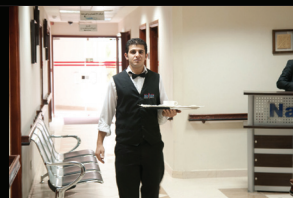


International
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Organization

A CHALLENGING MARKET BECOMES MORE CHALLENGING

Jordanian Workers, Migrant Workers and Refugees
in the Jordanian Labour Market

Susan Razzaz



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With research contributions by:

- Shereen Abbadi (construction),
- Mays Abdel Aziz (manufacturing),
- Wael Hadadin (agriculture),
- Rani Khoury (tourism), and
- Zein Soufan (domestic work)

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Foreword

The Jordanian Government and ILO have a long and constructive history of dialogue, starting with issues related to the Jordanian workforce, then also regarding migrant workers. More recently with the Syrian crisis, the dialogue has expanded further to also include employment of refugees.

This report on labour market governance in Jordan is timely and relevant. It is based on comprehensive research that started in September 2016, at a time that the countries of the UN gathered their leaders in New York for a summit on migration and refugees. The summit adopted an outcome document in which member States welcome ‘the extraordinarily generous contribution made by countries which host large refugee populations’, encourage ‘host governments to consider opening their labour markets to refugees’ - as Jordan has been doing – and pledge amongst others ‘to pay particular attention to the application of minimum labour standards for migrant workers, regardless of their status’.

These matters feature prominently in ongoing deliberations under Global Compacts on Refugees and Migrants to be adopted in 2018, and are also extremely topical in the context of the Jordanian labour market which, in addition to nationals, hosts large numbers of migrant workers and Syrian workers, resulting in significant challenges.

This report offers an analysis of these challenges, and aims to provide practical solutions to three potentially conflicting policy aims in Jordan’s labour market: boosting Jordanian employment, incorporating Syrian refugees into the workforce, and ensuring decent working conditions for all workers including migrant and refugee workers.

The report is underpinned by rich data gathering in five sectors: agriculture, construction, domestic work, manufacturing and tourism. The findings are primarily based on interviews with Jordanian, migrant and refugee workers, unemployed citizens, employers, as well as representatives from the government, trade unions, employer associations and other stakeholders who provided many useful insights and constructive recommendations.

It is hoped that this evidence-based study will be used to advance policy dialogue in addressing Jordan’s complex labour market challenges in the near future. Furthermore, it is hoped that the report will offer food for thought for other countries facing mixed migration challenges on their respective labour markets, and more broadly for the deliberations concerning the Global Compacts on migrants and refugees.



Frank Hagemann
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Particular thanks are due to the over 800 Jordanian and foreign workers and unemployed people who gave their time being interviewed for this initiative, as well as over 100 key informants (including employers, managers, recruiters and officials from Government agencies, embassies of migrant workers, NGOs, trade unions and employer associations).

Contributions by participants to five sectoral roundtables (in the period December 2016 – January 2017) and by participants to a policy dialogue meeting (on 4 May 2017) have furthermore helped to validate respectively the research findings and recommendations.

Feedback by ILO colleagues (i.e. Ryszard Cholewinski, Patrick Daru, Phil Fishman, Hans van de Glind, Aya Jafaar, Sophia Kagan, Maha Kattaa, Suha Labadi and Eliza Marks) on the draft of this publication is also acknowledged.

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The research and advocacy project under which this publication was developed was overseen by Hans van de Glind and Patrick Daru (both ILO), in consultation with Pascal Raess and Aya Maraqa (both SDC) whose active engagement throughout this project has been greatly appreciated.

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The context and challenges

The entry of Syrians into the Jordanian labour market has exacerbated an already challenging situation. The labour market is now comprised of three distinct groups – Jordanians, migrant workers and refugees –but it hasn't always been this way. Until the 1970s Jordanians worked in all occupations and all sectors. Starting in the 1970s, many educated Jordanians left to work in the Gulf. At the same time, the new wealth allowed Jordan to bring in increasing numbers of migrant workers. The number of migrant workers tripled in the past 15 years,¹ with correspondingly large impacts on Jordanian workers and on the economy as a whole.² Today, many Jordanians, work or aspire to work in the public sector. Within the private sector, many occupations have become dominated by specific nationalities of migrant workers and the informal sector comprises a significant share of the economy.³ Adding to this already complicated labour market, large numbers of Syrian refugees have arrived in Jordan over the past five years. In an effort to avoid a lost generation of refugees, dependent on handouts and disenfranchised, the Government of Jordan is allowing Syrians to participate in the labour market.

The three groups have important distinctions, but also important commonalities. Jordanians are on average more highly educated than either of the other groups and this has a strong impact on their expectations. Nevertheless, a large share of unemployed Jordanians have no more education than do migrant workers. Much of the segmentation is based not on education or initial skills but rather on nationality. For example, most Egyptian construction workers entered the sector in Jordan with no prior experience. Despite the perception that Egyptians bring special skills, Egyptians have no vocational training advantage over Jordanians. For their part, Syrians have less formal education than do Jordanians or migrant workers on average. However, the education averages mask significant variation as well as the fact that many Syrians have marketable skills that are not reflected in their formal education.

In addition to education and skill issues, there are important distinctions and commonalities based on family situation. The majority of migrant workers have come to Jordan alone and on a temporary basis, for the express purpose of working and maximizing the remittances they send back to their home countries. Jordanian workers on the other hand, view their employment as a permanent, integral part of their lives and, for this reason, aim for career development and a balance between working hours and family life.⁴ In terms of family situation, Syrians are more similar to Jordanians than they are to migrant workers: Syrians need to balance employment with family responsibilities and spend their earnings within Jordan.

¹ Al Manar website, <http://www.almanar.jo/en/human-resources-information/hrstatistics>, accessed May 1, 2017.

² Since the 1970, the education level of the labour force in Jordan was impacted by the emigration of many highly educated Jordanians and the immigration of large numbers of less-educated non-Jordanians. Over the same period, Jordan's Economic Complexity score and ranking fell dramatically. Jordan Strategy Forum (2017).

³ As of 2015, Egyptians comprised about two-thirds of migrant workers holding work permits, while South Asians comprised 22 per cent. The specific challenges facing migrant workers depend on their occupation as well as their nationality. For example, as Arabs, Egyptians have a closer cultural affiliation and are more easily able to communicate with their employers.

⁴ Many Jordanian women have little expectation of a long-term career. Female labour force participation decreases significantly after marriage as a result of perceived difficulties in balancing employment with household responsibilities.

The labour market situation of Jordanians is very much tied to the presence and situation of migrant workers and Syrian refugees. There are about 1.4 million Jordanians currently working plus another 210,000 unemployed.⁵ Although precise numbers are not available, the Ministry of Labour recently suggested that there may be as many as 1.4 million non-Jordanians working – about the same as the number of Jordanians.⁶ In this context, incorporating 200,000 Syrian workers may seem like a relatively small incremental change but, in fact, adds to an enormous pre-existing challenge.⁷

The Government's current labour market challenges can be articulated in relation to the three groups: (i) How to increase Jordanian employment through nationalization of the labour market? (ii) How to ensure decent working conditions for all workers, including migrant workers? And (iii) How to incorporate Syrian refugees without displacing Jordanian workers? Because all three groups are present in significant numbers, it is inevitable that the groups impact each other. For this reason, the challenges for any group – including Jordanians – must be addressed within the broader context of the entire labour market in Jordan.

The study

The purpose of this study is to contribute to addressing the three labour market challenges: increasing Jordanian employment, ensuring decent working conditions for all workers, and incorporating Syrian refugees into the labour market.

The principle methodology used in the study is structured interviews of employers, the three groups of workers, the unemployed, and representatives from Government, unions and other stakeholder groups. Key informant interviews and focus group discussions were conducted based on pre-tested questionnaires and process and ethical guidance notes. In the course of fieldwork between September 2016 and January 2017, researchers conducted 55 focus group discussions with a total of over 800 workers and unemployed people, as well as over 100 interviews with employers, managers, recruiters and officials from Government agencies, embassies of migrant workers, NGOs, trade unions and employer associations. The fieldwork covered Amman (including Sahab and Marka), Ajloun, Irbid, Mafraq (including residents of Zaatari Refugee Camp), Madaba and Zarqa. After completion of fieldwork, stakeholders were brought together in five roundtable discussions to validate findings. The roundtable meetings were also used to discuss and test support for a range of policy and programme options. After completion of the first draft of the report, an additional two stakeholder meetings were held to further discuss and validate the policy and programme options.

In order to ensure the analysis is concrete enough to be useful, the research examined five specific sectors: agriculture, construction, domestic work, manufacturing and tourism. Some of these sectors (e.g. tourism) rely primarily on Jordanian workers, while others rely on a mix of Jordanian and non-Jordanian workers (e.g. agriculture, construction and manufacturing) and others (e.g. domestic work) rely almost exclusively on migrant workers. Taken as a whole, the five sectors represent a significant share of the private sector labour force as well as reflecting both internationally tradeable and non-tradable sectors.

⁵ National Center for Human Resources Development and Al Manar (2016) lists 209,569 unemployed Jordanians; According to the Population and Housing Census 2015 (Table 3.4), the Jordanian population aged 15+ inside of Jordan was 4,300,153. According to the 2015 Employment and Unemployment Survey (Table 2.3), 4.8 percent of the population aged 15+ was unemployed. This implies a total of 206,407 unemployed Jordanians in 2015.

⁶ Jordan Times, January 18, 2017 quoting H.E. Minister of Labour.

⁷ The Jordan Compact, available at <https://www.supportingsyria2016.com>. Accessed May 1, 2017.

Two limitations of the study should be noted. First, we focused our attention on labour market and immigration policies. A much broader range of policy areas – including fiscal, industrial and educational policies – are crucial as well, but are beyond the scope of this study. Second, we focused our attention on segments of the population that have secondary education or less. This group accounts for more than 60 per cent of the Jordanian labour force, about 75 per cent of the migrant worker labour force and 90 per cent of the Syrian labour force. Although there are important segments of all three populations that have university education, the issues faced by those segments are distinct and require separate study.

It is important to note that this study was conducted in the context of a very challenging macroeconomic situation. In large part due to the ongoing conflicts in neighboring countries, Jordan's economic growth has slowed over the past several years. Trade routes to Syria and Iraq have been largely closed and investor confidence is low, making recovery all the more difficult. Businesses are struggling and many of the sectors included in this study are shedding labour in response to falling demand. Furthermore, despite international support for Jordan as it hosts large numbers of Syrian refugees, grants and concessional financing have been insufficient to prevent increasing rates of unemployment. In today's slow economy, long-standing challenges are highlighted and require urgent attention. With sufficient openness, the need for urgent attention can be an impetus for addressing the long-standing issues and shifting from a low-wage, low-value added economy toward a more productive and sustainable path.

Findings: Increasing Employment of Jordanians

Youth going into any job have expectations to progress up a career ladder. Jordanian youth will be willing to work in manufacturing if they can feel that the assembly line is only the beginning and not the end, and that there is a chance they will be promoted to a more administrative or managerial role if they keep improving their skills and experience.

(Head of Better Work Jordan, manufacturing)

It would be better if salary increases were based on efficiency and competence. And recognizing an employee of the month.

(Jordanian, five-star hotel worker)

Many people think that Jordanians perceive certain jobs in the sector as degrading, but I don't think this is the case. Workers are usually proud of their work. Some occupations are not attractive to Jordanians because it is physically demanding but not because they perceive it as degrading.

(Construction contractor)

One of the key findings from our fieldwork is that Jordanians are open to all sectors and occupations under the right circumstances. This finding demonstrates significant scope to increase employment of Jordanians. Far from having an immutable culture of shame, the Jordanians we interviewed articulated the specific working conditions that impact their willingness and eagerness to work, whatever the sector or occupation. Five specific issues were identified as particularly important: on-time payment of wages, reimbursement for overtime, working hours that are predictable and sustainable, production methods that emphasize skill rather than manual labour, and recognition of effort. All of these issues are generally considered reasonable desires, and the first two are explicitly required under the Labour Law.

Importantly, employers and Jordanian workers share the same ultimate goals, although they articulate them differently. Workers emphasized their desire for a job in which they can use and build skills and in which efforts are rewarded through career advancement, wage increases and acknowledgement of a job well done. For their part, employers want workers who take their job seriously and who don't quit whenever another employer offers a slightly higher wage. In other words, both sides want a long term commitment and a focus on productivity that results in both higher profits and higher wages.

Interviews with Jordanian women and their male family members identified additional challenges related to working conditions. Time spent away from home and personal safety were the most commonly mentioned concerns. Because of their household responsibilities, most women are unable to spend long hours away from home: in their calculations of the benefits of a job, time spent commuting is added to time spent working. Personal safety was raised most strongly in the context of work in hotels, manufacturing and domestic work. In all three contexts, there is a strong concern for women's vulnerability in any environment where they are alone with men as well as a perception that employers in domestic work and manufacturing are harsh and exploitative. Interviewees noted that while it is important that there be other women at the workplace, full gender segregation is not a priority. More generally, work places that do not require long commutes and which are "female friendly" are considered desirable.

I would not work in any other factory. I need to be working here, in Ajloun where I live. We are already working eight hours in the factory and cannot be spending an additional 2 or 3 hours a day just getting to work.
(Jordanian female manufacturing worker)

As long as I am alive, I will never let my sister work in manufacturing. The employers are very rough. I don't trust them to not yell at my sister or harass her.
(Jordanian, male manufacturing worker)

I'd be willing to work in a hotel if the job was in reservations, at the front desk or in food service. Of course, I can't work in housekeeping or room service because it is near the bedrooms.
(Jordanian woman, unemployed)

Because the situation of Jordanians in the labour market is profoundly impacted by the presence of large numbers of non-Jordanians, employment and working conditions of Jordanians can only be understood in the broader labour market context, which includes migrant workers and Syrian refugees.

Findings: Working Conditions and Migration/Work Permit Policy

One of the most striking features of the labour market is that the working conditions identified by Jordanians as important in any job – whatever the sector or occupation – put them in a disadvantageous competition with migrant workers and Syrian refugees. In interviews with non-Jordanian workers, late-payment of wages, non-payment for overtime, long and unpredictable working hours, and heavy reliance on low-productivity physically demanding methods were found to be the norm. In agriculture and domestic work, payment delays of several months are common. While payment for overtime is well-enforced in parts of the manufacturing sector, workers in tourism and other sectors are often not compensated. In all sectors, working hours of 13 hours per day are common and in agriculture and construction Egyptians often work as guards throughout the night. And, in all sectors, migrant workers reported the difficulties they face with heavy manual labour which becomes increasingly unsustainable for them as they age.

I work 12 or 13 hours a day, 7 days a week. I often have to stay up all night and I am always on call. I wish I was paid by the hour and could get my salary at the end of the month, not the end of the season.
(Egyptian, agriculture worker)

Foreign workers are ready to sleep at the factory if their employers want because they come here just to make money and work. Jordanians have families and commitments and can't do that.
(Factory owner)

Egyptians tolerate bad attitudes and insults from the employer, but we do not. At the end of the day, the Egyptian is just a migrant.
(Jordanian, construction worker)

In Jordan, we have to accept if the employer treats us in a bad way, because we are not in our country and we have no right to just leave the job. That's why employers have high demand for Egyptian workers.
(Egyptian, hotel worker)

In most cases I work 10 hours a day – from 2 pm until midnight. If there are customers, I stay longer, but I don't get paid more than my usual salary - even the time when I stayed 14 hours! What I want is respect and good treatment by the employer -- to be working according to the Jordanian law and get the same rights for vacations, a day off and working hours as the Jordanians.
(Syrian, restaurant worker)

I was initially promised 15 JDs per day for labour in Irbid. After two weeks of work and paying transportation to and fro work, I had to go after my employer for my pay. After repeated attempts to talk to him, he compensated me with just 5 JD and told me he couldn't give me more.
(Syrian, day labourer)

The prevalence of these working conditions is unsurprising in a context where half of the workforce coming from poorer countries on a temporary basis, for the express purpose of maximizing earnings and remittances. Although the Ministry of Labour endeavors to enforce the Labour Law, enforcement resources are limited and the incentives created by the immigration system push in the opposite direction. Employers behave rationally when they prefer to hire a migrant worker – who can be available 24 hours a day/7 days a week, and whose wages can be paid late without consequence – over a Jordanian worker. In the same way, a lower minimum wage for non-Jordanians provides a business incentive for hiring them over Jordanians. Although segmentation exists, there is a wide grey area in which competition exists between Jordanians and non-Jordanians and poor working conditions for non-Jordanians has spurred a “race-to-the-bottom” that impacts Jordanians as well.

The basic laws and goals of Jordan's immigration and work permit system are sensible: to control and monitor the size and activities of the non-Jordanian workforce. Two fundamental principles underlie the system. First, employers act as sponsors for migrant workers including recruitment before workers enter Jordan and pay round-trip transportation, work permit fees and other costs of recruitment. Second, workers are employed full-time for a single employer-sponsor on the basis of a one year contract.

Over time, however, two disconnects have emerged between the regulations surrounding the Law and the reality on the ground. First, the restricted internal labour market mobility is increasingly inconsistent with employers' needs. In many sectors, employers are unable to offer one-year contracts for full-time employment. The need for short-term or seasonal work is common in agriculture and construction and many workers shift between sectors depending on availability of work. In the domestic work sector, demand for part-time workers has emerged as well. And, across the board employers are afraid to commit to long term employment and high social security contributions, especially in the current macroeconomic context. The second disconnect is the fact that a large number of non-Jordanians are already in the country working informally. This includes Syrians, who entered Jordan as refugees rather than as workers, as well as large numbers of migrant workers whose situation does not fit within the fundamental principles of the system.

The work permit system doesn't work for our economy. We can't promise someone we can employ them for a whole year. Sometimes we know the work is only short term. Other times, because of the economy, we just can't take the risk. Not to mention having to pay social security. It's just not possible for us.
(Construction contractor)

I hire a domestic worker two days a week. She also comes to help when I have a dinner party. I have a small apartment and my kids are grown, so I don't need someone full time. This arrangement is less expensive and I have my privacy.
(Employer of a part-time domestic worker)

Many non-Jordanians do not hold work permits. In many cases, the lack of a work permit is involuntary on the part of the worker: because the employer cannot provide a one-year contract and make social security contributions necessary for a work permit, because the employer did not renew a previous work permit, or because the worker ran away from an exploitative employer.⁸ In some cases, there is also a voluntary aspect to their irregular status. Syrians are often afraid that they will lose access to humanitarian assistance if they obtain a work permit: given the precarious nature of their employment, they worry that they will lose their job and end up without any source of income at all.

Even among those non-Jordanians who have work permits, a significant share fall outside of the principle of employer-sponsorship. Under the alternative, black-market-sponsorship work permits, workers pay Jordanian individuals to act as sponsors for the purpose of the work permit without having a true employment relationship.⁹ Workers buy these black-market-sponsorship work permits to maintain formal migration status, often paying JOD 1,000 per year, the bulk of which goes into the pocket of the sponsor rather than into Government revenue. Workers then seek whatever employment is available, often shifting among multiple employers. Fieldwork interviews indicated that for many non-Jordanians, the black-market-sponsorship type of work permit is the only kind they are familiar with.

Migrant workers and Syrian refugees see the primary benefit of work permits as protection from deportation. Despite the fact that the sponsor controls the work permit process, non-Jordanians are keenly aware that they themselves are accountable. Although some individuals see work permits as a means to improve working conditions (by increasing their bargaining power vis-à-vis employers), many others believe that work permits decrease working conditions because sponsors control the worker's mobility and are able to engage in extortion.¹⁰

Labour inspectors make considerable efforts searching for and punishing non-Jordanians who do not have work permits. The role of checking on work permits makes many non-Jordanians afraid of the labour inspectors: particularly on construction sites, hazardous conditions are created when workers run away from inspectors. Given the focus on checking work permits, the magnitude of the numbers involved and limited resources, inspectors' ability to enforce decent working conditions is constrained and this is reflected in the comments of Jordanian workers as well as the inspectors themselves.¹¹

⁸ Non-Jordanian workers are not permitted to change employer without the previous written permission of their sponsor.

⁹ Workers often refer to a black-market-sponsor as a "kafeel," or "sponsor" to distinguish them from employers and refer to black-market work permits as "commercial" or "freelance" work permits. In some cases, there is a middleman or broker involved, as well as the black-market-sponsor.

¹⁰ When the employer-sponsor has paid a recruiter and airfare, he has an incentive to protect that investment – which often takes the form of restricting worker's movement and passport confiscation, both of which are illegal. The practice of employers holding the passports of migrant workers is widespread. Among those we interviewed, 92 per cent of workers said their employer holds their passport. Migrant workers and their employers are often unaware that passport confiscation is illegal. To minimize up front investments, employers try to pass on the financial costs to workers: a majority of non-Jordanians with employer-sponsor as well as black-market-sponsor work permits report that they have to pay for their work permit themselves, despite regulations to the contrary. According to a recent study, only 18 per cent of migrant workers and Syrian refugees said that their employer paid the full cost of the work permit. Leading Point (2016).

¹¹ The quotes of inspectors were taken from interviews conducted under the ILO Fairway Programme. The separation of enforcement of labour law and regulations from enforcement of migration policy is a basic principle of the Labour Inspection Convention, 1947 (No. 81) which was ratified by Jordan.

Based on estimates of the number of non-Jordanians working in Jordan, the number of work permits issued, and estimates of the extent of black-market-sponsorship, the majority of the non-Jordanian workforce fall outside of the fundamental principles of the system. As few as 17 per cent of non-Jordanians are estimated to hold a work permit that matches their actual employer and occupation.¹²

We try to follow up on all aspects of the law, including Occupational Safety and Health. One of the problems is that we don't have enough time or even vehicles to do it all. Sometimes you can only get access to a vehicle for inspections when it is a joint visit with the police intended to check on work permits.

(Labour Inspector)

I remember visiting a construction site with the police. There was a Syrian worker there. As soon as he saw the police, he jumped from the 3rd floor. We didn't take action against the worker. We just ordered an ambulance and he was taken away.

(Labour Inspector)

We provide incentives for inspectors when we have special campaigns checking work permits. We give the inspectors a bonus if they catch a set minimum number of irregular work permits per day.

(Representative of the Ministry of Labour)

Inspectors only check work permits. They don't care about us Jordanians.

(Jordanian construction worker)

We rarely see inspectors coming to the farms. I wonder how they can reinforce the rules and regulations if they do not have enough staff to inspect the farms.

(Jordanian agriculture worker)

We pay a thousand dinars to the kafeel. I know the government takes around 300 dinars and the middleman and the kafeel – which in many cases we never meet – split the profit amongst themselves. We understand how they work and they are making a lot of profit off of us, but we have no other choice.

(Egyptian, manufacturing worker)

I wanted to work for my sponsor, but I was forced to work illegally because the sponsor himself does not have any job to offer. I came to Jordan looking for a better opportunity, so I'll work illegally if I have to.

(Egyptian, agriculture worker)

How are you expected to get by if you have a work permit with your actual employer? Work varies from project to project and season to season, so you have to go around doing other things to survive. Otherwise you will go months and months with no income!

(Egyptian, manufacturing worker)

There are different schemes of splitting the work permit fees between us and the employer. Some employers are good and they split the payment with you. Others make you pay the full amount – sometimes all in one payment.

(Egyptian, hotel worker)

I needed a work permit to get by. The easiest one to get was the one through construction, so I bought it for 500 dinars. I like it because now I'm not tied to my employer and I can leave my restaurant job if I need to. It also means I can walk around Amman more freely and if a police man stops me then I will just pull out my work permit. But I know that the guy made 500 dinars on it because it only costs 10 dinars for Syrians.

(Syrian, restaurant worker)

I don't like my sponsor and I don't think he should be taking money from me. But the arrangement allows me to be free to work like I want, in my own time and my own choice of employer. The sponsor also gets me work sometimes in the households of his friends.

(Filipina, domestic sector worker)

I am lucky as a guard. I can get a work permit and I'm not scared of deportation. But all the other Egyptians I know are constantly scared because they have a work permit for a sector they don't work in, like agriculture. Even the ones working in construction who hold a construction work permit are scared, because they work for various contractors and if they are caught with a different employer, they are deported.

(Egyptian, guard)

The disconnects between today's economic reality and the initial principles of the system have several negative consequences. First, the Government does not have full control over the activities of the non-Jordanian workforce. Even monitoring the presence of non-Jordanians and the

¹² The 17 per cent figure is based on the Ministry of Labour's issuance of 315,045 work permits in 2015 (NCHRD and Al Manar, 2016), Ministry of Labour's estimate of 1.4 million non-Jordanians working in Jordan (Jordan Times, February 5, 2017), and the estimates of Leading Point (2016) and Tamkeen (2014) on black-market-sponsorship.

characteristics of the labour market is difficult when only a small share is. Second, the Government does not capture the potential revenue from employers where workers work without permits, and despite the fact that many of those interviewed said that they are willing to pay for work permits issued directly to them by the Government. Third, employers are frustrated that the regulations do not support economic productivity. Employers want access to a pool of labour for short term employment and complain that there are shortages of unskilled workers in some places and excess supply in others. Fourth, Jordanian workers feel that working conditions are not effectively enforced because labour inspectors are fully occupied addressing work permit issues. Fifth, migrant workers and Syrian refugees feel vulnerable if they are unable to obtain a work permit, and also if they have one, namely vis-à-vis their sponsors.

Findings: Incorporating Syrian Refugees

The presence of Syrians has exacerbated an already challenging situation by increasing the quantity of workers in the labour market. Syrians entered Jordan as refugees rather than to work. However, as their savings ran out, many Syrians have found short-term, informal sector employment. Meanwhile, the Government has made considerable efforts to ease the formalization of Syrian employment and to encourage Syrians to work in the manufacturing sector.¹³

Although comprising only a fifth of the total number of non-Jordanians workers, there are several new challenges of incorporating refugees. Like migrant workers, Syrians are often willing to work for low wages if they have other means to cover their basic needs. Unlike migrant workers, however, Syrians have their families with them and are unable to work under some of the conditions feasible for migrant workers who come to Jordan alone. A challenge facing manufacturing specifically is that wages in the sector are generally insufficient to cover rent and other basic needs. Moreover, because the work permit process was designed for migrant workers recruited on a temporary basis from outside of the country, retrofitting the process for refugees has been difficult.

*I am willing to work in anything. But I cannot leave this city if the job I get does not enable me to rent a place and sustain my family. Here I am living without any expenses because I have relatives, so I can get by. If I go to another city I won't have that so the job I get needs to compensate me for that. I would move for a manufacturing job if I could get a salary of 300 dinars a month, but I can't afford to do it if I don't get that much.
(Syrian, unemployed)*

*I worked in agriculture. But one day I came back and my children had set the tent on fire and my neighbors were freaking out. The extra income is not worth leaving my children over. I'd rather keep them alive.
(Syrian female, agriculture worker)*

Despite the challenges, there are several opportunities associated with incorporating refugees. First, Syrians are already in the country, so many of the upfront costs of recruitment can be eliminated. Second, despite generally low levels of education, many Syrians have strong entrepreneurial skills as well as skills in trades (particularly in construction and services). Third, while migrant workers send the bulk of their wages back home as remittances, the Jordanian economy benefits from the multiplier effect of Syrian wages being spent inside Jordan.¹⁴ Fourth, there may be opportunities to recruit Syrians living in camps, who have their basic needs provided by the camp, to work in nearby manufacturing companies.

¹³ A recent agreement with the European Union gives Jordanian manufacturing exports special access to European markets on the condition that refugees comprise at least 15 per cent of a company's workforce.

¹⁴ On average, the migrant workers we interviewed send home about 70 per cent of their wages. In contrast, only one of the Syrians we interviewed sends any amount to relatives outside of Jordan.

As Syrians, we like freedom when it comes to work. That's why we'd rather work various jobs or open our own small business.
(Syrian, entrepreneur)

*Egyptians send their earnings to their families in Egypt. But we have our families with us, so we end up spending our earnings inside Jordan. We don't receive enough money to send to our relatives back home. It's barely enough to cover the expenses here. We actually need someone to send us money! *laughing**
(Syrian, restaurant worker)

The Labour Law treats all non-Jordanians equally in terms of requiring permission of the Ministry of Labour in order to work. While operating within this legal framework, the Government of Jordan has recognized the special situation of Syrians as refugees rather than as migrant workers and has developed regulations accordingly. The Government has given priority to Syrian refugees by temporarily restricting the entry of new migrant workers and by reducing work permit fees for Syrians to JOD 10.

Equally importantly, the Government has created a pilot programme through which Syrians can obtain work permits in agriculture that allow them to move among multiple employers. Although additional challenges will be faced in other sectors, the programme serves as a useful model for internal labour market flexibility that can be adapted more broadly.

Throughout all parts of our fieldwork, Jordanian workers simultaneously expressed sympathy for Syrians and frustration that their presence has resulted in a decline in wages. The two sentiments are in fact consistent: Jordanian workers do not blame Syrians as individuals but are resentful of the impact of the uncontrolled labour supply shock.¹⁵

Syrians should not be competing with Jordanians. But they certainly deserve priority over people from other countries. Syrians aren't going anywhere and they just want to live and work. The problem, though, is that Syrians are bringing down wages because they accept low salaries and their presence drives up rents.
(Jordanian, unemployed)

When working on projects with Syrians, we are forced to accept the daily pay of the Syrians – 8 dinars, which is much lower than the regular daily pay we used to get before. Syrians pulled the wages down and it is not feasible for us to work at these wages.
(Jordanian, construction worker)

Recommendations

Jordan faces several major challenges going forward. Nevertheless, the fact that Jordanians have adapted to changing circumstances before and the existence of solutions that benefit a wide range of stakeholders are causes for optimism. The employers, workers, Government and other stakeholders interviewed for this study not only clarified the challenges: they also provided many constructive suggestions that form the basis of the recommendations that follow, and which are furthermore underpinned by ILO decent work principles, guidelines and tools. To a large extent, the focus of these recommendations has been on creating incentives for compliance, rather than reliance on costly enforcement mechanisms.

Decent working conditions. The primary recommendation that emerged from fieldwork and the literature review is to deepen efforts to ensure clear and harmonized working conditions. The past several decades in Jordan have demonstrated the impacts of large numbers of non-Jordanians, who are available 24 hours a day, are often not compensated for overtime work, are often paid late, and perpetuate the economy's reliance on low-wage low-skill production methods. These impacts have included stubbornly high rates of Jordanian unemployment and an economy stuck in a low value-added, low growth equilibrium. Only when working conditions are harmonized at a decent level, will Jordanian workers be able to compete on a level playing field.

¹⁵ The ILO and Fafo study of 2015 found a similar result. In that study, large portions of the Jordanians surveyed believe that Syrians are pushing down wages. At the same time, the Jordanians said that Syrian workers are being exploited by employers. In other words, while angry at the impacts caused by Syrian presence, Jordanians do not place blame for the wage reduction on Syrians themselves. ILO and Fafo (2015).

Several priority aspects of decent work emerged from the fieldwork:

- Addressing late payments by requiring electronic payment of wages into worker bank accounts or via a money-transfer company. This type of system has been adopted in a number of Gulf States (including Kuwait, Oman, Qatar and the UAE) and allows automated tracking of employer compliance with the Labour Law.¹⁶
- Revising and enforcing payment of overtime wages. One of the primary reasons employers indicated for hiring migrant workers rather than Jordanians is because of the migrant workers' availability to work very long hours. By ensuring appropriate remuneration for overtime, incentives can be rebalanced.
- Harmonizing the minimum wage for Jordanian and non-Jordanian workers. Eliminating the large gap in wages would reduce employers' incentives to hire non-Jordanians rather than Jordanians.
- Enhancing capacity of the Ministry of Labour to deliver on its core mandate of advocating for and monitoring working conditions, including through social dialogue with employers and workers organizations, effective labour inspection in line with ILO Labour Inspection Convention, 1947 (No. 81) which Jordan has ratified, and through process re-engineering and improved computer systems.¹⁷ In particular, the system can usefully be upgraded to support a case-management approach, linking the hotline with inspections and making the inspection system risk-based.
- Increasing enforcement of Occupational Safety and Health (OSH) regulations through labour inspections, through worker-employer committees, and through enforcement of regulations for employer-paid on-site OSH specialists. In government and donor-funded projects, OSH standards can be supported by allocating separate budgets for training, personal protective equipment and specialists, rather than including these items in bids that are used for contractor selection.¹⁸ These actions can help address the concerns of workers that some types of jobs (e.g. in agriculture and manufacturing) are dirty and unsafe.
- Job placement and certification programmes that link qualified Jordanians and non-Jordanian work permit holders with employers, including for part-time and short-term jobs. Such programmes address common complaints among employers that they are unable to find suitable Jordanian or Syrian workers.
- Awareness raising for employers and workers. Fieldwork found many violations were due to a lack of knowledge of the regulations on the part of employers and to a lack of knowledge of existing support mechanisms on the part of workers. Awareness raising can be performed before employment starts (e.g. requiring short information sessions as part of the work permit process), at regular intervals (e.g. at work permit renewal), through inspections, and through public information campaigns.

*We want to abide by this country's labour laws, but what are we supposed to do when we have some vacancies for over a year and we can't find Jordanians to fill them?
(Factory owner)*

*In the last year, the Government has made decisions that restrict hiring of non-Jordanians. That's Ok but if they are going to restrict hiring non-Jordanians, they should play a more active role in job-matching. We sometimes send job announcements to the Ministry of Labour but don't get any response.
(Hotel owner)*

¹⁶ Wage payment systems need to be designed in a manner that incentivizes compliance by reducing time and cost of all involved. Early efforts at wage payment systems suffered from challenges such as bank reluctance to open accounts for small amounts of money, limited access to banks in remote areas and employer confiscation of ATM cards. More recent technological advances already available in Jordan, including JOMOPAY and the iris-scan system used to transfer cash to Syrian refugees, have resolved many of the early challenges.

¹⁷ Improved compliance with decent work can be best achieved by policies that create the right incentives for employers and workers, and that only secondarily rely on enforcement mechanisms. For example, a simplified work permit system and adoption of an electronic wage payment system could free up Ministry of Labour inspectors to focus on address other aspects of their mandate including increasing face-to-face advocacy for workers' rights.

¹⁸ When Occupational Safety and Health costs are included in the bids on which contractor selection decisions are made, bidders have incentives to skimp on essential items.

- Building common ground between employer concerns over high turnover and insufficient worker commitment and worker concerns regarding career path and treatment by employers. “Respectful workplace” programmes can be developed in a wide variety of sectors with the aim of building constructive engagement with both employers and workers (as has already been achieved in the Jordanian garment sector through Better Work Jordan). Such programmes can include establishment of workplace committees, supervisor training, and assessments. Where useful, engagement can be further incentivized by provision of job-matching and worker training services.

Additional ways to increase employment of Jordanians. In addition to deepening efforts to ensure a clear and harmonized set of working conditions, several suggestions emerged that support increasing employment of Jordanian in general and encourage work for Jordanian women in particular:

- Continuing reform of vocational training and education, to support reentry of Jordanians into sectors that have become dominated by migrant workers. Specific areas of focus may include: enhancing the image of vocational trades as a legitimate career choice, career counselling during secondary school, early exposure to on the job experiences, and job-readiness (including knowledge of career tracks and communication skills).

A big problem we have in Jordan is that vocational jobs are seen as the last resort for those who failed their school studies. It's not seen as a choice.
(Restaurant owner)
- Continuing development of alternatives to traditional full-time permanent employment. Recently approved regulations allowing for part-time work are an important first step. Further efforts will also be helpful to ensure social security and other systems support a variety of working arrangements. This issue is particularly important for women (who often express desire for part-time work) but also for those engaged in short-term work (ranging from low-skilled day labourers to highly-skilled workers in the modern “gig” economy).
- Continuing development of affordable and reliable transportation. Among Jordanian men, one of the frustrations related to the labour market is the cost of transportation. Among Jordanian women, the time spent commuting was identified as an even more important constraint.

The fact that we are mostly female creates a comfortable environment that makes workers feel safe and keeps the turnover low. Our factory has developed a very positive reputation in the city. Families trust us and feel happy to have their women working here without concern. This is the secret to our success.
(Factory manager)
- Encouraging “female-friendly workplaces” and opportunities for working from home. In the garment sector, satellite factories have successfully addressed several of the issues that have kept women out of the labour force, including the desire to minimize commuting time and to work in female-friendly environments.¹⁹ Where feasible without unsustainable subsidies, similar approaches can be considered for other sectors. In addition, programmes can be developed along the same lines as the “respectful workplace” programmes suggested above. In both cases, assessments and advice to businesses can be combined with recruitment services, worker training and/or small grants to modify physical facilities.²⁰

¹⁹ The Jordanian garment sector is primarily based in remote economic zones. These locations may be suitable for the large numbers of migrant workers from South Asia who live in dormitories at the factory site. However, the garment sector has had very limited success in attracting Jordanian (or Syrian) women who have family responsibilities. Where satellite factories have been established within cities, Jordanian women have entered the labour market and remained in their jobs even after marriage. The Government has subsidized many of these factories. Further analysis would be needed to identify the extent to which satellite factories can be profitable.

²⁰ Although female friendly workplaces are likely to have a significant share of female workers, complete gender segregation was not considered essential by most of the women interviewed. Interestingly, the issue of child care was not a major concern among the women interviewed for this study. Although quality child care at affordable prices is likely to be important for increasing female labour force participation, it did not emerge as the most urgent and immediate concern.

Modifying policies governing migration and work permits. A key recommendation raised by interviewees is to realign migration and work permit regulations to (i) enhancing internal labour market mobility and improve the investment climate by making the work permit the responsibility of the non-Jordanian worker²¹ and (ii) carefully control any further additions to the stock of newly recruited migrant workers from outside of Jordan.

- For refugees and migrant workers already in the country, internal market mobility can be enhanced by making the work permit application the responsibility of the non-Jordanian worker.²² The simplest mechanism would be to have workers interact directly with the Ministry of Labour as is currently being done in Bahrain. This approach minimizes administrative costs and bureaucratic burden as well as opportunities for rent-seeking behavior. Alternatively, responsible third-parties (e.g. NGOs or international agencies) could serve as intermediaries, building on the Agricultural Cooperative pilot. This approach will require oversight and funding to ensure effective third-party participation. In all cases, a system that is employment-based rather than employer-based, allows the Government to hold the worker directly accountable for their migration and work permit status. In such a system, employers would remain accountable for hiring only permit-holders and only within open occupations and quotas.²³ This approach has several advantages: freeing up Ministry of Labour inspectors to focus on working conditions; increasing the share of the labour force over which Government has effective oversight; reducing worker's vulnerability to exploitation; and improving alignment of the labour force with market needs (including short-term and part-time employment).

*We need to find a mechanism where the worker can easily move from one employer to the other. Currently the kafeel controls the worker. If the worker is independent, this offers flexibility to the contractors who can hire workers on a short-term basis from a pool of legal migrant workers without the obligation of one year employment.
(Construction contractor)*

*If the Ministry of Labour or another respected entity act as our sponsor, we would be happy to pay 900 dinars per year for a work permit to work freely with various employers without constant fear of inspectors and deportation and without being abused by our (black-market) sponsors.
(Egyptian, construction worker)*

*We want the Jordanian Government to give us work permits without specifying an employer. We don't want to go through (black-market) brokers who could give us forged permit. We want to go to a government agency and process our own permits. We trust the Government but we don't trust the brokers.
(Syrian, construction worker)*

- Additional measures are needed to address recruitment of migrant workers from outside of Jordan. Given the large number of migrant workers and refugees already inside Jordan, any additional recruitment from outside of the country should be carefully considered, with permission given only if business needs cannot be met using the existing supply of labour. There will, nevertheless be an ongoing need to recruit a small number of migrant workers from outside Jordan to replace some of those who return home. Any migration policy will need to address the costs associated with recruitment and a mechanism is needed to protect both the employer who pays these costs up front and the worker who should be able to leave unsatisfactory employment and be ensured physical mobility. Several alternatives exist including insurance schemes to protect employers (as is already the case in the domestic work sector in Jordan) and unilateral termination of contract with due notice (see UAE's Ministerial Decrees of 2016).²⁴

²¹ Work permit fees should be reasonable, and based on the 'employer pays' principle of recruitment in line with ILO Convention 1997 (no. 181) and the ILO General Principles and Operational Guidelines for fair recruitment, while expanding the scope of the work of the Public Employment Service to accredit and supervise placement agencies. See: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/genericdocument/wcms_536263.pdf.

²² For further discussion of enhancing internal labour mobility, see ILO (2017).

²³ Consistent with the Labour Law, employers would be expected to pay permit fees indirectly through wages.

²⁴ In all cases, enforcement of migration policy should be separated from enforcement of labour law and regulations. Meanwhile, migration policy should be enforced in a manner consistent with due process, including allowing migrant workers to remain in the country while legal cases are being processed.

Labour market access for Syrians. Much has already been done towards the goal of providing labour market access for Syrian refugees. The existing policies can be usefully continued and expanded to support Syrian workers to shift into formal work, including:

- Consider labour regulations to address the specific situation of refugees (as distinct from migrant workers). For example, because Syrians often prefer entrepreneurial/self-employment activities, a modified registration system that allows Syrians to formalize their employment status (without unfair competition with Jordanians) could benefit all stakeholders as well as addressing essential security concerns. Furthermore, efforts to formalize Syrian workers will need to consider the affordability of fees.

*We can work in restaurants like this one, which has five stars. But hotels ask for hospitality certifications. They won't hire workers without evidence of this training.
(Syrian, restaurant worker)*

- Expanding programmes that provide training, certification of prior skills and job matching for Syrians. These help Syrians to refine their skills to suit Jordanian production methods as well as to establish themselves in the Jordanian labour market.

*We are worried because we don't know about the background of Syrians. How do we know if they really know the work? And all of our workers need security clearance. For Syrians it can take months to get the approval. In most cases, hotels want to hire someone quickly, so we cannot afford to wait.
(Hotel owner)*

- Developing a mechanism for Syrians who are able to sufficiently support themselves through work to graduate from humanitarian aid. Harmonizing the targeting and benefits for Syrians with the programmes available for vulnerable Jordanians would have the added advantage of correcting the perception on the part of Jordanians that Syrians receive more generous support than do their Jordanian counterparts.

*I'm making good money now, working in a restaurant. I'm not getting the UNHCR cash anymore even though I used to. Now I am working in my occupation and have enough money. I am proud I don't need the cash anymore. It was shameful to take assistance.
(Syrian, restaurant worker)*

- Providing information to reduce resentment, which is often fueled by misinformation. Clarify regulations regarding Jordanian and non-Jordanian work policies (including letting Jordanians know that there are regulations in place to benefit them such as closed occupations and quotas). Clarify the extent of Syrian cash assistance, which is in fact less generous than commonly believed.

- Enhancing opportunities for camp residents to work outside the camp, in the nearby industrial zone. This will require smoothly-functioning processes to leave and enter the camp, as well as job matching and transportation programmes. Although efforts have already been made in this area, many Syrians who want to work in manufacturing report that they have not been contacted by any entity.

- Reassessing security clearance issues for Syrians. Currently Syrian work opportunities are constrained in agriculture because they are prohibited from parts of the Jordan Valley and in hotels because employers are unable to wait through the lengthy clearance process.

*There are some areas in the Jordan Valley that are restricted for Syrian nationals, so we can't hire them. We can only use Egyptian or Jordanian workers in these areas.
(Farm labour recruiter)*

Sector-specific suggestions. In addition to the system-wide suggestions outlined above, key informants and focus group participants identified several sector-specific suggestions, including:

- Developing a regulatory framework for agriculture to specify working conditions (including hours of work, remuneration, Occupational Safety and Health standards and enforcement mechanisms).
- Encouraging adoption of modern techniques that increase labour productivity, especially in construction and agriculture. Such techniques can increase both profits and wages, make tasks more acceptable to Jordanian workers, contribute to economic growth and address sustainable development goals (e.g. energy-efficient construction and water-saving agriculture).²⁵

Government should encourage use of machinery. Some of the work Egyptians do could alternatively be done by Jordanians using machines. Pesticide and fertilizer application, green house installation, things like that. Things that Jordanians and Syrians don't want to do now – not the way Egyptians do it. Using equipment – even simple tools or anything that requires more sophistication and less brute force -- would make more Jordanians willing to work in agriculture.

(Farm owner)

After we imported the manure spreader machine we started saving 30 per cent on our cost. When using those special nozzle turbo sprayers we saved over 40 per cent on pesticide spraying costs. We can pay more to our workers and still be competitive in the market.

(Farm owner)

Generally speaking mechanizing any aspect of construction leads to employing more Jordanians. Using machines, systems or equipment reduces manpower needed but requires higher skills. And the majority of skilled construction workers are Jordanian.

(Construction contractor)

- For the domestic work sector, pursuing measures that address the unique challenge of the sector including (i) periodic face-to-face meetings with workers and employers as a substitute for inspections and as an opportunity to inform households and workers about rights and responsibilities; (ii) completion of the proposed shelter for housing workers while disputes with employers are being resolved; (iii) establishment of centers for domestic workers to come on their day off; and (iv) permitting recruitment only from countries that provide sufficient support and protection to their own nationals.

It is a fact that household inspections are not going to happen and won't bring the required results and will create social problems with households. Office-based inspections – not based on any complaint -- could request both the worker and employer to attend and both will be asked about the work but in separate rooms. This will help regulate the market because people are less prone to violate the law if there is follow up from Ministry of Labour. This sort of inspection can also follow up on expired contracts. I think it would solve 70 per cent of the problems.

(Ministry of Labour representative)

²⁵ The choice of appropriate levels of labour-intensive vs. skill-intensive production techniques needs to be context specific. If techniques are too skill or capital intensive, the number of jobs created will be small. On the other hand, if techniques are too labour-intensive, the targeted groups may not benefit and the economy may not make the desired transformation. Likely, a combination or approaches or an intermediary approach will be required.

- Supporting alternatives to the full-time, live-in model of domestic work. Although Jordanian and Syrian women interviewed for this study were generally unwilling to accept full-time, live-in employment, there are opportunities to get both groups involved in alternative models of domestic work. Such alternatives include provision of daycare and care for the elderly as well as supplying households with home-cooked meals. In some countries, housework performed by teams rather than by individuals has also proven effective in addressing concerns about personal safety.

Jordanians and Syrians can't replace sleep-in domestic workers. But there is potential in services like nursing old people, cooking, babysitting and part-time cleaning. Employing Syrians can be of value added as they are already residing in the Kingdom and require no travel expenses. But there would need to be flexibility in issuing permits for part-time or less than a one year contract. Also recruitment is currently only allowed by licensed agencies. Perhaps we can let Syrians work directly with the employer. Or service companies can expand their business beyond working for companies.
(Ministry of Labour representative)

- Reviewing quotas and closed occupations to ensure regulations are consistent with nationalization of the workforce and economic growth, through a consultative process involving social partners. In construction, for example, consider application of the quota over the course of a project or a year, rather than at every given moment in time to address contractors' concern that different stages in the project require different types of skills.

