer and the employee.

Employers who did report paying the fees were concentrated in the service sector, and seemed to perceive it as an investment and a means by which to establish a more positive relationship with their Syrian workers. The same service sector employers who perceived the fee as an investment also reported having a written contract with their Syrian workers. The service sector also had the highest percentage of Syrian workers who reported that their employers have paid work permit fees (77 per cent).

In the construction sector, the majority of employers reported that their Syrian employees covered the administrative fees associated with their permits. Workers in the sector confirmed this, where almost 90 per cent of all workers with permits in the sector reported to pay for their own work permit fees. As already noted, Syrian workers in construction generally prefer to work as freelancers, moving from project to project based on demand for their labour. During a 2016 participatory assessment, UNHCR found supporting evidence that Syrian refugees in Jordan expressed frustration with only being able to have one sponsor or employer, which limited their opportunity to diversify their sources of income.⁵⁰

Employers in construction have little assurance that the worker will stay in one job. In such cases, the financial and time costs associated with obtaining a work permit outweighs the benefits. Some employers reported having unofficial agreements with their workers where they pose as their employer on paper, but in reality, the worker only works for them for a short time, if at all. In such cases, the worker agrees to cover the fees of the permit. This may be one of the reasons why work permit uptake in the construction sector is low, or why the process is perceived to be the most difficult. Workers cannot generally afford to cover all of the fees (both the required and additional broker fees), while employers do not have any incentive to pay for them.

While it is now possible to obtain work permits for less than 6 months, focus group findings indicated that employers and workers are generally not willing to go through work permit procedures if they will only cover a short period of time. This has important implications for investments in Employment-

⁵⁰ UNHCR Jordan Participatory Assessment (based on AGDM), conducted at the end of 2016. See Annex II

Intensive Investment Programmes (EIIP),⁵¹ which are generally short-term employment opportunities. The promotion of short term job opportunities should be framed within a user-friendly framework that guarantees decent work principles.

Just prior to the release of this report, a Memorandum of Understanding was signed between the Ministry of Labour and the Construction Contractors Association in March 2017. Among other points, this Memorandum formalised the decision that workers in the sector can move between employers if they have the permission of the Ministry of Labour, their first employer and new employer. It is too early to make any assessment of the impact that this will have on work permits.

In cases where brokers were reportedly used, workers and employers both reported paying fees, although the division of costs seemed to vary. Syrian workers in the construction sector explained that whichever party is more in need of the work permit, whether in terms of employment for the worker or labour input for the employer, is usually the one to cover the costs.

In the agricultural sector, employers indicated that they are the ones paying for the administrative fees of the work permit. This, however, was not reflected in the survey findings, where the graph below shows different findings on who pays for work permit fees as per the employees' experience. Additionally, in cases where the Syrian worker applies through a cooperative,⁵² the worker pays the administrative fees. An exception applies to female Syrians working in agriculture in Mafraq, where the ILO is temporarily paying for the fees.