It is very difficult to maintain the 5050/ ratio all the time. We don't hire people permanently. We hire most of our staff on projects. Different stages of project implementation require different mix of skill-set and given that there are no Jordanians in certain occupations, the nature of the project stage dictates the nationality breakdown. So during concrete and foundation work, the majority are Egyptians and foreign workers. Once foundation is complete, we work on internal finishing or other components where technicians are needed. In this stage the majority are Jordanians.
(Construction contractor)

Support by the international community. The international community should contribute its fair share to the long-term welfare of Syrian refugees and to support Jordanians cope with macroeconomic shocks that resulted from regional crises. Many of the above recommendations lend themselves well to international support – either by funding Government programmes or through direct project implementation. In particular, the international community can provide funding and technical assistance for implementation of the proposed electronic wage payment system (to address compliance with the law on on-time wage payment) and Ministry of Labour modernization (to improve decent working conditions for all and to increase employment of Jordanians). The international community can also provide support – either through the Government of Jordan or direct project implementation – in several other areas. First, there is large scope for initiatives that promote decent work and inclusive economic growth including through “respectful workplace” and “female friendly workplace” programmes in a variety of sectors. Second, the international community can encourage productivity-enhancing modernization in sectors such as construction and agriculture through a range of projects and programmes. Such projects and programmes could provide urgently needed counter-cyclical investments and job creation for Jordanians and Syrians, as well as contributing to the longer-term goals such as energy-efficiency and water-saving agriculture. Moreover, the international community can address relevant concerns throughout all of its projects, not only through directly labour-related programmes. For example, conditions of tender for construction projects in all sectors can build in mechanisms to promote prompt payment and Occupational Safety and Health.²⁶

²⁶ A variety of mechanisms are available to address these issues. Prompt payment of subcontractors and workers can be addressed through subcontractor-payment-systems (as is done on projects of the Seoul Metropolitan Government) as well requiring electronic payment of workers. Occupational Safety and Health concerns can be addressed by taking costs of training, protective equipment and monitoring out of the competitive bidding process. See ILO (forthcoming a).

1. Introduction

The purpose of this study is to support an informed policy dialogue about the labour market in Jordan. More specifically, we address the situation of Jordanian workers, migrant workers and Syrian refugees and the impacts these three groups have on each other. We provide evidence related to three objectives: increasing employment of Jordanians, allowing Syrian participation in the labour force, and ensuring decent working conditions for all workers including migrant workers. Based on the evidence, we suggest policy and programmes that can help achieve these objectives.

The principle methodology used in the study is structured interviews of employers, the three groups of workers, the unemployed, and representatives from Government, unions and other stakeholder groups. Key informant interviews and focus group discussions were conducted based on pre-tested questionnaires and process and ethical guidance notes. In the course of the fieldwork in the period between September 2016 and January 2017, the researchers conducted 55 focus group discussions with a total of over 800 workers and unemployed people, as well as over 100 interviews with employers, managers, recruiters and officials from Government agencies, embassies of migrant workers, NGOs, trade unions and employer associations. The fieldwork covered Amman (including Sahab and Marka), Ajloun, Irbid, Mafraq (including residents of Zaatari Refugee Camp), Madaba and Zarqa. After completion of fieldwork, stakeholders were brought together in five roundtable discussions to validate preliminary findings. The roundtable meetings were also used to discuss and test support for a range of policy and programme options. Two stakeholder meetings were held after completion of the first draft of the report to further discuss and validate the policy and programme options.

In order to ensure the analysis is specific enough to be useful, the research team focused on five sectors: agriculture, construction, domestic work, manufacturing and tourism. Some of these sectors (e.g. tourism) rely primarily on Jordanian workers, while others rely on a mix of Jordanian and non-Jordanian workers (e.g. agriculture, construction and manufacturing) and others (e.g. domestic work) rely almost exclusively on non-Jordanian workers. Taken as a whole, the five sectors represent a significant share of the private sector labour force as well as reflecting both internationally tradeable and non-tradeable sectors. The distinction between tradeable and non-tradeable sectors is a key aspect of the National Employment Strategy's sector-specific approach to increasing employment of Jordanians because tradeable sectors are subject to international competition, whereas the national economy can find its own equilibrium in non-traded sectors. There may, therefore, be greater scope for increasing employment of Jordanians of the labour force in non-traded sectors. The five case-study sectors are:

Sector	Dominant segments of the labour force	Tradeability
Agriculture	Migrant workers (Egyptian men) and Syrian refugee families	Partly traded
Manufacturing	Migrant workers (South Asian women) and Jordanian men	Traded
Construction	Jordanian men, migrant workers (Egyptian men), male Syrian refugees	Non-traded
Tourism	Jordanian men, with more recent entry of male Syrian refugees in the restaurant sub-sector	Traded
Domestic work	Primarily migrant workers (South and East Asian women)	Non-traded

Two limitations of the study should be noted. First, we focused our attention on labour market and immigration policies. A much broader range of policy areas – including fiscal, industrial and educational policies – are crucial as well, but are beyond the scope of this study. Second, we

focused our attention on segments of the population that have secondary education or less. This group accounts for more than 60 per cent of the Jordanian labour force, about 75 per cent of the migrant worker labour force and 90 per cent of the Syrian labour force. Although there are important segments of all three populations that have university education, the issues faced by those segments are distinct and require separate study.

It is important to note that this study was conducted in the context of a very challenging macroeconomic situation. In large part due to the ongoing conflicts in neighboring countries, Jordan's economic growth has slowed over the past several years. Trade routes with and through Syria and Iraq have been largely closed and investor confidence is low, making recovery all the more difficult. Many of the sectors included in this study are shedding labour in response to falling demand. And, despite international support for Jordan as it hosts large numbers of Syrian refugees, grants and concessional financing have been insufficient to prevent increasing rates of unemployment.²⁷

Box 1: Key Concepts Used in the Study

- Migrant workers²⁸ and refugees. We use the term migrant worker to refer to people who have come to Jordan voluntarily for the purpose of work. In most cases, migrant workers stay in Jordan temporarily and send the bulk of their earnings home as remittances. Refugees, on the other hand, have been forced to leave their country to escape life threatening situations. Refugees are likely to remain in Jordan for a significant period of time and to spend the bulk of their earnings in the country, thereby creating multiplier effects in the economy. The distinction between migrant workers and refugees is recognized in international law,²⁹ though there are no specific laws in Jordan that articulate differences in treatment. Although Jordan hosts refugees from a variety of nationalities, this study focuses on Syrian refugees who comprise the majority of refugees currently in Jordan.³⁰ Following the Government of Jordan practice, we consider all Syrians in Jordan to be refugees, whether they have registered with UNHCR as asylum seekers or not.
- In this report, we use the term informal to refer to work arrangements that are without contracts and/or social security. Among non-Jordanians, informal employment often implies that the worker does not have a work permit, because a contract is required to obtain a work permit. It is important to note that informal work arrangements do not necessarily entail bad working conditions or low wages and formal work arrangements do not necessarily entail bad working conditions. Additionally, a worker may be informally employed even if he works for a formal business. (Formal businesses sometimes prefer hiring informally to avoid paying fees, minimum wage, or social security or simply to avoid bureaucratic processes.

The report consists of seven substantive chapters. The first chapter provides an overview of the labour market in Jordan. Chapters two through six contain fieldwork findings on the five sectors. The final chapter summarizes the fieldwork findings and concludes. An appendix includes the interview guides and process and ethical guidance note.

²⁷ Most sectors have suffered. Tourism, however, has been resilient and tourism revenue has increased in the past years. (Although the number of tourist arrivals decreased, an increase in the average length of stay has increased.)

²⁸ Article 2 of the International Convention on the Protection of All Migrant Workers and Members of Their Families (1990) defines a "migrant worker" as a "person who is to be engaged, is engaged, or has been engaged in a remunerated activity in a State of which he or she is not a national." In order to emphasize the temporary nature of work arrangements, most governments in the Middle East use the terms "temporary foreign contract labourers" or "temporary expatriate workers."

²⁹ The main international agreement is the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. One hundred and forty five countries (including Algeria, Egypt, Morocco, Sudan, Tunisia and Yemen are parties to the agreement. Although not a party to the agreement, Jordan has signed a Memorandum of Understanding with the UNHCR in 1998 which protects refugees seeking asylum from refoulement. Following the practice of the Jordanian Government, we do not distinguish among Syrians on the basis of asylum application or when they arrived in Jordan. We use the term "refugees" as a simple way to distinguish the situation of Syrians in Jordan from the situation of migrant workers. Technically, however, the Syrians in Jordan are either registered with UNHCR as "asylum seekers" or are simply living in Jordan as "guests."

³⁰ In addition to Syrian refugees, there relevant groups which are not explicitly included in the study. These include: 634,182 Palestinians (who do not have national IDs), 130,911 Iraqis and 31,163 Yemenis.

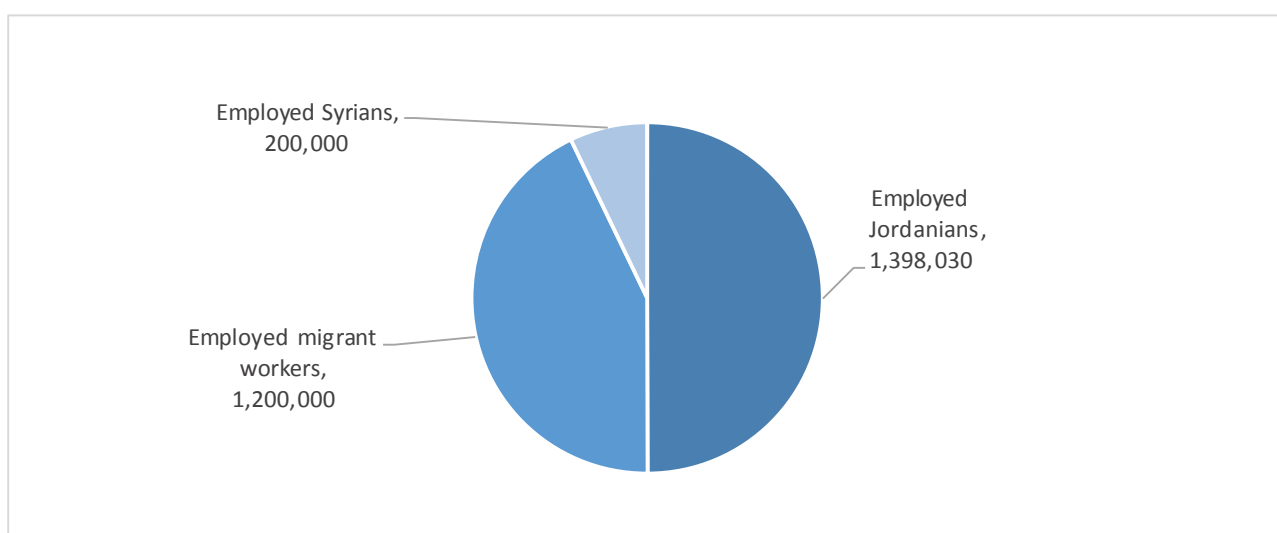
2. Overview of the Labour Market in Jordan

This chapter provides a brief overview of the three groups that comprise the work force in Jordan – Jordanians, migrant workers and refugees – as well as aspects of the legal and regulatory framework that relate to the relationships among these groups and a summary of economy-wide findings from fieldwork.

The Labour Force in Jordan

The labour market situation of Jordanians is very much tied to the presence and situation of migrant workers and Syrian refugees. There are about 1.4 million Jordanians working, plus another 210,000 unemployed.³¹ Although precise numbers are not available, there may be as many as 1.4 million non-Jordanians working – about the same as the number of Jordanians.³² In this context, the Jordan Compact goal of incorporating 200,000 Syrian workers may seem like a relative small incremental change but, in fact, it adds to an enormous pre-existing challenge (figure 1.1).³³

Figure 1.1 Employed persons in Jordan



Sources: National Center for Human Resources Development and Al Manar (2016) and Jordan Times, February 5, 2017.

Jordanians. Jordan’s working age population of almost 3.5 million people represents a substantial segment of the population. The “demographic gift” of a still young population allows a larger proportion of Jordan’s population to work, save and invest for the future when the population starts to age. The challenge, however is that less than 1.5 million of those are economically active, while more than 2 million are economically inactive.³⁴ Unless a way is found to get a greater portion of the population into productive jobs, the gift can turn into a curse, subjecting the country to economic, social and political pressure.

³¹ NCHRD and Al Manar (2016).

³² The Jordan Times, February 5, 2017.

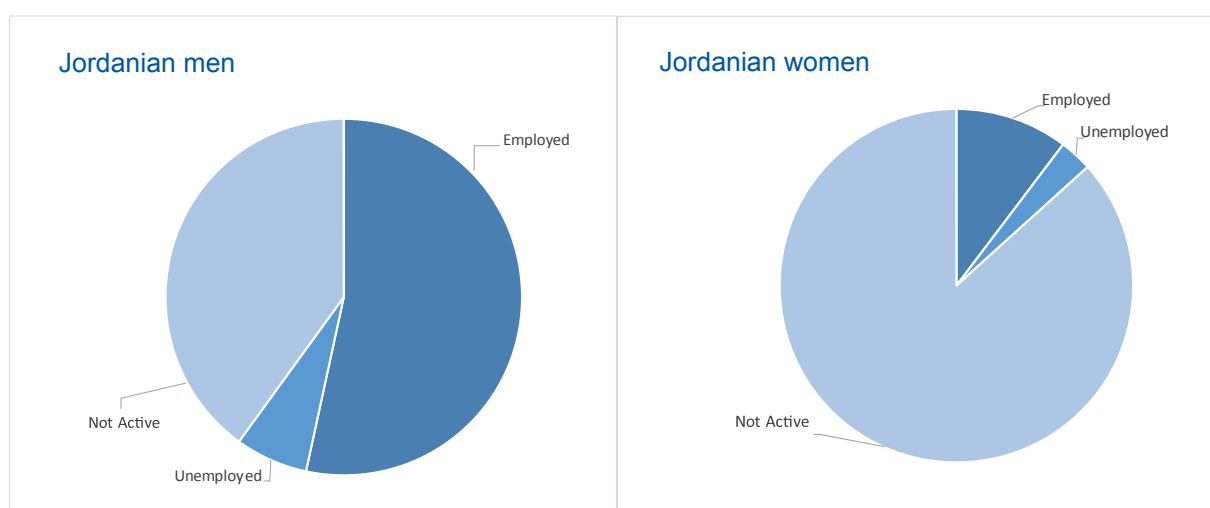
³³ The Jordan Compact, available at <https://www.supportingsyria2016.com>. Accessed May 1, 2017.

³⁴ The economically inactive include those who are of working age but are housewives, students, retired or not working/ seeking work for other reasons.

Jordan suffers from a mismatch between the jobs that are available and the aspirations of the Jordanian workforce. A significant proportion of available jobs have poor working conditions and are poorly paid and are therefore unattractive to a large segment of Jordanian workers, particularly given their relatively high levels of education and the high cost of living in Jordan. This mismatch is part of a vicious cycle in which many of the most-educated Jordanians emigrate for work in the Gulf countries, while large numbers of less-educated migrant workers immigrate for work inside Jordan. Ministry of Labour estimates that there are about 425,000 Jordanians working in the Gulf countries and that these migrants are disproportionately among the best educated Jordanians.³⁵ Two related aspects of this vicious cycle deserve special attention. First, the emigration of educated workers combined with the immigration of less educated workers, changes the composition of the labour force reducing incentives of entrepreneurs to adopt modern production methods that offer higher wages.³⁶ Second, as certain types of jobs become dominated by migrant workers, who generally accept poorer working conditions, there is less pressure for improved conditions.

The very low employment rate among Jordanians who live inside Jordan is particularly striking among women, but is also visible among men. Figure 1.2 shows that just over half of Jordanian men are working and that only one in ten Jordanian women are working.³⁷ These rates are very low even compared to other Arab countries, for which the average employment rates are 81 per cent for men and 27 per cent for women.³⁸

Figure 1.2 Economic activity of Jordanian men and economic activity of Jordanian women



Source: Department of Statistics, Labour Force Survey for 2015. Available at http://www.dos.gov.jo/dos_home_e/main/linked-html/Emp&Un.htm. Accessed May 1, 2017.

³⁵ ILO (2015), quoting Ministry of Labour. Among Jordanian emigrants, 55 per cent have a university education or higher, and 82 per cent have secondary education or higher. Government of Jordan (2011) referencing Department of Statistics Jordan Labour Market Panel Survey.

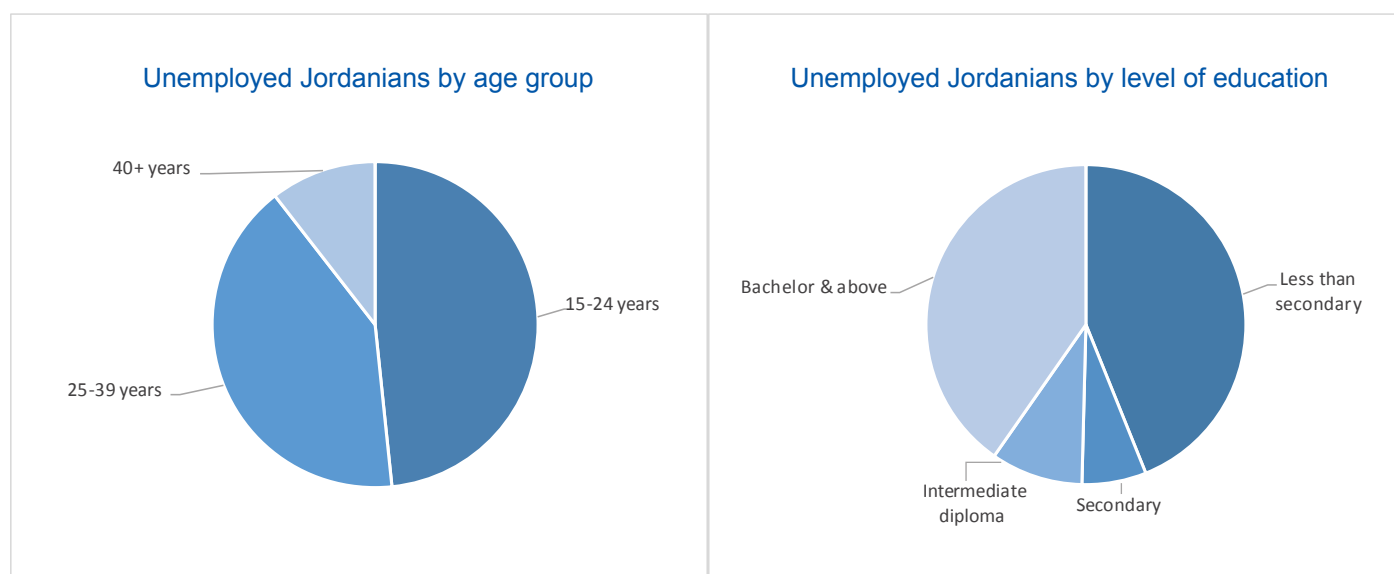
³⁶ A range of factors determine the products and production methods in an economy. In tradable sectors, an economy's comparative advantage is based on the availability of raw labour, human capital (skills/knowledge), land and financial capital. In recent years, analysis of economic growth has expanded this concept to also include publically provided aspects including infrastructure and the policy environment (e.g. taxes and legal issues). Ricardo Hausmann, Dani Rodrik and Andres Velasco (2006).

³⁷ The bulk of Jordanian men who are not in the labour force identify themselves as "students" or "with means," whereas the bulk of Jordanian women who are not in the labour force identify themselves as "housemakers."

³⁸ ILO (2015). Among the economically active, Jordanian men tend to exit the labour force young, primarily due to early retirement. Women often do not enter the labour force at all and, when they do, often exist upon marriage or childbirth.

There are approximately 210,000 unemployed Jordanians.³⁹ The unemployment rate hovers between 12 and 14 per cent and is higher among women and youth. Unemployment data must be carefully interpreted. On the one hand, unemployment rates may be underestimated because individuals who have given up looking for work are not included. On the other hand, unemployment rates may be overestimated because individuals who are unwilling to accept available jobs are included. Nevertheless, unemployment rates do provide a good indication of the extent of worker frustration with the labour market. Figure 1.3 provides an indication of the composition of unemployed Jordanians. In particular, it shows that (i) a large segment of the unemployed are young, indicating a difficult school to work transition; and (ii) the unemployed are about equally divided between those with little education (less than secondary) and the highly educated (bachelor and above).

Figure 1.3 Unemployed Jordanians by age group and unemployed Jordanians by level of education



Source: Department of Statistics, Labour Force Survey for 2015. Available at http://www.dos.gov.jo/dos_home_e/main/linked-html/Emp&Un.htm. Accessed May 1, 2017.

The large presence of university graduates in the pool of unemployed Jordanians implies that there is limited demand for them in the market. This low demand can be the result of low quality or a gap between specific programmes available and market needs. More importantly, it reflects the nature of the economy itself, which is largely based on low-productivity, low-wage occupations.⁴⁰

In the present study, our focus is primarily on the segment of the Jordanian labour force that is at the lower end of the education spectrum. There are nearly 100,000 unemployed Jordanians with less than secondary education, who are in direct competition with Syrians and migrant workers for jobs.⁴¹

³⁹ There were 209,569 unemployed Jordanians in 2015. NCHRD and Al Manar (2016).

⁴⁰ University graduates have increased as a share of the unemployed between 2000 and 2014. The low demand for university graduates is reflected in wage trends: while less educated workers saw a relatively healthy increase in their wages, the wages of university graduates declined slightly over the same time period. ILO (2015).

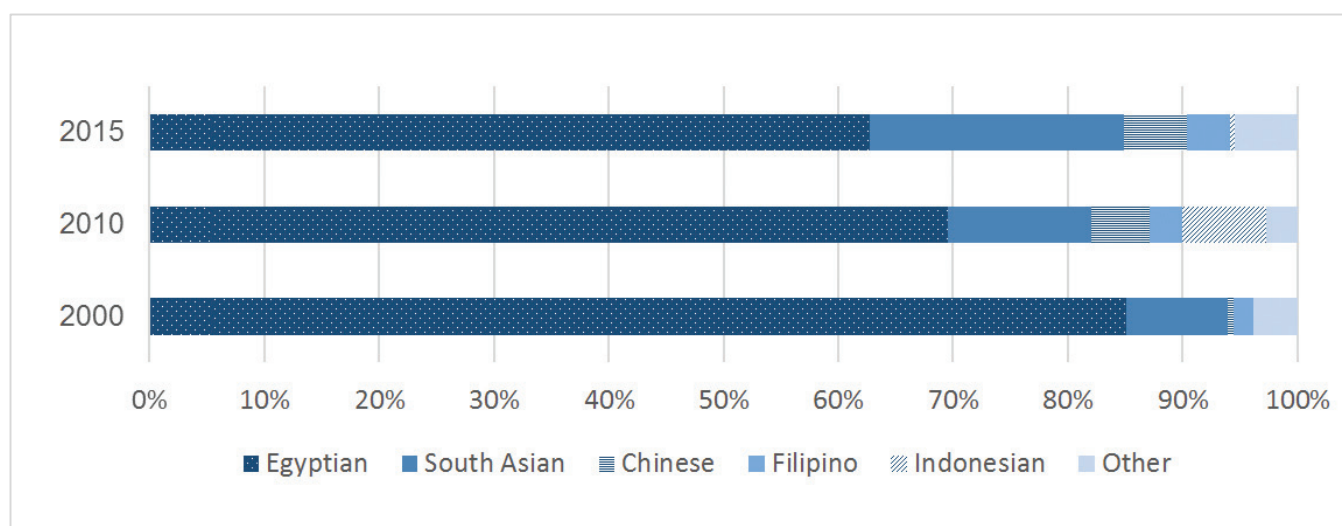
⁴¹ Fourteen per cent of the Jordanian labour force earned wages below JOD 200 per month in 2012. Ninety-five per cent of non-Jordanians had earnings in this range. ILO (2015)

Migrant workers. Until migrant workers started arriving in large numbers, all sectors and occupations were filled by Jordanians. As wealth increased in the 1970s, Jordanians brought increasing numbers of migrant workers to fill low-wage jobs. The presence of migrant workers has major impacts on the economy. A direct impact is that the labour supply effect pushes down equilibrium wages. An indirect effect is that USD 1.5 billion in wages are sent out of Jordan each year as remittances, eliminating the positive multiplier effect on the economy that occurs when wages are spent inside Jordan.⁴²

The majority of migrant workers are in Jordan without their families and for a limited period of time. Among Egyptians, for example, 97 per cent are in Jordan without their families.⁴³ Although some migrant workers have lived in Jordan for many years, the turn-over is quite high. In 2015, for example, a third of work permits were issued to migrant workers recruited and entering Jordan for the first time.⁴⁴

Egyptians account for about two-thirds of migrant workers. Over time, the composition of migrant workers has changed. Although the number of Egyptians has more than doubled between 2000 and 2015, their share of the total has decreased (Figure 1.4). The largest increases have come from Bangladeshis, Chinese, and Filipinos.⁴⁵ About 96 per cent of migrant workers are male,⁴⁶ with female migrant workers coming primarily from the Philippines and Bangladesh.⁴⁷

Figure 1.4 Migrant workers by nationality



Source: Al Manar website. Available at <http://www.almanar.jo/en/human-resources-information/hrstatistics>. Accessed May 1, 2017.
 Note: South Asians include workers from Bangladesh, India, Pakistan and Sri Lanka.

By definition, migrant workers have come to Jordan temporarily in order to work. Consequently, the vast majority of migrant workers are employed. A recent survey of migrant workers estimates that 98 per cent of migrant workers are employed, with only negligible segments unemployed or not in the labour force.⁴⁸

⁴² Jordan Times February 5, 2017, quoting Ministry of Labour Spokesperson, Mohammad Khatib.

⁴³ Leading Point (2016).

⁴⁴ Ministry of Labour, personal communication. The high turnover is further confirmed by Tamkeen Center for Legal Aid and Human Rights. (2014), which found that the majority of agriculture workers have been in Jordan for three years or less.

⁴⁵ Only work permit holders are included in this data. Syrians are not included in these calculations of migrant workers. In any case, Syrians represented less than 2 per cent of work permits as recently as 2015.

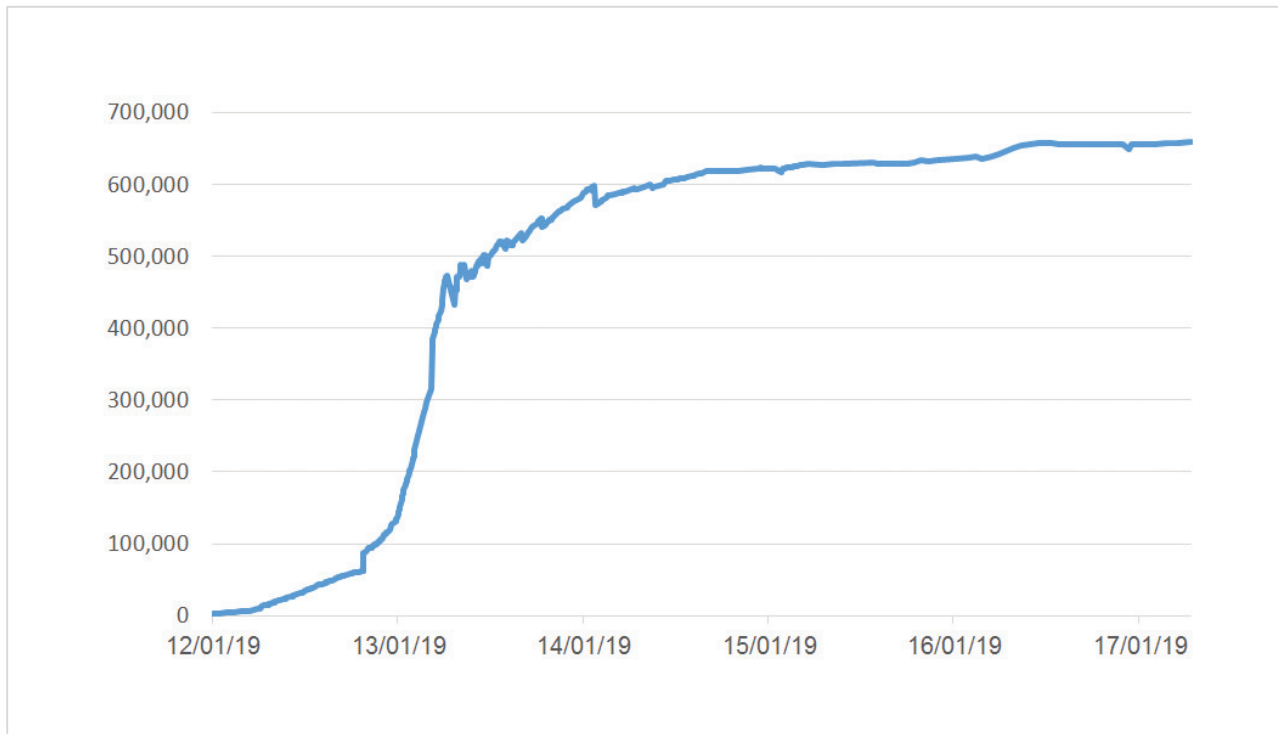
⁴⁶ Leading Point (2016).

⁴⁷ NCHRD and Al Manar (2016).

⁴⁸ Leading Point (2016).

Syrian Refugees. Although there have been Syrians in the Jordanian labour market for many years, their numbers were small until the start of the conflict in Syria in 2011.⁴⁹ The number of Syrians registered with UNHCR in Jordan increased dramatically in the first quarter of 2013 (figure 1.5). The number stabilized at around 656,000 as of September, 2016. The Government of Jordan’s census puts the number of Syrians at 1,265,000 – about twice the number registered with UNHCR. Among UNHCR registered refugees about half are of working age.

Figure 1.5 Syrians registered with UNHCR in Jordan



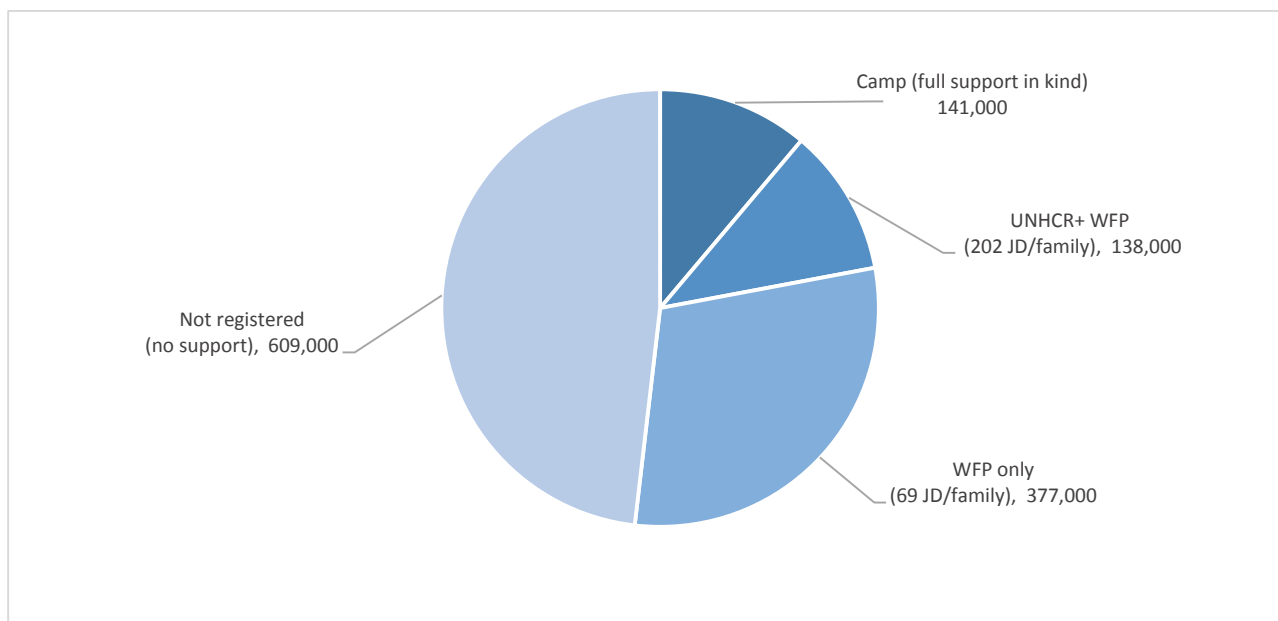
Source: <http://data.unhcr.org/syrianrefugees/country.php?id=107> Accessed October 17, 2016.

⁴⁹ As recently as 2015, there were less than 6,000 Syrian workers registered with the Ministry of Labour.

⁵⁰ According to the Department of Statistic’s Household International Migration Survey of 2014, 29.9 per cent of Syrian refugees have received assistance at some point since arriving in Jordan. Available at http://www.dos.gov.jo/dos_home_e/main/population/Jordan_International/Jordan-HIMS.pdf. Accessed May 1, 2017.

Syrian refugees have benefitted from humanitarian assistance through the United Nations and others. While crucial to meeting basic needs, the assistance is insufficient in terms of the number of refugees reached and in terms of the amount received by each beneficiary.⁵⁰ Only those Syrians registered with UNHCR are eligible for assistance, implying the rest of the Syrians identified in the government census receive no support (figure 1.6). Among those registered, the majority receive around JOD 69 per family per month from the World Food Programme. A smaller number also receive assistance from UNHCR or live inside the camps where basic needs such as housing and food are provided in kind.

Figure 1.6 Support received by Syrians



Sources: Jordan Times, January 30, 2016 and personal communication with UNHCR and WFP.

Jordan has not ratified the 1951 Convention Relating to the Status of Refugees, which accords refugees the same treatment as nationals regarding labour and other laws.⁵¹ However, Jordan signed a Memorandum of Understanding with the UNHCR in 1998 which protects refugees seeking asylum in Jordan from refoulment. Recognizing that Syrians may remain in Jordan beyond the time when large amounts of international humanitarian support is available, the Government is trying to avoid a future scenario in which refugees are unable to support themselves and resort to dependency on the Government, with all the associated social problems. With this in mind, the Government has set a goal of legal work for 200,000 Syrians.⁵²

*We used to get assistance when we first arrived in Jordan and it was enough to live on. But then the amount was reduced and we had to take whatever day jobs are available to compensate for the income shortage.
(Syrian, day labourer)*

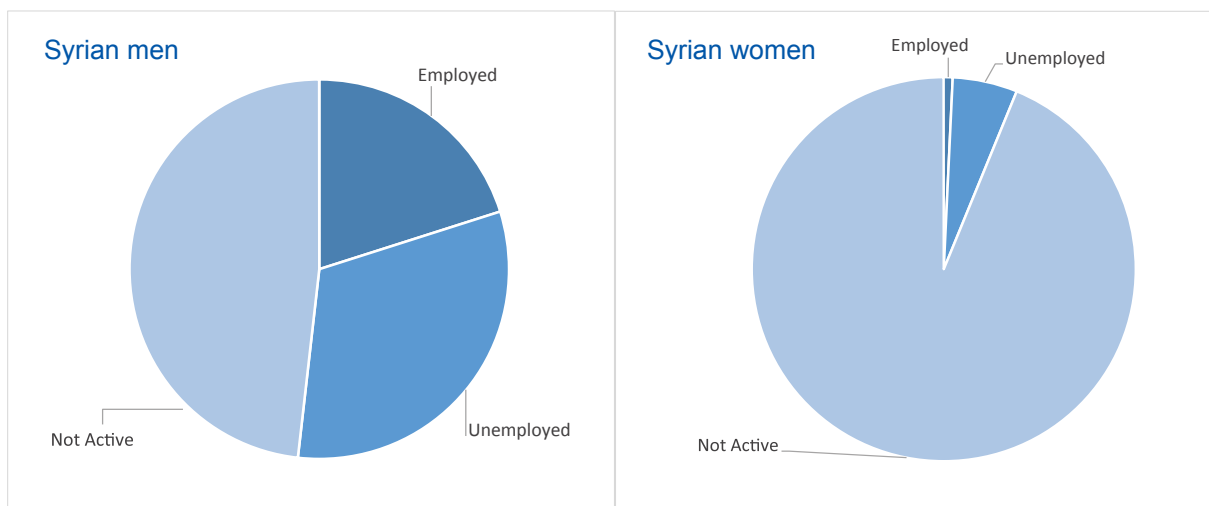
*I'm making good money now, working in a restaurant. I'm not getting the UNHCR cash anymore even though I used to. Now I am working in my occupation and have enough money. I am proud I don't need the cash anymore. It was shameful to take assistance.
(Syrian, restaurant worker)*

⁵⁰ According to the Department of Statistic's Household International Migration Survey of 2014, 29.9 per cent of Syrian refugees have received assistance at some point since arriving in Jordan. Available at http://www.dos.gov.jo/dos_home_e/main/population/Jordan_International/Jordan-HIMS.pdf. Accessed May 1, 2017.

⁵¹ One hundred and forty-five countries, including Algeria, Egypt, Morocco, Sudan, Tunisia and Yemen are party to the 1951 Convention and its 1967 Protocol.

Data available from the ILO/FAFO 2015 study indicates that a small share of Syrians are employed: about 20 per cent of Syrian men (figure 1.7).⁵³ These numbers should be treated with care: data covering Syrians is not routinely collected and it is only recently that a significant number of Syrians have been able to access the formal Jordanian labour market. As a result, the employment numbers are likely to have increased since the ILO/FAFO data was collected. Recent estimates of the number of Syrians currently working in Jordan range from 85,000 to 330,829.⁵⁴ The Department of Statistics is expected to release data in May 2017 that will be more recent and more comprehensive.

Figure 1.7 Economic activity of Syrian men and economic activity of Syrian women



Source: ILO and Fafo (2015).

In our focus group discussion of male Syrian construction workers, we inquired about the employment status of their wives and sisters. One participant explained that: "We come from areas in Syria where women don't usually work outside the house, unless it is as school teachers or government employees." Work inside the household is not uncommon and two of the participants said that their wives are currently working in their homes preparing pickles and making rubber rings used to install gas cylinders. (Researcher field notes, focus group discussion of Syrian construction workers)

Unlike migrant workers, the majority (79 per cent) of Syrians are in Jordan with their families.⁵⁵ Family responsibilities restrict the ability of many Syrians to work in many of the jobs held by migrant workers which require living on the job site. Like Jordanian women, female Syrian refugees have very low rates of labour force participation: less than 7 per cent according to the ILO/FAFO survey.

There has been considerable debate – largely based on perceptions and anecdotal evidence – on the potential role for Syrians in the Jordanian labour market. Evidence from a recent World Bank/UNHCR report found that there was no discernible impact of Syrian influx on job loss among Jordanians.⁵⁶ This does not mean that the presence of Syrians has not had an impact on the labour market. It is likely that the increase in the size of the available labour force has resulted in a decrease in informal sector wages. As indicated in later chapters of this report, Jordanian workers identify the primary impact of Syrians as a decrease in wages.

⁵³ According to the Department of Statistic's Household International Migration Survey, 10.3 per cent of Syrians were working in 2014. Available at http://www.dos.gov.jo/dos_home_e/main/population/Jordan_International/Jordan-HIMS.pdf. Accessed May 1, 2017. A more recent World Bank survey of Syrians (outside of camps) found a similar 22 per cent employment rate, but an activity rate of only 34 per cent. World Bank (2017).

⁵⁴ ILO and UNHCR (forthcoming) estimates that 85,000 Syrians are working while Leading Point (2016) estimates that 330,829 are working.

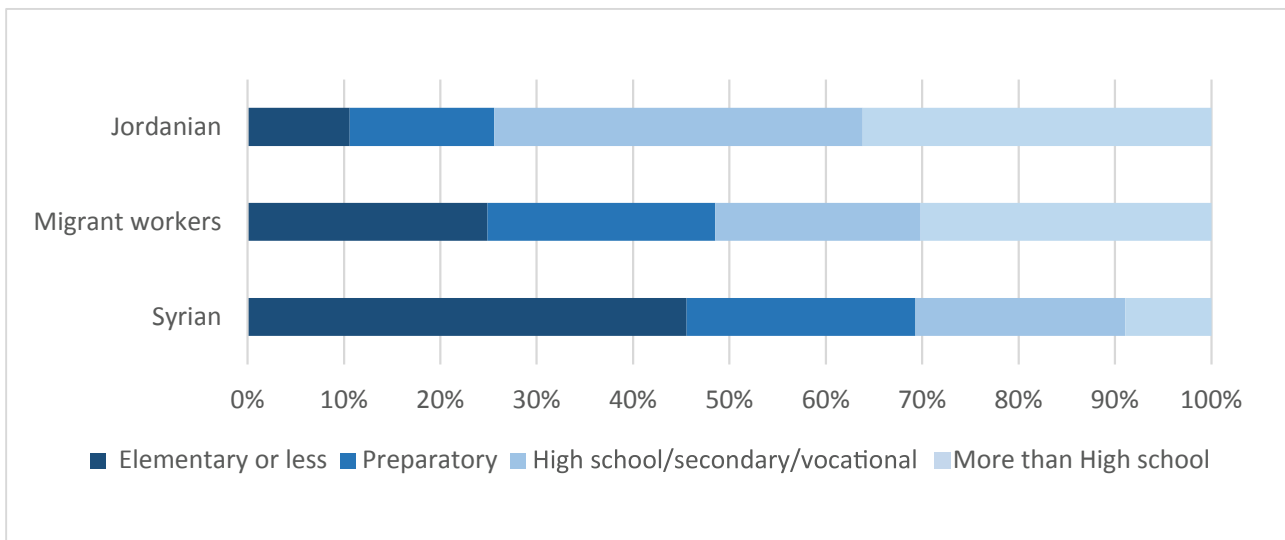
⁵⁵ Leading Point (2016).

⁵⁶ World Bank and UNHCR (2017).

Comparisons among the three groups

The figures below compare the three main groups of the employed population by education, occupation and sector of work. In terms of education, it is clear that Jordanians have considerably more education than the others – with 26 per cent having more than a high school education (figure 1.8). Nevertheless, there are approximately 358,000 Jordanian workers with less than a high school education. In contrast, Syrians have the lowest level of education – with only 9 per cent having more than high school education and 46 per cent having elementary or less. Migrant worker education level is in between that of Jordanians and Syrians.

Figure 1.8 Education of employed workers



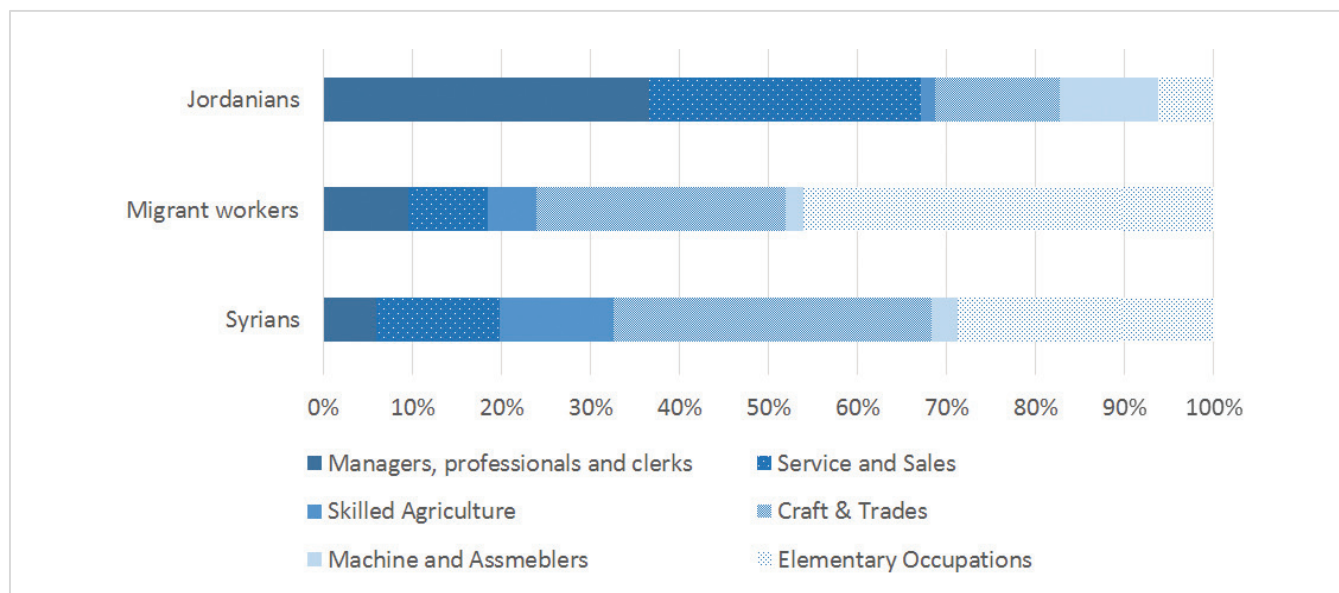
Sources: DOS Labour Force Survey for 2015 for Jordanians. Available at http://www.dos.gov.jo/dos_home_e/main/linked-html/Emp&Un.htm. Accessed May 1, 2017. Leading Point (2016) for migrant workers and Syrians.

Despite having little formal education, the data on occupations shows that Syrians have marketable technical skills. Syrians are more likely to be working in crafts and trades, services and sales, and skilled agriculture while migrant workers are more likely to be working in elementary occupations. These occupational differences between Syrians and migrant workers reflects their background experiences before coming to Jordan.⁵⁷

⁵⁷ Leading Point (2016).

The occupations of employed Jordanians is substantially different from that of either Syrians or migrant workers: more than a third of Jordanians work as managers, professionals and clerks (figure 1.9). Direct competition between Jordanians and non-Jordanians, is significant in services and sales. Although fewer Jordanians compete with non-Jordanians in crafts and trades, elementary occupations or agriculture, those Jordanians who do work in those occupations tend to be among the poorest. Moreover, even where there is not direct competition, the presence of non-Jordanians indirectly impacts the equilibrium wage for the economy as a whole and the situation of unemployed Jordanians.

Figure 1.9 Occupations of employed workers



Sources: DOS Labour Force Survey for 2015 for Jordanians. Available at http://www.dos.gov.jo/dos_home_e/main/linked-html/Emp&Un.htm. Accessed May 1, 2017. Leading Point (2016) for migrant workers and Syrians.

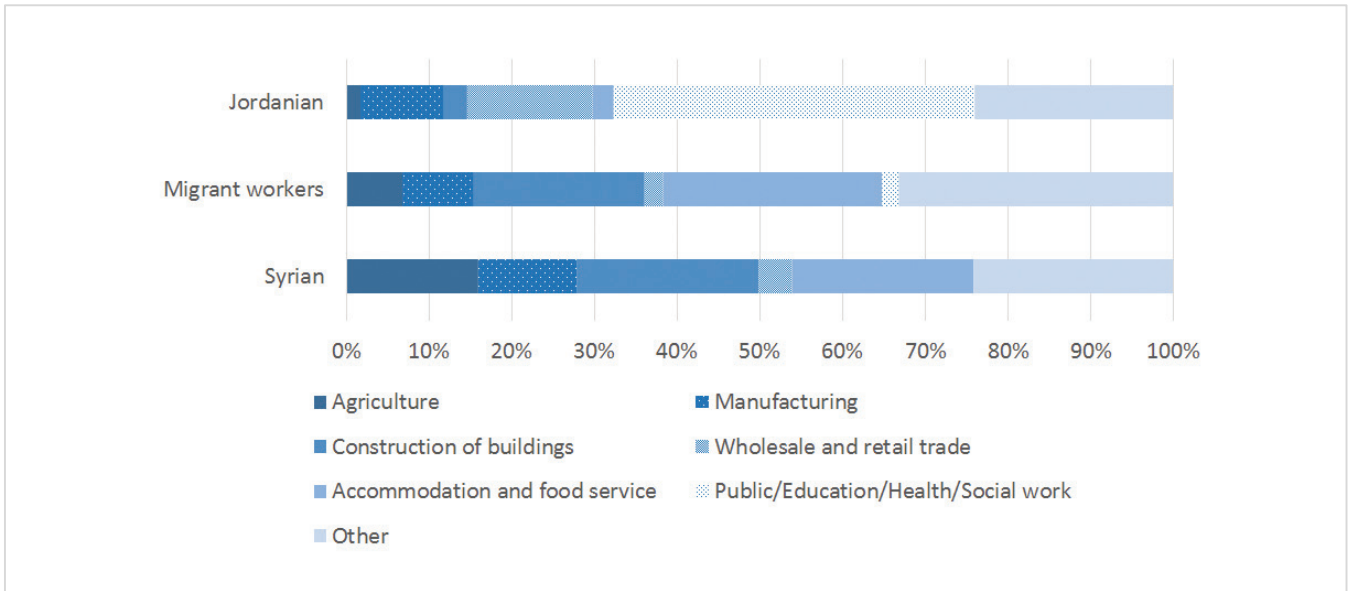
As with occupation, the sector of employment varies among the three groups with Jordanians working in sectors quite distinct from those of Syrians and migrant workers (figure 1.10). The largest segment of Jordanians are employed in the public and education sectors.⁵⁸ Of those in the private sector,⁵⁹ the largest share work in wholesale and retail trade. In contrast, the most common sectors for Syrians and migrant workers are construction and accommodation and food service.⁶⁰

⁵⁸ In 2015, 39.6 per cent of Jordanians work in the government sector. Among women the share who work in government/public sector increased dramatically between 2009 and 2014. ILO (2015) quoting National Employment Strategy and Department of Statistics data.