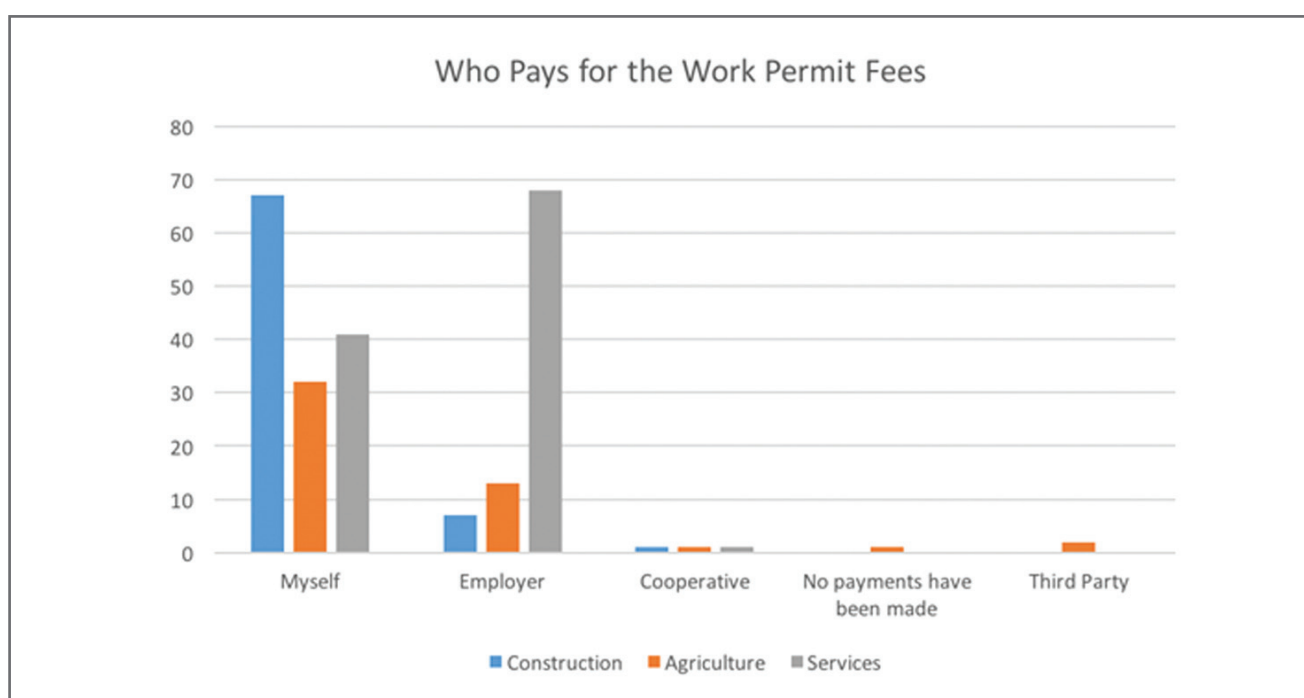


Figure 24

⁵¹ Employment-Intensive Infrastructure Programmes (EIIP) are currently being implemented in Jordan with various ministries for immediate job creation.

⁵² The 22 accredited cooperatives do not assume legal responsibility as the employer. Instead, the agricultural sector is mentioned on the card instead of the employer, and the cooperative is a facilitating entity.

Conclusions and recommendations

The 45,000 work permits granted to Syrian refugees so far represent an important achievement under the Jordan Response Plan, and the purpose of this qualitative survey was to investigate the impact these work permits may have on the decent work situation of Syrian refugees. The qualitative aspect of the survey does not allow to ascertain a causal relationship, but points at some interesting differences between Syrians with and without work permits that can serve as a basis for further research.

On the positive side, most Syrian refugee respondents of the survey wanted to renew their work permits, or intended to get one if they did not have one. Work permits are perceived as being related to a sense of safety and stability, and to almost no disadvantage. It was also noted that Syrian respondents with work permits earned more than those without – but the study's sampling did not allow to ascertain if it was because of the work permits.

Apart from this sense of safety, work permits did not bring significant advantages: (a) only a third of the Syrian respondents with work permits had a written contract; (b) the majority of Syrian respondents with work permits were not covered by social security; (c) most Syrians respondents worked excessive hours – and few were paid for overtime; (d) Occupational Safety and Health was not enforced in most of the workplaces of the Syrian refugee respondents – irrespective of whether they had a work permit or not. The labour inspection was reported as focusing on work permits but not on working conditions.

Obstacles to accessing work permits were identified by respondents mainly in relation to a difficult compliance with the following: (a) obtaining a business license for (the employer), (b) complying with labour quotas and closed occupations/sector systems, and (c) not having a Ministry of Interior card (for Syrians).

The under-representation of Syrian women among workers with work permits stems from original low labour force participation, and lack of targeted measures and communication.

This qualitative survey showed that work permits are only one step towards formalised decent jobs for refugees. More remains to be done in order to improve their work conditions, and also to ensure a continuous strengthened uptake of work permits. Unless there is a difference in terms of wages and working conditions between those who have and those who do not have work permits, incentives for work permits renewal will decrease overtime.

There is a limit to enforcement of work permits through inspections and punitive methods. A comprehensive rethinking of the work permits (or their alternatives) should happen not only to fulfil the government's commitment to the international community but also to guarantee refugees' access to decent jobs.

Lastly, the complex system of quotas and closed occupations has not delivered on its promises to boost Jordanian employment, and its implementation generates rent seeking behaviours that benefit neither Jordanians nor Syrians. There is a need to rethink the implementation of the system, and, whenever economically feasible, to favour an improvement of working conditions instead – for jobs to be more attractive to Jordanians and Syrians alike.

Policy and programme recommendations

- 1. Initiate sector specific work permit regulations that are based on the characteristics of the sector's labour demand, while ensuring that relevant oversight mechanisms are in place to promote decent work conditions and adherence to labour standards.**

In the agricultural sector, issuing work permits through cooperatives has proven to be an effective measure to increase the number of permits being issued to Syrians. The initial reaction to new regulations for the construction sector were also very positive. At the same time, this research suggests that permits are not sufficient guarantees for decent work. Other sector specific mechanisms should be developed that meet the sector's specific labour needs, but they must be accompanied by an overall framework to ensure that Syrian workers access job opportunities that are decent. Failure to do so increases risks of driving down wages and working conditions – and contributing to further exclude Jordanians from the sector.