⁵⁹ The Jordanian private sector is dominated by micro enterprises, which employ 47 per cent of private sector workers. Only 31 per cent of private sector employees work in establishments of 50 or more employees. Government of Jordan (2011).

⁶⁰ Among permitted female migrant workers, the majority work in the domestic work sector (64 per cent) and manufacturing (32 per cent) Al Manar website. Available at <http://www.almanar.jo/en/human-resources-information/hrstatistics>. Accessed May 1, 2017.

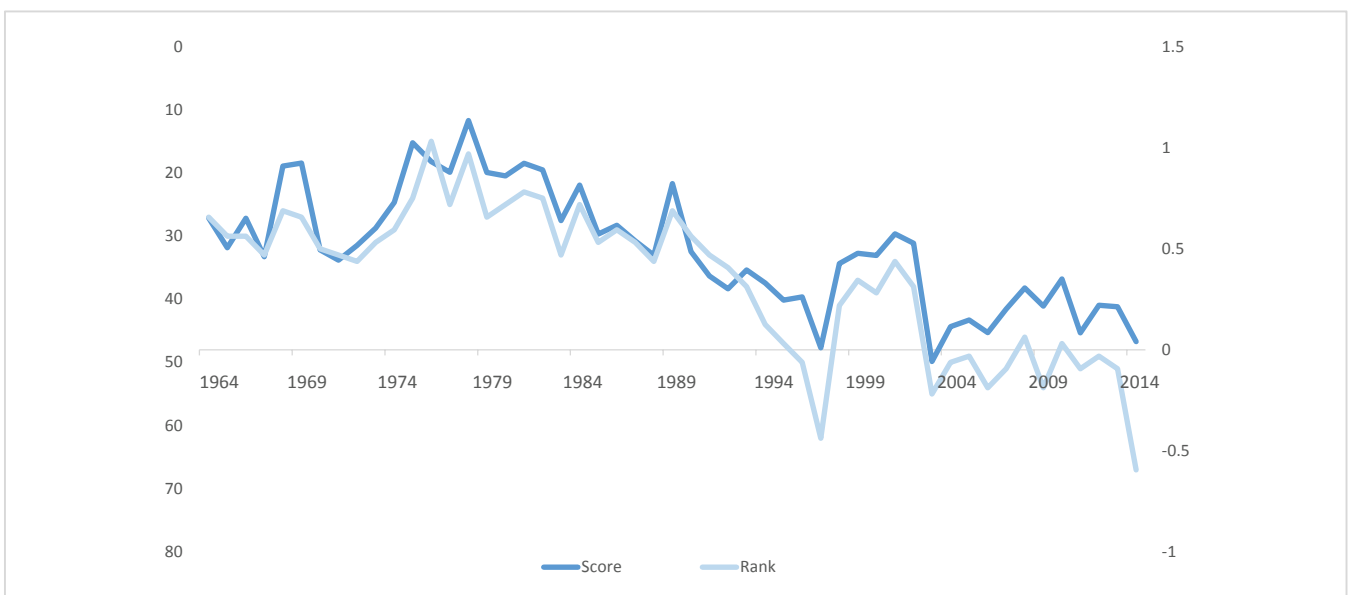
Figure 1.10 Sector of employment



Sources: DOS Labour Force Survey for 2015 for Jordanians. Available at http://www.dos.gov.jo/dos_home_e/main/linked-html/Emp&Un.htm. Accessed May 1, 2017. Leading Point (2016) for migrant workers and Syrians.

The evidence presented above highlights an important feature of the Jordanian labour market. The highly elastic supply of migrant workers over a long period of time has had an impact on the types of jobs created by the private sector. Since the 1970s, the education level of the labour force in Jordan was impacted by the emigration of many highly educated Jordanians and the immigration of large numbers of less-educated non-Jordanians. Over the same period, Jordan's Economic Complexity score and ranking fell dramatically,⁶¹ reflecting investment decisions that make use of the factors abundant in the economy (figure 1.11). While many other countries have shifted into higher value added production techniques and products, Jordan has maintained a relatively low value added economic structure as demonstrated by the continuing reliance on labour intensive construction techniques and focus on the garment sector.

Figure 1.11 Jordan's Economic Complexity Index score and rank, 1964-2014



Source: Jordan Strategy Forum (2017).

⁶¹ Jordan Strategy Forum (2017).

Overview of labour laws, regulations and policies

Jordanian policies – including laws, regulation and enforcement – aim to balance the needs of employers and workers, including the three groups of workers which are the focus of the present study. In this section, we summarize the Labour Law Number 8 of 1996, relevant regulations and instructions and aspects of the social security law.

The Labour Law states that it does not cover domestic and agricultural workers, but that they are covered by special purpose regulations. Domestic workers are covered under Regulations for Home Workers, Cooks, Gardeners and the Like Number 90 for 2009, which is described in the chapter on domestic work. To date, regulations have not been issued for agricultural workers.

There are special provisions for female employees. The law assigns the Minister to determine the industries and jobs in which it is prohibited to engage women and the times during which it is not permitted for women to work. The law also provides women the right to ten weeks maternity leave with full pay and requires larger businesses to provide childcare.⁶²

Remuneration and working hours. The Labour Law refers to a minimum wage (determined by regulation)⁶³ and calls for penalization of employers who pay less than the minimum wage. Minimum wages are set separately for Jordanians and non-Jordanians.

The Labour Law requires that wages should be paid promptly (with 7 days from the date of entitlement). Employers are only allowed to make deductions from wages in specified circumstances such as for the cost of the worker's housing.

Social security benefits are defined in the Social Security Law Number 1 for the year 2014, which states that all workers should be covered regardless of nationality or type of contract.⁶⁴ The main exemption is for irregular workers, defined as those working less than 16 days in a given month. Although agriculture workers and domestic workers are rarely covered by social security, they are in principle included under the law.⁶⁵

The social security law identifies several types of insurance including: old age, disability and death insurance; work injury insurance; health insurance; maternity insurance; and unemployment insurance. The law is open to interpretation on which types of insurance are mandatory. For example, it could be argued that work injury insurance alone is sufficient.

The law specifies “ordinary” working hours as eight hours per day up to forty-eight hours per week over a maximum of six days. The law guarantees employees a fourteen-day annual leave with full pay and fourteen days of paid sick leave per year.

⁶² According to the Labour Law, employers who hire twenty or more married women (who have a total of at least 10 children under four years of age) are required to provide child care.

⁶³ According to the Labour Law, the minimum wage for day workers is calculated as one-thirtieth of the monthly minimum wage.

⁶⁴ Workers covered by the civil or military retirement laws are exempted. The law indicates that self-employed individuals will be subject to a resolution to be issued by the Council of Ministers not later than January 1, 2015.

⁶⁵ Although the social security law indicates that all workers must be covered, it has been difficult to enforce this. For example, although a civil labour judge ruled in several cases that domestic workers should be covered by social security, the Court of Appeals rejected it, arguing that it was not specifically mentioned in the labour code. ILO (2015b).

Protections and Rights. The Labour Law requires employers to “provide the necessary precautions and measures” to protect employees from workplace hazards and diseases resulting from work and to inform the workers of risks and methods of protection. The law also specifies the formation of Safety and Occupational Health Committees and calls upon the Ministry to close establishments that violate workplace safety rules. The instruction concerning the Protection of Workers and Institutions from the Risks of the Work Environment of the Year 1998 specifies in detail the procedures to be adopted, such as the requirements that must be fulfilled in order to guarantee a safe working environment for the employees. Additionally, the Preventative and Curative Medical Care Regulation for Workers and Institutions Number 42 of 1998 obliges the employer to bear the financial cost of providing preventative and curative medical care for workers.

The Labour Law protects workers’ rights to join trade unions. An amendment to the law granted non-Jordanians this right as well.⁶⁶ The one area in which non-Jordanians are treated differently is that they are not allowed to be a founding member of a trade union.

Jordanian law protects workers from forced labour, which is defined as “all work or service which is exacted from any person under the menace of any penalty and for which said person has not offered himself voluntarily.”⁶⁷ Jordanian law protects workers from forced labour by prohibiting confiscation of personal documents, protecting freedom of movement and criminalizing forced confinement. Regarding personal documents, Article 77 stipulates that “... the employer shall be penalized for any violation he commits by employing a worker illegally or under duress, including confiscating his passport...”⁶⁸ Freedom of movement is protected through the passport language above and through Jordan’s participation in the International Covenant on Civil and Political Rights).⁶⁹ Protection from forced confinement is articulated through Chapter 346 of the Penal Code.⁷⁰ More broadly, Jordan has confirmed its commitment to protection from forced labour, by ratifying the Force Labour Convention in June 1966, as well as by ratifying the International Covenant on Civil and Political Rights in May 1975.⁷¹

The Labour Law assigns the Ministry of Labour the responsibility for enforcing the law. To this end, the Ministry has established two structures: the Inspection Unit and the Complaints Hotline. As of 2016, the Inspection Unit was comprised of 256 inspectors across the country.⁷² Some sectors

⁶⁶ Law 26 of 2010. Available at http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=45676.

⁶⁷ ILO Convention No. 29. The ILO has clarified several aspects of this definition including that “menace of any penalty” includes confiscation of personal documents, non-payment of wages, and threats of dismissal. Furthermore, “not offered himself voluntarily” includes situations in which individuals are not free to withdraw consent. ILO (2005).

⁶⁸ Passport confiscation is also prohibited by Article 18 of the Passport Act No. 3 of 2002 and by Article 22 of the Jordanian Penal Code.

⁶⁹ Article 12 states that “everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.”

⁷⁰ Tamkeen Center for Legal Aid and Human Rights (2012).

⁷¹ Jordan has also a Human Trafficking Act (Law Number 9 of 2009) and ratified the United Nations Human Trafficking Protocol in June 2009. Human trafficking is defined as “The recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” The UNODC provides a list of indicators of human trafficking, which include: the employer withholding identity documents, submissive and fearful, and signs of physical or psychological abuse. Available at www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf. See also the comments of the Committee of Experts on the Application of Conventions and Recommendations for details on possible scope for improvement of the Forced Labour Convention.

⁷² ILO (2017b).

such as construction are relatively well-covered by inspections while others (notably agriculture and domestic work) are not part of the inspection system.⁷³ The capacity of the Inspection Unit is limited by their numbers as well as by training opportunities and technology. Moreover, the ability of inspectors to monitor working conditions is hampered by additional responsibilities for catching non-Jordanians who may be working without proper work permit documentation.

The enforcement of rights of migrant workers is monitored closely in Jordan by the Government and civil society both locally and internationally.⁷⁴ The Jordanian Anti-Human Trafficking National Committee publishes reports on government responses to possible human trafficking incidents.⁷⁵

Work permits. The Labour Law states that hiring non-Jordanians is permitted only when Jordanians are not available for the work.⁷⁶ All non-Jordanians require a one-year renewable work permit. The Law does not specify the roles of employer and employee except to say that the “employee must obtain a work permit” and that the “Ministry shall charge the employer a fee” for the work permit. As such, the law does not specify whether an employee can apply for a work permit himself, in general, or in the specific case of self-employment.⁷⁷

If work permit processes are not followed, sanctions can be imposed on both the employer and the employee. In particular, Article 12 identifies three situations which are considered violations of the law: (i) employing a non-Jordanian without a work permit; (ii) a non-Jordanian working for an employer other than one approved by the Ministry of Labour; and (iii) a non-Jordanian working in a profession other than the one approved by the Ministry of Labour.

The basic laws and goals of Jordan’s immigration and work permit system are solid: to control and monitor the size and activities of the non-Jordanian workforce. Two fundamental principles underlie the system. First, employers act as sponsors for migrant workers including recruitment before workers enter Jordan and pay round-trip transportation, work permit fees and other costs of recruitment. Second, workers are employed full-time for a single employer-sponsor on the basis of a one year contract. Workers need their employer-sponsor’s permission to terminate employment, to transfer to a different employer-sponsor, and to leave Jordan.⁷⁸

Work permit fees change frequently. The most recently issued fee schedule sets the basic work permit fee at JOD 400. Fees are lower for the garment sector (JOD 175) and higher for domestic workers, gardeners and workers on small private farms (JOD 500). A fee of 100 JDs is paid if a non-Jordanian worker is brought into Jordan in exchange for another before the work permit has been issued.⁷⁹ Since 2012, an additional fee has been added to the cost of work permits in order to support the training and education of Jordanians.⁸⁰ The intention of the fee is to provide Jordanians with the skills to take over jobs currently held by non-Jordanians, while providing a financial disincentive for hiring non-Jordanians. The additional fee currently stands at JOD 100.

⁷³ Because domestic work takes place within private homes, the normal inspection process is generally considered ineffective. See the section on domestic work for further discussion of this issue.

⁷⁴ For more on this issue, see ILO (2013), Human Rights Watch and Tamkeen Center for Legal Aid and Human Rights (2011), Tamkeen Center for Legal Aid and Human Rights (2014).

⁷⁵ In its first report, the Public Security Directorate noted that it had pursued 84 cases of trafficking between 2009 and 2013 in which 317 victims were identified.

⁷⁶ The main aspects of immigration and labour issues are found in Law No. 24 on Residence and Foreigners Affairs in 1973 (as modified in 1998), the By-Law No. 3 of 1997 regulating Visa Requirements as well as the labour laws referred to above.

⁷⁷ The Labour Law defines an employer as someone who “employs, in any capacity whatsoever, a person or more against wages” and an employee as someone “who performs a job against wages.”

⁷⁸ ILO (2017).

⁷⁹ Regulation No. 142017/.

⁸⁰ Regulation No 482012/ Article 2.

Other Policies related to increasing employment of Jordanians and the role of Migrant workers.

The National Employment Strategy outlines a three-part approach to increasing employment of Jordanians: making jobs more desirable for Jordanians; weaning the economy of migrant workers; and preparing Jordanians for available jobs.

The first part of the approach recognizes that increasing employment of Jordanians will require making private sector jobs more attractive to Jordanians who might otherwise remain unemployed while queueing for a public sector job.⁸¹ Jordanians often prefer public sector to private sector jobs because there is a significant wage premium for work in the public sector (particularly among the jobs held by less-educated workers)⁸² and because public sector jobs offer better job security, shorter working hours, social security and health benefits, and a career path.

In order to increase the desirability of private sector jobs, the National Employment Strategy proposed several actions including: (i) increasing the minimum wage;⁸³ expanding social security coverage to include all workers (including those in small businesses and the self-employed);⁸⁴ provision of reliable public transportation to provide workers safe and rapid access to workplaces; adapting laws and regulations to accommodate part time jobs and work from home;⁸⁵ improvement of job matching programmes; simplification of bureaucracy to encourage small businesses and to encourage formalization of the informal sector;⁸⁶ and improving enforcement of laws and regulations related to health and safety.

The second part of the approach aims to gradually shift the economy away from its reliance on migrant labour by revisiting immigration and emigration policies. The analysis conducted for the National Employment Strategy concluded that the highly elastic supply of low-wage labour has provided little incentive for entrepreneurs to invest in high-productivity high-wage sectors and methods. Moreover, the strategy argued that increasing employment of Jordanians is hindered by a “culture of submissiveness” vis-à-vis migrant workers.⁸⁷ The National Employment Strategy recommends sector specific restrictions on bringing in new migrant workers, starting with non-traded sector. Specifically, the strategy recommends discouraging new migrant workers by a gradual increase in work permit fees.

To complement the second part of the strategy, shifting the economy away from migrant workers

⁸¹ With the expectation of obtaining a job in the public sector, 218,000 Jordanians were queueing for a job in the Civil Service Bureau as of the writing of the National Employment Strategy. Since then, employment growth among Jordanians in recent years has been primarily in the public sector. ILO (2015).

⁸² ILO (2015).

⁸³ The National Employment Strategy is careful to note that an increase in the minimum wage applied in isolation of other measures is likely to be counterproductive – resulting simply in a shift toward more informal sector jobs as a way for employers to avoid paying the higher wage.

⁸⁴ The 2010 Social Security Law mandates coverage of all workers, regardless of occupation, sector, size of business or nationality of the worker.

⁸⁵ Adapting laws and regulations to accommodate part time jobs and work from home would include increasing opportunities for part time workers to access social protection mechanisms.

⁸⁶ The issue of informality is of major importance in the Jordanian economy in general and in the labour market in particular. According to the national Employment Strategy: “While the lack of enforcement is often blamed for the spread of informality, more often the rigidity of the formal rules and the gains to be made by violating them are the real culprits. A formalization process that is based only on increasing enforcement and does not take into account the cost of compliance and the fragility of informal sector entities is more likely to eliminate informal jobs than to formalize them.” To address this, the National Employment Strategy recommends simplifications in bureaucracy to accommodate the needs of microenterprises, especially with respect to daily and part-time workers. This would include special programmes to encourage participation in social security for taxi drivers, agricultural workers and construction workers. Government of Jordan (2011).

⁸⁷ Because the vulnerability of migrant workers leaves them with little bargaining power, working conditions and wages are suppressed. Jordanian workers are forced to compete with migrant workers and accept similar working conditions and wages. Government of Jordan (2011).

will require preparing Jordanians for vocational jobs including replacing migrant workers. The strategy proposes three actions. First, aligning skills and expectations with vocational jobs through (i) vocational training and education funded by fees on work permits and (ii) national school-to-work transition programmes such as job counseling, mandatory internships and employability skills as well as directing more students to vocational fields at the secondary education level. Second, expanding awareness campaigns that improve the image of vocational occupations and participation of women in a wide variety of sectors. Third, gradually eliminating waiting lists for Civil Service Bureau jobs (to reduce the impression that such jobs are available and obtaining them is just a matter of time spent waiting while unemployed).

In addition to the policies outlined in the National Employment Strategy, many of the key policies related to migrant workers were developed in the context of efforts to increase employment of Jordanians including establishment of Jordanian-only professions and quotas for hiring Jordanians. The most recent version of the Ministry of Labour regulations regarding professions closed to non-Jordanians include sales, warehousing, mechanics, drivers, guards, office boys, and clerical occupations.⁸⁸ The Ministry also regulates the minimum percentage of employees that must be Jordanian. These percentages vary by sector, for example 50 per cent in construction, and 75 to 88 per cent in hotels (depending on the number of stars).⁸⁹

Policies related to Syrian participation in the labour market. In early 2016, the Government of Jordan proposed “The Jordan Compact,” which aims to convert the burden of hosting refugees into a development opportunity. More specifically, the Compact outlined a strategy for refugees to contribute to the economy, become self-reliant, and maintain skills that will allow them to eventually return and rebuild Syria and argued that this approach was necessary to avoid a lost generation and social conflict. The Compact also recognized Jordan’s role vis-à-vis the international community: by hosting refugees Jordan is providing a global public good and will need support of the international community to achieve the goals of the strategy. In February 2016 a conference was held in London at which the international community pledged grant and concessional financing to support the Compact and the European Union committed to accelerate plans to give Jordan enhanced access to the European market. The Government committed to make changes necessary to providing work permits for Syrian refugees with the targets of 50,000 job opportunities by end of 2016 rising to 200,000 in the coming years.

Since the London Conference, the international community has taken several relevant steps forward.⁹⁰ First, the European Union and the Government of Jordan have concluded an agreement that enhances Jordan’s access to the European market by relaxing Rules of Origin. The agreement applies to 50 product lines provided they are produced within specified economic zones and include 15 per cent Syrian refugee labour. Once the target has been reached of 200,000 Syrian job opportunities (anywhere in Jordan), the agreement will be expanded to products produced outside the economic zones as well. Second, the World Bank and the Government of Jordan have concluded an agreement that provides Jordan USD 300 million when it achieves a series of targets, including targets related to the number of work permits issued to Syrian refugees.

⁸⁸ Ministry of Labour regulation dated April 1, 2016.

⁸⁹ The need for quotas is a symptom of the systemic labour market challenges. Under normal circumstances, quotas would not be necessary. Details of Jordanian-only professions and sector-specific quotas for Jordanians are available in *Leading Point* (2016).

⁹⁰ In addition to the progress discussed here, several programmes initiated including labour intensive public works projects to provide jobs for Jordanians and Syrians.

In most respects, the same labour policies that apply to migrant workers also apply to Syrians. However, the Government of Jordan has taken several steps to make it easier for Syrian refugees to qualify for work permits. These include:

- Expanding eligibility to include Syrians who entered Jordan without crossing through official borders.
- Allowing a Ministry of the Interior ID card to be used in lieu of a passport.
- Temporarily restricting the recruitment of new migrant workers from outside Jordan to encourage businesses to hire from the pool of labour already inside the country.
- Temporarily reducing the cost of work permits for Syrian refugees⁹¹ and temporarily suspending the practice of “deporting” Syrians caught without a work permit to the Azraq camp.⁹²
- Establishing a mechanism through which agriculture workers can obtain a work permit using cooperatives of farmers as a sponsor, to allow workers freedom to shift among a variety of short term jobs.

Additional policies are under discussion including expanding the mechanism of flexible work permits beyond the agriculture sector to also include construction sector (which is similarly based on short term work arrangements)⁹³ and operationalizing a mechanism to allow residents of refugee camp permission to leave the camp for purposes of employment.

Economy-Wide Findings

The following chapters contain findings from fieldwork and the literature review on specific issue related to the five case study sectors: agriculture, construction, domestics work, manufacturing and tourism. In this section, we briefly review several issues which are common across the sectors.⁹⁴

⁹¹ A Ministry of Labour letter signed July 3, 2016 specifies that clarified Syrians will not have to pay work permit fees, stamp fees, and additional amounts under provisions of Article 6 of the work permit fee schedule number 67 for 2014. Syrians still have to pay a processing fee and fees associated with obtaining a health certificate and Ministry of the Interior ID card.

⁹² In the context of the World Bank project, the Government of Jordan has committed to extending the period of reduced cost (JOD 10) work permits and non-punishment of Syrian workers found without a work permit for an additional two years. Project document available at <http://documents.worldbank.org/curated/en/802781476219833115/Jordan-Economic-Opportunities-for-Jordanians-and-Syrian-Refugees-Programme-for-Results-Project>.

⁹³ A programme has been established that allows Syrian construction workers to obtain accreditation through the Center of Accreditation and Quality Assurance. The accreditation follows a short training programme by the National Employment and Training Company. The training includes four day classroom sessions and practical support at their workplace. The programme includes 8 construction occupations. The first group of 700 participants started on October 15, 2016. For more on this programme, see the chapter on the construction sector.

⁹⁴ Data on working conditions of Jordanians is lacking on many of these issues.

Increasing Employment of Jordanians.

One of the key findings from our fieldwork is that Jordanians are open to all sectors and occupations under the right circumstances. This finding demonstrates significant scope to increase employment of Jordanians. Far from having an immutable culture of shame, the Jordanians we interviewed articulated the specific working conditions that impact their willingness and eagerness to work, whatever the sector or occupation. Five specific issues were identified as particularly important: on-time payment of wages, reimbursement for overtime, working hours that are predictable and sustainable, production methods that emphasize skill rather than manual labour, and recognition of effort. All of these issues are generally considered reasonable desires, and the first two are explicitly required under the Labour Law.

Youth going into any job have expectations to progress up a career ladder. Jordanian youth will be willing to work in manufacturing if they can feel that the assembly line is only the beginning and not the end, and that there is a chance they will be promoted to a more administrative or managerial role if they keep improving their skills and experience.

(Head of Better Work Jordan, manufacturing)

It would be better if salary increases were based on efficiency and competence. And recognizing an employee of the month.

(Jordanian, five-star hotel worker)

We only work a few months a year and we barely manage to cover our daily food needs. I wish we had steady jobs and steady salaries. This is what I want for my children.

(Jordanian, agriculture worker)

Many people think that Jordanians perceive certain jobs in the sector as degrading, but I don't think this is the case. Workers are usually proud of their work. Some occupations are not attractive to Jordanians because it is physically demanding but not because they perceive it as degrading.

(Construction contractor)

Importantly, employers and Jordanian workers share the same ultimate goals, although they articulate them differently. Workers emphasized their desire for a job in which they can use and build skills and in which efforts are rewarded through career advancement, wage increases and acknowledgement of a job well done. For their part, employers want workers who take their job seriously and who don't quit whenever another employer offers a slightly higher wage. In other words, both sides want a long term commitment and a focus on productivity that results in both higher profits and higher wages.

I would not work in any other factory. I need to be working here, in Ajloun where I live. We are already working eight hours in the factory and cannot be spending an additional 2 or 3 hours a day just getting to work.

(Jordanian female manufacturing worker)

As long as I am alive, I will never let my sister work in manufacturing. The employers are very rough. I don't trust them to not yell at my sister or harass her.

(Jordanian, male manufacturing worker)

I'd be willing to work in a hotel if the job was in reservations, at the front desk or in food service. Of course, I can't work in housekeeping or room service because it is near the bedrooms.

(Jordanian woman, unemployed)

A job cleaning houses is not appealing because employers don't usually respect cleaners. And, my husband won't let me work in households because there are men there.

(Jordanian woman, unemployed)

Interviews with Jordanian women and their male family members identified additional challenges related to working conditions. Time spent away from home and personal safety were the most commonly mentioned concerns. Because of their household responsibilities, most women are unable to spend long hours away from home: in their calculations of the benefits of a job, time spent commuting is added to time spent working. Personal safety was raised most strongly in the context of work in hotels, manufacturing and domestic work. In all three contexts, there is a strong concern for women's vulnerability in any environment where they are alone with men as well as a perception that employers in domestic work and manufacturing are harsh and exploitative. Interviewees noted that while it is important that there be other women at the workplace, full gender segregation is not a priority. More generally, work places that do not require long commutes and which are "female friendly" are considered desirable.

Because the situation of Jordanians in the labour market is profoundly impacted by the presence of large numbers of non-Jordanians, employment and working conditions of Jordanians can only be understood in the broader labour market context, which includes migrant workers and Syrian refugees.

Working Conditions. One of the most striking feature of the labour market is that the working conditions identified by Jordanians as important in any job – whatever the sector or occupation – put them in in a disadvantageous competition with migrant workers and Syrian refugees. In interviews with non-Jordanian workers, late-payment of wages, non-payment for overtime, long and unpredictable working hours, and heavy reliance on low-productivity physically demanding methods were found to be the norm. In agriculture and domestic work, payment delays of several months are common. While payment for overtime is well-enforced in parts of the manufacturing sector, workers in tourism and other sectors are often not compensated. In all sectors, working hours of 13 hours per day are common and in agriculture and construction Egyptians often work as guards throughout the night. And, in all sectors, migrant workers reported the difficulties they face with heavy manual labour which becomes increasingly unsustainable for them as they age.

I work 12 or 13 hours a day, 7 days a week. I often have to stay up all night and I am always on call. I wish I was paid by the hour and could get my salary at the end of the month, not the end of the season.
(Egyptian, agriculture worker)

In Jordan, we have to accept if the employer treats us in a bad way, because we are not in our country and we have no right to just leave the job. That's why employers have high demand for Egyptian workers.
(Egyptian, hotel worker)

In most cases I work 10 hours a day – from 2 pm until midnight. If there are customers, I stay longer, but I don't get paid more than my usual salary - even the time when I stayed 14 hours! What I want is respect and good treatment by the employer -- to be working according to the Jordanian law and get the same rights for vacations, a day off and working hours as the Jordanians.
(Syrian, restaurant worker)

I was initially promised 15 dinars per day for labour in Irbid. After two weeks of work and paying transportation to and from work, I had to go after my employer for my pay. After repeated attempts to talk to him, he compensated me with just 5 dinars and told me he couldn't give me more.
(Syrian, day labourer)

The Egyptian worker lives on the farm and he is conveniently available on the farm 24/7 unlike the Jordanians who will work on daily basis and his services can be disrupted easily by social activities like a wedding or death. Most of the time Jordanian workers won't accept the long working hours the Egyptian workers can put in their work.

(Farm owner)

I prefer to hire Egyptians as they are more flexible and willing to work in anything. You can rely on Egyptian workers to do any physically demanding job and they don't complain.

(Construction contractor)

Egyptians tolerate bad attitudes and insults from the employer, but we do not. At the end of the day, the Egyptian is just a migrant.

(Jordanian, construction worker)

The prevalence of these working conditions is unsurprising in a context where half of the workforce coming from poorer countries on a temporary basis, for the express purpose of maximizing earnings and remittances. Although the Ministry of Labour endeavors to enforce the Labour Law, enforcement resources are limited and the incentives created by the immigration system push in the opposite direction. Employers behave rationally when they prefer to hire a migrant worker – who can be available 24 hours a day/7 days a week, and whose wages can be paid late without consequence – over a Jordanian worker. In the same way, a lower minimum wage for non-Jordanians provides a business incentive for hiring them over Jordanians. Although segmentation exists, there is a wide grey area in which competition exists between Jordanians and non-Jordanians and poor working conditions for non-Jordanians has spurred a “race-to-the-bottom” that impacts Jordanians as well.

Migration and Work Permit Policies. The basic laws and goals of Jordan's immigration and work permit system are solid: to control and monitor the size and activities of the non-Jordanian workforce. Two fundamental principles underlie the system. First, employers act as sponsors for migrant workers including recruitment before workers enter Jordan and pay round-trip transportation, work permit fees and other costs of recruitment. Second, workers are employed full-time for a single employer-sponsor on the basis of a one year contract.

The work permit system doesn't work for our economy. We can't promise someone we can employ them for a whole year. Sometimes we know the work is only short term. Other times, because of the economy, we just can't take the risk. Not to mention having to pay social security. It's just not possible for us. (Construction contractor)

I hire a domestic worker two days a week. She also comes to help when I have a dinner party. I have a small apartment and my kids are grown, so I don't need someone full time. This arrangement is less expensive and I have my privacy. (Employer of a part-time domestic worker)

Over time, however, two disconnects have emerged between the regulations surrounding the Law and the reality on the ground.⁹⁵ First, the restricted internal labour market mobility is increasingly inconsistent with employers' needs.

In many sectors, employers are unable to offer one-year contracts for full-time employment.⁹⁶ The need for short-term or seasonal work is common in agriculture and construction and many workers shift between sectors depending on availability of work. In the domestic work sector, demand for part-time workers has emerged as well. And, across the board employers are afraid to commit to long term employment and high social security contributions, especially in the current macroeconomic context. The second disconnect is the fact that a large number of non-Jordanians are already in the country working informally. This includes Syrians, who entered Jordan as refugees rather than as workers, as well as large numbers of migrant workers whose situation does not fit within the fundamental principles of the system.

⁹⁵ In addition to the disconnects described in the text, there is a disconnect between the principles of the policy and who actually pays for work permits. Although the Labour Law requires that employers pay the cost of the work permit, according to the Leading Point survey, employers paid in only 18 per cent of cases. Leading Point (2016). In a recent survey of Syrian workers, 62 per cent of all respondents paid for their work permits, rising to 90 per cent in the construction sector. Despite the fact that the Ministry of Labour currently charges only JOD 10 for Syrian work permits, 37 per cent of respondents reported paying amounts above the official fees (presumably to black-market-sponsors). ILO and UNHCR (forthcoming). In the context of fieldwork for this study, an Egyptian hotel worker explained the issue of payment of work permits: There are different schemes of splitting the work permit fees between us and the employer. Some employers are good and they split the payment with you. Others make you pay the full amount – sometimes all in one payment.

⁹⁶ Overall, it is estimated that 44 per cent of employment in Jordan is informal. UNDP, Jordan Economic and Social Council, AECID Spanish Agency for International Development Cooperation (2013). A recent study found that 39 per cent of migrant workers and 13 per cent of Syrians have a written contract. The same survey found that 80 per cent of migrant workers identify their job as permanent, while only 54 per cent of Syrians identify their job as permanent. Leading Point (2016). There have, nevertheless, been trends toward formalization in some areas. For example, the share of workers covered by social security has increased. Coverage of Jordanian workers increased from 61 per cent to 73 per cent between 2009 and 2013, while coverage of migrant workers increased from 29 per cent to 44 per cent during the same period. ILO (2015). According to the Leading Point (2016) survey 14 per cent of migrant workers and 10 per cent of Syrian workers are covered by social security. The discrepancy between the surveys may be due to the timeframe as well as the fact that the Leading Point survey did not include the garment sector, in which enforcement of regulations is stronger.

Many non-Jordanians do not hold work permits. In many cases, the lack of a work permit is involuntary on the part of the worker: because the employer cannot provide a one-year contract and make social security contributions necessary for a work permit, because the employer did not renew a previous work permit, or because the worker ran away from an exploitative employer.⁹⁷ In some cases, there is also a voluntary aspect to their irregular status. Syrians are often afraid that they will lose access to humanitarian assistance if they obtain a work permit: given the precarious nature of their employment, they worry that they will lose their job and end up without any source of income at all.

There are about the same number of domestic workers without permits as there are with permits, and violations are most evident within this group. These are workers who entered Jordan legally but whose contracts were not renewed. A lot of employers prefer to pay fines once the worker travels rather than pay permit renewal costs. The fines and fees are almost similar and in some cases the fines are lower.

(Representative of the Ministry of Labour)

I got my work permit through a businessman who brought me over to clean both his office and his home. My work permit only mentioned the office though. Anyway, he travelled and I haven't had a work permit since then. I keep looking for a Jordanian to sponsor me. The problem is that it's expensive because of the fines that accumulated since my boss travelled.

(Filipina domestic worker)

The problem we face is that the work we get is unreliable. I work in a supermarket and get 150 dinars a month, but it's not guaranteed to be a permanent job. If I get a work permit, I could lose my cash assistance. And, since my job is so uncertain, I could lose that too. Then what would I do?

(Syrian, supermarket worker)

My employer didn't want to get a work permit for me. Only after I was taken to the police station three times and called him from there, he was convinced.

(Syrian, retail worker)

A work permit didn't seem necessary because I only get jobs by the day and from different people every day. But not having a work permit made life too complicated so I got one through the agricultural cooperative. It was a bit sad for me, because it meant coming to terms with the fact that I may be in Jordan forever.

(Syrian, day labourer)

I wanted to work for my sponsor, but I was forced to work illegally because the sponsor himself does not have any job to offer. I came to Jordan looking for a better opportunity, so I'll work illegally if I have to.

(Egyptian, agriculture worker)

⁹⁷ Non-Jordanian workers are not permitted to change employer without the previous written permission of their sponsor.

Even among those non-Jordanians who have work permits, a significant share fall outside of the principle of employer-sponsorship. Under the alternative, black-market-sponsorship work permits, workers pay Jordanian individuals to act as sponsors for the purpose of the work permit without having a true employment relationship.⁹⁸ Workers buy these black-market-sponsorship work permits to maintain formal migration status, often paying JOD 1,000 per year, the bulk of which goes into the pocket of the sponsor rather than into government revenue. Workers then seek whatever employment is available, often shifting among multiple employers. Fieldwork interviews indicated that for many non-Jordanians, the black-market-sponsorship type of work permit is the only kind they are familiar with.

There are two kinds of work permits for Egyptians. One is the commercial kind which is very expensive. They are mostly in the agricultural sector and cost 600 dinars or 1000 dinars. Sometimes it's better to get a work permit for the same person you are working for. But that is not usually possible. (Egyptian, hotel worker)

We pay a thousand dinars to the kafeel. I know the Government takes around 300 dinars and the middleman and the kafeel – which in many cases we never meet – split the profit amongst themselves. We understand how they work and they are making a lot of profit off of us, but we have no other choice. (Egyptian, manufacturing worker)

I needed a work permit to get by. The easiest one to get was the one through construction, so I bought it for 500 dinars. I like it because now I'm not tied to my employer and I can leave my restaurant job if I need to. It also means I can walk around Amman more freely and if a police man stops me then I will just pull out my work permit. But I know that the guy made 500 dinars on it because it only costs 10 dinars for Syrians. (Syrian, restaurant worker)

I don't like my sponsor and I don't think he should be taking money from me. But the arrangement allows me to be free to work like I want, in my own time and my own choice of employer. The sponsor also gets me work sometimes in the households of his friends. (Filipina, domestic sector worker)

When an Egyptian comes to Jordan, we have to find a sponsor. We pay him 800 dinars and we get a work permit in agriculture. The advantage of this kind of work permit is that you can work in different occupations. You are free to choose the job you want. (Egyptian, hotel worker)

I have never seen or met my sponsor. The middleman at the Ministry of Labour does all the work on his behalf. My sponsor and my contract are just ink on paper. All I end up with is a card in my wallet. (Egyptian, day labourer)

How are you expected to get by if you have a work permit with your actual employer? Work varies from project to project and season to season, so you have to go around doing other things to survive. Otherwise you will go months and months with no income! (Egyptian, manufacturing worker)

⁹⁸ Workers often refer to a black-market-sponsor as a “kafeel,” or “sponsor” to distinguish them from employers and refer to black-market work permits as “commercial” or “freelance” work permits. In some cases, there is a middleman or broker involved, as well as the black-market-sponsor.

Migrant workers and Syrian refugees see the primary benefit of work permits as protection from deportation.⁹⁹ Despite the fact that the sponsor controls the work permit process, non-Jordanians are keenly aware that they themselves are accountable. Although some individuals see work permits as a means to improve working conditions (by increasing their bargaining power vis-à-vis employers), many others believe that work permits decrease working conditions because sponsors control the worker's mobility and are able to engage in extortion.¹⁰⁰

I am lucky as a guard. I can get a work permit and I'm not scared of deportation. But all the other Egyptians I know are constantly scared because they have a work permit for a sector they don't work in, like agriculture. Even the ones working in construction who hold a construction work permit are scared, because they work for various contractors and if they are caught with a different employer, they are deported.
(Egyptian, guard)

*I'm not afraid of deportation anymore. We only get deported for political reasons now. But I was dragged to the police station so many times to sign a paper saying I won't work again without a permit. I got tired of sleeping in the police station! *laughter* It was a hassle that I'd like to avoid.*
(Syrian, manufacturing worker)

In our focus group of Syrian construction workers, all 20 participants agreed that it is important to have a work permit and that they want to work legally. Nevertheless, they said that so long as the work permit is linked to a sponsor, they prefer not to obtain a work permit. They indicated that they are aware of many cases of abuse and are concerned about being at the mercy of the sponsor.
(Research field notes, focus group discussion of Syrian construction workers)

In our focus group of Syrians, most participants wanted to obtain a work permit but were discouraged by the amount of money needed to obtain it. They argued about the cost, with some saying the cost is 800 dinars and other saying it is 1000 dinars. Their understanding of the work permit is that it is always a commercial permit and they fear a sponsor may take the money and not provide the work permit. They all fear that if they are approached by the police outside the camp without a permit, they will be deported to Syria.
(Research field notes, focus group discussion of Syrian day labourers)

We Egyptians don't have a reason to get a work permit anymore. It no longer protects us from deportation because it ties us to a single employer and very specific occupations. Even if we only work in construction, we'll get deported if we are working for a company that is not on the permit.
(Egyptian, construction worker)

⁹⁹ In some cases, non-Jordanians seek work permits to enhance their sense of protection in Jordan, even if they are not working. Several Syrian women interviewed for this study obtained work permits through agricultural cooperatives in the belief that it will support their reentry into Jordan after travelling to hajj or umrah.

¹⁰⁰ A study of Egyptians in agriculture found that those without work permits were better off because they are free to change employers if unsatisfied with wages or working conditions. Tamkeen Center for Legal Aid and Human Rights (2014). When the employer-sponsor has paid a recruiter and airfare, he has an incentive to protect that investment – which often takes the form of restricting worker's movement and passport confiscation, both of which are illegal. The practice of employers holding the passports of migrant workers is widespread. Among those we interviewed, 92 per cent of workers said their employer holds their passport. Migrant workers and their employers are often unaware that passport confiscation is illegal. To minimize up front investments, employers try to pass on the financial costs to workers: a majority of non-Jordanians with employer-sponsor as well as black-market-sponsor work permits report that they have to pay for their work permit themselves, despite regulations to the contrary. According to a recent study, only 18 per cent of migrant workers and Syrian refugees said that their employer paid the full cost of the work permit. Leading Point (2016).

We try to follow up on all aspects of the law, including Occupational Safety and Health. One of the problems is that we don't have enough time or even vehicles to do it all. Sometimes you can only get access to a vehicle for inspections when it is a joint visit with the police intended to check on work permits.
(Labour Inspector)

I remember visiting a construction site with the police. There was a Syrian worker there. As soon as he saw the police, he jumped from the 3rd floor. We didn't take action against the worker. We just ordered an ambulance and he was taken away.
(Labour Inspector)

We provide incentives for inspectors when we have special campaigns checking work permits. We give the inspectors a bonus if they catch a set minimum number of irregular work permits per day.
(Representative of the Ministry of Labour)

Inspectors only check work permits. They don't care about us Jordanians.
(Jordanian construction worker)

We rarely see inspectors coming to the farms. I wonder how they can reinforce the rules and regulations if they do not have enough staff to inspect the farms.
(Jordanian agriculture worker)

Labour inspectors make considerable efforts searching for and punishing non-Jordanians who do not have work permits. However, their success is limited by the magnitude of the issue, conflicting priorities and limited resources. Labour inspectors are assigned two, very different tasks: catching non-Jordanians who do not have work permits and enforcing decent working conditions. The role of checking on work permits makes many non-Jordanians afraid of the labour inspectors:¹⁰¹ particularly on construction sites, hazardous conditions are created when workers run away from inspectors. Given the conflicting priorities as well as limited resources, inspectors' ability to enforce decent working conditions is constrained and this is reflected in the comments of Jordanian workers as well as the inspectors themselves.¹⁰²

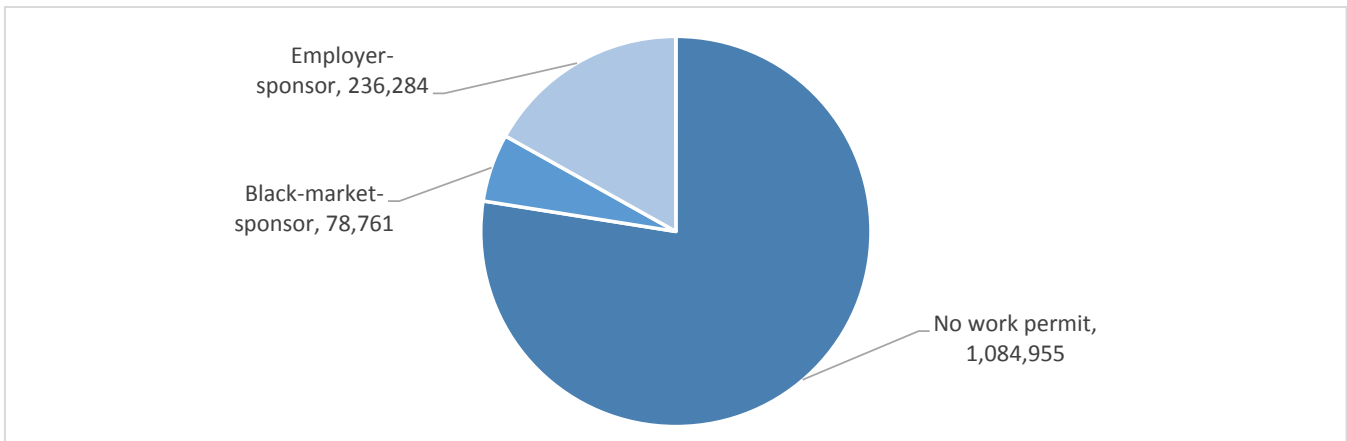
Based on estimates of the number of non-Jordanians working in Jordan, the number of work permits issued, and estimates of the extent of black-market-sponsorship, the majority of the non-Jordanian workforce fall outside of the fundamental principles of the system. As few as 17 per cent of non-Jordanians are estimated to hold a work permit that matches their actual employer and occupation (figure 1.12).¹⁰³

¹⁰¹ Few workers are aware of their rights or of the opportunities for recourse. Moreover, workers are hesitant to confront employers or lodge a complaint for fear of escalating the problem or losing their job. A study of irregular migrant workers found that 75 per cent do not know how to report a crime. The same study found that 44 per cent want information on their legal rights. Tamkeen Center for Legal Aid and Human Rights (undated). The Tamkeen Center for Legal Aid and Human Rights. (2014) study of agriculture workers found that, if faced with a conflict with the employer, 48 per cent would seek help from their embassy versus only 13 per cent from the police and less than 2 per cent from the courts.

¹⁰² The quotes of inspectors were taken from interviews conducted under the ILO Fairway Programme. The separation of enforcement of labour law and regulations from enforcement of migration policy is a basic principle of the Labour Inspection Convention, 1947 (No. 81) which was ratified by Jordan.

¹⁰³ The 17 per cent figure is based on the Ministry of Labour's issuance of 315,045 work permits in 2015 (NCHRD and Al Manar, 2016), Ministry of Labour's estimate of 1.4 million non-Jordanians working in Jordan (Jordan Times, February 5, 2017), and the estimates of Leading Point (2016) and Tamkeen (2014) on black-market-sponsorship.

Figure 1.12 Employed Non-Jordanians by Work Permit Status



The disconnects between today's economic reality and the initial principles of the system have several negative consequences. First, the Government does not have full control over the activities of the non-Jordanian workforce. Even monitoring the presence of non-Jordanians and the characteristics of the labour market is difficult when only a small share is covered. Second, the Government does not capture the potential revenue from work permits. No fees are collected for those who are working without permits, despite the fact that many of those interviewed said that they are willing to pay for work permits issued directly to them by the Government. Third, employers are frustrated that the regulations do not support economic productivity. Employers want access to a pool of labour for short term employment and complain that there are shortages of unskilled workers in some places and excess supply in others. Fourth, Jordanian workers feel that working conditions are not effectively enforced because labour inspectors are fully occupied addressing work permit issues. Fifth, migrant workers and Syrian refugees feel vulnerable if they are unable to obtain a work permit as well as vis-à-vis their sponsors.

Incorporating Syrian Refugees. The presence of Syrians has exacerbated an already challenging situation by increasing the quantity of workers in the labour market. Syrians entered Jordan as refugees rather than to work. However, as their savings ran out, many Syrians have found short-term, informal sector employment. Meanwhile, the Government has made considerable efforts to ease the formalization of Syrian employment and to encourage Syrians to work in the manufacturing sector.¹⁰⁴

Although comprising only a fifth of the total number of non-Jordanians workers, there are several new challenges of incorporating refugees. Like migrant workers, Syrians are often willing to work for low wages if they have other means to cover their basic needs. Unlike migrant workers, however, Syrians have their families with them and are unable to work under some of the conditions feasible for migrant workers who come to Jordan alone. A challenge facing manufacturing specifically is that wages in the sector are generally insufficient to cover rent and other basic needs. Moreover, because the work permit process was designed for migrant workers recruited on a temporary basis from outside of the country, retrofitting the process for refugees has been difficult.

*I am willing to work in anything. But I cannot leave this city if the job I get does not enable me to rent a place and sustain my family. Here I am living without any expenses because I have relatives, so I can get by. If I go to another city I won't have that so the job I get needs to compensate me for that. I would move for a manufacturing job if I could get a salary of 300 dinars a month, but I can't afford to do it if I don't get that much.
(Syrian, unemployed)*

*I worked in agriculture. But one day I came back and my children had set the tent on fire and my neighbors were freaking out. The extra income is not worth leaving my children over. I'd rather keep them alive.
(Syrian female, agriculture worker)*

¹⁰⁴ A recent agreement with the European Union gives Jordanian manufacturing exports special access to European markets on the condition that refugees comprise at least 15 per cent of a company's workforce.

As Syrians, we like freedom when it comes to work. That's why we'd rather work various jobs or open our own small business.
(Syrian, entrepreneur)

*Egyptians send their earnings to their families in Egypt. But we have our families with us, so we end up spending our earnings inside Jordan. We don't receive enough money to send to our relatives back home. It's barely enough to cover the expenses here. We actually need someone to send us money! *laughing**
(Syrian, restaurant worker)

Despite the challenges, there are several opportunities associated with incorporating refugees. First, Syrians are already in the country, so many of the upfront costs of recruitment can be eliminated. Second, despite generally low levels of education, many Syrians have strong entrepreneurial skills as well as skills in trades (particularly in construction and services). Third, while migrant workers send the bulk of their wages back home as remittances, the Jordanian economy benefits from the multiplier effect of Syrian wages being spent inside Jordan. Fourth, there may be opportunities to recruit Syrians living in camps, who have their basic needs provided by the camp, to work in nearby manufacturing companies.

The Labour Law treats all non-Jordanians equally in terms of requiring permission of the Ministry of Labour in order to work. While operating within this legal framework, the Government of Jordan has recognized the special situation of Syrians as refugees rather than as migrant workers and has developed regulations accordingly. The Government has given priority to Syrian refugees by temporarily restricting the entry of new migrant workers and by reducing work permit fees for Syrians to JOD 10. Equally importantly, the Government has created a pilot programme through which Syrians can obtain work permits in agriculture that allow them to move among multiple employers. Although additional challenges will be faced in other sectors, the programme serves as a useful model for internal labour market flexibility that can be adapted more broadly.

Syrians should not be competing with Jordanians. But they certainly deserve priority over people from other countries. Syrians aren't going anywhere and they just want to live and work. The problem, though, is that Syrians are bringing down wages because they accept low salaries and their presence drives up rents.
(Jordanian, unemployed)

When working on projects with Syrians, we are forced to accept the daily pay of the Syrians – 8 dinars, which is much lower than the regular daily pay we used to get before. Syrians pulled the wages down and it is not feasible for us to work at these wages.
(Jordanian, construction worker)

Since Syrians accept lower wages and are willing to work longer hours, employers are preferring them to Jordanians.
(Jordanian construction worker)

Egyptians work for daily wages that are similar to Jordanians. They do not accept to work for a wage accepted by a Syrian.
(Egyptian, agriculture worker)

The Egyptian comes to Jordan to make some money and go back to his country. But there doesn't seem to be a solution for the situation of the Syrian.
(Egyptian hotel worker)

It is fair for a Syrian to work without paying for his work permit because he did not chose to leave his home. He was obliged to come, but I came to Jordan by my choice.
(Egyptian hotel worker)

Syrians here has impacted us a lot because they work for lower salaries than ours. There was a lot of demand for Egyptians, but now not as much. I used to work in three jobs but now I only have one.
(Egyptian hotel worker)

Syrians are quick learners and they can figure out pretty much any trade or profession. So its easy for them to replace others in the labour market. Restaurants here are not hiring Jordanians. They hire Syrian nationals who accept very low wages.
(Jordanian unemployed)

¹⁰⁵ On average, the migrant workers we interviewed send home about 70 per cent of their wages. In contrast, only one of the Syrians we interviewed sends any amount to relatives outside of Jordan.

Throughout all parts of our fieldwork, Jordanian workers simultaneously expressed sympathy for Syrians and frustration that their presence has resulted in a decline in wages. The two sentiments are in fact consistent: Jordanian workers do not blame Syrians as individuals but are resentful of the impact of the uncontrolled labour supply shock.¹⁰⁶

I really don't know what to do when I find a Syrian working without a work permit. First they told us to send them back to Zaatari. Then another day they told us to just send them to the police station. They keep changing the procedures.
(Ministry of Labour, Inspector)

We can send Egyptians back to their country, but where would we send Syrians? We won't be able to sleep at night if we're sending Syrians to a regime that just sheds their blood. This country isn't like that.
(Ministry of Labour, Inspector)

Labour inspectors also expressed sympathy and expressed their thoughts about how to handle Syrians they find working without a permit – both in terms of confusion over the regulations and in terms of their moral values:

Jordanian workers' understanding of the situation of Syrian refugees in the labour market reflects a significant degree of misinformation. Many Jordanian workers are under the impression that all Syrians are given very generous humanitarian aid benefits, but are unaware of existing safety nets for vulnerable Jordanians. Similarly, many Jordanian workers are aware of support to incorporate Syrians in the labour market, but are unaware of existing policies – such as closed occupations and quotas – intended to protect Jordanian workers.

Syrians get free work permits, along with their food rations. This allows them to ask for a much lower daily rate because their house needs are already covered. And this has cause the daily pay of all worker to fall.
(Jordanian, construction worker)

We do not see any rules that favor the Jordanian worker.
(Jordanian, agriculture worker)

Jordanians should be given priority for hiring. Syrians whose needs are already taken care of should not work. Syrians whose needs are not taken care of should get help from the Government to match them with jobs after Jordanians are given the priority for placement.
(Jordanian, female unemployed)

¹⁰⁶ The ILO and Fafo study of 2015 found a similar result. In that study, large portions of the Jordanians surveyed believe that Syrians are pushing down wages. At the same time, the Jordanians said that Syrian workers are being exploited by employers. In other words, while angry at the impacts caused by Syrian presence, Jordanians do not place blame for the wage reduction on Syrians themselves. ILO and Fafo (2015).

3. Agriculture

Introduction to the Agriculture Sector

The potential of the agriculture sector is constrained by Jordan's low water resources: 90 per cent of the land area is arid (annual rainfall below 200mm).¹⁰⁷ Nevertheless, Jordan has an international comparative advantage in some low-water products and products that can be exported to Europe to take advantage of Jordan's growing season which extends into European winter months. The sector faces several challenges which prevent it from taking advantage of its comparative advantage. Challenges include: policies that incentivize water-inefficient production (e.g. water subsidies and import tariff policies); weak marketing systems; and weak infrastructure for post-harvest operations.¹⁰⁸ That having been said, recent studies show enormous potential for increased value added in exports and employment without any increase in water usage.

The agriculture sector has suffered in recent years as a result of closed markets. The following comments were made by a former Minister of Agriculture and by the Chairman of the Jordan Exporters and Producers Association:

*Syria is not only one of the main markets for Jordan but it is the only land route for Jordanian Produce to Europe.
(Former Minister of Agriculture)*

*Before the Syrian war the largest main markets to Jordan were Syria and Iraq and they are both closed to Jordanian Produce at the moment, this has caused decline in produce prices for the farmer leaving him with big losses.
(Chairman, Jordan Exporters and Producers Association)*

These comments emphasize the fact that conflicts in neighboring countries have had both a direct impact (lost exports to those markets) and an indirect impact (lost exports to other markets as a result of closed transportation routes). The Chairman of the Exporters and Producers Association also emphasized the decline in farm gate prices that has resulted from reduced demand for Jordanian agricultural products.

*The absence of clear strategy for agriculture in Jordan caused the contribution of the sector to the GDP to decline. This has been going on for a long time but is even worse now with the closed markets. No one is helping us figure out how to endure the latest shifts in the markets due to war in Syria.
(Representative of the Jordan Exporters and Producers Association)*

*Jordanian farmers do not have a clear strategy or sophisticated vision to understand the shifts and gaps of the international markets and what to grow for what market. We don't have any information to help make decisions and have to depend only on information we get from wholesalers or exporters, and we know they give information based on personal biases.
(Representative, Farmer's Union)*

Farmers and other stakeholders interviewed for this study voiced their distress not only with losses related to closed markets, but more generally with the absence of a national agricultural policy. Two interviewees reflected on the challenges resulting from absence of a strategy:

¹⁰⁷ There are two distinct sub-sectors: the traditional, rain-fed agriculture in the highlands and the intensive, irrigated agricultural in the Jordan Valley.

¹⁰⁸ European Union (2014).

The first comment points out that, whereas the lack of strategy has been a problem for many years, the consequences have become more dire with the shock of closed markets with nearby countries. The second comment reflects more specifically on farmers' need for information on potential markets. In the absence of a source of impartial information, farmers have to rely on information from wholesalers who may give incorrect information, particularly about market prices.

The absence of a national strategy for agriculture creates problems in the labour market as well as the product market. The Labour Law (No. 8 of 1996) is vague regarding the agriculture sector. While the law indicates that bylaws will be issued covering agricultural workers, comprehensive bylaws have not been issued. One of the few regulations that does exist, is the one prohibiting such workers from changing employers during the first two years of their presence in Jordan.¹⁰⁹ Other issues remain vague and one can only assume that the basic laws regarding wages, working conditions and other issues applies to agricultural workers. This would imply, for example, that agriculture workers should be covered under social security. It should be noted, however, that there are few efforts at enforcement of social security, nor are workplace inspections carried out in agriculture.

A significant portion of agricultural workers are non-Jordanians.¹¹⁰ Egyptians have dominated the sector for many years, although Syrians and Jordanians are increasingly active in the sector. As of 2016, migrant workers represent 41 to 52 per cent of the agricultural workforce, Syrians represent about 23 to 40 per cent and Jordanians represent the remaining 19 to 24 per cent of the agricultural workforce.¹¹¹

Accurate data on the true numbers of agricultural workers is not available. The Department of Statistics Labour Force Survey only reports on Jordanian workers and only on workers living in formal housing. This means that the large number of workers living at the worksite are not covered. While the Ministry of Labour has data on the number of work permits issued in agriculture, those numbers do not reflect the true number of non-Jordanians in agriculture. On the one hand, the numbers may be understated because of the large number of migrant workers working informally. On the other hand, the numbers may be overstated because of the large number of migrant workers who hold work permits in agriculture but actually work in other sectors,¹¹² as reflected in the following comments:

The number of Egyptian workers in the farms are much less than the numbers claimed by the Ministry of Labour. Many workers will arrive to Jordan using agricultural work permits but shift to other sectors because the pay is higher. (Former Chairman, Farmer's Union of the Jordan Valley)

The young Egyptian workers shift to other sectors in Amman for better pay and they even influence their relatives who are already working in agriculture to reevaluate their current income status from agriculture based on the higher income from other sectors specially construction or guarding buildings in Amman. (Farmer)

¹⁰⁹ Instructions for the Conditions and Procedures of Brining and Employing Non-Jordanian Workers, Article 10 (14).

¹¹⁰ The ILO (2015) study estimated that non-Jordanians comprise 30 to 38 per cent of workers in agriculture.

¹¹¹ Our calculations are based on the basis of Ministry of Labour's estimate of 150,000 and Leading Point's estimate of 330,829. According the Department of Statistics Labour Force Survey for 2015, less than 2 per cent of Jordanian workers – primarily among the poorest segments of the population – are engaged in agriculture. Among Jordanian women workers, less than one per cent are engaged in agriculture. The number of workers in agriculture appears to have been on the rise, even before the arrival of large numbers of Syrian refugees. Between 2004 and 2010, the number of workers in agriculture rose from about 95,000 to about 110,000. Tamkeen Center for Legal Aid and Human Rights (2014). A recent article by Jawad Anani estimates that fewer than 5 per cent of agriculture workers are Jordanian (Jordan Times, May 1, 2017).

¹¹² The agriculture sector plays a special role in black-market work permits for two reasons. First, landowners can sponsor non-Jordanians for work permits independent of their production: work permits in agriculture are given on the basis of the size of land held, including non-farmed land. Second, agriculture work permits are less expensive than work permits in other sectors.

I have more and more Jordanians working for me. The new ones are mostly men, including those who failed Tawjihi and even University graduates who are waiting for a job in the public sector.
(Farmer)

Several factors – pushing in opposite directions – have impacted the agricultural labour market. Supply of Egyptian labour has decreased over the past year as the Government of Jordan has increased efforts to restrict the inflow of labour and to catch and deport Egyptians with work permit violations. On the other hand, supply of Jordanian labour has increased over the past two years as more and more Jordanians become desperate for any type of work, and supply of Syrian labour has increased over the past five years due to entry of large numbers of refugees.

Segmentation by Nationality

Agricultural employers have very clear views and preferences regarding the nationalities of their workers. Farmers often prefer to hire Egyptians because of their willingness to do physically exhausting tasks – sometimes understood to be based on innate differences in the physical characteristics of Egyptians – as well as willingness to work very long hours and because they can be paid late:

Grower preference is always the migrant workers from Egyptian nationality as they live on the farm and are on call 24 hours. Egyptian workers living on the farm not only will operate anytime but will act as guards. Also, we pay the Egyptians at the end of the season and this reduces our financial stress.
(Farmer)

We prefer Egyptians as they have a strong physique and their body is structure to tolerate hard work better than Syrians or Jordanians.
(Farmer)

No other workers have the strength and durability of the Egyptian worker.
(Farmer)

The Egyptian worker lives on the farm and he is conveniently available on the farm 24/7 unlike the Jordanians who will work on daily basis and his services can be disrupted easily by social events like wedding or death in the home village. Most of the time Jordanian workers won't accept jobs that Egyptians accept and will not tolerate the long working hours the Egyptian workers can put in their work. Jordanian Male workers prefer operating machines like driving a tractor or operating a cargo truck or even office work.
(Farmer)

Other nationalities of workers -- including Jordanians -- are evaluated in comparison to Egyptians. For example, the following comments of farmers in reaction to the question if they have a preference for nationality of their workforce and, if so, why:

Because of the difference in willingness to live on the farm and be availability at all times, Egyptians are generally hired for the entire season. Jordanians, in contrast, want to return to their families at night and farmers are therefore unwilling to make agreements with them for more than a day at a time. As mentioned above, Syrians have entered the agricultural sector in large numbers in recent years. Employers tend to think of Syrians as a cheap source of labour as well as being skilled at delicate tasks:

My workers are 65% Syrian, 25% Egyptian and 10% Jordanian. I hire Egyptians for hard work like spreading manure. I hire Jordanians as drivers and guards. I hire Syrians for picking, sorting and packing.
(Farmer)

Syrian workers take JOD 1 per hour (JOD 100 to 120 a month), which is 25 per cent less than Jordanians. Farmers think of Syrian workers who live on the farm as a cheap alternative to Jordanians, because they don't need transportation to work site and they can work longer hours.
(Farm labour recruiter)

We made a big shift in hiring more Jordanian workers in addition to the Syrians living on the farm. But there are some areas in the Jordan Valley that is restricted to Syrian nationalities and therefore only Egyptian workers can work in these areas.
(Farm labour recruiter)

According to a recent study by Tamkeen, employers in agriculture prefer Egyptian workers for carrying crops and materials (believing Egyptians to be more resistant to heat and working conditions) while preferring Syrian workers for more delicate tasks or activities that require special skills.¹¹³ Another difference between Egyptians and Syrians is what they do during winter months. In general, however Egyptian workers often work in other sectors (especially construction) in winter months, while Syrian refugees move to the allowed parts of the Jordan Valley to continue working in agriculture. However there are some restrictions which limit the value of Syrian labour in some contexts:

Jordanian Views about Working in Agriculture

Jordanian women as well as men work in agriculture. This is notable given the very low female labour force participation rates in general. A major factor determining acceptance of Jordanian women working in any sector is the issue of personal safety – specifically freedom from unwanted attention from men. This issue was identified in several focus group discussions of employed and unemployed women as well as when focus groups of men were asked about work for their wives, sisters and daughters.

For sure we feel safe on the farm. We would not work if we felt any problem on that. We have never had any cases of violence.
(Jordanian female agriculture worker)

In this context, Jordanian women's presence in agriculture is closely tied to a sense of personal safety on the farm. The following is a response from a Jordanian woman in the Jordan Valley when asked if employers take all reasonable measures to make sure workers are safe and respected:

In this case, as in many others, Jordanian day labourers are organized by a recruiter. The recruiter offers work to both men and women from his home village, provides transport to the farm and supervision during the work day. Because the recruiter has a reputation in the village and because the labour force is often part of the same extended family, women are considered to be safe and feel comfortable even working after hours.

I don't want to do the really disgusting things like breathing pesticides. I prefer to do things that make use of my skills. I know how to use machinery and can drive a truck.
(Jordanian agriculture worker)

Why do they want us to do the weeding by hand? It's exhausting. I'm sure there is another way that would be faster and easier.
(Jordanian agriculture worker)

Jordanian men also work as day labours in these same work groups. Many Jordanian men express a strong preference for tasks that are perceived as more technical and less reliant on heavy manual labour.

¹¹³ Tamkeen Center for Legal Aid and Human Rights (2014).

The workers' comments often reflect a general sense that certain tasks are dirty, unsafe and can be better done through other means. Indeed, a recent study found that 70 per cent of workers are unequipped with any safety equipment (e.g. masks and gloves).¹¹⁴

As indicated above, Jordanian agricultural workers are generally hired as day labourers. The insecurity of this work arrangement is the main concern expressed by Jordanian workers when asked if they would let their children work in agriculture:

Most Jordanian workers in agriculture are women daily workers, they work to cover the expenses of their daily life and to put food on the table for their families. The income can be as low as 70120- JOD per month and this work is seasonal and can be as low as 4- 5 months a year.

(Representative, Agriculture Labour Association)

We work only few months a year and we barely manage to cover our daily food needs. I wish we had steady jobs and steady salaries. That is what I hope for my children.

(Jordanian agriculture worker)

I work in agriculture but wouldn't marry a man who works in agriculture. I want to marry a government employee or maybe someone in one of the big private companies. I want a husband who has a steady salary, social security and health insurance.

(Jordanian female agriculture worker)

Similarly, Jordanian women expressed frustration with the insecurity of agriculture:

Despite frustration with the lack of permanence in their work, Jordanian workers had generally good relationships with their employers. The following responses were given to the question what they would do if they had a conflict with their employers:

We rarely see inspectors coming to the farms. I wonder how they can reinforce the rules and regulations if they do not have enough staff to inspect the farms.

(Jordanian agriculture worker)

There is no union. We would just quit if the employer insulted us or did not pay us. We are paid by the day so we can always leave with minimum loss. If we had a bigger problem, we would talk to the Governor. He would resolve the issue.

(Jordanian agriculture worker)

The above comments reflect two issues. First, there is little commitment between the employer and the Jordanian agriculture worker. Second, Jordanian agricultural workers often have local support networks they can go to if problems arise. This is particularly true in agriculture due to close ties in rural areas, while it is much less common among non-Jordanians in agriculture and even among Jordanian workers in other, more urban, sectors.

¹¹⁴ Tamkeen Center for Legal Aid and Human Rights (2014)

Egyptian Views of Work in Agriculture

The views of Egyptian workers were quite distinct from the views of Jordanians as a result of the different nature of the employment arrangement. From the point of view of the farmer, Jordanian and Egyptian workers provide two distinct forms of flexibility. Hiring Jordanians as day labourers allows the farmer to avoid even medium term commitment. Hiring Egyptians, on the other hand, offers farmers flexibly in other ways. During the agriculture season, Egyptians are flexible in terms of ability to live on the farm and be available for work 24/7. During the winter, Egyptians are flexible in terms of their ability to migrate to other parts of the country and work in other sectors.

According to Tamkeen (2014), sixty per cent of agriculture workers indicated that they experience delayed payments, often until the end of the season.¹¹⁵ Employers interviewed for this study said they value Egyptians because they work 24/7 and accept late payments. Although employers perceive the late payments as acceptable to workers, workers themselves feel differently. Late payments were the most common concern voiced by Egyptian participants in focus group discussions.

*We face late salary payments from the farmers and in some cases no payment at all due to the losses the farmers are encountering lately. Sometimes we work for the whole season and at the end we do not get paid for our work.
(Egyptian agriculture worker)*

*If the season is not good, we get even less money. I am just a worker and all I have is my wages, so I can wind up with nothing at all. But the farmer he still has his land. And, if the season is good, will he give us more money?
Of course not!
(Egyptian agriculture worker)*

*I work 12 or 13 hours a day, 7 days a week. I often have to stay up all night and am always on call.
(Egyptian agriculture worker)*

*I want to be paid by the hour. And if I work more than 8 hours a day, I should receive overtime. And I should get my salary at the end of the month, not the end of the season.
(Egyptian agriculture worker)*

It is common to find workers working long hours 7 days a week without receiving additional salary and without receiving paid annual leave or sick days,¹¹⁶ which is contrary to the law's stipulation that workers must be paid 125 per cent of their normal salaries when they work overtime.¹¹⁷ More generally, fieldwork found that Egyptian workers are unhappy about the same things that employers like about hiring them.

Work permits are an important part of the lives of Egyptian agriculture workers. In focus group discussions, Egyptian agriculture workers expressed a variety of views about work permits:

*The first year, we sign but we don't get copy of the contract. The second year we don't even sign anything.
(Egyptian agriculture worker)*

*We want work permit because it does something to protect us from humiliation from employer and late payment. Only recently that inspectors started coming. So now deportation is also a reason for work permits.
(Egyptian agriculture worker)*

¹¹⁵ Tamkeen Center for Legal Aid and Human Rights (2014).

¹¹⁶ Tamkeen Center for Legal Aid and Human Rights (2014) found that more than 53 per cent of agricultural workers who work more than 8 hours a day are not paid for overtime.

¹¹⁷ When asked what could be done to improve their life in Jordan, the most frequent responses among agriculture worker in a recent study by Tamkeen Center for Legal Aid and Human Rights (2014) were improvement of salaries (including ensuring employers oat recruitment fees) and better care from their embassies. Other common responses were social security, dignity, a trade union, safe accommodation, annual leaves and an end to deportation. Also mentioned issues were work permits to be issued directly by the Embassy, eliminating fraud by the employers, standardizing working hours, work to be carried out by skilled employees, suitable job opportunities, inviting families to Jordan and requiring health certificates only at entrance rather than annually. Tamken Center for Legal Aid and Human Rights (2014).

Egyptian agriculture workers generally pay for their work permit themselves, and increasingly see it as important protection from deportation. There is mixed evidence, however, as to whether having a work permit makes workers better off or not. The comment above indicates that the worker feels that a work permit may protect him from humiliation and late payments. This does not, however, mean that it is beneficial to have an exclusive employment relationship with an employer-sponsor. According to a recent study, day workers in agriculture receive higher pay than those in formal contractual relationships and are less exposed to forced labour.¹¹⁸

*Some sponsors ask for JOD 400 or 500 to release us when we want to go home. They have the passport, so we have to pay it.
(Egyptian agriculture worker)*

If a dispute occurs between the worker and the sponsor, agriculture workers are at a disadvantage vis-à-vis their sponsor. To be able to be released from the sponsor during a contract, it is required by law to get a release from the sponsor himself. In some cases the sponsor will demand money in return of providing the worker with this release document.¹¹⁹

In contrast to Jordanians working in agriculture, Egyptians feel they have little recourse if faced with a conflict with their employers. A study of migrant workers in agriculture found that, if faced with a conflict with their employer, 48 per cent would seek help from their embassy versus only 13 per cent from the police and less than 2 per cent from the courts.¹²⁰

The Emerging Role of Syrians in Agriculture

As mentioned earlier, farmers often view Syrians as a less expensive alternative to Jordanian labour. Like Jordanians, Syrians have families and this constrains them from working 24/7 in agriculture. Syrians work in agriculture for several reasons:

*Syrians want farm work to stay away from eyes of authorities and because they have their families with them and need a safe environment for children.
(Farmer)*

*It is not appealing, but it's a source of income. We are going through hard times and any decent job that would generate a source of income is welcome, as long as it's safe.
(Syrian female unemployed)*

*I live in Zaatareh camp and try my best to get day work in agriculture. But it is very difficult to get permission to leave the camp (ijazeh). The thing I need most in life is for someone to make it easier for me to get out to work.
(Syrian agriculture worker)*

*It is much easier for girls to leave the camp but they have to be back by 4 PM. For men its much more difficult. The leave permit (ijazeh) needs 23- days to get, and that limits their work capabilities and employers don't like not knowing if they are coming. Often the men sleep at the office to be the first in line to get the permit.
(Labour recruiter)*

Nevertheless, Syrian agriculture workers face several problems. Male residents of the refugee camps are often unable to access job opportunities.

¹¹⁸ Tamkeen Center for Legal Aid and Human Rights (2014). The same study found that 19 to 24 per cent of agriculture workers said that they experience restricted freedom, intimidation or threat, and seizure of their passport, all of which are indicators of forced labour.

¹¹⁹ The Tamkeen Center for Legal Aid and Human Rights (2014) study also found that migrant workers are often required to pay between JOD 100 and 150 to their employer to reclaim their passports.

¹²⁰ Tamkeen Center for Legal Aid and Human Rights (2014).

Syrian women also face difficulties. In some parts of Syria, women do not usually work outside of the family property. Syrian women and their families expressed concern for women's safety, especially after dark, and women's ability to combine work and household responsibilities.

In my village, women only work on the farms of relatives. Here they are expected to work on the farm of a stranger. I don't want my sisters to be bothered by the men who work on the farm. She won't be safe. That's why I have to go with her. I have to keep an eye on her.

(Syrian agriculture worker)

I worked in areas around Zaatarah harvesting tomatoes. I only left the camp to help support my family. The situation now is difficult and there is a need for both males and females to work in any field that provides income. It would be more acceptable, though, if it was all female staff in a protected and safe environment and if the employer picked us from the camp early in the morning and dropped us back off at the camp before sunset. I wish the UNHCR was involved in the arrangement because that would make it safe and legal.

(Syrian female, agriculture worker)

I worked in agriculture every now and then to support my cash assistance income. But one day I came back and my children had set the tent on fire and my neighbors were freaking out. The extra income is not worth leaving my children over. I'd rather keep them alive.

(Syrian female agriculture worker)

I and several people I know tried working on farms but we were always taken advantage of somehow. I was paid a small amount but I know others who never got paid at all. But we know we can only just take it because we are threatened with being reported to authorities for false crimes that could get us deported. And who could we complain to anyway? We'd be considered at fault for taking illegal work!

(Syrian agriculture worker)

Participants mentioned that non-payment of wages is a common phenomenon and that they have little recourse in such situations.

The Agricultural Cooperative Work Permit Experiment

The current work permit system requires a sponsor to apply for the permit based on a one year contract. This type of work permit system is incompatible with most agriculture jobs which are short term in nature (either daily or seasonal). To address this constraint, the Government of Jordan agreed to allow agricultural cooperatives to sponsor work permits for Syrians. Under this arrangement, workers are not restricted to working for a single farmer, but are able to work for various employers, in a manner more conducive to the business needs of farmers, and allowing workers to avoid potentially exploitative relationships with sponsors. The ILO has supported this experiment by assisting the Ministry of Labour design the mechanism as well as by providing the technical and financial support for Jordanian and Syrian focal points for each cooperative to facilitate coordination the cooperatives, Syrians and the Ministry of Labour. Since the start of the experiment until the end of 2016, almost 12,000 work permits have been issued to Syrians through cooperatives, accounting for a large share (36%) of all work permits issued to Syrians. Syrian beneficiaries report that they are satisfied with the process:

I am happy that I have a work permit now. I don't have to worry about being deported.

(Syrian agriculture worker)

There have been some cases reported of Syrians obtaining this type of permit even though they do not work in agriculture – or in some cases do not work at all.

*I am not working in agriculture, but it's important to have a work permit so I can find some sort of job.
(Syrian unemployed worker)*

*Some of the Syrians – even women – get the work permits and don't want to work at all. They apply for it anyhow because they want to go to hajj or umrah. Having the work permit will facilitate the process. It will give them legal status, maybe making it easier to get back into Jordan.
(Representative of Ministry of Labour)*

*A lot of Syrians aren't convinced yet. They will have one member of the family get a permit just to observe what will happen. But they are worried that the social security will come after them asking for contributions, they are worried that the fees will increase next year, and that they will lose what little support they get from the UN.
(Representative of farmer cooperative)*

The comments above are an indication of the widespread view that work permits are useful as a protection mechanism. However, it is also an indication that the experiment may be serving the same purpose for Syrians as the black market permits often serve for migrant workers. It is still too early to know how Syrians will assess the benefits in the long term and whether or not they will want to renew the permits.

In order for this approach to be sustainable, it will be important to ensure all stakeholders feel that the process is beneficial and easy.

*We are trying to facilitate the process. I'm not sure how it will work out in the long term. But I am glad to see a lot of donors and NGOs paying attention to agriculture.
(Representative of Farmer cooperative)*

*As a farmer, I don't understand why permits are necessary at all. And I am worried that I could be held liable if something happens to someone I sponsor. But the Ministry of Labour representative said that we don't have legal responsibilities and that the responsibility is with whoever the worker is actually working for.
(Farmer)*

Opportunities for New Methods and Ways to Organize Agricultural Labour

One of the key issues that emerged from the fieldwork was that the agricultural sector has remained primitive despite having significant potential. The sector continues to rely on labour-intensive and water-intensive production methods and demanding manual labour. In this context, Jordanian workers shun the sector and there is little support for the sector given the severe water scarcity of Jordan. Farmers have been frustrated that the Government has recently restricted access to Egyptian labour.

At the same time, however, the sector has significant potential for value added exports (with little water use), for increasing employment of Jordanians and for inclusion of Syrian refugees. Realizing this potential would require increased attention to use of modern methods – both in terms of use of technology and trained labour.

A recent study on export diversification by the World Bank argues that agriculture has more potential for increased exports than does manufacturing.¹²¹ The analysis found that, even today, the domestic value added from agricultural exports is larger than in apparel or other manufactured products.¹²² The study went on to assess potential for expansion of exports in the various sectors. For agriculture, the study examined production techniques in other environmentally similar countries and concluded that modernizing growing techniques and refrigeration during transportation could allow Jordan to increase both price and quantity of exports dramatically.¹²³ The study estimates a potential increase of USD 965 million in agricultural exports to the Gulf and Europe within five years during which time the required investments would be entirely recouped.

*I would work on a farm if I get a chance to operate a machine or drive a truck. This kind of work needs technical skills and I think I have the skill to operate such machines.
(Jordanian unemployed worker)*

Crucially for the purposes of the present study, use of modern and water-saving techniques in agriculture could provide significant new job opportunities of the type Jordanians and Syrians aspire to.¹²⁴ In particular, the jobs created would respond to the key frustrations identified by Jordanian focus group participants: the jobs would be attractive because of higher pay (due to higher productivity) and more satisfying by being more skilled and less reliant on brute force/dirty/hazardous tasks. For Jordanians, “working smarter not harder” means an increased satisfaction with the nature of the tasks as well as increased wages. An unemployed Jordanian in the Jordan Valley:

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(Jordanian unemployed worker)*

¹²¹ The World Bank (forthcoming).

¹²² Although total value of exports in agriculture is lower than apparel, the domestic value added of agriculture is considerably higher. The total value of exports (in 2015) was higher for apparel (USD 1,420 million) than for agriculture (USD 1,009 million) or other manufacturing products (USD 469 million). However, the domestic value added of agricultural exports was USD 892 million compared to only USD 227 million in apparel and USD 231 in other manufacturing products. The World Bank (forthcoming).

¹²³ For example, the study found that modernizing techniques could increase Jordan’s exports of tomatoes to the Gulf countries from USD 301 million to USD 993 million without any additional water consumption. Currently the Gulf countries import large quantities of tomatoes from Europe at high prices due to the necessity for use of air cargo transportation. Although Jordan has the advantage of a land connection, Jordanian produce accounts for only a small share of Gulf produce imports because of improper handling, packaging, refrigeration and damage during border inspections. The World Bank (forthcoming).

¹²⁴ These jobs would include on-farm jobs as well as an estimated 6,000 jobs directly associated with exporting. The World Bank (forthcoming).

¹²⁵ These jobs would include on-farm jobs as well as an estimated 6,000 jobs directly associated with exporting. The World Bank (forthcoming).

We have been frustrated with the new restrictions on bringing in Egyptian workers and wind up hiring them on the black market. We would be happy to hire Jordanians and Syrians if they were properly trained to do the work. The truth, though is that if I can't get Jordanians to do the work, the quotas are meaningless. I just hire black market Egyptians.
(Farmer)

Government should encourage use of machinery. Some of the work Egyptians do can be done by Jordanians using machines. Pesticide and fertilizer application, green house installation, things like that. Things that Jordanians and Syrians don't want to do now, the way Egyptians do it. Using equipment – even simple tools or anything that requires more sophistication and less brute force -- would make more Jordanians willing to work in agriculture.
(Farmer)

Employers interviewed also expressed their interest. When asked about labour force issues, they said:

To some extent, use of new techniques has already occurred in Jordan.¹²⁶ For example, one large farmer interviewed has recently purchased simple machines that sort the produce. As a result his profit has increased by 30 per cent as the average price he receives is higher as well as reduced post-harvest losses. This farmer was able to get a loan which he could repay within a short period of time.

I went to Europe and bought several new pieces of equipment. This is particularly important nowadays because the cost of Egyptian labour has increased. I purchased a manure spreading machine. With this new machine, I reduced the number of Egyptian workers needed for this kind of work. Instead I can hire Jordanians who are happy to work with the machine. After we imported the manure spreader machine we started saving 30 per cent on our cost, and when using those special nozzle turbo sprayers we saved over 40 per cent on pesticide spraying costs. We can pay more to our workers and still be competitive in the market. I also purchased a sorting machine for my peaches and nectarines production. I am able to separate produce much faster and with less effort: a job that is appealing for Jordanians and reduces fruit mechanical problems. The sorted high quality produce I sell at a premium price and I have increased my average selling prices by 30 per cent.

(Farmer)

We bought a weeding machine for the date trees for USD 10,000 and our productivity is much higher now. Jordanians are operating this machine and we saved USD 5,000 from the first year of use.

(Farmer)

Egyptians are doing the spreading of manure, spraying of pesticides and surface fertilizers, and other jobs Jordanians avoid on the farm. It makes sense to use machinery to do these jobs and employ Jordanians who will accept to operate a machine on the farm.

(Farmer)

¹²⁶ Modern techniques have been successfully adopted in milk, chicken and egg production as well as a few specialty fruits including guavas and avocados. Jordan Times (May 1, 2017).

Another large farmer has similarly increased use of machinery in his fruit tree farm, including sprayers, sorting machines and tractors adapted for pruning (to avoid need for ladders). He estimates that as a result of the increased productivity and ease of work, he has been able to increase the percentage of Jordanian employees by 30 per cent.¹²⁷ These mechanisms also save on inputs, reducing pesticide losses by 40 per cent. He estimates it will take three years to recoup his investment.

The main constraint is financial: small farmers do not have large enough areas to fully utilize the equipment and even large farmers are often liquidity constrained in today's difficult economy and unable to borrow due to insufficient collateral. Moreover, the cost of training is problematic: employers are unwilling to invest in their workforce because workers rarely remain with an employer year round.

To some extent, the constraints of small farmers have been addressed through cooperatives. A retired member of a cooperative in the Jordan Valley gave an example.

*I was a government employee working for the cooperative establishment in Madaba. The cooperative was serving many wheat farmers in that area by arranging utilization of the equipment and tractors for wheat production and collection. Also we used to offer better-adapted when seeds at low rates to farmers. I also worked on establishing service centers for cooperatives in the Jordan Valley and we used to buy seeds, fertilizers and pesticides as a group. It saved us a lot of money. We didn't work together on labour issues, but that could save money and be more efficient. Our model was very successful when we all knew each other. But when the membership broke down because some farmers sold their land – we couldn't make it work any longer. Management of the coordination is the most important thing. We aren't very good at that.
(Former representative of farmers' cooperative)*

*Of course we would pay a company to do this! A trained worker can pick twice as fast as an untrained one. Spraying the trees is always money consuming as the price of those pesticides are on the rise. Getting somebody with those turbo efficient sprayers would save us lots of money. We would definitely work with this company. But where is it? Does it exist?
(Farmer)*

Despite the potential benefits of economies of scale, cooperatives often lack the mechanisms for coordination that would allow them to take full advantage of these benefits. When a group of small farmers who have fruit trees in Mafraq were asked if they would be willing to pay a company to provide trained workers, advice and machines they were unanimously enthusiastic:

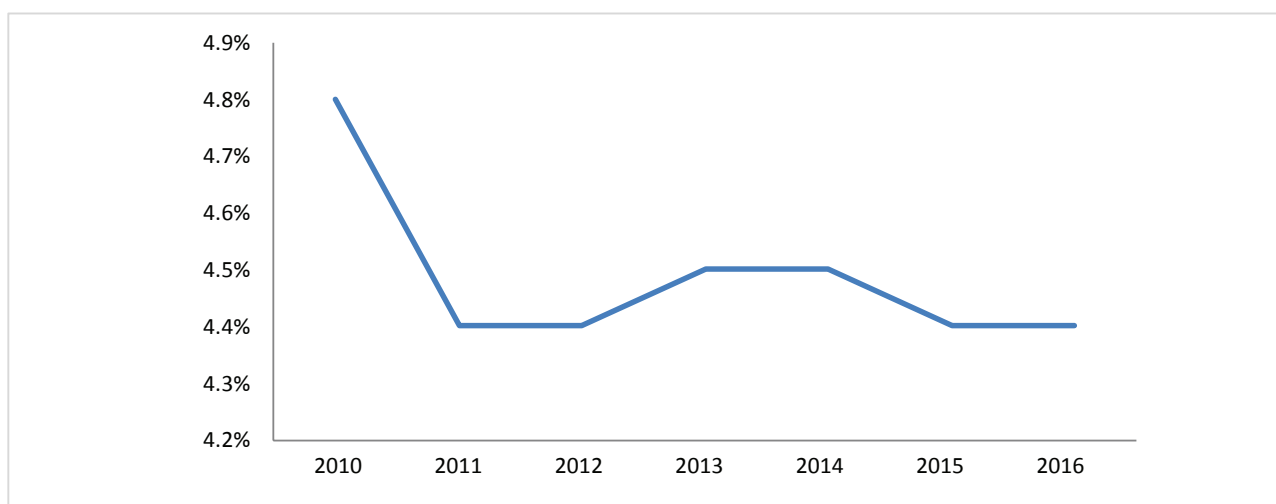
¹²⁷ Rajaa farms has increased their Jordanian workforce by 60 per cent over the past two years. The farmer attributes half of this increase to increased mechanization and the other half to increasing Jordanians participation in agriculture. Another example, which has been successful even with smaller farmers is an inexpensive European-made olive harvester has become very popular among farmers in Karak.

4. Construction

Introduction to the Construction Sector

The construction sector contributed 4.5 per cent to GDP in 2014¹²⁸. Moreover, the number of building construction licenses reached 10,304 in the same year, up from 9,960 in 2012, indicating growth in the sector between 2012 and 2014¹²⁹. In 2014, there were 2,842 establishments in this sector, with the largest number located in Amman¹³⁰. Nevertheless, the contribution of the sector to GDP declined between 2015 and 2016 (figure 3.1).

Figure 3.1 Construction as a share of GDP



Source: Central Bank of Jordan. Available at <http://statisticaldb.cbj.gov.jo>.

The construction sector employs large numbers of workers, both Jordanian and non-Jordanian. According to official statistics, Jordanians comprised nearly three-quarters of construction workers, with Egyptians comprising most of the remaining construction workers. These figures may understate the number of non-Jordanians, however, because the official statistics include only non-Jordanians who hold work permits in construction. Alternative estimates, including unregistered construction workers, suggest that non-Jordanians comprise 40 per cent of construction workers.¹³¹

The construction sector is diverse, including both large and small contractors. In general, large contractors provide good working conditions and year-round jobs to their employees, while small contractors struggle to make a profit and hire based on temporary assignments and cut costs including by lower working conditions. Even large contractors, however, often respond to peak demand by hiring day workers, often informally.

Work in the construction sector has slowed in recent years, reflecting the general economic slow-down. When contractors were asked about their expectations for the coming years, they were universally pessimistic:

The signs are not positive so we don't think that our business will grow. Government expenditure on infrastructure is decreasing significantly. Due to the economic situation and political instability in the region, private sector investment is decreasing as well.
(Construction contractor)

I think the sector will suffer in the coming two years. The Government is not spending on public works.
(Construction contractor)

¹²⁸ Central Bank of Jordan website. Available at <http://statisticaldb.cbj.gov.jo>. Accessed May 1, 2017.

¹²⁹ Jordan Contractors Association Annual Report (2015).

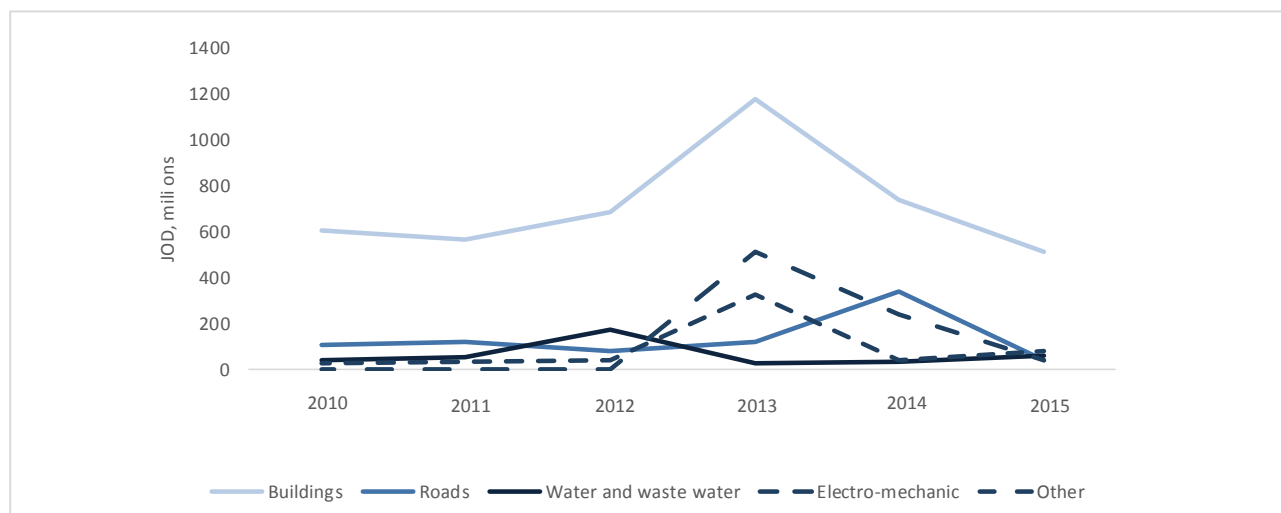
¹³⁰ Data obtained from Jordan Chamber of Industry.

¹³¹ ILO (2015).

The first comment came from a large contractor, while the second comment came from a small contractor. It is notable that all contractors were experiencing a reduction in work and that there is little counter-cyclical investment in public infrastructure.

Data obtained from the contractors association indicates a sharp decline in the total values of public works contracts registered at the association. The total value of building contracts and roads in 2015 is less than that for 2010 (figure 3.2).

Figure 3.2 Value of public work contracts



Source: Contractors Association Annual Report (2015).

A representative of the Contractor's Association reflected on the reduction in public sector contracts available. Although he believes that public spending has decreased overall, he also believes that increasing use of turnkey projects are hurting the local construction sector:

*In energy projects for example: construction bids are awarded to Chinese companies who bring all of their workers from China. The local contractors are not benefiting from these investments and local capacity is not being built. Such local projects offer decent jobs for construction workers, as they are implemented over multiple years and require mostly skilled labour and technicians.
(Representative of the Contractor's Association)*

The representative acknowledged that some specialized skills are in short supply in Jordan. He went on to propose that these projects be utilized as opportunities not only for immediate job creation but also for the long term growth of the construction sector through transfer of knowledge to local contractors.

*We believe that the Government should increase spending on infrastructure. Not only because we will get work, but the effects on the economy will be massive through workers consumption and the suppliers.
(Construction contractor)*

*There are 600 workers who receive monthly salaries on my project. The local ones will spend all of it on goods and services for themselves and their families. This local consumption creates local economic activity.
(Construction contractor)*

Likewise, contractors are keenly aware of the benefits of construction work on the economy, particularly when jobs are not given to those who simply send home remittances. The following comments were made by two large contractors:

¹³² In follow up to the notion that the Government is increasingly involved in turn-key projects in the energy sector, researchers contacted representatives at the Ministry of Energy and Mineral Resources and the Ministry of Industry and Trade. The representative of the Ministry of Energy and Mineral Resources indicated that most renewable energy projects are private sector investments but that the Government requires a minimum of 35 per cent local content. The Ministry website indicates that the majority of public projects are procured through Build-Own-Operate or Build-Operate-Transfer arrangements.

Despite the awareness of construction as a useful counter-cyclical stimulus, and despite the international community's commitments to support Jordan face impacts of the Syria crisis, pledges for investment in public infrastructure have not materialized as expected.

Segmentation by Nationality and Working Conditions in Construction

Although both Jordanian and non-Jordanian workers are active in the construction sector, contractors identify clear hiring preferences, linking nationalities of workers to tasks. The following comments of contractors demonstrate a consistent pattern of hiring:

Almost all electricians, mechanical technicians and drilling machine operators are Jordanians. For administrative, supervision and full time jobs, Jordanians are reliable and trustworthy. Physically demanding jobs concrete works, brick works and excavation are dominated by Egyptians. Syrians are experts in plastering, tile setting, painting and glass installation.
(Construction contractor)

Egyptians and Syrians are happy to work in this sector. Jordanians that we deal with in professions that they find suitable, such as electricity and operating machinery, are content and proud. If they were asked to perform physically demanding jobs, however, they would not be happy.
(Construction contractor)

With slight variations, all of the contractors hire Jordanians into supervisory, administrative and highly technical work and Egyptians into work that requires physical labour. (To the extent Syrians have entered the sector, they have a reputation of working in specialty trades that require detail work.) The distinction between excavation performed with earth-moving equipment – a Jordanian task – versus excavation performed manually – an Egyptian task – highlights the distinction very clearly. The expressions used by the contractors to describe Jordanians are also telling: Jordanians in some types of tasks are “reliable and trustworthy” while Jordanians “would not be happy” if asked to perform other types of tasks. The first comment also emphasized the strong preference of Jordanians for full-time jobs as opposed to the short-term jobs often accepted by Egyptians.

For many jobs—including but not limited to physically demanding jobs – contractors expressed a strong preference for Egyptian workers. This preference is not a reflection of genetic differences between Egyptians and Jordanians. Rather, it reflects the fact that Egyptians are desirable to contractors because they will do anything, as explained by the contractors:

Egyptians and Syrians like to work extra hours. They usually work for six extra hours a day. Jordanians work for a maximum of two extra hours.
(Construction contractor)

Egyptians, Sudanese and Indians are more willing to obey instructions from supervisors.
(Construction contractor)

These comments reflect specific issues such as willingness to work long hours. In fact, many Egyptian construction workers live on site, serving as guards and available 24 hours a day. Jordanians, by contrast, are living in their own country and want to return to their own homes and families at night. The comments also reflect an important difference in the relationship between the contractor and the worker, whereby Egyptians are “flexible,” “willing to work in anything,” and “willing to obey.”

We don't think so. Workers are usually proud of their work. Some occupations are not attractive to Jordanians because it is physically demanding but not because they perceive it as degrading.
(Construction contractor)

Many people think that Jordanians perceive certain jobs in the sector as degrading, but I don't think this is the case. Jordanians are simply not prepared to do the physically demanding excavation and concrete work.
(Construction contractor)

Contrary to what some have argued, the Jordanian attitude about tasks does not represent “a culture of shame.” In interviews, contractors were asked if they think Jordanians perceive certain construction tasks as shameful or degrading. This is how they responded:

Workers Views about Working in Construction

Jordanian workers confirmed that shame does not deter them from construction work, but rather some aspects of how the sector is organized in Jordan. Their main concerns were the sector's lack of worker protection, a stable career track, and reliance of highly labour intensive construction methods. Reflecting the large supply of cheap labour, Jordanian construction methods make relatively little use of mechanization. As reflected in the division of labour described by contractors, Jordanians are eager to work when tasks are mechanized, but reluctant when tasks are physically strenuous. In a focus group of unskilled Jordanian construction workers, a participant said that he wouldn't want his children to follow in his footsteps because of how physically tiring the work is:

It's a very tiring job, and if I didn't need the money that much, I wouldn't work in it. I don't want them to make the same mistake I did. I want them to be educated so they can work in a less strenuous job.
(Jordanian construction worker)

The concern about labour-intensive work, was also reflected in focus group discussions of unemployed Jordanians. In a focus group of 18 unemployed Jordanian men, for example, participants were asked about their willingness to work in a variety of sectors. All 18 said that they would be happy to work in construction, but that they were concerned that they would not be able to compete with Egyptians on the most physically demanding work.