- 2. Ensure that all workers are registered with the Social Security Corporation (SSC) – by (a) identifying ways for agricultural workers to be covered by the SSC, (b) raising awareness on the benefits of SSC among Syrians, (c) including SSC registration as a focus of the labour inspection.**

Evidence in this report suggests that the majority of Syrian workers with permits are not enrolled in social security schemes by their employers. Compulsory social security enrolment insures workers in the case of injury, illness, retirement, disability and death. Evidence in this report also shows that both Syrian workers and their employers have inadequate knowledge and understanding of social security procedures and benefits. On the employees' side, clear information on the benefits of social security coverage as well as their entitlement to it need to be shared. On the employers' side, information about the social security system as a whole and its reliance on their workers' contributions could be shared to stress their important role and responsibility in ensuring its sustainability.

- 3. Review the impact of the current regulatory system (closed occupations and sectors/quotas/maximum number of work permits per company) on the Jordanisation of the labour force, and, whenever it is economically feasible, consider possible alternatives - including improving wages and working conditions through collective bargaining, so that improved jobs will become more attractive to both Jordanians and Syrians.**

The National Employment Strategy sets the goal of having complementary migrant and national labour forces, acknowledging that the business model of some sectors, especially those exposed to trade, requires migrant labour. At the same time, wage levels and work conditions are important determinants of the suitability of occupations to Jordanians. In a context where (a) the current punitive measures associated to the Jordanisation policy have not allowed to reduce unemployment; (b) these measures generate rent seeking behaviours that do not benefit the Jordanian society, it is recommended here to undertake a complete review of the regulatory framework related to quotas and closed occupations/sectors, and assess what complementary or alternative measures focusing on wages and work conditions could be implemented.

- 4. In line with the 2016 International Labour Conference General Survey on Promoting Fair Migration⁵³ - that also applies to refugees,**
 - a. review labour inspection policies and procedures to ensure that inspections focus on wages, social security and work conditions; and**
 - b. establish firewalls between the labour inspection and other migration enforcement agencies so that the protection status of Syrians workers is not affected when found working without work permits.**

Research findings indicate that the majority of labour inspections that take place in companies hiring Syrians only focus on checking work permits, but not on wages or working conditions. To uphold decent work principles and support Jordan's development objective to increase decent work opportunities, labour inspectorates have a duty to inspect occupational safety and health standards, contracts, wages and social security. They should also be equipped to provide relevant recommendations to help employers comply with relevant regulations and standards.

At the same time, the employer has the primary responsibility to implement decent working conditions to both Jordanian and Syrian workers, and Syrian workers without work permits should not be penalised for having been recruited in non-decent working conditions. Consequently, firewalls should be established between labour inspection and migration enforcement agencies to avoid punitive measures against Syrians.

⁵³ See http://www.ilo.org/ilc/ILCSessions/105/reports/reports-to-the-conference/WCMS_453898/lang--en/index.htm

- 5. Take proactive steps to increase the uptake of work permits by women, including by (a) issuing regulations for flexible work arrangements and home based businesses, (b) developing a campaign targeting women to encourage them and their employers to apply for work permits, (c) developing and implementing an induction training programme for new women entrants on the labour market, (d) paying and subscribing for social security.**

This research suggests that waiving fees and simplifying regulations will not be enough to increase female Syrian workers' participation in the labour market. Significant family responsibilities prevent many from entering the formal labour market and there appears to be a preference for work opportunities that are close to or at home. Enabling Syrian women to work from home with work permits would be important, so would the implementation of flexible work time. Some of the women interviewed assumed work permits were only for men. Women specific campaigns on work permits should be intensified. Also, many women refugees have never worked in a formal working environment. It is important to develop an empowering induction package and to accompany this transition to work, also aiming to increase retention.