In addition to concerns about the labour-intensive methods, Jordanian construction workers are frustrated by the absence of a stable career path. When asked what would make them more content and proud in their jobs, a focus group of unskilled and semi-skilled Jordanians, participants said:

A goal to work toward, career advancement. This would give me hope that there is a future in this job.
(Construction worker)

We are not ashamed of working in this job but we would be more content if we could benefit from social security more. Given that we work on projects, our social security subscription stops when a project finishes until we get another job. This makes it difficult for us to benefit from the unemployment compensation and delays our retirement benefits.
(Construction worker)

These responses reflect several issues. The first is a desire for a career track that holds the potential for advancement. The second, related issue is better access to social security, unemployment insurance and health insurance. As explained by the third participant, the short term nature of many construction jobs means that workers are often not well integrated into the safety nets available in some other sectors.

We can try to discuss the issue with the employer. But if that doesn't work, we'll quit the job. The Government will not annoy a businessman to protect the rights of a simple worker.
(Construction worker)

We can't do much about it because we don't have the money to get a lawyer and even if we had money to get a lawyer, it'll take five years in court.
(Construction worker)

Particularly for those with short term jobs, construction workers often feel that they have little recourse if there is a conflict with their employer. In the focus group of Jordanians working for large contractors, participants indicated that if they have a conflict at work, they would sort it out with the supervisor and if that didn't work, they would go to the contractor. The participants in focus groups of Jordanians working with small contractors or on a temporary basis, they were less confident when asked what they would do in case of a conflict:

When asked if there is a union or some other organization that can represent them, none of the 37 Jordanian construction workers we spoke with had heard of any such organization.¹³³ In fact, however, a Construction Worker's Union does exist. The union is intended to serve both Jordanian and non-Jordanian workers and handles about 100 cases of worker complaints against employers each year. In the interview with the head of the union, the researcher told him that none of the workers we had spoken with aware of the existence of the union. His reaction was:

That's 100 per cent true. Joining the union is not obligatory by law. Many Jordanians are not members for a variety of reasons but the most important one is that Jordanian workers usually think they are working in construction temporarily, so they are not interested in joining a union. Egyptians and other migrant workers tend to think that the union is a governmental entity, so they avoid dealing with it.
(Representative of the Construction Workers' Union)

In his comments, the head of the Construction Workers Union readily acknowledged that only a tiny fraction of construction workers are aware of or involved with the union. His explanation demonstrates a conundrum for Jordanian construction workers: being unsatisfied with the work, they hope to shift out of the sector and are therefore uninterested in organizing, but the lack of an active organization perpetuates the aspects of the work they find unsatisfying.

The principle difference between the views of Jordanian and Egyptian construction workers, is that Egyptians feel they have no choice but to accept whatever working conditions are available. In focus group discussions Egyptian workers demonstrated the primacy of earning a living, even if it means working in difficult conditions and even with violations of their rights:

We are only working in this sector because we don't have other options.
(Egyptian construction worker)

We try to resolve the issue with the employer, and in many instances, it gets resolved, but we are always weaker than the employer so we can't fight for our rights.
(Egyptian construction worker)

Just like the Jordanian day workers, Egyptian workers are not confident of what to do in the case of conflict with their employer. Generally they felt less able to quit their job especially if their work permit was issued by the employer they have a conflict with.

¹³³ In fact, none of the 49 Egyptian construction workers or the 34 Syrian construction workers who participated in focus group discussions had heard of the union either.

None of the Egyptian workers had heard of the union. As discussed above, a union does exist and is intended to serve non-Jordanian workers as well as Jordanian workers. According to the comments of the head of the union, even those Egyptians who know about the union avoid dealing with it because they believe it is a government entity.

Whereas the image contractors and Jordanians draw of Egyptians may imply that Egyptians are naturally better suited to construction, Egyptians do not think of themselves that way. Egyptians are not happier in the sector and complain of the same things that Jordanians complain of.¹³⁴ In a focus group discussion of Egyptian construction workers, none of the 20 said they would let their children work in construction:

This job is physically demanding and as we grow older, our bodies don't function as they used to. We might not be able to keep working in construction and we will become unemployed. I want my kids to work in any job that is not physically demanding and is stable.
(Egyptian construction worker)

I asked the group what would make them more content. One participant said: "If the pay was higher and if work was on a full time basis, not daily." All of the other participants immediately agreed.
(Researcher field notes from a focus group of Egyptian construction workers)

These Egyptian construction workers expressed the same dislike of physical labour and the same aspirations for long term employment as the Jordanian construction workers.

Effect of Labour Policies and Government Programmes on the Construction Sector

There are several government programmes and policies intended to support Jordanians entering and remaining in the construction sector, with the ultimate goal being to replace non-Jordanian workers. The Government's principle approach to increasing employment of Jordanians is provision of training through the Vocational Training Corporation and the National Employment and Training Corporation. These programmes are aimed at giving Jordanians skills to enable them to compete with migrant workers for construction jobs. Contractors interviewed for this study were universally supportive of increasing employment of Jordanians in principle. However, they feel the existing programmes are not accomplishing their mandate:

We work outdoors and many new hires leave work once they get to the site. In fact, most of the civil engineers graduating from university have never been on a construction site before. The same applies for NET and VTC graduates.
(Construction contractor)

For the semi-skilled labour, we sometimes hire Jordanians that are graduates of the National Training Company. Although the NET has state of the art facilities, the graduates technical and work skills are not sufficient. A maximum of 20 or 30 per cent turn out employable.
(Construction contractor)

NET is focusing on quantity and not quality. The stipend paid by NET is also high. It attracts the trainees, but most of them are joining for the stipend and not the training. Most quit the minute they finish the training.
(Construction contractor)

Most of the Egyptians hadn't worked in construction before they came to Jordan. They learned the trade here by working on the construction site. Practice is what matters.
(Construction contractor)

Training people is not enough. Ministry of Labour will tell us there are 100 welders who graduated from the VTC last year. But nobody certifies them. Grading the professions, certification exams, tracking of experience, issuance of certification IDs: all of this is lacking.
(Construction contractor)

¹³⁴ They are not concerned about passports being held by employers. And feel that they have freedom of movement during off hours.

Several key messages emerge from contractors' comments. First, that many trainees join for the generous stipend, with no intention of taking a job in construction at the end of the training. Second, graduates are often ill-prepared for actual construction work, in part because the programmes do not give trainees early exposure to the work environment. One contractor pointed out that on-site practice, rather than extensive classroom education, is what sometimes makes Egyptians more skilled. Another emphasized the benefit of certification of skills as a way to identify adequately trained workers, rather than simply assuming that all graduates have the needed skill set.

In the absence of a sufficient number of Jordanians who are willing and able to compete with Egyptians within the existing model of construction, contractors continue to rely heavily on migrant workers. As described in the previous paragraphs, the construction sector in Jordan is highly segmented based on nationality and task. While Jordanians are eager to work in jobs that are full-time, and involve supervisory, technical and mechanized tasks, they are more reluctant when the job is short term, the tasks are based on demanding manual labour, and they are expected to be available for very long hours. Egyptians, on the other hand, are valued for willingness to perform any kind of work and to be available 24 hours a day.

Contractors face a dilemma: while agreeing with the goals of government policies and programmes, given the enormous supply of cheap and willing labour, contractors rationally prefer to hire non-Jordanians for much of the construction work. Given their business model, contractors argue that government regulations are incompatible with productivity. In order to make business move forward, contractors find ways to work around the regulation – following the letter but not the spirit of the law when they can, and violating the regulations when they feel it is necessary.

*The labour permit process is currently very complicated. Contractors are not willing to go through the hassle of obtaining a short term – 3 or 6 month -- work permit.
(Construction contractor)*

*The labour law in relation to foreign workers is clear but in reality it is very complex due to the frequent changes to the policies and the decision. These decisions are sometimes taken after consultation with the sector but not all the times. The private sector prefers stability in regulations and finds it difficult to cope with changes, especially when those changes are not announced ahead of time.
(Construction contractor)*

*It depends on connections – wasta. If you know the labour office manager and you pay him a certain amount, then it'll be easy and fast. If you don't know anyone or do not pay, you might have to go there 6 or 7 times. The labour office is like a mafia, some employees earn twenty times their salaries from the money they make through wasta.
(Construction contractor)*

Contractors are particularly frustrated with regulations regarding work permits. Work permits in general are intended to control the stock of non-Jordanians working in the labour market. Within the overall work permit framework, closed occupations and sector-specific quotas are intended to control the stock of non-Jordanians working within specific occupations and sectors – as a mechanism to allow non-Jordanians access to jobs for which it is difficult to find a sufficient number of willing and able Jordanian workers. Some contractors argue that the only way to avoid time-consuming processes is by using personal connections. Several issues related to the general work permit process were raised in interviews with both large and small contractors:

These contractors argue that the work permit process is time-consuming and demanding. While acknowledging that the written procedures are clear, the effort involved is excessive (unless one has connections). Although the required effort may be acceptable for long term employees, it is not feasible for short term employees – which comprise a large part of the construction workforce.

The work permit quota system requires contractors to hire Jordanians into at least 50 per cent of their employment positions at any given time. The contractors interviewed for this study are comfortable with this quota on average, but find it difficult to maintain the quota at each given moment in time:

It is very difficult to maintain the 50/50 ratio all the time. We don't hire people permanently, we hire most of our staff on projects. Different stages of project implementation require different mix of skill-set and give that there are no Jordanians in certain occupations, the nature of the project stage dictates the nationality breakdown. So during concrete and foundation work, the majority are Egyptians and foreign workers. Once foundation is complete we work on internal finishing or other components where technicians are needed. In this stage the majority are Jordanians.
(Construction contractor)

The regulations state that I can have 50% Jordanians and 50% foreign workers. But given that these two nationalities are vertically specialized in certain trades, the project site may be dominated by a certain nationality depending on the stage of work. So in excavation, the site will have a vast majority of Egyptian workers, but once we hit internal finishing the majority of the workers are Jordanians. It's not possible to maintain the 50/50 split in such projects.
(Construction contractor)

The same frustrations were identified by both large contractors (as in the first quote) and small contractors (as in the second quote). Several contractors proposed the same solution: for the Ministry of Labour to consider the average ratio of Jordanian to non-Jordanian workers over a year or over the course of a project, rather than at every given moment, with penalties assessed for non-compliance at the end of the period.

In addition to the sector-specific quotas, there are regulations which forbid contractors from hiring non-Jordanians in occupations for which the Ministry of Labour determines there are sufficient number of willing and able Jordanians. A commonly used work-around is to hire non-Jordanians to work in these occupations, but obtain a work permit that lists them under an open-occupation. Large contractors are generally more likely to comply with regulations. However, in the case of the regulations on occupations closed to non-Jordanians, large contractors often use this work-around as well when they need specialized workers:

For one project we needed a large number of oil pipe welders. This was a closed profession because the ministry says that VTC graduates a large number of welders every year. But they can't weld oil pipes or storage tanks. In this case, we hired Turkish welders but the permits were issued as "workers" and not as "welders" because the Ministry did not allow us to hire them.
(Construction contractor)

On large infrastructure projects, we sometimes require the support of specialized regional companies as subcontractors. The subcontractor is then required to register locally to operate in Jordan but registration takes 6-8 months. In some cases this is half the project duration. So we bring the engineers and technicians of the supplier and provide them work permits under our company, usually as "workers" because these professions are closed.
(Construction contractor)

In the case of the first contractor, the decision about the specific closed-occupation had been based on the number of VTC graduates in the broadly defined occupation. According to the contractor, however, there were an insufficient number available with the specific skill required. In the case of the second contractor, he was aware of a process that would allow him to bring in the specializations he needed, but the required process was too slow to meet his needs.

Small contractors don't usually suffer from quotas or closed occupations. If we need more workers, we usually utilize "free lancers." These are workers who have a work permit in the construction sector who have an agreement with their employer to work independently. Their work permits are usually in agriculture and they pay for it themselves. (Construction contractor)

The large contractors quoted above, found a way to ensure their employees had permits and were (in this sense) working formally. A more extreme approach when contractors believe the regulations are inconsistent with their business needs is to simply shift into the informal economy. The following comment by a small contractor is evidence of this shift:

The point here is not whether or not the contractors are justified in their approaches. Rather, the point is simply the observation that faced with regulations that are restrictive in the context of a labour intensive production model, contractors routinely find ways to conduct their business.

The Ministry of Labour attempts to enforce regulations, but with limited resources, their impact is limited. In interviews, researchers asked contractors if inspectors visit their job sites:

Yes, they usually come every month. They check the work permits for non-Jordanians and they sometimes give feedback regarding the health and safety on site. This site was inspected and unfortunately the foreign worker run away if they hear that a labour inspector is on site. One of our Egyptian workers forgot his work permit in his room which is onsite and was taken away for a couple of days and was about to be deported. It was a tough experience for him and now all the workers feel that even if they have work permits they may end up deported. (Construction contractor)

They come every now and then, but through our connections we built a good relationship with them to avoid trouble. We ask informal employees to leave if we heard that they inspectors are passing by that day. (Construction contractor)

The contractor comments indicate several things. First, the contractors see the primary role of inspectors as checking work permits, with health and safety playing only a secondary role. Second, because inspectors role is seen as punishment, rather than protection, Egyptian workers are afraid of them. And third, contractors try to establish relationships with inspectors and warn informal workers in advance to avoid penalties.¹³⁵ Focus groups of Egyptian workers confirm what the contractors say. In a focus group of 20 Egyptian construction workers all have seen inspectors at their jobs sites, and all run away.

Jordanian construction workers feel that the focus on work permits, diverts inspectors from their main mandate of protection of workers' rights including health, safety and other issues. While Egyptian workers are keenly aware of the presence of inspectors, very few of the Jordanian construction workers in our focus group discussions have had direct contact with inspectors.¹³⁶ When asked if they have encountered inspectors, two Jordanian focus group participants responded this way:

Inspectors only check work permits, don't care about us Jordanians. (Jordanian construction worker)

I never encountered a labour inspector, but I know that they visit the site to check on foreign workers' permits. I believe they should also check on Jordanians' working conditions such as on-time payment, compliance with minimum wage, work hours and compliance with the labour law in general. (Jordanian construction worker)

¹³⁵ One large contractor said: Currently labour inspectors deport the illegal worker but the employer – either the kafeel or the one who is employing him illegally – gets away with a small fine. The small fine has no effect on compliance.

¹³⁶ In one focus group, the majority said they had never encountered an inspector. In another focus group none of the 11 Jordanian workers had ever encountered an inspector.

*It's a real problem. We know that workers run away when inspectors come on site. It's a problem for two reasons. First, there are some construction processes that should not be interrupted – like pouring concrete – that get stopped when inspectors come. Second, when the workers run, there are all kinds of safety hazards. A few months ago, a worker tripped on the ramp, fell a few stories down and was killed.
(Representative of the Contractors' Association)*

Both of these workers expressed their concern that inspectors are unable to focus on the rights of Jordanian workers. According to these workers, the Ministry of Labour is unable to adequately protect Jordanian workers because of limited resources and the incentive structure for inspectors. Inspectors' ability to protect non-Jordanians is even more constrained by worker's fear of the inspectors. Some argue, in fact, that the presence of inspectors on site is not only unhelpful but can even have negative consequences. A representative of the Contractors' Association reflected on the consequences of inspections when workers run away:

The Importance of the Work Permit from the Perspective of the Migrant Workers and Refugees

The work permit is a major focus of the lives of migrant workers and refugees. In a focus group of Egyptians working for a large contractor with multi-year projects, all 20 Egyptians had been hired through a recruiting office in Egypt and all had work permits associated with the contractor for whom they were working. When we spoke with the contractor himself, he acknowledged that when there are peaks in the workload, he also hired Egyptian day labourers. He said that he pays them a bit extra to help cover the cost of the expensive work permits that they bought on the black market.

*Based on my knowledge, most Egyptians enter the country on agriculture permits because it's cheaper to obtain one. But once they are here, many move to the construction sector because it pays more.
(Construction contractor)*

*Some people say that workers leak from the agriculture sector. This is not true. They are in fact construction workers who hold work permits in the agriculture sector. The regulations and the fees force them to obtaining an agriculture work permit although they've never worked in agriculture.
(Representative of the Contractors' Association)*

*Many Jordanians make a living out of sponsoring Egyptian workers. They sponsor Egyptians despite not having work form the. Then they release us into the market informally. We pay JOD 700 annually to renew the permits of which only JOD 130 goes for the Government and the remaining amount goes to the sponsor.
(Egyptian construction worker)*

*I wanted to work for the sponsor, but I was forced to work illegally because the sponsor himself does not have any job to offer. I came to Jordan looking for a better opportunity, so I'll work illegally if I have to.
(Egyptian construction worker)*

In another focus group discussion all participants came to Jordan through a black-market-sponsor that had been arranged for them by friends who were already here. All but two of them had work permits for work in the agriculture sector. One explained that he preferred to work with his black-market-sponsor but that was not an option:

A large contractor had several suggestions:

We need to stop the leakage from the agriculture sector. First, unify the fees of work permits across all sectors. Second, issue agriculture work permits based on agricultural production not ownership of land. It became a trade of humans. Migrant workers pay land owners to get them an agriculture work permit although they don't have agriculture activities. Third, unify the benefits especially social security since it's not required for agriculture but is for construction workers.
(Construction contractor)

If we are caught working outside of the camp, we'll be deported to Azraq (camp) or to Syria. Unless the police officer was kind and let us go.
(Syrian construction worker)

Employers know that we can be deported and some of them take advantage of us for this reason. I have many friends who worked and never got paid. For this reason, we only work for employers who came through someone we trust.
(Syrian construction worker)

Focus group discussions with both Egyptian and Syrian construction workers indicate that they feel vulnerable with their irregular status. Despite the recent temporary relaxation in the punishment of Syrians caught without work permits, many remain afraid of deportation:

Nevertheless, many of the Syrian construction workers interviewed feel they do not have an opportunity to get work permits.

In Zaatari, work options are very limited within the camp and we can't work in other sectors. Even outside the camp, we can't get long term work contracts because our leave permits do not provide such flexibility. So, we can only work in construction as day labourers. It's not a job, though. If I work for a day and sit for 10 days, why would I need the work permit?
(Syrian construction worker)

We can't get work permits because we don't have kafeels.
(Syrian construction worker)

I asked the focus group in Ramtha if they are aware that the Government is temporarily waiving the fees for Syrians to get work permits. None of the participants had heard this.
(Researcher field notes, focus group discussion with Syrian construction workers)

I am lucky as a guard I can get a cleaning work permit and I'm not scared of deportation. But all the other Egyptians I know are constantly scared because they have a work permit for a sector they don't work in like agriculture. Even the ones working in construction who hold a construction work permit are scared, because they work for various contractors and if they are caught with a different employer, they are deported.

(Egyptian guard)

Migrant workers and refugees have conflicting feelings about the advantages and disadvantages of work permits. On the one hand, work permits are considered valuable as a way to avoid deportation.

On the other hand, migrant workers are concerned that employer-sponsored work permits could make it difficult to work for multiple employers and are wary about the potential for employer-sponsors or black-market-sponsors to exploit them.

For long projects – 9 to 12 months – we prefer to sign contracts with the workers. But the Egyptians don't want to sign contracts. It scares them.
(Construction contractor)

In our focus group of Syrians, the majority do not want to get a work permit because if they had a disagreement with the sponsor, they believe they would have difficulty getting out of the arrangement. One said "I don't want a Jordanian kafeel to control every aspect of my life and threaten to send me to Azraq or Syria in case we have a disagreement."
(Researcher field notes from focus group discussion of Syrian construction workers)

Full time jobs offer stability and a sense of security. I wish if I could find a fulltime job instead of daily tasks. But the salary would have to be higher than what I make when I work casually.
(Syrian construction worker)

Syrians prefer to be self-employed. Many Syrians work on their own, maintaining and improving houses rather than in the construction of roads and new buildings.
(Representative of the Contractors' Association)

Most migrant workers don't object to the Government's desire to control the inflow of workers, but wish there was an opportunity to work legally without having to resort to the black-market-sponsorship system:

If the Ministry of Labour or another respected entity act as kafeel for Egyptian workers, we would be able to work legally and formally in Jordan without being abused by individuals kafeels and paying them such high amounts for the work permit.
(Egyptian construction worker)

A large contractor has the following suggestion:

We need to find a mechanism where the worker can easily move from one employer to the other. Currently the kafeel controls the worker. If the worker is independent, this offers flexibility to the contractors who can hire workers on a short-term basis from a pool of legal migrant workers without the obligation of one year employment. Contractors can't always offer 12 months of employment to workers.
(Construction contractor)

Most of the workers we hire do not want to subscribe to social security, and we allow that although it's illegal.
(Construction contractor)

Egyptian workers are against social security enrollment. They don't want any deductions from their salaries. And since there is so much informal activity in the construction sector, they prefer to work with informal contractors to avoid social security.
(Construction contractor)

An additional challenge to formalization of non-registered workers relates to social security. According to regulations, proof of registration in social security is required to obtain a work permit (though this regulation is not enforced in the agriculture sector). Workers who are struggling with day to day expenses often prefer to avoid making contributions for retirement. Because of the regulation linking social security and work permits, some workers prefer to remain without work permits in order to avoid making social security contributions.

The Recognition of Prior Learning and Certification Programme

To enhance opportunities for formal employment in construction, the ILO and Government of Jordan implemented a pilot project in 2016. The programme was aimed at Syrian and Jordanian workers with existing experience in the sector and included supplemental training and government testing/certification.

As part of the present study, researchers conducted a quick assessment of Syrians who participated in the programme between November and December 2016. The assessment included a tracer study of 75 participants and a focus group discussion with 18 participants. The majority of the respondents specialize in the tile setting, painting and plastering trades – in their previous work, in their certification and in their current work.

*We are working, with or without the work permit. But we want to be legal.
(Syrian construction worker)*

*We want the Jordanian Government to give us work permits without specifying an employer. We don't want to go through brokers who could give us forged permit. We want to go to a government agency and process our own permits. We trust the Government but we don't trust the brokers.
(Syrian construction worker)*

The primary reason for enrollment in the programme was to improve their chances of getting a work permit (73 per cent). Many participants (32 per cent) indicated that they enrolled in order to obtain a certificate, which they understood to be a requirement for obtaining a work permit. Specifically, participants expected that certification would enable them to obtain a work permit that would allow them to continue working in a self-employment capacity. Less than 10 per cent identified learning a new skill as an objective.

The Government is still in the process of determining what kind of work permit arrangement will be permitted for certificate holders. As of April 2017, discussions are ongoing with the Contractors' Association and the General Federation of Jordan Trade Unions to see if either would be willing to act as the sponsor for construction workers. Both organizations have expressed concerns about liability for work place injury.

If they agree, their role would be similar to that played by cooperatives in the agriculture sector.¹³⁷ In the current context of uncertain work permit options, the actual benefits of the programme appear to be different from the reasons participants initially enrolled in the programme. When asked what was the main benefit of participation, only 3 per cent identified improved chances of obtaining a work permit and 16 per cent identified certification. Although many were disappointed with the benefits to date, 25 per cent indicated an improvement in their skills and knowledge. (In particular, participants specifically identified learning the terminology used in Jordan as a benefit.)

¹³⁷ One factor that distinguishes the construction sector from the agriculture sector is enforcement of registration in the work place injury component of social security. The Ministry of Labour is lenient regarding social security in the agriculture sector, but is more concerned in the construction sector, where work place injuries are more common. In the focus group discussion of the Recognition of Prior Learning and Certification Project, participants indicated that they would be willing to pay the full social security contribution (both employer and employee share) if the Ministry of Labour issues them self-employment work permits.

It is too early to determine the impact of the programme on work status, because of the limited time since the programme was completed. (The programme and the assessment were conducted during winter months when demand for construction workers is low.) Of those working at the time of the assessment, the majority are working informally. Sixty per cent are working in a self-employment capacity. Forty-two per cent have a valid work permit, largely through a black-market-sponsor.¹³⁸

Opportunities to Increase Employment of Jordanians by Reducing Physically Demanding Tasks

As described above, the construction sector is highly segmented, with Jordanians filling skilled jobs and labour intensive jobs being filled by Egyptians. Government policies – including quotas and emphasis on vocational training – have attempted to increase the share of Jordanians further. In order to increase employment of Jordanians, it will be important to address the concerns that limit the extent to which Jordanians accept certain tasks. Focus group discussions have shown that Jordanians are eager to do tasks that require skill and want a career track that holds the potential for advancement. To examine the potential for further increased employment of Jordanians, we interviewed several contractors about opportunities to switch to methods that are more skill-intensive and less intensive in physical labour.

Overall, contractors confirmed that increasing skill intensive methods – often through increased use of mechanization – would increase the share of Jordanians working on a project.

*Generally speaking mechanizing any aspect of construction leads to employing more Jordanians. Using machines, systems or equipment reduces manpower needed but requires higher skills. And the majority of skilled construction workers are Jordanian.
(Construction contractor)*

Already, many of the construction tasks that Jordanians work in reflect skill-intensive, equipment intensive techniques. The construction of buildings utilizes power tools widely especially in mechanical, electrical and plumbing works – all of which are primarily Jordanian trades.

In the roads sector, the potential was demonstrated in the study of the Amman ring road: the road segments on which contractors used mechanization had a significantly higher share of Jordanian labour. And one utilities contractor has recently begun using a ditch-digging machine.¹³⁹

There are several additional tasks that have potential for future increases in employment of Jordanians. Perhaps the most significant potential is in the utilities sub-sector. There, use of ultrasound detectors can be used during road maintenance and excavation to avoid utility lines. Several new technologies and machines could be used in construction of buildings including formwork systems, compact earthmoving equipment, and concrete pavers. The most immediately applicable of these may be the use of formwork for poured concrete and scaffolding, rather than the current practice of manually cutting and installing wood. Use of concrete pavers (rather than poured concrete) and gypsum board (rather than hand-plastering) would also increase the use of Jordanian labour, though Jordanian building owners have so far been reluctant to make this shift. Similarly, use of compact earthmoving equipment is promising for increasing Jordanian labour.

¹³⁸ Of those with work permits, only 10 per cent stated that they are working for the employer stated on the work permit.

¹³⁹ The contractor interviewed who uses the “ditchwitch” has so far used primarily Egyptians to do this work. His explanation is that he prefers to continue working with his existing crew and because Jordanian workers are still not convinced that the machine is safe.

The fact that these tasks have not yet been modernized is largely a reflection of financial constraints, as many of these technologies have high upfront costs. In the current economic circumstances there are simply not enough projects available to permit return on investment over a reasonable time period.

*I bought a formwork system for JOD 100,000. The problem is that I'm not getting enough large projects to justify this cost.
(Construction contractor)*

*I invested JOD 2 million in new machines for utility work. These machines reduce the need for unskilled labour as well as the cost of asphalt. And, we don't disturb traffic so we can operate at a faster pace. They have a wide range of uses. I still need a couple of years before I recover my initial investment. But I made this technology available in Jordan which will have a positive effect on the sector.
(Construction contractor)*

Nevertheless, several suggestions emerged from the interviews. First, bidders (government, donors, etc.) can specify the use of a specific technology, thereby leveling the playing field for contractors. Second, maintenance works (e.g. for utilities) can be bundled to create the economies of scale necessary to recoup investment in technology. Third, the Government could provide incentives (e.g. reduction in import duties) for specific equipment or systems that have been shown to lead to increased employment of Jordanians.

If pursued, these recommendations have the potential to increase the share of Jordanians in construction. They could also be linked, where useful, to increased utilization of Syrian labour. It is important to note that there is a trade-off in modernizing methods. On the one hand, skill and equipment intensive methods reduce the total quantity of labour required. On the other hand, skill and equipment intensive methods increase the share of jobs going to Jordanians. In other words, a given project could either be pursued using a large number of Egyptian workers or a smaller number of Jordanian workers.

Specific Issues Related to Women in Construction

There is a general perception that working in the construction sector is not suitable for women. As part of the examination of the sectors, we explored attitudes about women working in each sector. Unsurprisingly, the large majority of interviewees had negative reactions to the idea of women working in construction.

*I would not want my wife, sister or daughter to work in construction. It is not socially acceptable, it is physically demanding and that doesn't suit women.
(Syrian male, construction worker)*

*In the focus group of 22 unemployed women, only one said that she would not be willing to work in construction. She said that she likes being outside and that she already does volunteer work painting schools. When I asked the group if they would do it if the whole team was female and the work was inside, 10 said they would do it.
(Researcher field notes for focus group of unemployed Jordanian women)*

*The limiting factor to us as contractors is the limitations imposed on the female workers by their families rather than their own perceptions and attitudes. Many great female engineers stopped working on the construction site because their husbands don't allow them to commute to the site with their male colleagues.
(Representative of the Contractors' Association)*

On our project site, there is one female worker. A site engineer and she wants to be in the field. We supported her and we welcome more women. It's just about getting used to it. There are a number of amazing site engineers in Jordan. They are better than us as project managers because they are detail-oriented, excellent at scheduling and they have amazing personalities. They deal with the foremen who are now used to them. In the beginning, the foremen didn't like that but now it works very well.

(Construction Project Manager)

My father was a civil engineer and I wanted to follow in his footsteps. I was first hired as a procurement engineer in the head office, but I did not enjoy it and asked to work in the field. I enjoy working in the field and I feel respected by everyone. The management team were supportive and their support is key.

(Jordanian female engineer)

Despite the above comments, there were positive reactions as well. Generally, the contractors believe that female engineers are very capable and reliable but accepting women in the construction site requires time and support from the management.

In addition to female engineers, the research team interviewed a group of female plumbers who were trained and certified several years ago and now own a plumbing services cooperative.¹⁴⁵ They faced resistance from the community and their families at the beginning, but when they started generating income, the restrictions imposed by their families were released. The overall effect has been transformative for the plumbers and their communities.

My husband is supportive but the community did not like the idea when we joined the course. Later on, though, women started joining the course out of curiosity and others became jealous when they saw that we started making money as a result!

(Jordanian female plumber)

Working as a cooperative helped us overcome the restrictions imposed on our mobility by the community. We always work in pairs to minimize the negative perceptions associated with women working and especially this type of work.

(Jordanian female plumber)

The main problem we have is lack of decent public transportation. Because the public bus stops running at 5pm, we cannot work late. The time I stayed late working I arrived at the station at exactly 5pm. There were many other passengers but the bus driver made us pay JOD7 each instead of JOD2. If I did that every day, it would cost between JOD100 to JOD200 per month.

(Jordanian female plumber)

¹⁴⁰ The German development agency, GIZ, provided technical training but also leadership training that enabled these women to feel that they have the ability to influence their communities. At the women's request, GIZ helped the female plumbers organize themselves into a cooperative and assisted them in receiving grants from donor agencies.

5. Domestic Work

Introduction to the Domestic Work Sector

The domestic work sector includes a broad range of services related to cleaning, childcare, care of the elderly and cooking. Although there have always been some households in Jordan with hired domestic workers, the size of the sector increased dramatically starting in the 1970s as Jordanians became wealthier. As the sector evolved, the predominant form became individual non-Jordanian workers who lived in the household and provided the full range of services. The sector is unique in its nearly total reliance on female migrant workers. The nationalities have evolved. In 2015, 53,882 work permits were issued for non-Jordanians. Of these, 46 per cent were from Bangladesh, 31 per cent from the Philippines, with smaller shares from Kenya, Sri Lanka, and Indonesia.¹⁴¹

Over the past decade, several alternative mechanisms for provision of domestic services have become common as Jordanian homes and families have become smaller and as the economy has modernized. Today, many households hire part-time, live-out domestic workers and many households make use of commercial day care centers. Commercial provision of house cleaning services have not yet become common, although cleaning companies are increasingly used by businesses and government agencies.

Few Jordanians or Syrians work in the sector. Those that do, most often provide part-time, live-out housecleaning services. Jordanians also work in day care centers, though Syrians are prohibited as this is a closed occupation. On the other hand, many Syrian women have started informal catering companies, providing home-cooked meals.

There are several key actors in the sector including a special unit of the Ministry of Labour, the Public Security Directorate Anti-Trafficking Unit, licensed recruiters and workers' embassies and a variety of NGOs. There are currently 180 licensed recruitment offices.¹⁴² The embassies are involved in negotiating contracts (which vary by nationality), housing or repatriating workers who have left their employers due to conflicts with employers. An important focus of all of the key actors in the sector relates to concerns about working conditions.

There are two main regulations that govern the domestic work sector: the Regulations for Home Workers Cooks, Gardeners and the Like Number 90 for 2009 and the Regulations for Organization of Private Offices Working in the Recruitment of Domestic Workers Number 12 for 2015. There is also an anti-human trafficking law. Regulation Number 90 specifies conditions of work, including:

- The employer is required to pay the monthly wages using means identified by the Ministry of Labour.
- The employer is required to treat the worker respectfully and to meet all requirements and conditions of decent work, including providing the worker with sleeping quarters that are private, well-lit and ventilated. The employer is required to enable the worker to contact her family abroad by phone once a month, including covering the expense of this call and to provide the worker with medical care, paid annual sick leave of 14 days and paid annual leave of 14 days.
- The worker is expected to work up to 10 hours per day, six days per week. The worker is entitled to 8 hours of sleep per day.
- Only the direct employer and immediate family members are allowed to issue orders and the workers is expected to work only in one household.

¹⁴¹ Government of Jordan (2015)

¹⁴² Data provided in interview with representative of the Association of Recruiting Agencies.

- The Ministry of Labour is responsible to offer counselling, guidance and awareness through meetings in the ministry, in homes and at the office. In case of complaints or tips, MOL should summon the owner and worker to the ministry to resolve complaints. If the issue is housing related, the inspector goes to the house. Employers are given one week to rectify any violations.¹⁴³

The issue of protection from forced labour has been addressed in three subsequent actions.

- First, a 2011 amendment to the regulations replaced the requirement for workers to obtain approval from employers before leaving the house with requiring the worker to inform the employer.¹⁴⁴
- Second, in 2012 the Ministry of Labour updated the process through which a domestic worker can transfer from one employer to another. Under the current regulations, workers can unilaterally change employers within the first 60 days and with mutual consent after that. Additionally, before transfer, the Ministry asks the worker if she has received all salary owed to her and if she accepts to be moved to the new employer.
- Third, in 2011, a directive was issued to help ensure compliance with the requirement for on-time payment of wages.¹⁴⁵ As a prerequisite to obtaining a work permit, the directive requires employers to open a bank account in the name of the worker, give her a bank card and keep receipts of each salary payment. In 2014, the Government of Jordan signed an agreement with the Bank of Cairo to facilitating opening and monitoring of bank accounts.¹⁴⁶ No information is available on its implementation.
- Fourth, in 2015, an innovative insurance scheme was adopted by the Government of Jordan.¹⁴⁷ The scheme was later amended to allow employers to recover the investments they made in recruiting a domestic worker if the worker terminated the employment. The scheme, run by multiple insurance companies, reimburses employers for financial losses resulting from a worker leaving or refusing to work, accidental injury or death of the worker, and medical coverage in case of worker hospitalization. Employers are not reimbursed if they are deemed responsible for physical assault, beatings, forcing the worker to work outside the house, non-payment of salary or non-renewal of the insurance scheme.¹⁴⁸

The Full-time, Live-in Model of Domestic Work

Among live-in domestic workers, the highest demand is for Bangladeshi and Filipina nationals – Filipinas on the basis of quality and Bangladeshis on the basis of cost. Interviews with their respective embassies confirm this generalization:

The Filipina workers are known to have skills and education. Even when other nationalities enter the market, we don't see a decrease in the demand for Filipinas.

(Recruitment company)

There is no competing nationalities with the Bangladeshi domestic workers. The demand for them is only increasing due to lower wages and lower recruitment costs. Although the workers are not as skilled as other nationalities but the Bangladeshi workers hold the highest number of permits between all domestic workers.

(Representative of the Bangladeshi Embassy)

¹⁴³ Arab Network for Migrants Rights (2013).

¹⁴⁴ Regulation No 49 of 2011, amending Section 5 paragraph A Article 5 of Regulation No 90 of 2009. See also Tamkeen Center for Legal Aid and Human Rights Center for Legal Aid and Human Rights (2012).

¹⁴⁵ Law No 993893/ of 7 June 2011, based on Article 4(b) of Regulation No. 90 of 2009.

¹⁴⁶ ILO (2015b).

¹⁴⁷ Article 13 of Regulation No. 12 of 2015.

¹⁴⁸ The insurance scheme is beneficial not only to the employer but to the worker as well. By insuring their investment, the scheme reduces the incentives of sponsor-employers to restrict the movement of workers directly or via passport confiscation.

Very few households want to have an Arab, or Arabic-speaking domestic worker, saying that they feel they have more control and are safer with a non-Arab. Despite the fact that wealthier Jordanian families had long experience hiring other Arabs, this trend changed dramatically starting in the 1980s. And, despite the advantages of familiarity with cuisine, culture and ease of communication, Arabic language skill is seen as a disadvantage, as explained by a representative of the Ministry of Labour:

*Jordanians don't want a worker that speaks Arabic fluently and understands what is said within the household.
(Representative of the Ministry of Labour)*

*I am not comfortable hiring a Syrian. Syrian women are beautiful and can marry any man they want and I don't want problems with my husband.
(Jordanian female, employer of a domestic worker)*

*My experience with hiring Jordanian housekeepers has been very bad. They arrive late, take time off and are inefficient. The only reason I keep them is that I can't afford to pay for a Sri Lanki: the Jordanian workers are much cheaper.
(Jordanian female, employer of a domestic worker)*

*Employers will not be comfortable with workers that have families close by due to safety related issues. Employers feel that they would be at risk of being robbed if the worker has family in Jordan or any sort of contact.
(Recruitment company owner)*

In addition to the desire to ensure domestic workers do not understand family conversations, some households reject hiring Jordanian or Syrian workers for a variety of other reasons:

The desire for privacy and “security” on the part of employers is certainly understandable. However, as we will describe later in this section, language barriers and isolation are not only the cause of conflicts between employers and employees, but also make it difficult for employees to seek help if they need it.

The live-in model is generally formal in the sense of workers having work permits and contracts. In a focus group of 20 Bangladeshi workers, formality in terms of recruitment and work permits was unanimous.

*All of them found the job through recruitment offices that recruited them from their cities and villages. Only one participant was referred to the office by her relative who is already working here in Jordan. None of the participants admitted to paying any charge to the recruitment office. They all have signed on a written contract for two years and all have a valid work permits and work for the employer who issued the work permit.
(Research field notes from focus group of Bangladeshi domestic workers)*

The same was true in the focus group of live-in Filipina domestic workers. Although most live-in domestic workers have valid work permits, failure of employers to renew work permits is an important concern, as described later.

Although official regulations are clear on paid annual leave and employer provision of medical care, there is no minimum wage for domestic workers. Instead, wages are negotiated between the Government of Jordan and workers' embassies. A former Ministry of Labour staff member expressed his concern about the variations across nationalities, which creates inequalities and complications.

*The fact that there are different nationalities involved poses big challenges as each country has its own requests and conditions.
(Former Ministry of Labour staff member)*

At USD 400 per month, the salary negotiated by the Embassy of the Philippines is the most generous. All 21 participants in the Filipina focus group confirmed that they receive this salary. Nevertheless, as indicated by the research field notes:

*None of the workers receive any benefits but their food, clothes and medical care are provided by the employer. Seven of the participants said that employers deduct USD 40 to 50 for expenses. As for vacations, the employer only pays the travel ticket to visit the home country upon the two year contract expiration.
(Research field notes from focus group of Filipina domestic workers)*

*Salaries given to them range from USD 175 to 250 per month. None of the workers receive any benefits other than salaries. The one who receives 175 a month indicated this was the salary agreed to when signing the contract. This was confirmed in the meeting with the Bangladeshi Embassy that they accept these salaries and since the Embassy approves contracts, there will be no penalties.
(Research field notes from focus group of Bangladeshi domestic workers)*

Bangladeshis are at the other end of the wage spectrum. In fact, there is no official agreement on wages between the Government of Jordan and the Bangladeshi Embassy. The following is excerpted from the field notes of the focus group with 20 Bangladeshi domestic workers:

Significant efforts are being made by relevant partners, but cases of exploitation remain common. Over the past year, the NGO Tamkeen Center for Legal Aid and Human Rights Center for Legal Aid and Human Rights¹⁴⁹ received over a thousand reports of violations.¹⁵⁰ From an analysis of the reports they have received, we can assess the primary types of problems:

*The most common violations are late or non-payment of salaries, excessive working hours (including no day off), and being forced to work in multiple houses, confiscation of passports, deprivation of movement, no sleeping space and verbal abuse. Issues such as deprivation of medical care, sexual harassment and other types of physical abuse exist but are less common.
(Representative of Tamkeen Center for Legal Aid and Human Rights)*

*We have had 906 complaints that came to us at the Ministry this year. Some are from households, some from workers and some from recruitment offices. Of those, 87 were transferred to the Anti-Trafficking Unit. We have had 564 complaints referred to us by embassies from the beginning of 2016 until now (November, 2016). The cases include delay in payment of salaries, workers refusing to work, non-renewal of contracts, and workers wanting to change employers.
(Representative of the Ministry of Labour)*

The types of violations identified by the Ministry of Labour are consistent with Tamkeen Center for Legal Aid and Human Rights's list. According to the Ministry of Labour:

¹⁴⁹ In an earlier report, Tamkeen Center for Legal Aid and Human Rights Center for Legal Aid and Human Rights (2012) provided statistics on working conditions. Specifically, they found that; (i) Seventy per cent had their passports confiscated; (ii) Sixty-one per cent reported partial or total salary withholding; (iii) Most domestic workers faced forced confinement within the workplace. Many were not allowed to leave the house unless accompanied by a member of the employer's family; (iv) Psychological violence is the most common violation to which domestic workers are subjected, though a significant number also report physical abuse. Some domestic workers suffer from food deprivation or the right to private sleeping quarters; (v) Many domestic workers are deprived of medical care and are subjected to dangerous working conditions. In 2011, 19 Sri Lankan domestic workers died, of which 6 were suicide. In the same year, there were reports of 22 deaths of Indonesian domestic workers and 68 work-related injuries.

¹⁵⁰ Of the reported violations received by Tamkeen Center for Legal Aid and Human Rights Center for Legal Aid and Human Rights last year, 249 were related to non-payment or late payment, 245 were related to excessive working hours, 133 were related to deprivation of freedom of movement, 85 were related to physical abuse, 62 related to employers not renewing work permits and 27 were related to sexual harassment. (Based on data provided by Tamkeen Center for Legal Aid and Human Rights Center for Legal Aid and Human Rights to the researcher.)

These comments indicate the variety of types of violations. They also indicate an appreciation for the fact that not all violations are caught, despite the multiple channels available for making complaints.

Delayed or non-payment of salaries is the most common problem according to both Tamkeen Center for Legal Aid and Human Rights and the Ministry of Labour. Focus group discussions found that 6 of the 20 Bangladeshi workers and 5 of the 21 Filipinas receive their salary in bulk, every 3 to 4 months. In some cases, this arrangement appears to be at the request of the worker, so it is difficult to identify the extent of the problem among our focus group participants. According to representatives of the Philippines and Bangladeshi embassies, households sometimes hire domestic workers despite the fact that they do not sufficient resources to pay salaries:

In many cases households bring housekeepers but then don't have the money to pay salaries once she arrives. Maybe the recruiter should check the household's salary before agreeing to bring someone.
(Representative of the Philippine Embassy)

Some employers do not have the income to cover the salaries of workers.
(Representative of the Bangladeshi Embassy)

Whether intentional or not, such households have created a difficult situation: if they can neither pay the domestic workers' salary nor pay for her to return home, the domestic worker is caught in a situation of exploitation.

I prefer she doesn't have a phone... I can't understand what she is talking to her family about... When they are in the car, they memorize the landmarks. I don't want to accuse anyone, but I want to protect myself.... When I come to leave the house, to be honest, I protect the house. I lock it. I don't leave the key with her – I am afraid, to be honest, that she will run away. Her passport is with me, because if I give it to her I don't know what she might do with it.
(Jordanian, employer of domestic worker)

On Friday, I tell them it is our day off together, we go to the farm.... But I don't like to leave her to go out along, they might run away because they think working hourly is better.
(Jordanian, employer of domestic worker)

Another common violation is deprivation of movement. Employers of domestic workers often see deprivation of movement as a way to protect the investment they made in recruitment and because they fear being held liable for any crimes committed by the worker.¹⁵¹ Conversations with recruitment agencies and employers confirms this view:¹⁵²

In this regard, it is important to note that in 2011 the Ministry of Labour amended its regulations on freedom of movement. Whereas previously the domestic worker was required to ask permission to leave the house, since 2011, the domestic worker is required only to inform the employer. Nevertheless, when the focus group of Bangladeshi workers was asked about any limits placed on their movement such as ability to leave work during days off or during non-working hours:

Twelve refused to answer this question and the remaining 8 said that even if the employer allows them to go they wouldn't know where to go. Eleven of them said that they socialize with domestic workers of employers' relatives and friends.

¹⁵¹ The Jordanian Civil Code No 43 of 1976 gives employers responsibility for some civil (though not criminal) actions of the worker.

¹⁵² The quotes below are taken from ILO (2015c).

Deprivation of movement is closely tied to deprivation of one's legal documents. Jordanian law is very clear in prohibiting the confiscation of documents, both in the Passport Act of 2002 and in the Jordanian Penal Code.¹⁵³ Nevertheless, it is common practice in Jordan of employers to hold their employees' passports to prevent them from leaving the country during the period of their contract.¹⁵⁴ Although many focus group participants said they were comfortable with having their employers hold their passports, it is difficult to draw conclusions for the fieldwork given the lack of awareness of the law and the fact that, by definition, our focus groups did not include workers who are given relative mobility. In the focus group discussion of Bangladeshi workers, all of them said that their documents are kept by their employers. Among the Filipinas, there is more freedom of movement, although most still have their documents held by employers. The following field note and quote are from the focus group of Filipinas:

*When asked what they do on their day off they said that they see their friends on their day off when they visit other people and when they visit us. In addition, seven participants stated that their employer allows them to receive friends or family after working hours. Only three of the 21 participants have their passports. Employers give them their work permit when they are out on their day off to show when they get stopped by police.
(Researcher field notes from focus group discussion of Filipina domestic workers)*

*I work in a home in Abdoun, but they are not my sponsor. I used to have a permit from another sponsor but I had to leave my documents with them. I don't know if they would give them back or not.
(Filipina domestic worker)*

*All participants say they don't calculate the time they work. We asked the question in a different manner – whether they get enough rest. They said that they work a lot but feel that they have the needed time to rest. Ten were bothered that they feel that the working hours were not long, but their rest keeps getting interrupted by requests from employers.
(Researcher field notes from focus group discussion of Bangladeshi domestic workers)*

Excessive hours of work is another common violation. In addition to provision of one day off per week, the regulations specify the maximum number of working hours per day as ten hours. However, because the work involves caring for family members at various times of the day and night, it is generally not continuous. As a result, it is difficult for workers or their employers to calculate how many hours they are working. The following is from the focus group of Bangladeshi workers:

The experience of the Filipina participants was similar:

*Many of the participants said they don't calculate how many hours they work. Three said that they are on call most of the time. The remaining said that they have their own time and finish work and rest.
(Researcher field notes from focus group discussion of Filipina domestic workers)*

¹⁵³ Article 18 of the Passport Act Number 3 of 2002 and Article 222 of the Jordanian Penal Code.

¹⁵⁴ Employers often pay large sums to bring domestic workers. According to interviews with recruitment agencies, the average cost of recruitment (including fees of recruiter, airfare, etc.) is JOD 2,800. Having spent this money, employers often hold their employees' passports in an effort to ensure they do not lose their investment.

When you go to the agency, they just say 'sign here and sign her' and you can't really read all the boring details... But if I am honest with you, no one here works according to the contract and the day off. I hear from people around me 'Why should she rest? She is here to work?'
(Jordanian, employer of domestic worker)

Having a day off doesn't mean she is allowed to leave the house or that she can sit around and do nothing. It means giving her fewer working hours and some more breaks in between.
(Recruitment agency manager)

Employers and recruitment agencies confirm that many domestic workers are not given the day off that is prescribed by the regulations:¹⁵⁵

Employer failure to renew work permits of domestic workers creates problems of mobility for workers, because workers caught without work permits can be sent to jail or deported. As a result of this vulnerability, domestic workers without work permits are often unable to leave the home of their employers and exploitation in other forms is most common among this group. The situation is explained by a representative of the Ministry of Labour and by a Filipina domestic worker:

There are about the same number of domestic workers without permits as there are with permits, and violations are most evident within this group. These are workers who entered Jordan legally but whose contracts were not renewed. A lot of employers prefer to pay fines once the worker travels rather than pay permit renewal costs. The fines and fees are almost similar and in some cases the fines are lower.
(Representative of the Ministry of Labour)

I got my work permit through a businessman who brought me over to clean both his office and his home. My work permit only mentioned the office though. Anyway, he travelled and I haven't had a work permit since then. I keep looking for a Jordanian to sponsor me. The problem is that it's expensive because of the fines that accumulated since my boss travelled.
(Filipina domestic worker)

The Ministry representative highlighted the fact that fines for non-renewal of contracts are sometimes less expensive than renewals, which creates an incentive for employers to allow work permits to expire despite the difficulty it causes for workers. It is worth noting that domestic workers who do not have work permits fall into two groups: those who remain with the employer who failed to renew the permit and are particularly vulnerable to exploitation; and those who do not have permits because they ran away from their employer. Those in the second group may find informal employment or may wind up in shelters, jail or become deported.

Seven participants said that they sometimes do not understand what the employer wants and face other issues related to delayed work or forgetting tasks. Nine participants refuse to respond and said there were no problems.
(Researcher field notes from focus group of Bangladeshi domestic workers)

Many workers perceive they have no recourse if there is a dispute with their employer. While most employers are sincere in dealing with workers, minor disputes are common and it is important that workers are able to advocate for themselves and know who to contact if they find themselves unable to resolve problems. The following field note reflects the reactions from the focus group of 20 Bangladeshi workers when they were asked if they have had disagreements with their employer and if so what they have done about it:

¹⁵⁵ These quotes were taken from ILO (2015c).

The reactions of this group indicate two areas of concern: first, that Bangladeshi workers often have problems as a result of poor communication and second that many appear to be unable to advocate for themselves. As a follow-up question, the researcher asked the same group who they would contact for help if they had a major problem:

*They said that they will try to reach the recruitment office, as they believe it is the only entity that might help them. When asked about the Embassy they said that they don't know anything about the Embassy. One said "I don't know anyone who ever went to the Embassy for any reason."
(Researcher field notes from focus group of Bangladeshi domestic workers)*

*Three participants said they faced issues related to breaking items such as cups or forgetting to do work but that these issues were solved within the household. Although none of the participants had had major problems with their employers, three said that they have friends who ran away from their employers due to disputes, but that they had no difficulty finding new work opportunities. When asked what they would do if they had a major problem, they said that they know they can go to the Embassy or call the recruitment office. They explained that the phone numbers of the Embassy and recruitment office were given to them during their orientation before leaving the Philippines.
(Researcher field notes from focus group of Filipina domestic workers)*

In contrast to Bangladeshi workers, Filipinas seem to have more confidence in their ability to resolve problems and more knowledge of what to do in case of problems:

The reactions of the Bangladeshi and Filipina workers demonstrate that while both faced disputes, there was a significant difference in terms of access to recourse.

There are several stakeholders in Jordan that provide support to workers and employers in case of disputes. As indicated in the comments above, recruiting agencies and embassies are mandated to provide support, but there are several other entities as well.

The Ministry of Labour receives complaints in person and through a telephone hotline. According to the ministry representative, most of the hotline calls are from employers of domestic workers complaining about recruitment agencies and the number of calls from workers is less than expected. The Ministry of Labour has jurisdiction over the recruitment agencies and is active in resolving problems. The representative of the ministry summarized their role this way:

Once a complaint is made against a recruiter, the Ministry of Labour investigates. If fault is proven and the agency has not had previous problems, they are requested to fix the violation. If they have a reputation of bad conduct, the office is suspended for up to six months. If by then the fault was not fixed, their license is suspended and they can no longer operate. The Ministry has closed down 21 offices due to financial problems with clients.

The ministry can also receive complaints about employers and attempts to resolve these as well. Capacity is limited, however, by the lack of a system for following up on cases and analyzing the issues.

The Anti-Trafficking Unit of the Public Security Department is mandated with enforcing the Anti-Human Trafficking Law Number 9 for the Year 2009. The Unit receives cases from the Ministry of Labour and other sources and enjoys an excellent reputation with all partners including the NGOs. The Unit recently drafted a new law (in collaboration with the Ministry of Justice). The Unit worked closely with the Ministry of Justice to draft a new Anti-Trafficking law, which is pending approval of the Council of Ministers. The law expands the punishment of violators to include jail time as well as a fine and establishes a fund to care for alleged victims while they are waiting for their case to be resolved.

The Association of Recruiting Agencies is very professional and we are very happy to work with them. The association is a true partner and plays a role in making sure violators are stopped and violations are fixed.

(Representative of the Anti-Trafficking Unit)

The association works closely on a wide variety of issues related to domestic workers including designing agreements with importing countries, drafting legislation, and solving problems that arise with the recruitment offices. The union was also important in drafting a proposal for a shelter and even coming up with funds for it. The association's relationship with the Government is a prime example of public private partnership.

(Representative of the Ministry of Labour)

The Association of Recruiting Agencies is well-respected by the Anti-Trafficking Unit and the Ministry of Labour:

Individual recruitment agencies play various roles including helping to resolve problems between employers and workers. One of the recruitment agencies interviewed for this study described the complaints received and their approach to solving them as follows:

The number of complaints we get varies a lot. In some months we are busy and get 25 complaints. In other months we get only 10. We don't keep records of complaints, but I would guess that 60 per cent of complaints are from employers. We solve most of the complaints either by talking to the employer, the Ministry of Labour or the Police Department. I visited a household three days ago as I received a complaint that the employer – an old lady – doesn't like the worker so I visited and solved the issue.

(Owner, recruitment agency)

The Bangladeshi Embassy does not support its nationals and creates problems for recruitment offices. This embassy delays signing of contracts and doesn't have a shelter for its nationals. Other embassies play a bigger role and help in solving problems with workers.

(Representative of the Association of Recruitment Agencies)

The level of support provided to its nationals by embassies varies.¹⁵⁶ According to the representative of the Association of Recruiters:

The representative of the Bangladeshi Embassy indicated that pre-service training is provided, although this was contradicted by the statements of the focus group of workers.¹⁵⁷ The representative of the Embassy indicated that they receive 5 or 6 domestic workers a day and that:

Most problems are a result of the lack of skill of our nationals and Bangladesh worker have a rebellious nature that triggers different problems with employers. The Embassy does not have a safe house but employees of the Embassy take in cases to their homes until the problem is solved. ... Most runaways that come to the Embassy are returned to their employer. Most of the problems are solved out of court either by paying the worker her salary or deporting her and a very small percentage is referred to the Human Trafficking Unit.

(Representative of the Bangladeshi Embassy)

¹⁵⁶ In 2011, 1,870 Sri Lankan and 974 Indonesian domestic workers sought labour related interventions from their embassies. Some were subject to abuse, others simply wanted to return home but were unable to do so due to the cost of air tickets, fines for overstaying visas, or police reports filed by employers that they had run away. Tamkeen Center for Legal Aid and Human Rights Center for Legal Aid and Human Rights (2012).

¹⁵⁷ The following field note indicates the reactions of focus group participants when asked about the recruitment process before leaving Bangladesh: *The consensus was that they were reached by recruitment offices and convinced by them to take this job. The recruitment office took care of all processes and made them take a medical test. They were sent to Jordan and received by the recruitment office here in Jordan. No training was given to workers before they came to Jordan. The Embassy representative, however, indicated that training is provided: A training course was enforced and is crucial for incoming workers due to many reasons. The first being the most important: workers are unaware of what the characteristic of Jordan are and what to expect from working at homes. Many workers once they receive the training, they change their minds and decide to stay at home.*

The Embassy of the Philippines appears to play a more active role as suggested by the worker focus group discussion and by the Association of Recruiters. The Embassy representative described its role this way:

It is our responsibility to make sure the contract is in three languages (Arabic, English and Tagalog) and that there are copies with the employer, the worker, the Administration in Manila and we keep one at the embassy in Jordan. This not only preserves the rights of workers if a problem arises, but also allows for better monitoring of permit re-issuance. We receive an average of 3 workers a day that come to us with problems and we try to help them. We have a shelter if they need it and funds to pay for travel back home if needed.
(Representative of the Philippines Embassy)

The situation has improved recently with new leadership at the Association of Recruiters and the fact that the Ministry of Labour has been firmer in dealing with recruitment agencies. We get contacted by the domestic workers directly. In the last 12 months, we registered 1,905 complaints. The mechanism we use to support workers depends on the nature of the problem and include counselling the workers, mediating with employers, and alerting Ministry of Labour and the Anti-Trafficking Unit as needed. About three-quarters of cases are solved out of court.
(Representative of Tamkeen Center for Legal Aid and Human Rights)

In addition to government and private sector agencies described above, the NGO, Tamkeen Center for Legal Aid and Human Rights, provides assistance at the request of domestic workers. The Tamkeen Center for Legal Aid and Human Rights representative described the general situation and their role this way:

The role of Tamkeen Center for Legal Aid and Human Rights is particularly important because the law forbids non-Jordanians from establishing unions. In some other sectors, the legal restriction is less of a concern because non-Jordanians can join unions established by Jordanians working in the same occupation. Because domestic work is almost exclusively performed by migrant workers, it is nearly impossible for a union to be established.

Despite the efforts of the agencies described above, several key challenges remain unaddressed. There is broad consensus among stakeholders that – in addition to the issue of late payments, which is a problem for all sectors – the domestic work sector faces two specific problems: lack of knowledge of rights and responsibilities and difficulty of enforcement. Lack of knowledge of rights and responsibilities is a problem on the part of both workers and employers. Whereas in most other sectors employers are businesses, in the domestic work sector employers are households, often without previous experience or knowledge of labour regulations. One recruiter described the mutual lack of knowledge this way:

Employers are unaware of the rights of workers in many cases. And workers don't know their rights, roles and responsibilities. Workers don't know their rights for salaries, working hours and their day-off.
(Recruitment agency owner)

¹⁵⁸ Alternative means are available to ensure union support for domestic workers. In Lebanon, for example, a Domestic Workers Union was established under the auspices of the Federation of Trade Unions.

Because of lack of knowledge on the part of employers of domestic workers, some violations are purely unintentional. This is particularly common in terms of employers believing that holding workers passports is their right and being unaware that workers are entitled to a weekly day off, annual paid leave, sick leave and medical care and the requirements regarding suitable living space. Lack of awareness of regulations extends also to lack of awareness that actions may in fact constitute forced labour or human trafficking, as explained by the representative of the Anti-Trafficking Unit:

There needs to be proper awareness by all stakeholders on the issues of trafficking. There are cases where people's lack of knowledge of the laws is the main cause of violation.
(Representative of the Anti-Trafficking Unit)

Workers do not understand what they should be doing when they arrive in Jordan. Many of them are not aware of the needs of households. Others didn't know they were going to be working as domestic workers.
(Representative of the Ministry of Labour)

There was a case where the worker was a doctor and was told that she would be working as a doctor.
(Recruitment agency owner)

Workers too are often unaware of their rights and responsibilities. Lack of awareness persists despite the training provided by some recruiters and governments in their home countries. Representatives of the Ministry of Labour and a recruitment agency indicated the lack of awareness of responsibilities as follows:

The education level of workers appears to be closely related to their knowledge and ability to advocate for themselves. Filipinas tend to have more education than Bangladeshis. Of the 21 Filipinas in our focus group, 13 had high school diplomas. In contrast, only one of the 20 Bangladeshis had completed high school. The researcher expressed the difficulties faced in communicating with the Bangladeshi participants:

Even though we used an interpreter, so language was not a problem, the workers were passive, had difficulty understanding our questions and often shrugged in response.
(Researcher field notes from focus group discussion with Bangladeshi domestic workers)

The fact that domestic workers stay at households prevents normal measures from being taken. Inspections in the field are not much value and they are not being done due to the fact that jurisdiction over households is difficult and very complex. Additionally most complaints cannot be caught from a house visit. Inspections cannot cover whether the worker is being paid her salary on time and it doesn't find out whether she gets her day off. Inspections do not provide the needed answer to any complaint of violation.
(Representative of the Ministry of Labour)

The fact that the employers in the domestic work sector are households creates challenges regarding their knowledge of rights and responsibilities, and also creates an inherent difficulty for enforcement. Indeed, the issue of enforcement was identified as the biggest problem in the sector by representatives of the Ministry of Labour, the Association of Recruiters, recruiters themselves, and embassies. The issue was described well by the representative of the Ministry of Labour:

The representative highlighted that one of the Ministry's main tools of enforcement – inspections – are not conducted in the sector because the work place is a private home, and that inspections would not in fact be useful even if they were conducted. With no inspections, violations are not caught unless a complaint is made. In principle, recruiting agencies could check in on workers. In practice, however, this rarely happens, as indicated by two of the recruiters interviewed for this study:

The recruitment agencies are able to follow-up with domestic workers once they are in the households. But we don't usually follow up unless there is a problem reported. Of course, there are difference between agencies and it depends on personal effort. Some do the bare minimum and others go the extra mile.
(Recruitment agency owner)

We visit the households in very few cases and based on the request from the employer.
(Recruitment agency owner)

As the second recruiter indicated, even when recruiters do follow-up, it is usually based on requests from employers. In this context, it is likely that the worst cases of exploitation are those in which the worker is unaware of her rights and is restricted to the house so her situation is not visible to others.

There aren't home based inspections and I don't expect there will be. Instead we need to devise a new methodology for this sector.
(Representative of the Anti-Trafficking Unit)

Just as there is broad consensus among stakeholders regarding the problem of enforcement, there is also broad consensus on the need for an alternative to inspections. The representative of the Anti-Trafficking Unit reflected this consensus:

Interviews with the Ministry of Labour, the Anti-Trafficking Unit and the Association of Recruiters focused on two potential actions: one for purposes of prevention and diagnosis and the other to support workers in identified cases of exploitation. For purposes of prevention and diagnosis, interviewees proposed face-to-face interaction with workers and employers before the start of employment and periodically thereafter. This proposal was clearly described by the Ministry of Labour:

The Government should be the first point the workers meet in Jordan, so we can make sure they get basic training about their rights and responsibilities and orientation. Most workers fear the Government and do not know that the Government can also bring them their rights and not only prosecute them. Once they start work, we can do "office-based inspections" – not based on any complaint – could request both the worker and employer to attend and both will be asked about the work but in separate rooms. This will help regulate the market because people are less prone to violate the law if there is follow up from Ministry of Labour. This sort of inspection will also follow up on expired contracts. I think it would solve 70 per cent of the problems.
(Representative of the Ministry of Labour)

Having government-sponsored orientation and training would be useful to ensure all nationalities receive full information about rights and responsibilities. Training might also be usefully provided to the employer prior to the beginning of the contract. And, as the representative said, office-based inspections provide an opportunity to periodically follow-up with both worker and employer and identify problems, particularly among those who are most vulnerable and least able to advocate for themselves.

The second action – to support identified cases of exploitation—is the establishment of a shelter managed by the Ministry of Labour, to provide temporary protection until the worker’s case is resolved.¹⁵⁹ All migrant workers face a common difficulty in accessing justice because their immigration status can be unilaterally rescinded by their employer. Domestic workers face an additional difficulty because they reside with their employer and need an alternative location in case of a major conflict. As indicated by Tamkeen Center for Legal Aid and Human Rights, approximately a quarter of cases go to court and workers need a place to reside during that period. Currently, lacking an alternative, the Government houses such workers in prisons. Although the shelter has widespread support, implementation has not occurred and representatives of the Ministry of Labour and Anti-Trafficking Unit were unsure why:

The proposed shelter is a collaboration between the IOM, National Center for Human Rights, MOI, MOL, the Higher Council for Family Affairs, Tamkeen Center for Legal Aid and Human Rights, the National Committee for Women’s Affairs, the Ministry of Justice and the union. Already JOD 500,000 were allocated. It was put on hold and we don’t know if we will move forward.
(Representative of the Ministry of Labour)

Unfortunately the Ministry has halted the progress on the shelter, even though it was approved and funds are available. The shelter is crucial for the progress that is being done by the Government in resolving the issues faced by the domestic workers and is a prerequisite for Jordan to enhance its classification in the Trafficking in Persons Report.
(Representative of the Anti-Trafficking Unit)

Alternatives Models of Domestic Work

As indicated at the beginning of this chapter, there are three basic models of work in the domestic sector: the live-in/full-time model, the live-out/part-time model and the institutional service model (especially childcare).

Part-time, live-out domestic work. Because live-out domestic workers do not live with their employers, this model avoids many of the challenges related to working conditions and forced labour. By definition, a live-out domestic worker has a level of freedom of movement that allows them to seek help if needed. This is not to say that problems do not exist. As a group, live-out domestic workers include many without work permits as well as many who have obtained work permits through their employers or through a black-market-sponsor. In our two focus groups of Filipina and Sri Lankan live-out domestic workers all have black-market work permits for which they paid between JOD 700 and JOD 1,000 per year. (This amount covers government fees as well as about JOD 350 to JOD 400 profit per year for their black-market-sponsor. Of the 25 workers in the first focus group, 13 had run-away from previous employers who they felt were abusive. Specific work arrangements vary: some participants work for one client while others work for two or more; some participants work five days a week while others work six days. In our second focus group, 19 of the 21 don’t work for their sponsor at all. The average hourly pay among participants is JOD 4, which provides a total of about JOD 500 per month. All participants said that they are comfortable and happy with their live-out work arrangements.

¹⁵⁹ A mechanism has been put in place that helps pay for repatriation of workers who face conflicts with employers. A representative of a recruitment agency explained it: A new bylaw was approved in April of 2016, which requires recruitment offices to have insurance by adding JOD 150 to the cost of recruiting. The insurance pays the cost of travel for the worker in case conditions are not acceptable or if the worker does not agree with the employer or vice-versa. It also helps if there is a need to change employer. This supports the recruitment office but also the worker and the employer. While useful to allow the worker to return home, the insurance mechanism does not address the need for support while a legal case is ongoing.

Two participants described their situation:

I like my apartment and I can have a birthday party there if I want. If I lived with my employer, I could not do that.

(Filipina live-out domestic worker)

I prefer working on my own, I am free and having this kind of sponsor allows me to work part time for five five different employers. I pay a lot for the permit, but I am comfortable and happy.

(Sri Lanka live-out domestic worker)

Sometimes my employer and I quarrel about how I should clean or if I show up late. But it's natural to bicker. I fight with my roommate all the time, so it's normal!

(Filipina live-out domestic worker)

I always say OK to my employer and this helps in not having problems.

(Sri Lanka live-out domestic worker)

If I had a serious conflict with my employer, I would discuss it with them. If we couldn't resolve it, we can just stop the arrangement. I have other employers and they can find another housekeeper. I get paid weekly, so I wouldn't lose a lot. It's not hard.

(Filipina live-out domestic worker)

While these responses reflect simple pleasures, they also reflect a feeling of safety missing from the responses in other focus groups. The responses to questions about conflicts with employers also attest to the sense of safety:

These responses indicate an acceptance that conflicts can happen. For the most part, however, because they are not compelled to remain in a potentially problematic situation, the participants feel capable of negotiating conflicts as well as that they have recourse if a problem was unresolvable.

As mentioned above, all 25 focus group participants have work permits that they obtained through black-market-sponsors. The participants viewed the black-market permits as a business transaction, though one that they would have preferred to avoid:

I am fine with my sponsor, but I would rather be able to work without having to have a sponsor. I don't like paying extra for the sponsor, but I make enough money to cover this cost.

(Sri Lanka live-out domestic worker)

I don't like the kafeel and I don't think he should be taking money from me. But the arrangement allows me to be free to work like I want, in my own time and my own choice of employer. The kafeel also gets me work sometimes in the households of his friends.

(Filipina live-out domestic worker)

My sponsor is very nice and he takes less than other sponsors do.

(Filipina live-out domestic worker)

Most of the participants in the focus groups of live-out domestic workers said that they can change their black-market-sponsor easily, although they have no reason to. About a third of the participants said that they feel it would be hard for their sponsor to accept the change because he makes money from the arrangement.

All but two of the participants have been stopped by police who check their work permits. (In the second focus group 18 of the 21 have been stopped.) Despite having valid work permits, the participants expressed anxiety about the potential for problems with the police:

I am scared of the police. They stop me a lot. I spend a lot of time in the street going from work to home to friends' houses. They never hurt me, though. I show them the permit and then I am free to leave. This is the only bad part about working as a part-timer.

(Filipina live-out domestic worker)

I was arrested once by the police, but my sponsor got me out. I was arrested even though I had my permit, but it was OK.

(Filipina live-out domestic worker)

I don't get stopped. I wear a hijab because the police don't stop ladies in hijab.

(Filipina live-out domestic worker)

I wish I had a sleep-in worker. But I don't have the space for her.
(Jordanian, employer of a part-time domestic worker)

I am a newlywed and we live in an apartment. I only need someone three times a week. When I have kids I'll probably get someone full time.
(Jordanian, employer of a part-time domestic worker)

My girl comes three or four days a week, depending on my need. She'll also come if I have a dinner party or special occasion, so it's fine.
(Jordanian, employer of a part-time domestic worker)

Employers too find that live-out domestic workers are an acceptable arrangement. In our two focus group discussions of employers of live-out domestic workers, they all said that the arrangement works well for them.

In all cases, the employers we spoke to had oral agreements with their part-time domestic workers. We asked what they would do if there was a dispute with the worker and if they had concerns since there was no written contract.

Since my housekeeper is part-time, there is no recruitment agency involved. I would resolve any problem with her. Except if theft is involved. In this case, I will notify the police.

(Jordanian, employer of a part-time domestic worker)

If I had a problem, I would talk to the worker. If we can't solve the problem, she will leave and I will replace her.

(Jordanian, employer of a part-time domestic worker)

Commercial provision of domestic work services. The third model for provision of domestic services is commercial. Day care services are the most common type of domestic services that are currently provided on a commercial basis, and could be complemented with elder care services.

In our focus group discussions of Jordanian women working in day care, 26 indicated that their work is formal with one year contracts and social security, 5 have no contract and 8 run their own informal day care centers in their homes. Wages showed a large variation, with those in East Amman earning between 150 and JOD 250 a month, and those in West Amman earning at least 300 and up to JOD 750 a month.¹⁶⁰ The working hours for three quarters of the participants were less than 8 hours a day, and none worked more than 10 hours a day. (Note that child care work is only open to Jordanians.)

¹⁶⁰ Interviewees who have their own informal day care centers earn an average of JOD 60 per child and a total of about JOD 420 per month.

All of the focus group participants indicated that they are proud and content with their work.

*I only have a high school degree and this is a great job for my qualifications.
(Jordanian child care worker)*

*The working hours are very convenient and the nursery has only female workers. This makes it comfortable for me and for my husband as well.
(Jordanian child care worker)*

*I get to take my daughter with me to work, which is perfect for me. Otherwise I wouldn't have been able to take this job. (Note that 16 of the 39 focus group participants take their kids to work.)
(Jordanian child care worker)*

*I love my job, but the pay is very low.
(Jordanian child care worker)*

Asked if there was anything that would make them more content and proud, the only thing they want was higher salary.

They were unaware of any union or other body to represent them. In terms of what they would do if they faced a disagreement with their employers, 40 per cent said they would find another job, 25 per cent said they would not do anything, 20 per cent said they would speak with their employer, 12 per cent said they would ask their husbands to interfere, and 3 per cent said they would go to the Ministry of Labour. They said:

*If the issue was major, I wouldn't do anything right away. I would look for another job and resign as soon as I find something else.
(Jordanian child care worker)*

*I need this job to survive and would be afraid I would lose my job. I wouldn't complain.
(Jordanian child care worker)*

*I will talk to my employer and solve the problem with them. If the problem is not solved, I would go to the authorities – such as the Ministry of Labour if the disagreement is salary-related.
(Jordanian child care worker)*

I hire Jordanians and other nationalities. For the non-Jordanians, I hire people who are already in Jordan and want to change from whatever kind of work they were doing before. I don't bring in people from outside. I often recruit groups of people who want to work together. The work is either eight hours a day or there are two shifts of five hours. I pay the workers minimum wage on a monthly basis. They work in their groups in private companies, schools, government agencies. So far, I haven't done houses, but I guess that's possible.

Commercial cleaning services are available in Jordan. To date, commercial cleaning companies have been used in businesses and government offices, but not in private homes. The cleaning company owner interviewed for this study explained that the sector is not regulated and companies operate in various ways. He explained his own situation:

Potential for Increasing Employment of Jordanians and Syrian Refugees in the Sector.

There is potential for increasing employment of Jordanians and Syrian refugees in house cleaning, but there are significant challenges. Even unemployed Jordanians and Syrians rarely consider work in this sector and associate it with the live-in model. Many of the Jordanian focus group participants reacted strongly to the reputation of the sector for exploitative working conditions as well as social stigma.

Shame should not be associated with any kind of work. But my husband wouldn't let me work in someone's house because there are men there.

(Jordanian female, agriculture worker)

Workers in this job are not respected. It would not be acceptable for me to take a job that has such disrespect.

(Jordanian female, unemployed)

People say that the hours are long and employers don't pay overtime. Also, I have heard stories that state that it is easy to accuse cleaners of stealing.

(Jordanian female, unemployed)

I've never thought about this option. I thought employers only want foreign workers.

(Jordanian female, agriculture worker)

While all focus group participants agreed that the job is not appealing, domestic work was not completely rejected by all participants. Several participants said that they would consider it because they need a job and cannot find anything better, but that if they found a better job they would leave immediately.

I am willing to work in cleaning. I would rather clean offices though. Working in houses might be too personal. And the pay would have to be good enough – at least 300 dinars per month.

(Syrian female unemployed)

I'd do it. I don't mind working in houses either. Only if no males over 12 years old are in the household and I leave before dark.

(Syrian female agriculture worker)

Most Syrian men wouldn't allow us to do it. In Syria, women don't work outside the house. I don't have any male relatives here though, so I am OK with that kind of work.

(Syrian female unemployed)

Like Jordanians, most Syrian women said that they would not be comfortable working in the domestic sector. The concerns of Syrian women closely mirrored those of their Jordanian counterparts. It is interesting to note that there are circumstances that would allow Syrian women to consider work in the sector. In one focus group discussion, almost half said they would consider it.

Stakeholders from recruiting agencies, government and NGOs reflected on the concerns raised by Jordanian and Syrian workers as well as by employers. Nevertheless, they gave qualified support to the potential for Jordanians and Syrians to work in the sector if the conditions were appropriately regulated.

Incorporating Jordanians and Syrians in the sector will be difficult as they will expect higher salaries than the existing domestic workers. Maybe if they were part-time, live-out it would be worthwhile. In any case, it would be necessary to institutionalize this effort with the Government of civil society in order to provide training and regulate the work.
(Representative of Tamkeen Center for Legal Aid and Human Rights)

Households won't want Jordanian or Syrian workers to live in their houses. But supporting services like cooking and cleaning and possibly day care can be explored. It would be necessary to develop a contract for live-out workers. It would also be necessary to revise the closed occupations if we want Syrians to do daycare or cleaning because those are currently closed to foreigners.
(Representative of the Ministry of Labour)

Jordanians and Syrians can't replace sleep-in domestic workers. But there is potential in the supporting services like nursing old people, cooking, babysitting and part time cleaning. Employing Syrians can be of value added as they are already residing in the Kingdom and require no travel expenses. But there would need to be flexibility in issuing permits for part-time or less than a one year contract. Perhaps we can let Syrians work through service companies who expand beyond just cleaning offices.
(Representative of a recruitment agency)

6. Manufacturing

Introduction to the Manufacturing Sector

In the years between 2012 and 2015, industrial production in Jordan contribution to Gross Domestic Product averaged 25 per cent.¹⁶¹ As of 2015-end, there were nearly 18,000 companies in the industrial sector, employing around 226,000 employees.¹⁶² Despite recent setbacks and sluggish growth, the sector remains highly strategic both in terms of advancing the country's export capacity and the employment it generates. Over the past five years, the sector has been estimated to employ 20 per cent of Jordan's total labour force and account for 90 per cent of Jordanian exports.¹⁶³ However, given Jordan's resource scarcity and the consequent importing of the majority of its raw materials, the sector's value-added from manufacturing stood at a mere USD 458 million.¹⁶⁴

Within manufacturing, the majority of field research for this report was conducted on the home appliance assembly, with an additional focus on garment-producing satellite factories. The rationale behind the selection of the home appliance assembly sector was the sector's high growth potential as identified by a Product Space Analysis carried out by the Jordan Strategy Forum. Also, the sector is eligible for the relaxed Rules of Origin agreement deal that the government of Jordan reached with the European Union in July 2016. The recent agreement with the European Union to relax the Rules of Origin for Jordanian products is expected to create a new boost to the manufacturing sector. As explained earlier, benefits from this agreement will require that 15 per cent of employment goes to Syrian refugees.¹⁶⁵ The supplemental fieldwork carried out in the garment industry, specifically in satellite factories, is due to the factories' high potential in increasing Jordanian women's labour participation rate.

The Jordanian garment industry became a significant part of Jordanian manufacturing with the Qualifying Industrial Zone agreement followed by the United States-Jordan Free Trade Agreement, which came into effect in 2010. Although the agreement allowed for a wide variety of product lines, today, the main product exported under the US-Jordan Free Trade Agreement has been garments. That said, the agreement has faced criticism on four fronts. First, the factories contribute little to the tax base due to their tax-exempt status. Second, the factories have contributed little to Jordanian employment, as the vast majority of workers in the factory (70 to 80 per cent) are economic migrants. Although quotas on Jordanian labour exist, companies have found it very difficult to find Jordanians willing to work in the sector. Third, multiplier effects have been minimal because most of the profits¹⁶⁶ and wages are remitted overseas. Fourth, there were widespread reports of labour rights abuses including forced labour. This last issue has been addressed by the Better Work Jordan programme and the reputation of the sector has improved dramatically since its creation in 2008. The garment sector benefits from several important Government incentives including exceptions which make work permit fees much lower than in other sectors. Low-skilled assembly line jobs in garment factories provided Jordanian workers, a minimum wage of JOD 190, established through a Collective Bargaining Agreement¹⁶⁷, plus transportation and childcare stipends (where relevant) for 8 hours of work per day 6 days a week. Economic migrants, on the other hand, live in dormitories on site and receive JOD110 plus room and board for 10 hours of work per day, 6 days a week. Labour aspects of the garment sector have been well documented elsewhere and will not be repeated here.¹⁶⁸ The garment sector currently employs over 62,000 workers in Jordan. Of these, 72 per

¹⁶¹ "Main Industrial Indicators", Jordan Chamber of Industry and Ministry of Industry and Trade, December 2016, 7.

¹⁶² "Main Industrial Indicators", Jordan Chamber of Industry and Ministry of Industry and Trade, December 2016, 7.

¹⁶³ CSR Watch Jordan (2014). Oxford Business Group (2014).

¹⁶⁴ World Bank (2017).

¹⁶⁵ As of January 2017, six Jordanian companies qualified for the Rule of Origin Exemption to export to Europe, out of a total of nine who applied. Source: <http://www.jordantimes.com/news/local/six-companies-export-eu-under-new-rules-origin%E299%80%>. Accessed May 12, 2017.

¹⁶⁶ Most companies which benefit from the agreement are foreign owned.

¹⁶⁷ In February 2017, the minimum wage for Jordanians was raised to JOD 220. The decision was put forth by the Council of Ministers, and awaits the review of the tripartite committee which includes the representatives from the Ministry of Labour, the Chambers of Commerce and Industry, and the General Federation of Jordanian Trade Unions. Source: <http://www.jordantimes.com/news/local/six-companies-export-eu-under-new-rules-origin%E299%80%>.

¹⁶⁸ See ILO (2015) Migrant Domestic and Garment Workers in Jordan for a detailed review.

cent are women and 73 per cent are economic migrants.¹⁶⁹ In 2016, the United States Department of Labour removed the Jordanian garment sector from its watch list of Trafficking Victims Protection Reauthorization Act, citing significant efforts on the part of the Jordanian Government as well as Better Work Jordan.¹⁷⁰ The Better Work Jordan has placed concerted efforts to advance labour rights in the garment sector, and is expected to expand among more factories.

In the home appliance assembly sector, wages in the assembly line have generally stood at JOD 200 (before the recent legislation raising the minimum wage for Jordanian workers to JOD 220), and reach JOD 250 with experience.¹⁷¹ With overtime, wages can reach JOD 300. Those with a higher skill set in administrative or supervisory roles can earn up to JOD 400.

Increasing Employment of Jordanians and Decent Conditions for All Workers.

Manufacturing employers want to hire Jordanians, but find that it is a struggle. Manufacturing jobs account for 9.7 per cent of jobs held by Jordanians – 10.4 per cent of jobs held by men and 6.3 per cent of jobs held by women.¹⁷² Meanwhile, manufacturing jobs account for a significantly larger 24.8 per cent of non-Jordanians holding work permits. The home appliance subsector has a relatively high rate of Jordanian workers (about 90 per cent). Even in home appliance assembly, however, employers face difficulties in finding Jordanians to fill the available jobs. Take, for example the following comments by two home appliance factory owners:

We are happy to be hiring Jordanians but we face persistent shortages in some crucial jobs both on the assembly lines and offices.
(Appliance factory owner)

The most difficult vacancy to fill is that of the packaging and loading. We can't find Jordanians who would agree to commit to it on a full-time basis because it involves carrying heavy material all day long.
(Appliance factory owner)

Despite expressing a desire to hire Jordanians, employers reiterated that it has been a challenge finding them. This challenge is particularly palpable in jobs that require intense physical labour, among others.

Some of our jobs require cleaning and lifting heavy material which Jordanians regularly refused. Indians and Egyptians would rarely say no to doing whatever the factory requires.

(Factory owner)

You can rely on Egyptian workers to do any physically demanding job and they don't complain.

(Factory owner)

Foreign workers are ready to sleep at the factory if their employers want because they come here just to make money and work. Jordanians have families and commitments and can't do that.

(Factory owner)

At the same time, employers reported that there is a readily available large pool of non-Jordanian workers willing to perform any type of task without question. The following statements by three factory owners in Sahab Industrial City clarify this view:

¹⁶⁹ See General Trade Union of Workers in Textile, Garment and Clothing Industries website. Available at jtgcg.org/wp/worker-statistics. Accessed March 29, 2017.

¹⁷⁰ See http://ilo.org/beirut/media-centre/news/WCMS_531596/lang--en/index.htm

¹⁷¹ The minimum wage for non-Jordanians has not been increased. As a result the relative cost of hiring a Jordanian over a non-Jordanian has increased.

¹⁷² Government of Jordan, Department of Statistics Employment and Unemployment Survey for 2016. Available at http://www.dos.gov.jo/dos_home_e/main/linked-html/Emp&Un.htm. Accessed April 1, 2017.

These employers show their preference to find migrant workers willing to do unpleasant tasks without complaining. They also show that they understand a crucial reason Jordanians cannot compete with economic migrants: because economic migrants are away from home, they can be available at all hours of the day and night, while Jordanians have other commitments.

Factory owners take a variety of approaches to dealing with sector-specific regulations specifying quotas for Jordanian workers. The following comments from two factory owners describe different approaches:

Even though Indians and Egyptians are willing to work harder and do more physically demanding jobs, we cannot hire them. We cannot have any informal workers in factories, since they are subject to constant checks by the Ministry of Labour.

(Factory owner)

We used to be able to get away with hiring without work permits so now we mostly hire Jordanians but resort to foreign labour when there is absolutely no alternative. When desperate, I have to resort to hiring Egyptians on a day by day basis and pay them JOD 20 a day.

(Factory owner)

In the first case, the employer feels compelled to work within the regulations. In the second case, however, the employer gets around the regulations by hiring economic migrants informally.

We want to abide by this country's labour laws, but what are we supposed to do when we have some vacancies for over a year and we can't find Jordanians to fill them?

(Factory owner)

We know that when a foreign investor comes in with a lot of capital to the country, they are given a lot of exemptions in terms of foreign labour, like XXX Factory who have more than 10,000 Indian and Bangladeshi workers. We are not given these privileges because we are small and not coming from the outside.

(Factory owner)

Factory owners seek help from the Government in filling job openings. The following quotations come from two small factory owners:

In the first case, the employer simply asks for help of whatever kind, which could presumably include employment services or other solutions. In the second case, the employer focuses on a request for exemptions from quotas and feels that small local businesses are at an unfair disadvantage vis-à-vis large foreign businesses.

Jordanians don't object to manufacturing jobs in principle, but have concerns about the specific way the manufacturing sector operates in Jordan. In focus group discussions with unemployed Jordanians, many indicated their willingness to accept manufacturing jobs. Among a group of unemployed women, 13 of the 20 women said they were willing to work in manufacturing. They particularly liked the fact that manufacturing jobs are well-regulated, that working hours are set and that overtime is paid. In some other focus groups, such as that of unemployed men in Amman, all 18 participants said that they would refuse to work in manufacturing. Specific concerns include potential for advancement, what is perceived as an unfriendly work environment, and the cost and time of commuting to distant factories. One 25 year old man put it this way:

There is no potential for growth or salary increase. A guy I know has been working in a factory for 7 years. He's earning JOD 240 and his salary increased by only JOD 50 in 7 years!

(Jordanian unemployed)

Youth going into any job have expectations to progress up a career ladder. For manufacturing, what scares them is that they feel that they will start at the assembly line and end up in the assembly line. If they can feel that the assembly line is only the beginning and not the end, and that there is a chance they will be promoted to a more administrative or managerial role if they keep improving their skills and experience. No one wants to spend all their lives on an assembly line. (Head of Better Work Jordan)

As this young man indicated by his choice of words, his ambition is for his job to have a career path that offers advancement, but perceive that is not even a light on the end of the tunnel. On the other hand, employers reported that workers did not display patience for advancement. This fear is articulated by the Head of Better Work Jordan, - a partnership between the International Labour Organization and the International Finance Corporation - is a comprehensive programme working with buyers, suppliers and workers in the garment sector:

In this comment, the head of Better Work Jordan emphasizes the importance of a potential career ladder. Importantly, he does not imply that promotion should be guaranteed – only that it be a feasible future.

Related to workers fear that there is no potential for career growth and “climbing up the ladder”, workers characterize factory work as stifling, with employers that are rough, demanding, and, at times, oppressive. The following comments from a focus group of unemployed young men in Amman describe this view:

Factory work is mundane. The tasks are the same every day. You won't learn new skills and you'll work for minimum wage. (Jordanian, unemployed)

Putting together appliances is something I am willing to do. However, it sounds like something where my salary would be low and where I have to work the same long hours every day. Also, factory owners are known to be rough on employees. (Jordanian, unemployed)

Manufacturing employers want you to work the whole day like a machine. I don't want to work somewhere where someone is looking over my shoulder the whole day without giving me a moment to breathe. (Jordanian, unemployed)

In these examples, workers describe the repetition as something that prevents them from acquiring new skills that may be needed for advancement. And, even if the work itself has appeal, they think of the supervisors as unnecessarily over-bearing.

Jordanians see alternatives to manufacturing as more appealing – whether the alternative is other similarly unskilled work or even if the alternative is unemployment. Two young men describe these alternatives:

Why would I work in manufacturing when I can get the same amount while working in a comfortable environment like a mall or valet? Working as a valet gives you a degree of freedom and autonomy. No one is looking over your shoulder all the time, like in a factory. I will probably make the same amount of money and be able to interact with people, which is a good skill to have if I want a better job in the future. (Jordanian unemployed)

I wasn't covered by social security. I tried reporting them to social security and it's like they make it so difficult in person so no one would go after their rights. My employer know I had filed a complaint and made things very awkward. That combined with the fact that I was not paid on time, made me think that is not worth it to stay. So I left. (Jordanian, former manufacturing worker)

The first young man indicates that he values the relative freedom and autonomy of jobs that are in open public places, such as working in a mall or as a valet in comparison to the more confined view of manufacturing work. They also value those jobs since they allow them to interact with a diverse group of people, allowing them to improve their communications, sales, and, even, language skills. The second young man had worked in manufacturing but chose unemployment when he felt unable to demand his rights to social security and on-time payment.

Factories are so far from here. You need JOD 4 for (public) transportation each day. (Jordanian unemployed)

My work was very far and even JOD 350 were not enough to cover the fuel for my car and the regular maintenance for it to go that long without breaking down. At the end, I only went to work because my boss and colleagues were nice and I didn't want to quit unexpectedly. But ultimately I did quit. (Jordanian, former manufacturing worker)

Another major concern about manufacturing work is the cost and time involved in commuting to work. Although transportation is one of the most prominent concerns in all sectors, the issue is particularly relevant in manufacturing due to the fact that most factories are located in economic zones far from population centers. Neither private nor public transportation systems satisfactorily address the concern, given the cost of transportation relative to the wages offered, as shown in the following:

Clearly these two workers have different lifestyles and expectations. The first felt he couldn't afford even public transportation which cost him about JOD 80 a month, presumably relative to his expectations of a minimum wage job. The second had a wage considerably above minimum wage and had his own car. Despite the class differences, both felt that the cost of transportation makes manufacturing work not worthwhile.

Specific Concerns Related to Women in Manufacturing and the Potential of Satellite Factories

Concerns about the work environment and transportation are even more important for female workers than for male workers. In a focus group of unemployed women, twelve of the fourteen participants refused to consider manufacturing work based on their perceptions that factory bosses are harsh and that they will be subjected to harassment:

The work environment is harsh and most business owners are unfriendly and rude. (Jordanian, unemployed female)

My parents won't accept to the negative reputation of the factories especially in relation to harassment of women workers. (Jordanian, unemployed female)

As long as I am alive, I will never let my sister work in manufacturing. The employers are very rough. I don't trust them to not yell at my sister or harass her. (Jordanian manufacturing worker)

I prefer to support my female family members because I am the man., but if my sister really wants to work I will let her. But it has to be somewhere that she's not harassed or yelled at by strange men. (Jordanian manufacturing worker)

The importance of family concerns for women's safety came out clearly in the case of the second woman. This concern was stated directly by male factory workers when we asked how they would feel about their sisters doing the same work they do:

In both cases, the factory workers felt that manufacturing would be unsuitable for women because of the social atmosphere of the work place.

Transportation issues are similarly a more significant concern for women than for men. Whereas male participants expressed concerns about the cost of transportation, female participants also pointed to the time it would take to commute to distant factories, which would make the work day unacceptably long:

Married women can't due to their household duties, since they will spend long hours at work and then the long commute.
(Jordanian, unemployed female)

The factories provide transportation only to the city center and we need to commute on our own back home from there. Some of our villages are very far from the center.
(Jordanian, female manufacturing worker)

I wouldn't want to spend 3 hours a day on the road. I could barely stand the time spent getting to and from work in Amman, so I wouldn't not work outside of it.
(Jordanian, female worker)

In these examples, it is clear that full-time work coupled with a long commute is not feasible for women, especially if they have household responsibilities. Even for the third woman who has a full-time job, the additional travel time to industrial areas is prohibitive.

Satellite factories, which are located close to towns and which sometimes offer predominantly-female assembly lines, have addressed the concerns about transportation and the social environment associated with manufacturing. This model appeals both to women themselves and to their relatives:

The factories in Sahab were established specifically because residents need work. There are very few jobs in the area and the fact that we have an industrial city built for us in our hometown makes it appealing to work in. We don't have to take transportation every day or go to Amman just to find work.
(Jordanian, female manufacturing worker)

While I know that all of XXX factories have good work conditions I would not go to any other factor because I need to be working in Ajloun where I live. We are already working eight hours, which is a long time, in the factory and cannot be spending an additional 2 or 3 hours a day just getting to work.
(Jordanian, female manufacturing worker)

There is a very high unemployment rate in Ajloun. Most of the women here wait for years to get a government job, but to no avail. So when this factory was established, it provided them with jobs that they have been long waiting for.
(Factory owner)

I worry that she might be harassed by other male workers and it would not be safe for her. If it's an all-female assembly line, that would definitely be better.
(Jordanian, manufacturing worker)

When we were approaching women and their families to convince them to work in factories, many fathers would initially outright refuse because they cannot imagine their daughters working among many males all day. However, when we showed them the factories and how it's mostly women, and overseen by a local female supervisor, they get reassured and immediately change their mind. (Head of Better Work Jordan)

The factory in Sahab referred to above is one of several satellite factories that have been established in recent years in small towns across the country. In several cases, outreach to families has been important to demonstrate that the environment is indeed safe and comfortable for women. The head of Better Work Jordan reflects on these outreach activities:

In addition to outreach to families, factory owners will need to be convinced if the satellite model is to expand. For some factory owners, awareness of the potential benefits in terms of their ability to fill job vacancies with Jordanians may be sufficient motivation. In other cases, making factories female-friendly may require additional investment. A factory owner reacted this way to the suggestion that he open up his factory to female workers:

Hiring women is a hassle because we would have to ensure they have a suitable work environment. We would have to change the structure and layout of the factory with locker rooms and bathrooms. (Factory owner)

The question of profitability in the context of heavy government support is of paramount importance. What is worth noting is that each satellite factory receives varying sets of incentives/exemptions that widely vary by factory, and are often decided based on agreement negotiated between the Government of Jordan and the investor. Therefore, incentives/exemptions are not streamlined and are often decided on a 'semi-ad-hoc basis.' What is interesting to note is that it is often the case that the level of the incentives received by each of the factories is based on how challenging it is to employ Jordanians in the area where the factory is established. For example, in the North, it is relatively easier to find Jordanians willing to work there than it is in the South (like Karak and Tafileh). Therefore, factories in the South receive more incentives to operate. (Head of Better Work Jordan)

More analysis is needed to determine the extent to which satellite factories and/or female-friendly manufacturing environments can be financially viable. Several of the satellite factories in Jordan receive incentives from Government.

Nonetheless, the wide ranging incentives extended by the government of Jordan vary across the following: covering land insurance; lowering the labour quota of Jordanians hired; construction fees exemption; covering 30 to 50 per cent of worker wages for a period of 18 months, and potentially, the costs of meals, training, and transport; and other investor privileges covered under the Investment Law, particularly in the form of tax and custom incentives.¹⁷³

¹⁷³ Abullah Ababneh and Mohammad Al-Khasawneh (2016).