- 6. Further strengthen dissemination of information between government entities at central and local levels, and especially among employers, in coordination with international agencies, to ensure that work permit procedures are being communicated effectively and coherently.**

While UNHCR has put considerable effort in disseminating information, different agencies disseminate information on procedures with different levels of accuracy. In addition, sector specific regulations change frequently, making updated information difficult to communicate effectively to all groups. Syrian workers in the study pointed out how informal communication definable as “word of mouth” is important in understanding work permits. UNHCR research and consultations indicate that the most effective outreach is done through SMS. Generating standardised information with a coordinated dissemination strategy that also targets specific groups (especially women) could bring about important results in terms of numbers of work permits issued. Through its engagement with the Livelihoods Working Group, led by UNHCR, the Ministry of Labour could initiate and oversee a coordinated communication campaign, and play an important role in the dissemination of information.

Areas for future research

This research provides an initial insight into a complex and rapidly evolving work permit regime in Jordan, and the consequences of its implementation for both employers and workers. Further investigation is needed to ascertain its conclusions and recommendations, using a representative sample size in terms of gender, age and sectors.

This could be implemented through a comprehensive update to the 2015 ILO-FAFO impact assessment, because of the important changes related to Syrian employment in Jordan since the initial assessment.

A current study on mixed-migration in Jordan is underway with the support of the Swiss Agency for Development, and may provide further insight on the longer-term impact of work permits on work conditions in each sector.⁵⁴

Further, more gender-oriented studies on the participation of Syrian women on the Jordanian labour market are needed.

It would also be valuable to conduct more in-depth research on the impact of the enrolment of Syrian workers in social security, as well as the potential for portability of social security benefits between Jordan and Syria (and places of possible resettlement of Syrian refugees).

⁵⁴ ILO Research and Advocacy Initiative for Mixed Migration Strategies in Jordan. (2016-17) http://www.ilo.org/beirut/projects/WCMS_518978/lang--en/index.htm

Annex I. Definitions and relevant regulations

Useful definitions

Employment: Individuals are defined as employed if they report that they worked for at least one hour (for a wage, as self-employed or in a household enterprise), or had a job or business from which they were temporarily absent during the reference period during the seven days before the interview.⁵⁵

Unemployment: Individuals defined as unemployed if they are not employed and have fulfilled the following three criteria: (i) able to work; (ii) were available to start work; and (iii) had been actively looking for work or trying to start a business.⁵⁶

Labour force: Employed and unemployed individuals above the age of 15 are considered part of the labour force.⁵⁷

Informal employment: Informal employment is defined in accordance with the International Conference on Labour Statistics Conference (ICLS) guidelines concerning a statistical definition of informal employment (ICLS 2003) and Resolution concerning statistics of employment in the informal sector (ICLS 1993). In line with Article 3, Paragraph 2, of the guidelines, informal employment is considered to include the following types of jobs:

- i) Own-account workers employed in their own informal sector enterprises.
- ii) Contributing family workers, irrespective of whether they work in formal or informal sector enterprises. This is operationalized as unpaid workers employed in family businesses.
- iii) Employees holding informal jobs, whether in formal or informal enterprises, or in employment relationships not subject to national labour legislation, income taxation, social protection or entitlement to certain employment benefits, or jobs for which labour regulations are not complied with. The operational criteria chosen to capture such employment relationships are determined in accordance with national circumstances and data availability, to include:
 - a. Workers with no written or verbal contract
 - b. Workers not covered by a social security scheme in their main job
 - c. Workers below the minimum working age of 16
 - d. Non-Jordanian workers employed without obtaining the legally required work permit
 - e. Workers paid less than the minimum wage, defined by executive decree as 190 JD per month for Jordanian citizens and 150 JD per month for non-Jordanian workers⁵⁸

⁵⁵ See http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_364162.pdf

⁵⁶ Ibid

⁵⁷ Ibid

⁵⁸ Ibid

Paid employment jobs are those jobs where the incumbents hold explicit (written or oral) employment contracts which give them a basic remuneration. This is not directly dependent upon the revenue of the enterprise for which they work. Persons in these jobs are typically remunerated by wages and salaries, but may be paid by commission from sales, by piece-rates, bonuses or in-kind payments.⁵⁹

Services Sector (Service Industry): Companies involved in retail, transport, distribution, food services, wholesale, salons, as well as other service-dominated businesses. Goods-producing industries are agriculture, mining,⁶⁰ manufacturing,⁶¹ and construction; each of them creates some kind of tangible object. Service industries provide services.

Work Conditions: Working conditions cover a broad range of topics and issues, from working time (hours of work, rest periods, and work schedules) to remuneration, as well as the physical conditions and mental demands that exist in the workplace.⁶²

Safety Procedures and Equipment by Sector

Construction: Specific protection equipment may vary based on task. Basic elements include: Safety helmet worn whenever onsite, safety footwear (impenetrable sole and steel toe-cap), eye protection (goggles, safety glasses or shields etc.), face masks, safety harness, hearing protection.

Agriculture: Specific protection equipment may vary based on tasks assigned. Basic elements include Helmets (if exposed to risk of head injury- e.g. picking fruit from tall tree), face shield, eye protectors, protective gloves, safety footwear, knee protectors, respiratory protective equipment and hearing protection.

Services: Based on above elements, use best judgment according to the specific service sector where working. If in doubt, record what equipment was provided and this can be evaluated by lead researcher at a later date.

Regulations

Hours, Salary, Task and Termination Rules

Chapter two of the Jordan Constitution⁶³

Working hours should not exceed 8 hours per day, but up to 11 hours per day can be accepted as long as regular working hours do not exceed 48 hours per week (Article 56).

⁵⁹ See <http://ilo.org/global/statistics-and-databases/statistics-overview-and-topics/status-in-employment/current-guidelines/lang--en/index.htm>

⁶⁰ See <https://www.britannica.com/technology/mining>

⁶¹ See <https://www.britannica.com/technology/manufacturing>

⁶² See <http://ilo.org/global/topics/working-conditions/lang--en/index.htm>

⁶³ See http://www.kinghussein.gov.jo/constitution_jo.html%27%29;

Workers are entitled to at least one day of rest per week, which usually falls on a Friday (Article 60).

Wages may be determined by time or piece, and may be paid in cash or kind.

Jordanian workers must be paid at least 220 Jordanian Dinars, and non-Jordanian workers 150 Jordanian Dinars per month.

Social Security ⁶⁴

Social security law

The provisions of the social security law are applicable to all labourers who are 16 years of age and above without any discrimination to nationality and regardless of the duration or form of contract, the nature and amount of wage and whether the work is to be performed mainly inside or outside the Kingdom. It includes self-employed, employers and acting partners working in their facilities. It also includes Jordanian citizens employed by regional, international, political, foreign or Arab military missions operating inside the Kingdom, and attaché, educational and technical centres affiliated to them.

The provisions do not include public employees covered by the provisions of civil or military pension laws. For these groups, encompassing civil servants hired before 1995 and military personnel hired before 2002, separate schemes for old age disability and death pensions apply. Foreign employees employed by regional, international, political, Arab or foreign military, and attaché, educational and art centers affiliated to them are also not included in the provisions of the social security law. In addition, the law excludes labourers whose relationship with their employer is irregular.

Insurance against work injuries

The employer pays a monthly contribution at a rate of 2 per cent of the wage of the employee for insurance against work injuries. This insurance is compulsory and includes all labourers covered by the labour law (Art 4, 24).

⁶⁴ Social Security Law no. 1/2014.

Insurance against unemployment

The employer, employee and the state contribute towards unemployment insurance. The employer pays monthly contributions at a rate of 0.5 per cent of the wages of the employee and deducts monthly contributions of 1 per cent from the wages of the employee. Any contributions paid by the government treasury to finance this insurance are also included. This insurance is compulsory and includes all labourers covered by the labour force law (Art 48, 49).

Paid leave

Workers must be paid on their weekly day off (normally Friday) and on official holidays (Article 59, 60).

Workers are entitled to at least 14 days of fully paid annual leave each year (Article 61–64).

Women workers are entitled to 10 weeks of fully paid maternity leave, and up to a year of unpaid maternity leave, regardless of whether they have maternity insurance or not. Enterprises of 10 or more workers must additionally allow up to a year of unpaid leave post-delivery (Article 67, 70).

Annex II – Summary of UNHCR related reports

Key Findings of the UNHCR Jordan Participatory Assessment (based on AGDM), conducted end of 2016

The participatory assessment is a yearly UNHCR-led exercise. It consists in focus group discussions with refugees of different nationality, age, background (age, gender and diversity mainstreaming) and of interviews with key informants.

This year's Participatory assessment was the first after the expansion of the right to work for Syrian refugees following the Compact. Some of the issues raised by Syrian men and women refugees living in Jordan included: many adult Syrian men reported that in practice the responsibility to pay for the work permits processing and other fees has fallen on them, stretching their limited financial resources. The benefits of holding a work permit are perceived to be linked to freedom of movement and the sense of being a productive member of society, which in turn contributes to heightened self-confidence. However, as voiced within the FGDs, some adult men do not think the benefits of obtaining a work permit and the effort they have to make to negotiate with the employer and sometimes the fact that they are asked to pay for it outweigh the benefits, and so do not opt for it. To support themselves and their families, most refugees work informally in agriculture or construction, without legal documentation and social security. Fears of forced relocation to the camps, detention and deportation if caught working illegally are the cause of daily anxieties among the informants. As jobs available to refugees are frequently daily or seasonal, several express frustration with only being able to have one sponsor or employer, which limits their opportunity to diversify their sources of income. To maintain a sustainable livelihood, cash assistance is perceived as a necessity for most in addition to what legal, or illegal, employment they may have. The role of women has become increasingly important in improving an average families' standard of living. Some contribute to the family income through informal home-based work such as food catering of traditional Syrian specialties.