One satellite factory visited during the fieldwork demonstrated a model that has proven very successful in attracting Jordanian women as workers. The workforce is largely, but not exclusively comprised of Jordanian women: of the 425 workers, about ninety per cent were Jordanian women with the remaining comprised of Jordanian and Sri Lankan.¹⁷⁴ Unlike many factories in Jordan, this satellite is located inside a small city, which means the workers do not have to spend much time commuting. The factory has been set up with a Jordanian feel – with flags hanging and local music playing. The manager is a local woman, who takes pride in creating a “family setting,” including celebrating when workers get married or have babies. Working hours are 8:00am to 4:30pm, which is particularly convenient to the 50 per cent of workers who have to take care of their children before and after school. While on-site childcare facilities are perceived as an enabling factor that would encourage women to join the factory’s workforce, both employers and interviewed women expressed a preference to receiving a stipend over bringing their children with them to work on a daily basis. Women with children reported leaving their children with family members and/or informal daycares in other women’s homes.

*I am proud that this factory employs so many females. After all, I feel that women like myself have the patience and endurance to work in textile manufacturing. The fact that we are mostly female creates a comfortable environment that makes workers feel safe and keeps the turnover low. Our factory has developed a very positive reputation in the city. Families trust us and feel are happy to have their women working here without concern. This is the secret to our success.
(Factory manager)*

*Besides the familial feeling of the factory, the fact that the factory is almost all female is a huge success factor. I am not saying that this factory would not have survived if we had more men but the fact that everyone can feel comfortable, at ease and have no fear of harassment makes us all happier and more productive. Also having a female supervisor helps because I would not be comfortable explaining myself to a man if I was sick.
(Jordanian, female manufacturing worker)*

*The location of the factory is the single most important reason we like this job. We like that its mostly women. And we like that it’s only Jordanians. But really location is the most important thing. I would not work in a factory if it wasn’t in my city.
(Jordanian, female manufacturing worker)*

*I listed my name at the civil service bureau because I always aspired to get a government job. After four years of waiting, I felt a lot of emptiness and that I did not have a goal in life to achieve. After I took the job in the factory, I regained my confidence.
(Jordanian, female manufacturing worker)*

*When I had a child, I quit for a year, but realized how much better I felt about myself working even as a mother so I went back to work. My husband even supported me and told me that I should because he saw how much happier I was.
(Jordanian, female manufacturing worker)*

*Working in the factory is great. We are four hundred women working here, and being in a place that you can meet and interact with this many people is enjoyable.
(Jordanian, female manufacturing worker)*

If issues of personal safety and working/commuting time are addressed Jordanian women are more accepting and even enthusiastic about factory work.

Women’s wage is JOD 190¹⁷⁵ per month plus transport expenses and a daily meal. In keeping with the Labour Law, the factory owners in Sahab interviewed for this report were prepared to open a childcare center on site. When given a choice, however, the majority of the workers said that they preferred to receive a JOD 25 stipend to cover alternative day care arrangements. The same factory owners indicated that productivity and teamwork is incentivized by rewarding the most productive team in any given month, with every member receiving a JOD 5 bonus.

¹⁷⁴ According to the factory manager, the factory has a policy of only hiring Jordanian men who have special needs, based on the notion that female employees and their families do not feel threatened by male presence.

¹⁷⁵ This is before the minimum wage raise in February 2017.

Despite significant government support, it is reported that the majority of the satellite factories have not reached profitability levels. While the investors are making an overall profit on the aggregate level and when taking into account both main and satellite factories, the satellite factories themselves seem to fall short. That said, there are a few that are close to breaking even and progressing towards profitability levels. This signifies that the question of profitability is not exclusively one of incentives and subsidies, but also of productivity and export capacity. To that end, Better Work Jordan's upcoming project will focus on enhancing both the productivity of Jordanians and satellite factory's foreign market access.¹⁷⁶

The Emerging Role of Syrian Refugees in Manufacturing

Many manufacturing subsectors have recently been provided incentives to expand into the European market as part of the commitment of the EU to support Jordan as a country hosting Syrian refugees. The new agreement provides 50 manufacturing products from Jordan exceptional access to EU markets so long as they are produced in any of the specified economic zones and contain a specified quantity of Syrian labour.¹⁷⁷ This agreement has brought attention to the idea of Syrians working in Jordanian manufacturing, beyond the attention that was already being paid to Syrian labour in all sectors as part of the general commitment to the Jordan Compact.

Many manufacturing employers are supportive of the Government's efforts to include Syrians in the labour market, though some struggle to make contact with Syrian workers. Central to the Government's incentives for businesses to hire Syrians is the policy of temporarily exempting work permits for Syrians from most fees. In interviews with Jordanian manufacturer's we asked for their views on this policy and on hiring Syrians in general:

It's certainly a positive move since hiring foreign labour is very expensive. It's something I've kept in mind and will consider hiring Syrians in the future.
(Factory owner)

The work permit fee exemption is definitely a good move and will make us consider hiring Syrians whenever we have vacancies. It's not like we have many vacancies at the moment for me to go after hiring Syrians, so the work permit fee is not the deciding factor on whether my business will be taking on more Syrians.
(Factory owner)

I would hire a Syrian any day. Just tell me where they are and I will go hire them tomorrow. I am happy to cover food and transport for them and pay for their work permit costs even if they weren't free.
(Factory owner)

In both cases, manufacturers expressed their willingness to hire Syrians. However, as highlighted in the second case, mechanisms for matching Syrian job seekers and manufacturers are not yet well established.¹⁷⁸

¹⁷⁶ Interview with Head of Better Work Jordan.

¹⁷⁷ Not all manufacturers believe the EU agreement will benefit them. In the following excerpt, a manufacturer questions the usefulness of the agreement and questions the Government's focus on it: It doesn't make sense for us to export to Europe. It's expensive to just get our products there. Plus, do they think we can compete with European, Chinese and Turkish manufacturers? We can barely survive in Jordan's small market. Get us back to the Iraqi market and we'll be fine.

¹⁷⁸ Other manufacturers interviewed for this report have expressed concerns, despite their general willingness: We invest a lot of time and resources into training our employees and getting them to know how we operate. Therefore, when we hire someone we hope they will be staying with us for a while. Syrians see Jordan as a transit point to Europe so we can't rely on them to be here for a long time.

That said, one prominent factory's management reported exerting serious efforts to attract and retain Syrian employees but said that their efforts have "gone in vain". The quote below, provided by one of the factory's senior management members highlights the factory's experience with attempting to hire Syrians:

We have tried really hard to attract Syrian to both our main and satellite factories. At the beginning, we had around 200 Syrians sign up. On the first day of work, around 60 showed up and the number gradually reduced. Today, we only have two Syrians working in our factories. Our theory is that among the Syrian population, it is mostly men who work and garment manufacturing is not appealing to men.
(Factory manager)

It is socially acceptable. Many Syrian women used to work in factories back in Syria.
(Syrian, female day labourer)

It's a way of generating money and keeping our families safe. It's a way to improve ourselves and gain a skill, regardless of what it is.
(Syrian, female unemployed)

We feel that factory work is more organized. Work like farming is more free-reign. You show up and sometimes don't see your employer all day. There is not one there to organize the work. A foreman who is watching over us will make sure there are established hours, work practice and pay.
(Syrian, female agriculture worker)

Just as manufacturers are willing to hire Syrians, many Syrians are willing to work in manufacturing, but face the same job matching constraints. In fact, many Syrians are already working in manufacturing. Of the work permits issued to Syrians as of February 2017, more than 18 per cent are in manufacturing jobs. In the focus group discussions held with unemployed Syrians living in the Zaatari camp and originally from Homs, many expressed their interest in the sector, and found the fact that it is "formal and organized" appealing. Of those interviewed, most said that they would be willing to accept a salary of JOD 200 for 8 hours per day of work.¹⁷⁹ Women included in the focus group expressed their views this way:

Despite their willingness, many of those interviewed have not been successful in finding manufacturing jobs. Although some efforts have been made by UNHCR and various NGOs to help with job matching, more will be needed to reach all of those who are interested. In a focus group of 17 unemployed Syrians living in Mafraq, four said that they were approached by donors about working in factories and said yes, but that they never received any follow up. It will also be important to continue to inform workers and manufacturers that Syrians are permitted to work in the sector. The following comments reflect the need for continued efforts:

I have worked in manufacturing for many years when I was in Syria. When I came here, I was keen to continue working in the field and use my skills. However, I tried going around to factories looking for a job and two of the factories said they could not hire me because I am Syrian and they can't hire Syrians.

(Syrian, unemployed)

We really want to work but no one has approached us to work in the manufacturing sector.

(Syrian, agriculture worker)

Whenever an agency approaches us asking us if we want to work in factories, we always sign up. We wait and wait, but no one ever gets back to us.

(Syrian, unemployed)

While many Syrians are interested in manufacturing jobs, others are hesitant about these jobs for a variety of reasons. The Syrians living in Jordan are not homogenous: while some come from manufacturing areas, many others come from agricultural parts of the country. For those Syrians who come from agricultural areas of Syria, manufacturing work is unfamiliar. Moreover, in these areas, it is uncommon for women to work outside the home.

¹⁷⁹ One participant said they were unwilling to work in manufacturing for less than JOD 300.

Like Jordanians, many Syrians are hesitant about manufacturing due to concerns about the work environment and the cost and time of commuting to distant factories.¹⁸⁰ When asked what was unappealing about manufacturing in Jordan, several focus groups of Syrians responded that the travel distance and work hours was difficult, as they feel safer if they can return home before sunset. Another participant compared the manufacturing sector in Jordan to that in Syria:

When I worked in manufacturing in Syria the hours were very reasonable. You would work for 6 hours most days, and 8 every now and then. We would have time to go back home and be with our families. In Jordan, this is not the case. You are expected to work very long hours.
(Syrian, manufacturing worker)

In the focus group of 13 Syrian women, all said that they would be willing to work in manufacturing. They were concerned, however, about their safety and having to work late hours. They said that they would eagerly work in manufacturing if they could work from early morning until sunset and if UNHCR was involved in the process to assure their safety.
(Researcher fieldwork notes from focus group discussion of Syrian women)

These participants were referring to the model of work for the garment sector in Jordan is based on 10 hours a day for non-Jordanians. The Jordan model is largely based on a workforce of South Asian and Southeast Asian economic migrants who came to Jordan to earn as much money as possible and who are therefore content to live in dormitories and work as many overtime hours as is permitted.

We know people here in Mafraq and have Jordanian family that can help us if we need it. If I ran out of money in the middle of the month, then I can knock on anyone's door in this city and ask them for some cash or whatever I need. I doubt I would be able to do that in Amman or somewhere else. Even if I made much more money, I wouldn't have any help in case of an emergency.
(Syrian, day labourer)

I am willing to work in anything. But I cannot leave this city if the job I get does not enable me to rent a place and sustain my family. Here I am living without any expenses because I have relatives so I can get by. If I go to another city I won't have that so the job I get needs to compensate me for that. I would move if I could get a salary of 300 dinars a month, but I can't afford to do it if I don't get that much.
(Syrian, agriculture worker)

In another focus group discussion, we asked Syrians about their willingness to relocate in order to be close to one of the economic zones in the south of Jordan. One response is typical of many that we heard:

In his response, this man reflected a willingness to work as well as a careful calculation of the relationship between his expenses and income. Like many Syrians, this man has extended family in Jordan and is able to make ends meet on a low salary only if he can share expenses with them.

Also like Jordanians, Syrian women are concerned about the atmosphere of the factory. And, like Jordanian women, feel that an appropriate environment is possible. The following responses came from a focus group of Syrian women from Zaatari camp who were asked what would make them willing to work in the nearby economic zone:

To have the factory be occupied by female staff: that would make us feel safe and the males in our society to allow it.
(Syrian, unemployed female)

To have transportation to and from the camp to work.
(Syrian, unemployed female)

For the whole employment procedure to be organized and monitored by UNHCR.
(Syrian, unemployed female)

¹⁸⁰ Unlike Jordanians, none of the Syrians interviewed identified concerns about a career ladder.

These responses reinforce the desire expressed by Jordanian women for primarily-female assembly lines, safe and easy transportation and an atmosphere that is controlled by a trusted person. In the case of Jordanian women, having a trusted person in control may mean having a woman from the local community as supervisor. In the case of Syrian women, the UNHCR is proposed as the trusted partner.

Amman is incredibly expensive and a job in manufacturing would not allow them to get by. Syrian men here are different from Jordanian young men. They all have to pay rent and have families to support. Jordanian young men live with their families and are just looking to get their pocket money and maybe getting married someday. We came here with a lot of prior commitment already and are doing it completely on our own. Working for ten hours at the local market will provide a much higher income than ten hours spent at a factory. (Syrian, entrepreneur)

Although manufacturing work is valued as a stable job, informal work often pays better. In general, focus group participants in Zaatari, who have their basic needs met inside the camp, were more favorable to the idea of working in low wage manufacturing jobs. Focus group participants who live in Amman and who have significant financial responsibilities, were more likely to prefer higher-paid informal-sector work as explained by a Syrian who owns an import-export business:

Ironically, the formality of manufacturing, which is sometimes seen as its advantage, can also be seen as its disadvantage. Because manufacturing jobs are formal, they are more carefully monitored than informal sector jobs, which many Syrians see as a risk. The following excerpt describes a commonly held concern:

I'm worried that if I get a work permit I will lose my cash assistance and then my boss will fire me after a few months. That way, I will end up with no income from either side and there will be nothing I can do about it. I can't stop my boss from firing me for no reason, and I wouldn't be able to ask UNHCR to put me back on cash assistance. (Syrian, agriculture worker)

The cash assistance is less than what we get if we are working in manufacturing, but at least it's guaranteed and consistent. If we work, then we lose the cash assistance. The job is more money but is likely to be temporary. It's not worth it. (Syrian, day labourer)

Like many Syrians, this man has been piecing together income from the UNHCR and informal work. His concern is not so much about the short-term income but rather the risk that he will lose all sources of income in a context in which there is no assured safety net.

Having a work permit entails participating in social security which, although intended as a safety net, is often seen instead as a tax. This view is explained by an official at the Social Security Corporation:

To the refugees, social security just means more money for the government and less for them. They don't see it as more than just a salary deduction. Syrians have no idea how long they'll be staying here and would leave the moment they get the chance. Why would they invest in something as long-term as social security. It's true that they can claim all their contributions back if they decide to leave, but I don't think they believe they would get them back. Social security is not the norm in Syria so it's very hard to instill the trust and awareness amongst them. (Representative of the Social Security Corporation)

In his explanation, the official at the Social Security Corporation highlighted several important points: that refugees may not have previous experience with the concept of a public retirement scheme, may not have faith that they will receive benefit from participation either because of lack of trust in the system or because they are so unsure of their future in general.

Retirement and insurance are important, but sometimes the small difference is what would allow me to get by for the rest of the month. I can't prioritize my future retirement when I have a family to support now. Also, who knows where I will be by the time I am eligible to get money from social security. I might be dead or even back in Syria. Who knows? (Syrian, manufacturing worker)

The view put forward by the official at the Social Security Corporation is confirmed by a Syrian who works informally in manufacturing:

7. Tourism

Introduction to the Tourism Sector

The tourism sector is an important sector in Jordan, in terms of its contribution to GDP, exports and employment (table 6.1). Jordan's tourism sector has a number of comparative advantages including its proximity to large regional markets, diverse landscapes and climates and the presence of major historical and religious sites. As a result, the sector has been identified by the Government of Jordan as a priority for further expansion. Jordan ranks 19th out of 144 countries regarding public sector attention granted to tourism.¹⁸¹

Table 6.1 Tourism economic impact indicators for 2016

	World	Middle East	Jordan
GDP direct Contribution	3.1%	3.3%	4.9%
GDP Total Contribution	10.2%	9.1%	19.4%
Employment: Direct Contribution	3.6% of total employment	3.1% of total employment	5.1% of total employment
Employment: Total Contribution	9.6% of total employment	7.6% of total employment	18.1% of total employment
Visitor Exports	6.6% of total exports	8.0% of total exports	37.1% of total exports
Investment	4.4% of total investment	7.2% of total investments	8.8% of total investments

Sources: World Travel & Tourism Council (2017a), World Travel & Tourism Council (2017b), and World Travel & Tourism Council (2017c).

The tourism sector has demonstrated strong resilience, despite ongoing challenges. A major challenge has come from regional instability. According to the Ministry of Tourism and Antiquities, the number of tourism arrivals has dropped by 35 per cent between 2010 and 2014.¹⁸² Nevertheless, tourism revenue increased during this period because of longer stays¹⁸³ and the number of workers employed in the sector increased by 21 per cent between 2011 and 2016.¹⁸⁴

Another challenge is to improve the quality of the sector to take advantage of the comparative advantages of Jordan. Jordan ranks 7th regionally and 75th globally in the Travel and Tourism Competitiveness index for 2017.¹⁸⁵ Industry leaders, cited in an Oxford Business Group study, argue that government-imposed costs on the sector are too high with an example being the high cost of tourist visas.¹⁸⁶ The National Tourism Strategy aims to improve the quality and competitiveness of the sector.

With particular regards to employment issues, the strategy aims to: (i) create 25,000 new tourism jobs; (ii) increase female participation by 15 per cent; (iii) train 5,000 new entrants and upgrade the

¹⁸¹ Al-Ghad (2016).

¹⁸² The number of visitors was 8.25 million in 2010 compared to 5.33 in 2014. Ministry of Tourism and Antiquities website. Available at <http://www.mota.gov.jo/Contents/StatisticsAr.aspx>.

¹⁸³ The decrease in visitors was primarily due to a decrease in day-trip visitors, while there was an increase in overnight visitors. Tourism revenue increased from JOD 2.42 billion in 2010 to JOD 3.11 in 2014. Ministry of Tourism website. Available at <http://www.mota.gov.jo/Contents/StatisticsAr.aspx>.

¹⁸⁴ The Ministry of Tourism and Antiquities cited in Al-Ghad (2016) indicated that there were 50,000 workers in the sector in 2016.

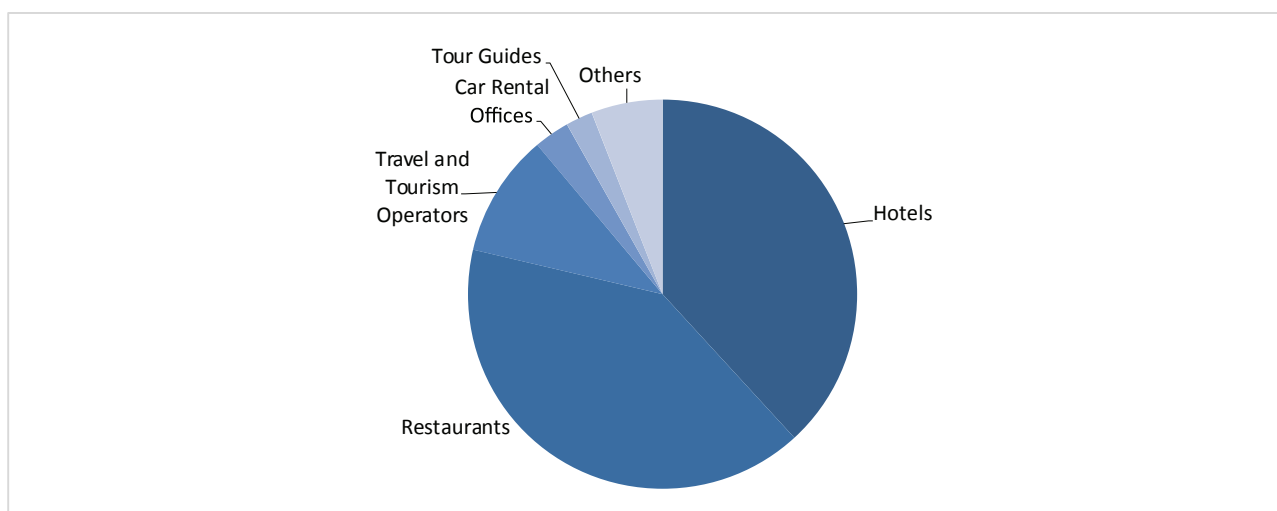
¹⁸⁵ World Economic Forum (2017).

¹⁸⁶ The cost of a tourist visa was doubled in 2014 from JOD 20 to JOD 40. Oxford Business Group (2015).

skills of 40,000 existing workers. The activities which are expected to lead to these targets include positioning the sector as an attractive career choice and providing professional education and accreditation. Significant progress has been made toward achieving the strategy's goals. A large number of training programmes have been created (including by the Vocational Training Centers and universities through support of USAID and licensing processes have been established for tour operators, tour guides and hotels).

The Ministry of Tourism and Antiquities provides updated statistics on the number of employed persons in the tourism sector (figure 6.1). As of 2016, employment in the tourism sector has surpassed 50,000, of which 83 per cent are Jordanians and 90 per cent are male. The present study focuses on the hotel and restaurant sub-sectors, which comprise the bulk of employment in tourism.¹⁸⁷ The number of classified hotels has increased by 19 per cent since 2010 and now includes 32 five-star hotels, 31 four-star hotels, 56 three-star hotels, 63 two-star hotels and 65 one-star hotels. Because of the large number of rooms, fully 60 per cent of hotel workers are in five-star hotels. The gender ratio of workers in the hotel sub-sector is similar to that of the tourism sector as a whole.¹⁸⁸

Figure 6.1 Distribution of workers in the tourism sector, by sub-sector



Source: Ministry of Tourism and Antiquities website. Available at <http://www.mota.gov.jo/Contents/StatisticsAr.aspx>. Accessed April 1, 2017.

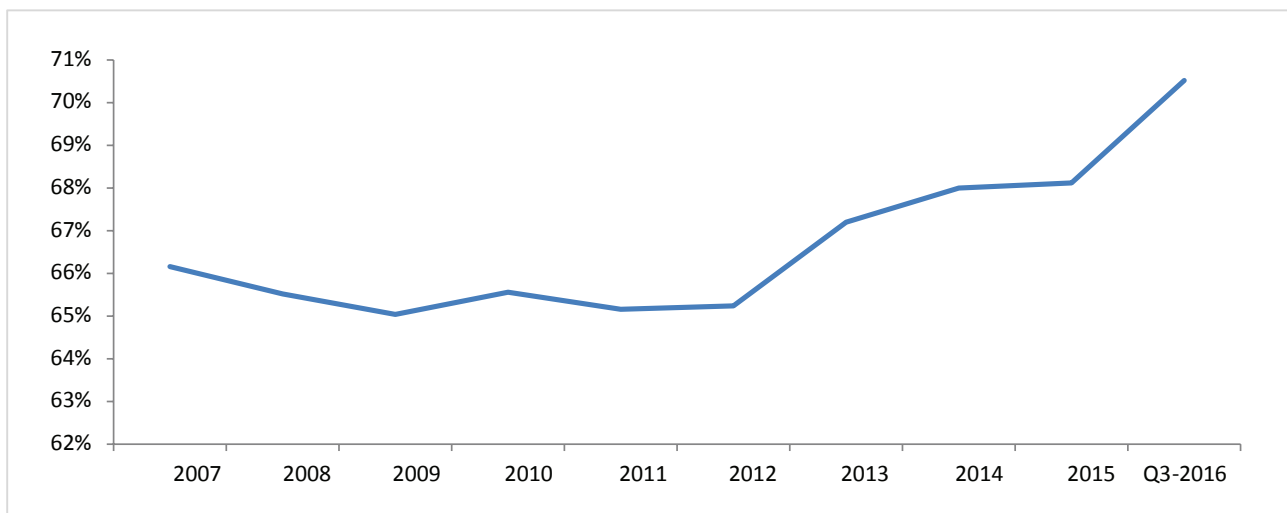
Tourism's Success in Attracting Jordanian Workers

The tourism sector is able to maintain a relatively high per centage of Jordanian workers, especially at the high end. In both hotels and restaurants, the share of Jordanians in the workforce has increased slightly since 2012. In the hotel sub-sector, Jordanians comprise about 90 per cent of all workers, and even higher in the high end (four and five star) hotels. The restaurant sector has seen a slight increase over time and currently Jordanians comprise over 70 per cent of workers (figure 6.2 and 6.3).

¹⁸⁷ We do not include restaurants that are not classified as tourist establishments. The number of workers in the non-classified restaurants is presumed to be greater than those working in tourism restaurants because the number of non-classified restaurants are greater. As an example, the establishment census conducted by DOS in 2012 showed that there are a total of 6,131 «restaurants, bars and canteens» in Jordan. Available at <http://web.dos.gov.jo/sectors/economic/economy/establishments-census/?lang=ar>. According to its website, the Jordan Restaurant Association (for tourism restaurants) «represents over 850 classified members including restaurants, entertainment cities, coffee shops, fast food, discos, bars, cabaret, and night clubs». It is likely that non-classified restaurants are less closely regulated and have less enforcement than do classified (tourist) restaurants. Available at <http://www.jra.jo/>.

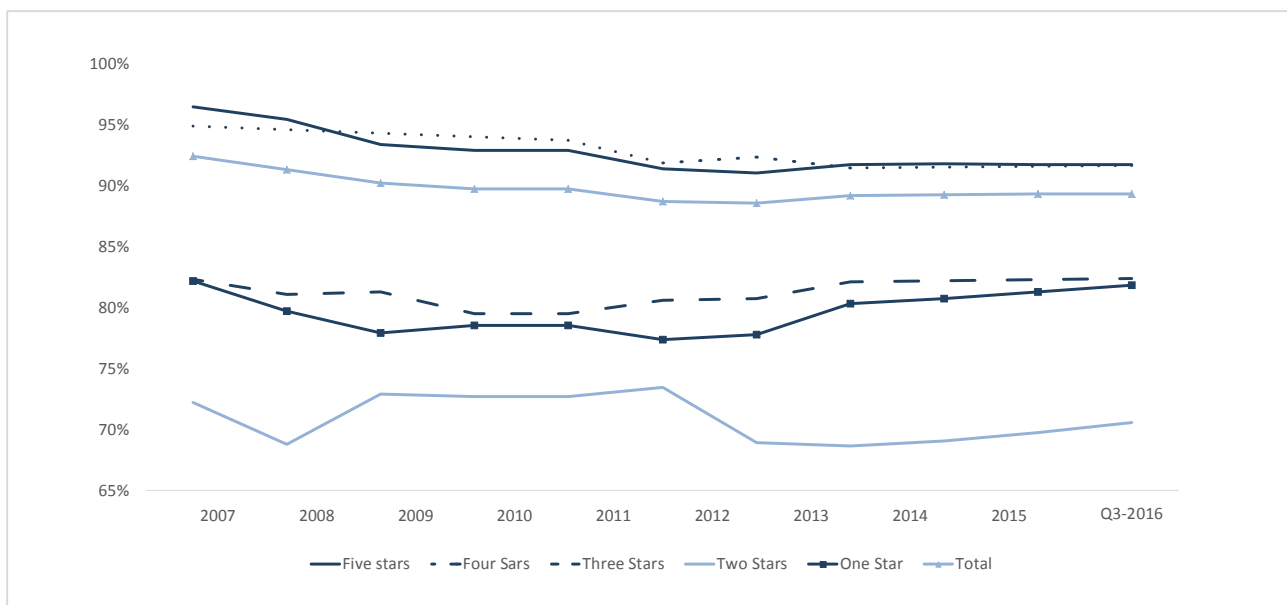
¹⁸⁸ Nine per cent of hotel workers are female. Ministry of Tourism and Antiquities website. Available at <http://www.mota.gov.jo/Default.aspx>.

Figure 6.2 Jordanians as a share of restaurant workers



Source: Ministry of Tourism and Antiquities website. Available at <http://www.mota.gov.jo/Default.aspx>. Accessed April 1, 2017.

Figure 6.3 Jordanians as a share of workers in hotels



Source: Ministry of Tourism and Antiquities website. Available at <http://www.mota.gov.jo/Default.aspx>. Accessed April 1, 2017.

When asked how the tourism sector has been able to attract such a high proportion of Jordanian worker, one long-time hotel manager, summarized it this way:

There are several reasons tourism attracts Jordanians. Jordanians are more aware now that the sector pays well. Related to this, there are now several very good training centers like Les Roches and Amoun and these build on the traditional Jordanian values of hospitality. And, in the hotel sector, it became difficult to get security approval for non-Jordanians since the bomb attack in 2005. (Hotel manager)

Do Jordanians look down on hospitality jobs? Not really. That's only a small percentage. (Hotel Human Resource Manager)

Indeed, the reputation of the sector as a good working environment is quite notable. In an interview with the Human Resources Manager at a five star hotel, he confirmed that most Jordanians see hotel work as providing good working conditions:

The Ministry of Tourism and Antiquities continues to work on the sector's perceptions among Jordanian workers. The Ministry is currently preparing a national plan for tourism awareness that will address students, local communities, workers, employers and others.¹⁸⁹

Jordanian workers confirmed that the sector has developed a reputation of providing good jobs, particularly in high-end hotels and restaurants. In a focus group discussion of Jordanians in five star hotels, 10 of the 15 participants had studied for a career in hospitality and the other five chose it because they feel it provides a good salary and good working conditions. The average salary among this group (which represented a wide range of job titles) was JOD 423 per month. All of the focus group participants have annual contracts, social security, annual and sick leave per the labour law. One participant spoke for the others in saying:

Work in this sector is good. Hotels provide better pay and more job security than other sectors.
(Jordanian hotel worker)

You meet a lot of foreigners, so it also improves our language.
(Jordanian restaurant worker)

Some of the customers have become my friends, so it's fun to work here.
(Jordanian restaurant worker)

Cooking has been a passion of mine since I was a kid. And now it's my job!
(Jordanian hotel worker)

While I joined this sector by coincidence, I enjoy the work I do and hope I can progress in the field.
(Jordanian hotel worker)

In addition to salary and job security, focus group participants indicated their satisfaction with the working conditions in general. The following comments were made by workers in both hotels and restaurants:

Although most Jordanians prefer working in high-end hotels and restaurants because the salary and prestige are usually higher,¹⁹⁰ some prefer lower-end establishments because they don't serve alcohol. In a focus group of workers in a three-star hotel, one worker expressed it this way:

We are proud to be working in this sector without having to deal with alcohol, despite the fact that the tips for workers in five star hotels are much higher because of the alcohol. But honestly, we do not want this "forbidden money."
(Jordanian hotel worker)

It's not that I mind this work. But I was trained in accounting. Unfortunately, when I worked in accounting, I was paid minimum wage. I can make more as a waiter, but I wish I could work in what I was trained for.
(Jordanian restaurant worker)

Some of my workers are unhappy in their jobs. A big problem we have in Jordan is that vocational jobs are seen as the last resort for those who failed their school studies. It's not seen as a choice.
(Jordanian restaurant worker)

When Jordanian workers indicated dissatisfaction with work in the sector, it was related to two factors: a perception among some that work in tourism represents a failure on their part because it is not what they trained for and the lack of a career path and recognition for good work. The desire to choose one's sector of training and work was clear from comments made by both workers and employers:

¹⁸⁹ According to the Ministry of Tourism and Antiquities representative interviewed for this study, The National Plan for Tourism Awareness is expected to be launched in May 2017. The plan will focus on perceptions and the organization of the sector to address the high turnover in the sector. The representative said: We need to make workers understand that there can be a career path in all sub-sectors of the tourism industry.

¹⁹⁰ In a focus group of Jordanians working in 3 star hotels, only one of the 13 participants has a written contract. The average pay was JOD 280. All are paid extra for overtime.

The issue of career path was raised by both Jordanian workers and employers, though they perceive the issue differently. One worker said:¹⁹¹

Housekeeping and steward jobs don't pay well – about the minimum wage. The job is tiring and I don't see any potential for career growth.
(Jordanian hotel worker)

They often have higher expectations and demands from the jobs; many fresh graduates and others do not accept jobs in housekeeping or stewards, but expect to be in higher positions from the start.
(Hotel Manager)

Many Jordanians do not understand the concept of career path. They will not accept to work for minimum wage, and usually want to become managers from day one.
(Representative of Jordan Education for Employment)

Jordanians working as housekeepers or stewards leave as soon as they find a better job/pay elsewhere.
(Hotel Manager)

One Jordanian worker requested a desk job only 2 weeks after being employed as a housekeeper. (Hotel manager)

Jordanians have higher expectations of job positioning and wages, and do not comprehend the idea of slowly getting a better wage or moving into a better position
(Hotel owner)

While workers say they are looking for opportunities for career growth, employers argue that workers have unrealistic expectations:

It is clear that the issue of career development is a key consideration. But it is equally clear that there is a disconnect between workers and employers that could usefully be addressed. It is important to note that workers view of career development and expectations are not only about salary and tasks. Closely linked in the minds of workers are recognition and treatment by employers. Focus groups of workers were asked what would make them more satisfied with their work:

To develop my career and get appreciated financially and morally.
(Jordanian hotel worker)

It would be better if salary increases were based on efficiency and competence.
(Jordanian hotel worker)

To perform monthly evaluations and recognize an employee of the month.
(Jordanian hotel worker)

The treatment by employers makes a big difference in how we feel about the job.
(Jordanian restaurant worker)

¹⁹¹ Lack of career path was considered acceptable for some of the youth focus group participants because they do not want to remain in the sector. Two of the five participants have contracts and none have social security. Hourly wages among those interviewed averaged JOD 1.25. Because the number of hours varies, monthly earnings range from JOD 160 to 200. One participant said: Its OK that I don't have social security. I'm young and will only be in this job for a little while.

The Role of Vocational Training

The issue of expectations and the fact that workers prefer to work in jobs aligned with their training are closely intertwined. As mentioned earlier, several private oriented training programmes have opened in the hospitality sector in recent years and that has been seen as a key to the sector's success in attracting Jordanian workers. The Jordan Hotel Association subsidizes the training provided by Amoun College, and helps place Jordanian graduates in jobs. The Jordan Education for Employment NGO provides training in both technical skills and the soft skills which are considered more important by the hotels (e.g. commitment and discipline, general communication, English language), funded by a variety of international and local organizations. The Ministry of Tourism and Antiquities itself provides training projects that are often linked to job placement and wage subsidies. Luminus Education, a privately operated holding company, operates several training entities, including Al Quds College, which offers vocational training programmes in hospitality. In an interview, the head of the employment hub explained the need for a curriculum that addresses the issue of expectations:

*The lack of quality training for Jordanians is still a big problem in hospitality. There is a mismatch between workers and employers because the workers don't usually get a good orientation about what the sector entails. In our trainings, we try to expose the students right away to the reality of the tourism sector in Jordan. For example, they have to know that some establishments serve alcohol and if that is a problem for the students, we encourage them to study to work in other departments they would be more comfortable in.
(Representative of Luminus Education)*

In the last year, the Government has made decisions that restrict hiring of non-Jordanians. That's Ok but if they are going to restrict hiring non-Jordanians, they should play a more active role in job-matching. We sometimes send job announcements to the Ministry of Labour but don't get any response.

(Hotel Human Resource Manager)

Maybe the Ministry of Tourism should do the job matching and offer recruitment services. The Ministry of Tourism can probably do this better than Ministry of Labour because the Ministry of Tourism can link with and between the training providers and employers.

(Hotel Manager)

Despite the recent increase in the number of programmes available, employers in the sector feel there is a large unmet need for Government to play a role both in training and especially in job-matching. This need has increased in the past year. As several new hotels and real estate development projects have opened recently, and with a lack of qualified workers, establishments are increasingly recruiting the staff of other hotels. Two hotel managers interviewed expressed their desire for increased Government support:

¹⁹² According to the Jordan Education For Employment website, 67 per cent of graduates remained in their jobs at least three months after the end of training. Available at <http://www.jefe.jo/>.

¹⁹³ The Ministry of Tourism and Antiquities' programme to train 200 Jordanians in Ajloun and Tafileh is an example of projects that link job placement and wage subsidies. The emphasis of the training is on communication skills and "work place readiness"/attitudes. The Ministry helps place graduates and pays the workers' salaries for the first year, based on an agreement that the employer will retain them for at least a year after the wage subsidy ends. This information is based on an interview with a representative of the Ministry of Tourism and Antiquities.

¹⁹⁴ According to the interviewed representative, the Ministry of Tourism and Antiquities is anticipating an increased demand for 9,000 additional workers in the coming few years as several projects come online. This will include positions for about 300 graduates of university-level tourism programmes as well as a larger number of others including unskilled workers, accountants and others.

There are very few women working in the tourism sector. Only ten per cent of all tourism workers are female, and nearly all of these are migrant workers (largely from the Philippines). In focus groups of unemployed Jordanian women, the majority said that they would not be willing to consider work in a hotel. Some said that they would be willing to work in certain jobs, but even then not at night. The main concerns raised were about their personal safety if they were in isolated areas with men as well as the general social acceptability:

I'd be willing to work in a hotel if it was in reservations, at the front desk or in food service. Of course, we can't work in housekeeping or room service – anywhere near the bedrooms. I'd be worried though that I might be forced to work a night shift, which is socially unacceptable.
(Jordanian female, unemployed)

I'd like to work in a hotel if it was in my city and if it is family-oriented. It would help me learn new skills and I would get to deal with a variety of people.
(Jordanian female, unemployed)

I wouldn't mind cleaning or cooking in a restaurant or hotel. It would help if I was working with a female crew.
(Jordanian female, unemployed)

She will be dealing with a lot of male strangers, and that is a problem. Also it's tiring.
(Jordanian hotel worker)

In all cases, I feel that the men should be the ones out working, not the women. So I would prefer it if she doesn't work, neither in this job nor in anything else.
(Jordanian restaurant worker)

As long as it's a morning shift, there is no problem. I will even encourage her to do so.
(Jordanian restaurant worker)

In our focus groups of Jordanian men working in hotels and restaurants, very few participants were open to the idea that their wives, sisters or daughters working in the jobs they do:

Of these, the only positive response was from a young man working in a café. And, even there, most of his colleagues objected.

Employers and the vocational training centers, by contrast, were welcoming of women in the sector. They understand the challenges, but make efforts to encourage women.

Women fear for their reputation working in a hotel. I had a female employee who was working as a trainer in the lady's gym. When she saw a relative of hers enter the gym, she went and hid in the bathroom for more than two hours.
(Hotel Manager)

Amoun Hotel Training College offers a 50 per cent discount for women to encourage their participation. Even with this discount female participation is still low at 10 per cent of the class.
(Representative Amoun Hotel Training College)

More can be done to get female Jordanians in the sector by awareness raising and explaining that this work is consistent with cultural values. Sometimes, women object to the uniform that hotels require. But, in fact, many of us employers are willing to customize a uniform for Jordanian women – so it's not revealing but still represents the brand of the hotel.
(Hotel Human Resource Manager)

Migrant workers in Tourism

Although tourism is generally viewed positively by Jordanian men, even in high end establishments, there are some jobs that are difficult to fill with Jordanians. Both Jordanian workers and employers confirmed that many jobs in housekeeping, stewards, food and beverage and warehouses – jobs for which the starting salary are around JOD 200 – are held by migrant workers. Employers often see migrant workers (most often from the Philippines and Egypt) as willing to accept lower wages and more disciplined:

Non-Jordanians are easier to deal with. They do a more precise job and are more disciplined. (Hotel Human Resource Manager)

There is no real difference between the technical skills of Jordanians and non-Jordanian workers, but the real issue is discipline. (Hotel Owner)

Foreign workers are better in positions like stewards and housekeepers because they are better at being on time. (Hotel Manager)

Non Jordanians bring down wages, because they accept lower salaries. Egyptians work a number of jobs alongside each other, and live in cramped accommodation with a large number of Egyptians and do not have their families with them, so they can accept less pay. Egyptians work longer hours because they do not have families here and no social obligations. (Jordanian hotel worker)

Egyptians tolerate bad attitudes and insults from the employer, but we do not. At the end of the day, the Egyptian is just a migrant. (Jordanian restaurant worker)

Several Jordanian hotel workers confirmed the lower wages accepted by Egyptians, as well as differences in willingness to work long hours and accept poor treatment by employers:

Egyptian workers themselves, view their advantage over Jordanian workers as due to willingness to accept poor treatment:

In Jordan, we have to accept if the employer treats us in a bad way, because we are not in our country and we have no right to just leave the job. That's why employers have high demand for Egyptian workers. (Egyptian hotel worker)

As Egyptians we are forced to tolerate any kind of work pressure since we are not in our country and need the money. (Egyptian restaurant worker)

The quota system does not really affect us in this hotel, but other branches that are not in the capital city would benefit from an increase in the quota as there are fewer qualified Jordanian workers available in areas outside of Amman.

(Hotel Human Resource Manager)

We abide by the quota and don't have any ghost workers. We have a high turnover among Jordanian workers. But we maintain the quota.

(Hotel Manager)

There is no restaurant that employs 65 per cent Jordanians. We find ways around it. I have my wife and daughter registered with the social security as worker in my restaurant. Everyone does it.

(Restaurant Owner)

I am forced to hire Jordanian workers, and they know this, so they have power over me. They abuse the situation and jump from one job to another. It's unlikely they will stay with me for even four months. To get around the problem of the quota, some of my non-Jordanian workers are not officially registered.

(Restaurant Owner)

As in other sectors, tourism businesses are required to abide by a system of quotas which set a maximum percentage of non-Jordanian staff. The specific quota applied depends on the type of establishment, with hotels permitted a maximum of 15 per cent non-Jordanians, while fast food restaurants can hire 20 per cent non-Jordanians and tourist restaurants can hire 35 per cent non-Jordanians.¹⁹⁵ Hotel and restaurant managers interviewed for this study expressed a range of views about the quotas:

Employment of unregistered (informal) migrant workers is a practice found even in high end establishments. In a focus group of 11 Egyptians working in 5 star hotels, the majority have work permits not connected to the hotel where they work, while two have work permits issued to the hotel and one does not have a work permit at all. In the focus groups of Egyptian workers, all had been working for the same hotel for at least several months. In other cases, hotels use hire informally only to cope with periods of peak demand. An interview with a Human Resource Manager confirmed their use of informal workers:

We hire informal workers by the day, sometimes through an agency and sometimes directly. We keep a list of casual workers that we call when needed when we have weddings or other big events.

(Hotel Human Resource Manager)

We mainly pay for our work permit for the first year, split the amount in half with the employer for the second year and, after that, the hotel covers the full cost of the work permit.

(Egyptian hotel worker)

I know a contract exists because it's required for official purposes. I've never seen it, though. My friends who work in construction sometimes see their contract but then it's taken away from them.

(Egyptian restaurant worker)

As the examples above demonstrate, there are a wide range of work permit arrangements. In another focus group of Egyptians working in 3 star hotels, 6 of the 12 have work permits in agriculture. The 6 who have work permits with the hotel for which they work were matter of fact about being asked to pay for the work permit themselves. They explained the system this way:

¹⁹⁵ According to an official at the Ministry of Labour, there is no difference in the quota depending on the number of stars, though the enforcement is stronger on five star hotels, saying "We can't overburden small hotels by enforcing these regulations."

Both employers and workers try to avoid inspectors finding workers who do not hold permits:

*If the inspector catches a worker at the hotel who do not hold a work permit, the hotel pays a fine and the worker is deported back to Egypt. One time just before the inspector arrived, my employer told me to act as a customer. So I ended up sitting at a table and ordering a free lunch! *laughing*
(Egyptian restaurant worker)*

*Most of my workers in the morning shift are Jordanians, because that is when the inspectors come. Inspectors never come in the afternoon or evening. When the Ministry of Labour inspectors come, they focus on whether or not we have non-Jordanians and how many. Of course there are many other inspectors who come from the FDA and the municipality.
(Restaurant Owner)*

*In my interview with a restaurant owner, I asked about inspectors. He said: "The inspections are not serious. If an inspector finds that you are exceeding the quota, whether you pay a fine or not depends on if you have wasta (connections) to get out of it. In cases where there is a mutual benefit, the inspector will not fine the restaurant at all." When I asked him to elaborate, he just said "No need to say more. Corruption is everywhere."
(Researcher field notes from interview with Restaurant Owner)*

*All the employers at this hotel treat us in a good manner. We are respected.
(Egyptian hotel worker)*

*Regarding overtime, it depends on the employer. Some do compensate for overtime and some do not. Our employer does not pay for overtime unless we put more than 3 hours extra effort, in which case we receive a small sum.
(Egyptian restaurant worker)*

*Some managers don't know how to deal with their employees. They think that they are superior and make you feel unimportant. Others are more respectful.
(Egyptian hotel worker)*

*Some employers would treat you with respect. My employer cares that I am comfortable in my job, because he knows that is one of the ingredients in productivity.
(Egyptian hotel worker)*

*My employer doesn't care much. Even if I am sick, it is compulsory to work the full hours.
(Egyptian hotel worker)*

*Depending on the employer, the manager may raise his voice and scold us. We remain silent because we are not in our country.
(Egyptian restaurant worker)*

Migrant workers report a wide range of wages and working conditions. Most of the variation seems to be due to attitudes of specific employers. In our focus group of Egyptians working in five star hotels, the average wage was JOD 265, while in our focus group of Egyptians working in three star hotels, the average wage was JOD 310.¹⁹⁶ More than half of migrant workers in hotels and restaurants indicated that they do not get paid more if they work overtime. Comments by focus group participants demonstrate the wide variation:

¹⁹⁶ The tasks were similar in the two hotels where the participants worked. In the five star hotels, the jobs included housekeeping, steward and janitor. In the three star hotels, the jobs included housekeeping, steward and gardener.

When asking what they would do if they had disagreements with their employer or wanted to quit the job, we heard a similarly wide range of responses as shown in the following comment and excerpt from field notes:

*In my previous work, I didn't receive my salary. But since I was working without a work permit, I did not have the right to object or go to court.
(Egyptian restaurant worker)*

*I asked focus group participants what they would do if they wanted to quit their job. A lively debate began with half of the participants saying they have the right to cancel their contract and the other half disagreeing. One said "I don't know. It depends on the employer himself. If he is a good person who understands people's situation, I might go talk to him and tell him that I am not happy with my work and he might allow me to leave if I repay anything he contributed to the cost of the work permit. Things are different from employer to employer."
(Researcher field notes from focus group discussion of Egyptian hotel workers)*

*The hotel keeps our passport as a guarantee so that we don't leave our jobs and travel to go work elsewhere. It's his right.
(Egyptian hotel worker)*

*If I had my passport with me, I might simply leave the employer after I get my salary. This would not be good for the employer.
(Egyptian hotel worker)*

*If I want to leave Jordan, I have to go back to my sponsor to ask for my passport. I am not free to leave whenever I want. That's the system.
(Egyptian restaurant worker)*

As in other sectors, the majority of migrant workers do not hold their own passport. Despite the fact that this practice is contrary to the Jordanian Labour Law, migrant workers rarely object to having their employer-sponsor or black-market-sponsor hold their passport. In fact, several participants believing it to be the employer's right:

In some ways, the migrant workers interviewed for this study face different issues than do Jordanian workers. The migrant worker workers were more likely to accept poor working conditions, in large part due to their work permit/immigration status. However, like their Jordanian counterparts, migrant workers very much value recognition and good treatment by employers:

*Most important thing for me is to be treated with respect, even if it's just the words "thank you."
(Egyptian hotel worker)*

*What do I want? Respect and good treatment by the employer. To be working according to the Jordanian law and get the same rights for vacations, a day off and working hours as the Jordanians.
(Egyptian restaurant worker)*

The Emerging Role of Syrians in the Tourism Sector

Syrians have found a niche in the restaurant sub-sector both at the high end and the low end. Employers are generally enthusiastic about hiring Syrians because of the reputation for being good cooks and good at customer service.