Summary of UNHCR organized consultations

The consultations with refugee leaders and active members of the CSCs (Community Support Committees) were organized by UNHCR Amman in February 2017 to discuss education and livelihoods over the last year, priorities in the Jordan compact. Over 80 refugees from 12 Governorates participated in the discussions with UNHCR representative, UNHCR sector specialists in community services, livelihoods and public information as well as field staff. Below are some of the outcomes of the discussions.

Asked why so many Syrians still work informally, participants responded that the system of professions closed to foreigners does not allow them to do what they really are in a better position based on their skills, ability and background. Employers themselves do not have the required papers for the business, they might have overdue tax or expired licenses, and therefore they do not want to approach the Ministry of Labor. Employed Syrians, do not feel empowered to denounce employers who ask for money for the work permit, or who do not pay overtime or other benefits. There is a lack of knowledge about the rights workers have. In addition, lack of documentation prevents access to work permit: Refugees who left the camp without bailout can only work informally. Families who live in tents with no fixed address (ITS) at times do not have a Mol card.

The groups discussed the occupations in which Syrian refugees have capacities in terms of skills and background and in which they could more easily make a living and be productive in the Jordanian society. These include: working in hotels, cooking and working in restaurants, establishing small businesses, working in decoration, tiling and construction, working as electricians, in maintenance and in electronics (ICT), farming, driving, teaching, hairdressing and cosmetic, and working in the professions they used to have before including in law and in health professions.

Participants asked for flexible solutions that would give more opportunities to work – rather than limiting opportunities for regularized work - both in terms of types of occupation as well as in terms of allowing freelance, self-employed work. Work permits should not be tied to an employer but rather to the person, based on certifiable skills.

In November 2016 UNHCR conducted a rapid assessment using UNHCR Helpline to better understand access to and perceptions of work permits amongst Syrian refugees living in Jordan. 530 persons were reached for telephone interviews, 260 women and 272 men. Of these, 182 refugees said they were “working”. A total of 53 persons had work permits.

The rapid assessment confirmed that Syrians refugees are accessing work permits, however, amongst the refugees reached by phone who had work permits, none were women. This reflects figures provided regularly by the Ministry of Labor and confirms the need to address the issue of women in the formal workforce and the work of women in general, whether by investing in the environments where women could work or creating/formalizing forms of self-employment including home-based businesses.

When asked “Why don’t you have a work permit?” The following answers were the most frequent:

- Because I work freelance, I do not have a steady employer
- Work permits are not given in my profession
- Because I do not want one
- Because I prefer to work on a daily/weekly basis
- I don’t know how to get one
- I asked my employer but he/she asked me to pay money
- Others believed they need a sponsor, paper work and conditions are complicated, work permit is expensive. Few of them explained that their employers do not have papers to apply for work permits on behalf of their staff.

The main reasons given for not having a work permits is that the job is not eligible for regularization. Specifically 24 percent said they are “freelance”, 9 percent said that they prefer short term/daily/seasonal jobs, and 13 percent believed that permits were not available for the occupation (closed occupation or freelance or on a short term basis). Important questions to be followed up upon with further evidence would be: do freelance and short term workers want work permits, e.g. through agriculture cooperatives or contractors associations? Most importantly, to what extent do workers prefer freelance and in short term jobs and to what extent does this pattern simply reflect the jobs that are available? There is a relatively large group of refugees who seem to prefer jobs that do not tie them down to one employer, but again, this could be because of relative easier access to precarious jobs.

Syrian refugees feel that work permit give protection

Forty-five percent of those who hold work permits indicate that they feel better because they cannot be sent to the camp and because their family are better protected. This finding is significant: even though the current Government policy is not punishing Syrians found without work permits, Syrians are still worried about security and are motivated to get work permits for the perceived protection it offers.

Annex III. Syrian workers questionnaire on work permits

I. Biographical Information

Gender:

Male/Female

Age:

15-24 25-34 35-44 45-54 55+

Residence place:

Governorate where employed:

Amman

Irbid

Mafrq

Zarqa

Sector where you practice your main occupation:

- ☐ Construction
- ☐ Agriculture
- ☐ Services
- ☐ None

Work permit:

- ☐ Yes (specify)
- ☐ No (if no, skip 5 - 7 in questionnaire)

Labour Directorate (governorate level) from where you received your work permit:

Amman

Irbid

Mafrq

Zarqa

II. Questionnaire

1. Do you have a written contract?

- ☐ Yes
- ☐ No

2. For how long is your contract (written or unwritten)?

1 month 2 months 3 months 4 months 5 months 6 months
7 months 8 months 9 months 10 months 11 months 12 months
I don't know

3. Do you perform other economic activities in addition to your main job?

- ☐ Yes, please specify
- ☐ No

**4. How would you rate the ease of obtaining a work permit?
(1 is the worst and 5 is the best)**

1 2 3 4 5

5. Who applied for your work permit?

- ☐ Myself
- ☐ Employer
- ☐ Cooperative
- ☐ Another third party _____

6. Who paid for the work permit?

- ☐ Myself
- ☐ Employer
- ☐ Cooperative
- ☐ No payment was made
- ☐ Another third party _____

7. Where there any additional fees paid (other than work permit fees)?

- ☐ No
- ☐ Yes (Specify):
 - ☐ Transport
 - ☐ Medical examination
 - ☐ Unclear
 - ☐ Other, specify

8. Do you plan to apply for a work permit or renew your work permit when it expires?

- ☐ Yes, (Check all that apply)
 - ☐ I will do it myself
 - ☐ My employer will do it
 - ☐ I will pay a broker
 - ☐ Only if exempted from fees
- ☐ No, (Check all that apply)
 - ☐ Too expensive
 - ☐ Procedures too complicated
 - ☐ Employer does not want to
 - ☐ It limits my mobility
 - ☐ There are not enough benefits
 - ☐ Other, specify

9. What do you believe are the benefits of work permits (check all that apply)?

- ☐ More work opportunities
- ☐ Labour rights
- ☐ Job stability
- ☐ Safety (Not being stopped by police)
- ☐ No benefits

10. What do you believe are the liabilities of work permits (check all that apply)?

- ☐ Exploitation from employers
- ☐ Lower earnings
- ☐ Less flexibility and limited mobility
- ☐ No liabilities

11. Have you ever unsuccessfully applied for a work permit in Jordan?

- ☐ No
- ☐ Yes, why? (Check all that apply)
 - ☐ No Social Security subscription
 - ☐ I do not have MOI card
 - ☐ I do not want to pay the 10 JD fee
 - ☐ Employer did not carry out process
 - ☐ Employer was not formally registered
 - ☐ Occupation was closed
 - ☐ No reason was given
 - ☐ Other, specify

12. Do you have good relations with your employer?

- ☐ Yes
- ☐ No

13. Are you covered by social security in your current work (if agriculture, skip)?

- ☐ Yes
- ☐ No
- ☐ I don't know

14. What is the minimum wage in Jordan?

- ☐ 190 JD
- ☐ 150 JD
- ☐ 220 JD
- ☐ Other
- ☐ I don't know

15. Approximately how much did you earn last month in your main job?

No payment 1-149 150-199 200-299 300-399 400-499 500+

16. Do you receive additional payments in your main job?

- ☐ No
- ☐ Yes, (Check all that apply):
 - ☐ Overtime Pay
 - ☐ Commission
 - ☐ Regularly paid bonuses
 - ☐ Other, specify

17. Do you receive non-pay benefits in your main job?

- ☐ No
- ☐ Yes: Free or subsidized housing Clothing or Footwear Energy
Free or subsidized transport

18. Approximately how many hours did you work last week in your main job?

Temporary absence 1-9 hours 10-19 hours 20-29 hours 30-39 hours
40-59 hours 60-79 hours 80+hours

19. Has your employer provided you with information on work safety procedures?

- ☐ Yes
- ☐ No

20. What safety equipment has your employer provided you with?

- ☐ Response indicates adequate provisions
- ☐ Response indicated inadequate provisions

21. If you have/had safety equipment, would/do you wear it?

- ☐ Yes
- ☐ No

22. Has your place of work been visited by a labour inspectorate in the last year (2016)?
How often?

- ☐ Never
- ☐ More than once a month
- ☐ Once in the last year
- ☐ Twice in the last year
- ☐ 3-4 times in the last year
- ☐ 5+ times in the last year

23. Did the labour inspectorate check the following?

- ☐ Work Permits
- ☐ Work Conditions
- ☐ Both
- ☐ Other, specify:

ANNEX IV. Employer focus group discussion questionnaire

Biographical information for each participant

Governorate:

Amman Irbid Mafrq Zarqa

Sector:

Construction Agriculture Services

Labour directorate from where you obtain work permits?

Amman Irbid Mafrq Zarqa

Nationality: Syrian/Jordanian

Questions

1. How would you rate the ease of obtaining a work permit for Syrian Workers? (1 is the worst and 5 is the best)

1 2 3 4 5

2. Do you think that it is easier now, than before 2016, to employ a Syrian in your company?

More difficult Somewhat easier Easier Much Easier
No Change

3. Is it difficult or easy to find Syrians willing to accept work permits?

- ☐ Easy
- ☐ Difficult, why?
 - Wages too low
 - Hours too long
 - Lack of information on work permit procedures
 - Informal market offers more freedom
 - Work is not interesting
 - Others:

4. Do you or your Syrian employees complete the work permit procedures?

- ☐ Myself
- ☐ Syrian worker
- ☐ Cooperative
- ☐ Third Party
- ☐ No Work Permits Applied For
- ☐ Other

5. Who pays for your Syrian employees pay work permit fees?

- ☐ Myself
- ☐ Syrian worker
- ☐ Cooperative
- ☐ Third Party
- ☐ No Fees Paid
- ☐ Other

6. On average, for how long do your Syrian employees stay in your company?

- | | | | | | |
|-----------------|----------|----------|-----------|-----------|-----------|
| 1 month or less | 2 months | 3 months | 4 months | 5 months | 6 months |
| 7 months | 8 months | 9 months | 10 months | 11 months | 12 months |

7. Do the majority ask you to renew their work permits?

- ☐ Yes, the majority
- ☐ No, some do, but less than majority
- ☐ None do

8. In the last year (2016), how many times has your company been visited by labour inspectorates?

- ☐ Never
- ☐ Once in the last year
- ☐ Twice in the last year
- ☐ 3-4 times in the last year
- ☐ 5+ times in the last year

9. Did the labour inspectorate checked the following?:

- ☐ Work Permits
- ☐ Work Conditions
- ☐ Both
- ☐ Other, specify:

10. In general - how would you consider the presence of Syrian work force in your facility in terms of performance, assets and knowledge, ability to integrate with the rest of the workers?

ANNEX V. Female Syrian workers in the agricultural sector (Mafraq) focus group discussion questionnaire

1. As a woman, what challenges do you face as a worker in agriculture that you believe is different due to your gender?
2. Are you the head of your own household, or do you work along with your husband?
3. Who cares for your children during the time you are working?
4. What are some of the characteristics/qualities that you hope to see in your employer?
5. In your opinion, why is it important to obtain a work permit, what are its benefits?
6. Is it easier for you to find a sustainable job with a work permit, how so?
7. How have you found the process for applying for a work permit? Are the procedures clear/unclear and easy/difficult for you?
8. Describe your relationship with your employer.
9. How has obtaining a work permit affected the amount you earn every month?
10. Do you believe your working conditions and environment improved with having a work permit, how so?
11. What are the safety procedures that you have in your work?
12. How many of you have had a labour inspector come over to your work place, how was the process?
13. How much do you complete of the procedures of obtaining a work permit vs. how much does your employer complete?
14. How do you hear about updates on regulations and procedures regarding work permits?
15. What may be some of the reasons that may hinder you from applying or renewing your work permits?
16. How many of you live out of the governorate, or far from the location of your jobs? How do you commute to work?

Acknowledgments



International
Labour
Organization

Special thanks to Patrick Daru, the ILO Country Coordinator, and Maha Kattaa, Crisis Response Coordinator.



Special thanks to Laura Buffoni, at UNHCR Jordan, and other members of the Livelihood Working Group in Jordan.

The ILO would also like to acknowledge the following participants who have contributed to the completion of this report: Meredith Byrne, Maisam Alahmed, Raghda Al Faouri and Amaal Bani Awaad.



International Labour Organization

For more information, contact:

International Labour Organization

Regional Office for the Arab States

Aresco Center, Justinien Street, Kantari

P.O.Box 114088- Riad El Solh 1107 - 2150

Beirut – Lebanon

Tel: +961 - 1 - 752400

Fax: +961 - 1 - 752405

Email: beirut@ilo.org

Website: www.ilo.org/arabstates

Follow ILO in Arab States on Twitter: @iloarabstates