Syrians are good when it comes to preparing or serving foods and beverages. They are committed to this work and you feel that they actually enjoy restaurant work. Syrians are also more flexible when it comes to working hours. Not that they work more hours but they are willing to switch and change their schedule according to our needs -- unlike Jordanians who have other commitments.
(Restaurant owner)

An Egyptian can work the same task for ten years. The Syrian however, would learn the trade and manage his way up the profession in those ten years.
(Restaurant owner)

We can't replace Jordanian workers with Syrians because Syrians will leave the country. But there is a role for them in training and mentoring Jordanians. We might as well make use of them while they are here and transfer their skills to our youth.
(Restaurant owner)

I am working in this job because it's what I do. I used to be a sandwich specialist in Syria.
(Syrian restaurant worker)

It's a profession that allows for creativity and art. I am passionate about it.
(Syrian restaurant worker)

The employer's view that Syrians like cooking and customer service is confirmed by Syrians themselves. Most of the Syrian focus group participants said that they enjoy their work. When asked why they work in their jobs:

Despite the generally positive view of Syrian skills in hospitality, several employers expressed their hesitancy to hire Syrians:

Many establishments are hesitant to hire Syrians. This is mainly because they perceive Syrians as using the employer just to get the work permit. The employer is concerned that the Syrian would then go to another workplace or sector once they have the work permit.
(Restaurant owner)

I would hire a Syrian in my business any day since they are very polite and good with people. However, hiring a Syrian means we must match every Syrian we recruit with a Jordanian, which we cannot always afford to do. More recently, crackdowns for the MOL because very common and we are a reputable business so we can't have a reputation of hiring workers informally or not paying them social security.
(Restaurant owner)

We used to have 5 Syrians, but they all ended up in Germany, Holland and Canada. Inspectors rarely came back then. Inspectors come more often over the past year. The latest one was just a few weeks ago. An inspector, along with a police officer, came to us and asked me if we were hiring Syrians. I told him no, which is true. I'm not sure I'd hire Syrians now that inspectors are coming.
(Restaurant owner)

We are worried because we don't know about the background of Syrians. How do we know if they really know the work?
(Restaurant owner)

Like migrant workers, Syrians have a range of experiences with and views about work permits.¹⁹⁷ In some cases, their employers don't want to provide a work permit:

*At one of the restaurants I worked at in Amman, I didn't have a work permit because the employer had problems with his registration so he couldn't get us permits.
(Syrian restaurant worker)*

*Employers don't believe it's necessary to get us a work permit. Only after he saw me spend the night at the police station did he realize it was about time to get me one.
(Syrian restaurant worker)*

Some Syrians feel that the work permit is essential and will obtain one even if it is from a black-market-sponsor:

*I have a work permit and I think it's important. I am much more comfortable now with the work permit. I don't have to hide or run away.
(Syrian restaurant worker)*

*When we first got here we were able to get by without a work permit. But recently the crackdowns are large and it's a hassle to keep being dragged to the police station, so I ended up getting one. I didn't want the cash assistance anyways, but now I probably lost the chance to resettle elsewhere... looks like I will be here for a while.
(Syrian restaurant worker)*

*I couldn't get by without a work permit anyways. The easiest one to get illegally was the one through construction, so I bought it for JOD 500. I like it because now I'm not tied to my employer and I can leave the restaurant tomorrow. It also means I can walk around Amman more freely and if a police man stops me then I will just pull out my work permit. But I know that the guy made JOD 500 on it because it only costs JOD 10.
(Syrian restaurant worker)*

Other Syrians are concerned about the implications of obtaining a work permit:

*My employer can't get me a work permit. I also prefer not to be registered anywhere because I will not be comfortable being on the radar. You never know what might happen.
(Syrian restaurant worker)*

*My family decided it's not a good idea to get work permits because we are trying to leave the country. Having a work permit would make that harder.
(Syrian restaurant worker)*

*There are different schemes of splitting the work permit fees between us and the employer. Some employers are good and split the payment with you, while others make you pay the full amount – sometimes all in one payment.
(Syrian restaurant worker)*

*Last year I paid the whole amount of the work permit which was JOD 300. But the employer was nice enough to let me pay by installments, deducted from my salary each month. I am glad permits for us only cost JOD 10JDs now.
(Syrian restaurant worker)*

For those who have work permits, there are a wide range of arrangements for paying for the work permit, though generally workers have to pay at least part of the cost:

¹⁹⁷ In focus group of Syrians working at high end restaurant, all indicated that they have work. In a focus group of Syrians in low-end restaurants only one of 10 had a work permit. None have a contract written or oral. In focus group of low end four have work permits and six do not.

To a large extent, the views held by Syrian workers are based on consequences of having or not having work permits.

Most participants in the focus group discussion believe that if caught without a work permit they may be deported to Azraq camp. One participant, though, had a story which he shared with the others: "At the previous restaurant where I worked, I got caught and held at the police station all day. They released me at night and told me they will check back with the restaurant again to make sure I got a work permit. At first, they wanted to fine the employer, but then they agreed to just make him sign that he will get work permits for us."

(Researcher field notes from focus group of Syrian restaurant workers)

In the place where I used to work, neighboring businesses on the street would point to inspectors the places that employ Syrians.

(Syrian restaurant worker)

I got caught four times. The police take me to the station and make me sign something. I am there for three or four hours. The police officer sometimes threatens us that we will be sent to Zaatari Camp.

(Syrian restaurant worker)

Although Syrians have found a strong niche in the restaurant subsector, very few are working in the hotel subsector. The primary constraint appears to be difficulty in obtaining security clearances. In addition, hotels may be hesitant to make hiring commitments to workers who cannot provide references from previous employers or training certificates. The following comments and field notes explain the perceptions of Syrians, a five star hotel manager and a vocational training center.

All of our workers need security clearance before working in the hotel. For Syrians it can take months to get the approval. In most cases, hotels want to hire someone quickly, so we can afford to wait months for approval. For Jordanians and some other nationalities, the security approval is obtained quickly.

(Hotel Manager)

We can work in restaurants like this one which has five stars. But I don't think it's allowed for a Syrian to work in a hotel. Hotels ask for hospitality certifications. They won't hire workers without evidence of his training. I have also heard that Syrians are not welcome because of the security clearance.

(Syrian restaurant worker)

We mostly train Jordanians but we included 350 Syrians in hospitality trainings under an agreement with UNICEF. It's nearly impossible for a Syrian to work in a four or five star hotel because the General Intelligence Department rejects most of their security clearances. But there is huge potential for these trainees in restaurants and maybe two or three star hotels.

(Representative of Luminus Education)

8. Recommendations

Jordan faces several major challenges going forward. Nevertheless, the fact that Jordanians have adapted to changing circumstances before and the existence of solutions that benefit a wide range of stakeholders are causes for optimism. The employers, workers, Government and other stakeholders interviewed for this study not only clarified the challenges: they also provided many constructive suggestions that form the basis of the recommendations that follow, and which are furthermore underpinned by ILO decent work principles, guidelines and tools. To a large extent, the focus of these recommendations has been on creating incentives for compliance, rather than reliance on costly enforcement mechanisms.

Decent working conditions

The primary recommendation that emerged from fieldwork and the literature review is to deepen efforts to ensure clear and harmonized working conditions. The past several decades in Jordan have demonstrated the impacts of large numbers of non-Jordanians, who are available 24 hours a day, are often not compensated for overtime work, are often paid late, and perpetuate the economy's reliance on low-wage low-skill production methods. These impacts have included stubbornly high rates of Jordanian unemployment and an economy stuck in a low value-added, low growth equilibrium. Only when working conditions are harmonized at a decent level, will Jordanian workers be able to compete on a level playing field.

Several priority aspects of decent work emerged from the fieldwork:

- Addressing late payments by requiring electronic payment of wages into worker bank accounts or via a money-transfer company (box 1). This type of system has been adopted in a number of Gulf States (including Kuwait, Oman, Qatar and the UAE) and allows automated tracking of employer compliance with the Labour Law.¹⁹⁸
- Revising and enforcing payment of overtime wages. One of the primary reasons employers indicated for hiring migrant workers rather than Jordanians is because of the migrant workers' availability to work very long hours. By ensuring appropriate remuneration for overtime, incentives can be rebalanced.
- Harmonizing the minimum wage for Jordanian and non-Jordanian workers. Eliminating the large gap in wages would reduce employers' incentives to hire non-Jordanians rather than Jordanians.
- Enhancing capacity of the Ministry of Labour to deliver on its core mandate of advocating for and monitoring working conditions, including through social dialogue with employers and workers organizations, effective labour inspection in line with ILO Labour Inspection Convention, 1947 (No. 81) which Jordan has ratified, and through process re-engineering and improved computer systems.¹⁹⁹ In particular, the system can usefully be upgraded to support a case-management approach, linking the hotline with inspections and making the inspection system risk-based.

¹⁹⁸ Wage payment systems needs to be designed in a manner that incentivizes compliance by reducing time and cost of all involved. Early efforts at wage payment systems suffered from challenges such as bank reluctance to open accounts for small amounts of money, limited access to banks in remote areas and employer confiscation of ATM cards. More recent technological advances already available in Jordan, including JOMOPAY and the iris-scan system used to transfer cash to Syrian refugees, have resolved many of the early challenges.

¹⁹⁹ Improved compliance with decent work can be best achieved by policies that create the right incentives for employers and workers, and that only secondarily rely on enforcement mechanisms. For example, a simplified work permit system and adoption of an electronic wage payment system could free up Ministry of Labour inspectors to focus on address other aspects of their mandate including increasing face-to-face advocacy for workers' rights.

- Increasing enforcement of Occupational Safety and Health (OSH) regulations through labour inspections, through worker-employer committees, and through enforcement of regulations for employer-paid on-site OSH specialists. In government and donor-funded projects, OSH standards can be supported by allocating separate budgets for training, personal protective equipment and specialists, rather than including these items in bids that are used for contractor selection.²⁰⁰ These actions can help address the concerns of workers that some types of jobs (e.g. in agriculture and manufacturing) are dirty and unsafe.

- Job placement and certification programmes that link qualified Jordanians and non-Jordanian work permit holders with employers, including for part-time and short-term jobs. Such programmes address common complaints among employers that they are unable to find suitable Jordanian or Syrian workers.

We want to abide by this country's labour laws, but what are we supposed to do when we have some vacancies for over a year and we can't find Jordanians to fill them?

(Factory owner)

In the last year, the Government has made decisions that restrict hiring of non-Jordanians. That's Ok but if they are going to restrict hiring non-Jordanians, they should play a more active role in job-matching. We sometimes send job announcements to the Ministry of Labour but don't get any response.

(Hotel owner)

- Awareness raising for employers and workers. Fieldwork found many violations were due to a lack of knowledge of the regulations on the part of employers and to a lack of knowledge of existing support mechanisms on the part of workers. Awareness raising can be performed before employment starts (e.g. requiring short information sessions as part of the work permit process), at regular intervals (e.g. at work permit renewal), through inspections, and through public information campaigns.
- Building common ground between employer concerns over high turnover and insufficient worker commitment and worker concerns regarding career path and treatment by employers. "Respectful workplace" programmes can be developed in a wide variety of sectors with the aim of building constructive engagement with both employers and workers (as has already been achieved in the Jordanian garment sector through Better Work Jordan). Such programmes can include establishment of workplace committees, supervisor training, and assessments. Where useful, engagement can be further incentivized by provision of job-matching and worker training services (box 2).

²⁰⁰ When Occupational Safety and Health costs are included in the bids on which contractor selection decisions are made, bidders have incentives to skimp on essential items.

Box 1 The Wage Payment System

In an effort to reduce labour disputes relating to wages and ensure that employers pay wages on time, the United Arab Emirates introduced the Wage Protection System by Ministerial Decree (No. 788) in 2009. The WPS is an electronic system for transferring salaries to workers. It not only simplifies money transfer, but also provides transparency. Wage payment records are available to the Ministry of Labour, which can identify if wages have not been paid on time and make comparisons with employment contracts. This allows the Ministry to address payment issues before conflicts escalate as well as for employers and workers to have an official record in case of dispute. Further regulations have imposed penalties on employers who are delinquent in wage payments. Companies which fail to transfer workers' wages within a month of the due date are denied the right to have new work permits issued until wages are paid in full.

The WPS in the UAE has become a model for similar systems that have been introduced in Kuwait, Saudi Arabia, Qatar and Oman.

A similar type of system may be useful in Jordan to ensure compliance with the Labour Law's requirement of payment within 7 days of entitlement.

Wage payment systems needs to be designed in a manner that incentivizes compliance by reducing time and cost of all involved. Early efforts at wage payment systems suffered from challenges such as bank reluctance to open accounts for small amounts of money, limited access to banks in remote areas and employer confiscation of ATM cards. More recent technological advances already available in Jordan, including JOMOPAY and the iris-scan system used to transfer cash to Syrian refugees, have resolved many of the early challenges.

Other constraints to on-time payments also need to be addressed. In the construction sector, for example, small sub-contractors may have liquidity problems if their own payments from primary contractors are delayed. For more on the issue of speeding the flow of funds, see ILO (forthcoming a). In the domestic work sector, interviews indicated that some households recruit domestic workers despite having insufficient resources to pay wages. Insurance schemes and bank guarantees can be useful for this purpose.

Additional ways to increase employment of Jordanians

In addition to deepening efforts to ensure a clear and harmonized set of working conditions, several suggestions emerged that support increasing employment of Jordanian in general and encourage work for Jordanian women in particular:

- Continuing reform of vocational training and education, to support reentry of Jordanians into sectors that have become dominated by migrant workers. Specific areas of focus may include: enhancing the image of vocational trades as a legitimate career choice, career counselling during secondary school, early exposure to on the job experiences, and job-readiness (including knowledge of career tracks and communication skills).
- Continuing development of alternatives to traditional full-time permanent employment. Recently approved regulations allowing for part-time work are an important first step. Further efforts will also be helpful to ensure social security and other systems support a variety of working arrangements. This issue is particularly important for women (who often express desire for part-time work) but also for those engaged in short-term work (ranging from low-skilled day labourers to highly-skilled workers in the modern “gig” economy).
- Continuing development of affordable and reliable transportation. Among Jordanian men, one of the frustrations related to the labour market is the cost of transportation. Among Jordanian women, the time spent commuting was identified as an even more important constraint.
- Encouraging “female-friendly workplaces” and opportunities for working from home (box 3). In the garment sector, satellite factories have successfully addressed several of the issues that have kept women out of the labour force, including the desire to minimize commuting time and to work in female-friendly environments.²⁰¹ Where feasible without unsustainable subsidies, similar approaches can be considered for other sectors. In addition, programmes can be developed along the same lines as the “respectful workplace” programmes suggested above. In both cases, assessments and advice to businesses can be combined with recruitment services, worker training and/or small grants to modify physical facilities.²⁰²

*A big problem we have in Jordan is that vocational jobs are seen as the last resort for those who failed their school studies. It's not seen as a choice.
(Restaurant owner)*

*The fact that we are mostly female creates a comfortable environment that makes workers feel safe and keeps the turnover low. Our factory has developed a very positive reputation in the city. Families trust us and feel happy to have their women working here without concern. This is the secret to our success.
(Factory manager)*

²⁰¹ The Jordanian garment sector is primarily based in remote economic zones. These locations may be suitable for the large numbers of migrant workers from South Asia who live in dormitories at the factory site. However, the garment sector has had very limited success in attracting Jordanian (or Syrian) women who have family responsibilities. Where satellite factories have been established within cities, Jordanian women have entered the labour market and remained in their jobs even after marriage. The Government has subsidized many of these factories. Further analysis would be needed to identify the extent to which satellite factories can be profitable.

²⁰² Although female friendly workplaces are likely to have a significant share of female workers, complete gender segregation was not considered essential by most of the women interviewed. Interestingly, the issue of child care was not a major concern among the women interviewed for this study. Although quality child care at affordable prices is likely to be important for increasing female labour force participation, it did not emerge as the most urgent and immediate concern.

Box 2 Respectful workplaces and female-friendly workplaces

Workers and employers often want the same things even if they don't articulate it the same way. In interviews conducted for this study, many Jordanian workers said that they want a job in which efforts are rewarded through career advancement, wage increases and simply acknowledgement of a job well done. For their part, employers said that they want workers who take their job seriously and who don't quit whenever another employer offers a slightly higher wage. In other words, both sides want a long-term commitment and positive working relationship.

In one particular sector – garments – the Better Work Programme has succeeded in building on the common interests of workers and employers. When Better Work Jordan started in 2008, the garment sector was in crisis. Jordanian factories had a negative image among international buyers as a result of abusive treatment of workers. Better Work Jordan provides a package of assessments, advisory services and training involving workers and employers. Factory-level “Performance Improvement Consultative Committees” comprised of managers and worker representatives were established to provide a forum for identifying concerns and solving problems. Supervisor trainings were offered to help supervisors learn constructive human resource practices such as how to motivate workers. Evaluations of the Better Work Programme have found that the engagement has reduced incidents of sexual harassment, increased worker satisfaction, increased compliance with pay and working hours, and increased productivity – in some cases by as much as 22 percent. In response to the new agreement by the European Union and the Government of Jordan, the Better Work team is planning to expand into other sectors as well.

Another approach to addressing workers concerns about conditions is the satellite factories. In recent years, satellite factories have opened in secondary cities to address the common worker concern about commuting to work. In calculating the benefits of potential jobs, Jordanian and Syrian men are keenly aware of the cost of transportation. Among women, the time spent commuting was a key consideration. Both cost and time concerns have been addressed by locating factories within communities. Moreover, the satellite factories have been successful in creating female friendly work environments by hiring female supervisors and a majority-female work force. More research is needed to know the extent to which the satellite approach can be expanded without reliance on unsustainable subsidies.

There may be opportunities to bring lessons from the Better Work Programme and the satellite factory approach to other sectors as well. The fundamental principle of building on common interests of workers and employers through assessments, advisory services and training can be usefully expanded in tourism, construction and other sectors. Where useful, “respectful workplace” and “female-friendly workplace” programmes can be combined with job matching and small grants.

Modifying policies governing migration and work permits

A key recommendation raised by interviewees is to realign migration and work permit regulations to (i) enhancing internal labour market mobility and improve the investment climate by making the work permit the responsibility of the non-Jordanian worker²⁰³ and (ii) carefully control any further additions to the stock of newly recruited migrant workers from outside of Jordan.

- For refugees and migrant workers already in the country, internal market mobility can be enhanced by making the work permit application the responsibility of the non-Jordanian worker.²⁰⁴ The simplest mechanism would be to have workers interact directly with the Ministry of Labour as is currently being done in Bahrain (box 3). This approach minimizes administrative costs and bureaucratic burden as well as opportunities for rent-seeking behavior. Alternatively, responsible third-parties (e.g. NGOs or international agencies) could serve as intermediaries, building on the Agricultural Cooperative pilot. This approach will require oversight and funding to ensure effective third-party participation. In all cases, a system that is employment-based rather than employer-based, allows the Government to hold the worker directly accountable for their migration and work permit status. In such a system, employers would remain accountable for hiring only permit-holders and only within open occupations and quotas.²⁰⁵ This approach has several advantages: freeing up Ministry of Labour inspectors to focus on working conditions; increasing the share of the labour force over which Government has effective oversight; reducing worker's vulnerability to exploitation; and improving alignment of the labour force with market needs (including short-term and part-time employment).

We need to find a mechanism where the worker can easily move from one employer to the other. Currently the kafeel controls the worker. If the worker is independent, this offers flexibility to the contractors who can hire workers on a short-term basis from a pool of legal migrant workers without the obligation of one year employment.
(Construction contractor)

If the Ministry of Labour or another respected entity act as our sponsor, we would be happy to pay 900 dinars per year for a work permit to work freely with various employers without constant fear of inspectors and deportation and without being abused by our (black-market) sponsors.
(Egyptian, construction worker)

We want the Jordanian Government to give us work permits without specifying an employer. We don't want to go through (black-market) brokers who could give us forged permit. We want to go to a government agency and process our own permits. We trust the Government but we don't trust the brokers.
(Syrian, construction worker)

²⁰³ Work permit fees should be reasonable, and based on the 'employer pays' principle of recruitment in line with ILO Convention 1997 (no. 181) and the ILO General Principles and Operational Guidelines for fair recruitment, while expanding the scope of the work of the Public Employment Service to accredit and supervise placement agencies. See: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/genericdocument/wcms_536263.pdf.

²⁰⁴ For further discussion of enhancing internal labour mobility, see ILO (2017).

²⁰⁵ Consistent with the Labour Law, employers would be expected to pay permit fees indirectly through wages.

Box 3 The Bahraini approach to work permits

In a pilot that started in April 2017, the Bahraini Labour Market Regulatory Authority now issues work permits directly to migrant workers in irregular situations. The system of “flexible work permits” was developed as part of a labour market reform programme to adapt to evolving needs of the private sector and to avoid black-market work permits.

Flexible work permits are exclusively available for migrant workers who are already in the country. Through this system, workers obtain their permits directly from the Labour Market Regulatory Authority and pay work permit and social security contributions themselves. The work permits are valid for two years and allow workers to seek employment from businesses and individuals including short-term and part-time employment.

The flexible work permit system was approved by the Bahraini Cabinet in 2016 and, for the time being, is restricted to issuing 2,000 such permits per month. While the impact of this initiative is yet to be determined, it holds promise.

The Jordanian Ministry of Labour took a step in the direction of flexible work permits, when it began allowing agricultural cooperatives to sponsor work permits for Syrians in that sector. The Bahraini system takes a step further by avoiding the intermediary, by expanding flexibility beyond one particular sector, and by allowing mobility of workers among sectors. Additional mobility in Jordan would be particularly responsive to private sector needs for seasonal shifts among sectors and for formalizing self-employment activities.

- Additional measures are needed to address recruitment of migrant workers from outside of Jordan. Given the large number of migrant workers and refugees already inside Jordan, any additional recruitment from outside of the country should be carefully considered, with permission given only if business needs cannot be met using the existing supply of labour. There will, nevertheless be an ongoing need to recruit a small number of migrant workers from outside Jordan to replace some of those who return home. Any migration policy will need to address the costs associated with recruitment and a mechanism is needed to protect both the employer who pays these costs up front and the worker who should be able to leave unsatisfactory employment and be ensured physical mobility. Several alternatives exist including insurance schemes to protect employers (as is already the case in the domestic work sector in Jordan) and unilateral termination of contract with due notice (see UAE’s Ministerial Decrees of 2016).²⁰⁶ See box 4.

²⁰⁶ In all cases, enforcement of migration policy should be separated from enforcement of labour law and regulations. Meanwhile, migration policy should be enforced in a manner consistent with due process, including allowing migrant workers to remain in the country while legal cases are being processed.

Box 4 Insuring recruitment costs

Under the sponsorship systems common in the Middle East, employers are expected to recruit migrant workers from outside of the country and to pay all cost associated with recruitment – including fees to agencies, airfare and work permit fees. Surveys find that employers are concerned that they will lose the large investment they have made if workers find a different employer or run away, and that the need to protect the investment is a primary reason for restricting worker mobility and passport confiscation. Cases of workers running away from employers have not only created problems for employers and workers, but also for recruitment agencies who are sometimes asked to bear the associated costs.

An innovative scheme to address the concerns of employers, workers and recruitment agencies was introduced in Jordan in 2015. The insurance scheme, currently being applied in the domestic work sector, provides support to employers to recover recruitment investments if a worker terminates employment. Specifically, the insurance reimburses employers for financial losses resulting from a worker leaving or refusing to work, accidental injury or death of the worker, and medical coverage in case of worker hospitalization. Employers are not reimbursed if they are deemed responsible for physical assault, beatings, forcing the worker to work outside the house, non-payment of salary or non-renewal of the insurance scheme. Regulations issued in 2015 require proof of insurance prior to obtaining a work permit for new domestic workers.

This innovative approach is considered an important breakthrough by the Ministry of Labour, the Public Security Directorate Anti-Trafficking Unit, and the Recruitment Agencies Association. Pending an assessment of the impact of the scheme, along with possible adjustments to increase effectiveness, such an approach might usefully be expanded to other sectors as well.

Labour market access for Syrians

Much has already been done towards the goal of providing labour market access for Syrian refugees. The existing policies can be usefully continued and expanded to support Syrian workers to shift into formal work, including:

- Consider labour regulations to address the specific situation of refugees (as distinct from migrant workers). For example, because Syrians often prefer entrepreneurial/self-employment activities, a modified registration system that allows Syrians to formalize their employment status (without unfair competition with Jordanians) could benefit all stakeholders as well as addressing essential security concerns. Furthermore, efforts to formalize Syrian workers will need to consider the affordability of fees.
- Expanding programmes that provide training, certification of prior skills and job matching for Syrians. These help Syrians to refine their skills to suit Jordanian production methods as well as to establish themselves in the Jordanian labour market.

We can work in restaurants like this one, which has five stars. But hotels ask for hospitality certifications. They won't hire workers without evidence of this training.
(Syrian, restaurant worker)

We are worried because we don't know about the background of Syrians. How do we know if they really know the work? And all of our workers need security clearance. For Syrians it can take months to get the approval. In most cases, hotels want to hire someone quickly, so we cannot afford to wait.
(Hotel owner)

- Developing a mechanism for Syrians who are able to sufficiently support themselves through work to graduate from humanitarian aid. Harmonizing the targeting and benefits for Syrians with the programmes available for vulnerable Jordanians would have the added advantage of correcting the perception on the part of Jordanians that Syrians receive more generous support than do their Jordanian counterparts.

We can work in restaurants like this one, which has five stars. But hotels ask for hospitality certifications. They won't hire workers without evidence of this training.
(Syrian, restaurant worker)

We are worried because we don't know about the background of Syrians. How do we know if they really know the work? And all of our workers need security clearance. For Syrians it can take months to get the approval. In most cases, hotels want to hire someone quickly, so we cannot afford to wait.
(Hotel owner)

- Providing information to reduce resentment, which is often fueled by misinformation. Clarify regulations regarding Jordanian and non-Jordanian work policies (including letting Jordanians know that there are regulations in place to benefit them such as closed occupations and quotas). Clarify the extent of Syrian cash assistance, which is in fact less generous than commonly believed.
- Enhancing opportunities for camp residents to work outside the camp, in the nearby industrial zone. This will require smoothly-functioning processes to leave and enter the camp, as well as job matching and transportation programmes. Although efforts have already been made in this area, many Syrians who want to work in manufacturing report that they have not been contacted by any entity.
- Reassessing security clearance issues for Syrians. Currently Syrian work opportunities are constrained in agriculture because they are prohibited from parts of the Jordan Valley and in hotels because employers are unable to wait through the lengthy clearance process.

There are some areas in the Jordan Valley that are restricted for Syrian nationals, so we can't hire them. We can only use Egyptian or Jordanian workers in these areas.
(Farm labour recruiter)

Sector-specific suggestions

In addition to the system-wide suggestions outlined above, key informants and focus group participants identified several sector-specific suggestions, including:

- Developing a regulatory framework for agriculture to specify working conditions (including hours of work, remuneration, Occupational Safety and Health standards and enforcement mechanisms).

- Encouraging adoption of modern techniques that increase labour productivity, especially in construction and agriculture. Such techniques can increase both profits and wages, make tasks more acceptable to Jordanian workers, contribute to economic growth and address sustainable development goals (e.g. energy-efficient construction and water-saving agriculture).²⁰⁷

Government should encourage use of machinery. Some of the work Egyptians do could alternatively be done by Jordanians using machines. Pesticide and fertilizer application, green house installation, things like that. Things that Jordanians and Syrians don't want to do now – not the way Egyptians do it. Using equipment – even simple tools or anything that requires more sophistication and less brute force -- would make more Jordanians willing to work in agriculture.
(Farm owner)

After we imported the manure spreader machine we started saving 30 per cent on our cost. When using those special nozzle turbo sprayers we saved over 40 per cent on pesticide spraying costs. We can pay more to our workers and still be competitive in the market.
(Farm owner)

Generally speaking mechanizing any aspect of construction leads to employing more Jordanians. Using machines, systems or equipment reduces manpower needed but requires higher skills. And the majority of skilled construction workers are Jordanian.
(Construction contractor)

- For the domestic work sector, pursuing measures that address the unique challenge of the sector including (i) periodic face-to-face meetings with workers and employers as a substitute for inspections and as an opportunity to inform households and workers about rights and responsibilities; (ii) completion of the proposed shelter for housing workers while disputes with employers are being resolved; (iii) establishment of centers for domestic workers to come on their day off; and (iv) permitting recruitment only from countries that provide sufficient support and protection to their own nationals.

It is a fact that household inspections are not going to happen and won't bring the required results and will create social problems with households. Office-based inspections – not based on any complaint -- could request both the worker and employer to attend and both will be asked about the work but in separate rooms. This will help regulate the market because people are less prone to violate the law if there is follow up from Ministry of Labour. This sort of inspection can also follow up on expired contracts. I think it would solve 70 per cent of the problems.
(Ministry of Labour representative)

- Supporting alternatives to the full-time, live-in model of domestic work. Although Jordanian and Syrian women interviewed for this study were generally unwilling to accept full-time, live-in employment, there are opportunities to get both groups involved in alternative models of domestic work. Such alternatives include provision of daycare and care for the elderly as well as supplying households with home-cooked meals. In some countries, housework performed by teams rather than by individuals has also proven effective in addressing concerns about personal safety.

Jordanians and Syrians can't replace sleep-in domestic workers. But there is potential in services like nursing old people, cooking, babysitting and part-time cleaning. Employing Syrians can be of value added as they are already residing in the Kingdom and require no travel expenses. But there would need to be flexibility in issuing permits for part-time or less than a one year contract. Also recruitment is currently only allowed by licensed agencies. Perhaps we can let Syrians work directly with the employer. Or service companies can expand their business beyond working for companies.
(Ministry of Labour representative)

²⁰⁷ The choice of appropriate levels of labour-intensive vs. skill-intensive production techniques needs to be context specific. If techniques are too skill or capital intensive, the number of jobs created will be small. On the other hand, if techniques are too labour-intensive, the targeted groups may not benefit and the economy may not make the desired transformation. Likely, a combination or approaches or an intermediary approach will be required.

- Reviewing quotas and closed occupations to ensure regulations are consistent with nationalization of the workforce and economic growth, through a consultative process involving social partners. In construction, for example, consider application of the quota over the course of a project or a year, rather than at every given moment in time to address contractors' concern that different stages in the project require different types of skills.

*It is very difficult to maintain the 5050/ ratio all the time. We don't hire people permanently. We hire most of our staff on projects. Different stages of project implementation require different mix of skill-set and given that there are no Jordanians in certain occupations, the nature of the project stage dictates the nationality breakdown. So during concrete and foundation work, the majority are Egyptians and foreign workers. Once foundation is complete, we work on internal finishing or other components where technicians are needed. In this stage the majority are Jordanians.
(Construction contractor)*

Support by the international community

The international community must contribute its fair share to the long-term welfare of Syrian refugees and to support Jordanians cope with macroeconomic shocks that resulted from regional crises. Many of the above recommendations lend themselves well to international support – either by funding Government programmes or through direct project implementation. In particular, the international community can provide funding and technical assistance for implementation of the proposed electronic wage payment system (to address compliance with the law on on-time wage payment) and Ministry of Labour modernization (to improve decent working conditions for all and to increase employment of Jordanians). The international community can also provide support – either through the Government of Jordan or direct project implementation – in several other areas. First, there is large scope for initiatives that promote decent work and inclusive economic growth including through “respectful workplace” and “female friendly workplace” programmes in a variety of sectors. Second, the international community can encourage productivity-enhancing modernization in sectors such as construction and agriculture through a range of projects and programmes. Such projects and programmes could provide urgently needed counter-cyclical investments and job creation for Jordanians and Syrians, as well as contributing to the longer-term goals such as energy-efficiency and water-saving agriculture. Moreover, the international community can address relevant concerns throughout all of its projects, not only through directly labour-related programmes. For example, conditions of tender for construction projects in all sectors can build in mechanisms to promote prompt payment and Occupational Safety and Health.²⁰⁸

²⁰⁸ A variety of mechanisms are available to address these issues. Prompt payment of subcontractors and workers can be addressed through subcontractor-payment-systems (as is done on projects of the Seoul Metropolitan Government) as well requiring electronic payment of workers. Occupational Safety and Health concerns can be addressed by taking costs of training, protective equipment and monitoring out of the competitive bidding process. See ILO (forthcoming a).

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Appendix A: Process and Ethical Guidance For Focus Group Discussions

Project Research Protocol

Preparing for the FGD

- *Finding participants.* FGDs should be comprised of similar individuals, so it is useful to hold separate FGDs for different types of workers. It is important to get the views of the most vulnerable workers including those without residency permits. NGOs that work with vulnerable workers can help identify such workers as can similar, but less vulnerable workers. For example, Bangladeshi housekeepers who have iqamas may know Bangladeshi housekeepers without iqamas. Contact each participant in advance to confirm their participation.
- *The FGD location and time.* Workers will be better able to participate outside of working hours and away from their employers. For example a park near the office immediately following work or a union office on a weekend might work. Ask what time and place is most convenient for them. Do not hold FGDs in the presence of employers. Plan about 3-4 hours for the discussion. You should provide snacks and transportation if helpful. Budget is available for these. Bring a recording device (e.g. a smartphone) as well as pen and paper. Even if you use the recording device, also use the pen and paper to jot down key ideas and numbers (e.g. how many participants share a particular experience or viewpoint.)
- *Setting up a comfortable atmosphere.* Set up the seating arrangement to avoid hierarchy. Sitting in a circle is preferable. Try to dress and behave in a way that makes the participants comfortable.

Starting the FGD

- *Welcoming participants.* Welcome each participant and set a friendly tone. Explain that the discussion will last about two hours. Explain that the purpose of the FGD is to understand the work situation in Jordan and that the information will be used to make policy recommendations. Be clear and honest to avoid unrealistic expectations that you can solve any of their individual problems.
- *Ethical research: Informed consent and the principle of do no harm.* In some cases, participation in FGDs can get participants in trouble with their employers or the discussion can influence the decisions they make. Researchers must keep in mind what is best for the participant and that participation is voluntary. The following may be useful for obtaining consent:
 - o “You can choose whether or not to participate in this discussion and you can stop at any time. Your responses will be anonymous – no names will be used in the report.
 - o There are no right or wrong answers to the questions. I want to hear many different viewpoints and would like to hear from everyone. I hope you can be honest even when your responses may not be in agreement with the rest of the group. In respect for each other, I ask that only one person speaks at a time and that you don’t repeat things you hear here outside the group.
 - o If you are willing, I would like to tape record the conversation to help me remember better.
 - o Are you willing to participate? Are you willing to let me record the conversation?”

Pause and wait for responses from each participant. If participants do not respond, ask them individually. Throughout the FGD, avoid asking invasive questions if it is clear the participant would rather not answer.

- *Urgent issues.* Be aware that the discussion could trigger traumatic memories. If this happens, comfort the participant. Refer the participant to Tamkeen Legal Aid, where they can obtain legal and psychosocial support. The numbers are: 079-640-4406 and 078-851-0027 and 077-522-2070.
- *Record FGD basic information.* Record the number of participants (by nationality and gender and other relevant distinctions) along with location and any observations on the environment or mood on the FGD Basic Information sheet.

During the FGD

- *Managing time.* You will need to manage the time well to get through the essential research questions (which are numbered in the interview guides). Additional questions are included in the interview guides only if time allows. You will need to strike a balance between keeping the discussion moving and at the same time ensuring the participants feel comfortable and not rushed.
- *The role of the researcher is to listen.* You should speak only enough to stimulate the group's responses. Avoid the temptation to fill silence. Pause and allow participants to think about their responses. Avoid the temptation to agree or disagree with any participant. Do not attempt to correct
- *Participation.* Encourage all to participate. Deal tactfully with dominant participants. If one participant is dominating or rambling, you can stop eye contact with them and say "Thank you. What do other people think?" Conversely, you can encourage shy participants by making eye contact, smiling and asking a question directly to them.
- *Gathering information.* The purpose of the FGD is to gather information. It is not to resolve differences of opinion. It is not to solve individual's problems. If individuals ask for your help in solving their problems, refer them to NGOs that can help them rather than giving advice yourself.
- *Clarity.* The most useful information will be that which is clearest. Focus on facts and specific examples. Listen for inconsistent or vague comments: summarize and ask for clarification and details. Where possible, quantify responses such as the number of participants that have had a similar experience. Listen and record quotes that capture common viewpoints well. Also note viewpoints that are very different from the median and/or may offer new/deeper insights (possibly to be explored further).
- *Ending the discussion.* Make sure to thank participants at the end and to reiterate that their responses will be kept anonymous. If you are trying to find participants for additional FGDs, you may want to ask the participants for their help.

After the FGD

- *Preparing notes.* As soon as possible after the FGD, prepare your written notes. In preparing your notes:
 - ▶ Think about both the actual words used by the participants and the meanings of those words. A variety of words and phrases will be used and the analyst will need to determine the degree of similarity between these responses.
 - ▶ Participant responses were triggered by a stimulus--a question asked by the moderator or a comment from another participant. Examine the context by finding the triggering stimulus and then interpret the comment in light of that environment. The response is interpreted in light of the preceding discussion and also by the tone and intensity of the oral comment.
 - ▶ Internal consistency. Participants in focus groups change and sometimes even reverse their positions after interaction with others. When there is a shift in opinion, the researcher typically traces the flow of the conversation to determine clues that might explain the change.
 - ▶ Frequency of responses. Some topics are discussed more by participants (extensiveness) and also some comments are made more often (frequency) than others. These topics could be more important or of special interest to participants. Also, consider what wasn't said or received limited attention. Did you expect but not hear certain comments? Record individual views that are very different from the median and that may, nevertheless, offer interesting new angles/insights, possibly to be explored further through an in-depth interview.
 - ▶ Intensity. Occasionally participants talk about a topic with a special intensity or depth of feeling. Sometimes the participants will use words that connote intensity or tell you directly about their strength of feeling. Intensity may be difficult to spot with transcripts alone because intensity is also communicated by the voice tone, speed, and emphasis on certain words. Individuals will differ on how they display strength of feeling and for some it will be a speed or excitement in the voice whereas others will speak slowly and deliberately.
 - ▶ Specificity. Responses that are specific and based on experiences should be given more weight than responses that are vague and impersonal. To what degree can the respondent provide details when asked a follow up probe? Greater attention is often placed on responses that are in the first person as opposed to hypothetical third person answers.
 - ▶ Identifying the big ideas. One of the traps of analysis is not seeing the big ideas. Step back from the discussions by allowing an extra day for big ideas to percolate. For example, after finishing the analysis the researcher might set the report aside for a brief period and then jot down the three or four of the most important findings. Assistant moderators or others skilled in qualitative analysis might review the process and verify the big ideas.

- ▶ Format. Focus group data can be synthesized in table format. See below for an example from a FGD about weight gain during pregnancy:

What Women Think They Should Gain	<p>Women look to their doctors for guidance about weight gain during pregnancy. Most believe they should gain no more than 35 pounds.</p> <ul style="list-style-type: none"> • Most frequent response: whatever the doctor says • Next most frequent response: 25 to 35 lbs • Next most frequent response: 40 to 50lbs • Next most frequent response: 20 to 30 lbs
Many Women Want to Stay At The Low End of Normal	<p>Although most women agree with the recommended weight gain guidelines they received from their provider or read in a pregnancy guidebook, many set a threshold for their own weight gain that generally coincides with the lower end of the recommended range. The desire to keep weight at the low end of normal was more characteristic of Caucasian women than Hispanic women.</p> <ul style="list-style-type: none"> • <i>"When they told me 25 to 40 pounds I thought that was a lot"</i> • <i>"I'd love to stay on the low side of the normal range so I don't have to lose so much afterwards."</i> • <i>"The doctor said 25 to 35 but I don't want to go over 25"</i> • <i>"I gained 20 pounds in 2 months after not gaining anything because I was puking all the time. Now I'm freaking out. I don't want to gain more than 5 pounds more. I don't want to have to lose all that."</i> • <i>"I'm active. I swim a lot and walk every day. So I'm behind but I'm not worried. I just don't want to gain more than 25 pounds."</i>

- ▶ Storing your notes. Upload your notes the dropbox as soon as possible. Store any handwritten notes and audio recordings in an organized place, clearly marked to identify the focus group date, place, etc.

Appendix B: Interview guide for employers

Note to researcher: The essential questions to cover are numbered. You will need to allocate the time appropriately to ensure you get through all of the numbered questions. Additional questions are provided below to use only if you have enough time.

Section 1: Introduction

My name is xxx. I work with the ILO on a study on the Jordanian labour market. The results of this study will be used to generate practical recommendations for improving the quality of work for Jordanians, refugees, and migrant workers.

Thank you for agreeing to participate in this discussion. We are trying to understand the challenges you face with regard to three categories of workers: Jordanian workers, migrant workers (Egyptians, Bangladeshis, Sri Lankans, Filipinos, etc.) and Syrian workers. Please be assured that the information you provide will remain anonymous and confidential and will be used only in an aggregated manner and only for the purpose of generating recommendations.

Section 2: Differences among nationalities

1. *Do you primarily hire Jordanians, migrant workers or Syrians? Does it depend on the specific task? If so, how? Try to get specific numbers, or percentages, disaggregated by occupation if possible.*
2. *What are the reasons for this hiring pattern? Allow the interviewee time to think about this issue before probing further. Probe this issue as much as possible.*
 - o *In your experience, are there differences between Jordanians, migrant workers and Syrian workers in terms of their technical skills?*
 - o *Are there differences in terms of the pay they are willing to accept?*
 - o *Are there differences in terms of the hours they are willing to work?*
 - o *Are there differences in terms of the conditions they are willing to work in?*
 - o *Are there differences in attitudes about what kinds of work are “honorable” or “degrading”?*
 - o *Are there other differences you think are important in terms of the workers themselves?*
3. *Explain system of quotas and Jordanian-only occupations are related to the sector. Are you aware of this system? Has it had any impact on your business?*
 - o *Have you ever been constrained in hiring the workers you wanted to hire because of the limitations of quotas or Jordanian-only occupations? If so, what did you do? Did you look for other workers to stay within the system? Did you find creative ways around it (e.g. saying that a worker was a cleaner when in fact they were doing a different type of work, or having Syrians pay social security of Jordanian ghost workers)? Did you get an exception/special permission to hire despite the quotas or Jordanian-only occupations?*
 - o *Do you think the labour quotas should be revised? If so, how?*

Additional questions:

- ▶ *The Government has done a few things – on a temporary basis – to give employers incentives to hire Syrians, including making work permits free for Syrians and restricting the entry of new workers from Egypt and other countries. Were you aware of these policies? Did you make use of the free work permits for hiring any Syrian workers? Does the cost of work permits impact who you hire? Do you think these policies are good or bad? Why or why not?*
- ▶ *What is your experience with the process of work permits for non-Jordanian workers? Was the process fast, clear and easy? If there were problems, what were they? Are the fees reasonable for you? If not, what is your concern? Do all of your workers have work permits? If so, do they all reflect the workers' actual occupations? If not, why not?*
- ▶ *In general, what is your view on government policies related to foreign workers? What are the problems? Do you have any recommendations for how policies should be revised?*

Section 3: Nature of the sector

4. *Do you primarily compete on the basis of cost or quality?*

Additional questions:

- ▶ *Who are your main customers? Do you export? Are your customers mostly foreigners or Jordanians?*
- ▶ *Do you expect your business to grow in the next two years? Do you expect business for your competitors (inside and outside Jordan) to grow in the next two year?*
- ▶ *Have you heard about the rules of origin exemption recently granted to Jordan by the EU? If so, do you think it will benefit your business?*

Section 4: Recruitment, contracts, working conditions

I want to ask you about the recruitment, contract and working conditions in your sector to better understand the sector as a whole. For each of these questions, probe differences by nationality of workers.

5. *What kind of agreement do you have with workers? Do you have written or oral contracts with workers? For what length of time is the agreement (more than a year, a year, a season, a month, a day)? Do you pay workers by the month, by the week, by the day, by the piece?*
6. *How many hours do your workers work in a typical day? How many days in a typical week? Does it vary from season to season?*
7. *How much do you pay workers per month in cash? Do you take any deductions from their pay (e.g. for food, housing, transportation, etc.)? If so, what are the deductions and how much do you take out?*
8. *In addition to their wages, do you provide any benefits? If so, which ones? Probe about social security, paid vacations, work injury/health insurance.*

Additional questions:

- ▶ *How do you recruit workers? (How do you find workers?) Do you use intermediaries or recruiters? If so, how much do they charge for finding workers? Do you pay this or does the worker?*
- ▶ *If relevant, ask: Do you provide transportation? From workers homes or a drop off spot? What kind of vehicle? Do you provide child care? How many kids and how many child care providers?*
- ▶ *Who holds the workers' passports? Residency cards? Work permits? Why is it done this way?*

Section 5: Relationships with Workers and Inspectors

9. *Has a labour inspector ever come to your place of work? If so, what happened? Did they come back to follow up? Probe details.*

Additional questions:

For each of the following questions, probe differences by nationality of workers.

- ▶ *Do your workers have a union? Or is there an informal group that speaks on behalf of workers? Do you think the union or informal group is useful? Why or why not?*
- ▶ *Have you ever had a dispute with a worker? What was it about? Was anyone other than yourself and the worker involved in resolving the dispute (e.g. union, MOL, NGO, lawyer)? What happened?*
- ▶ *If a worker wanted to stop working for you before finishing their contract, what would you do?*

Section 6: Attitudes about Work

For each of the following questions, probe variations by nationality of workers.

10. *Do you think that workers in this sector are content and proud? Probe variations by nationality.*
11. *What is the most important thing that workers would want in order to feel more content and proud to be working in these jobs? Probe variations by nationality.*

Additional questions:

- ▶ *How would you feel about your own children working in jobs like the workers you hire? Why or why not?*
- ▶ *Do you consider this sector suitable for women? If not, why not?*

Section 7: Future Directions

12. *Workers generally want higher wages, fewer hours, more benefits and better working conditions. Would it be possible for you to give them some of what they want – e.g. higher wages, few hours, etc.?*
13. *What would it take for you to be able to give them these things? Probe for various aspects of the constraints facing employers. Are there government policy issues? If you raised wages, would you have to pass on the cost to customers and, if so, how would customers react?*

Moderator: *Do you have any questions for us? Is there anything more you want to say? Thank you for your time.*

Appendix C: Interview Guide for Jordanian Workers

Note to researcher: The essential questions to cover are numbered. You will need to allocate the time appropriately to ensure you get through all of the numbered questions. Additional questions are provided below to use only if you have enough time.

Section 1: Introduction

Moderator: *My name is xxx. I am working with the ILO on a study on the labour market in Jordan. The results of this study will be used to make recommendations for improving the quality of work for Jordanians, refugees, and migrant workers.*

Thank you for agreeing to participate in this discussion. Please be assured that the information you provide will remain anonymous and confidential and will be used only in an aggregated manner and only for the purpose of generating recommendations. I would like to record the conversation to help me remember what is said, but I will not share the recording with anyone. Would you be comfortable with me recording?

If any participants appear uncomfortable with having the discussion recorded, do not pressure them to accept having the discussion recorded. Simply indicate that you understand and will take notes instead.

In order to break the ice, the moderator goes around the table getting to know the participants in general. If you are tape recording the FGD, do not start recording while participants are introducing themselves or providing identifiable descriptions of themselves.

Section 2: General questions

1. *What were your reasons for working in this job? Probe to see if they have specific experience in another sector and occupation.*

Additional questions:

- ▶ *How did you find this job? Through friends/relatives, through a recruiter?*

Section 3: Contract, Remuneration and Working Conditions

Record responses from each participant in a table.

2. *Do you have a written contract? If you have a written contract, for what length of time is it (one-year contract)? If you don't have a written contract, for what length of time has your employer promised you work? For the season? Until the end of the project? Just for the day?*
3. *How much do you earn per month? Are you paid by the piece, by the hour, by the month? Are deductions made for any reason and, if so, what? Probe regarding deductions that may have been taken out for recruitment, transportation, residency documents, work permit, etc.*
4. *How many hours do you work in a typical day? How many days do you work in a typical week? Does it vary from season to season?*
5. *In addition to your salary, do you get any benefits? If so, which ones? Probe about social security, paid vacations, work injury/health insurance.*

Additional questions:

- ▶ If relevant, ask: *Does the employer provide transportation? Is it safe and convenient? Does the employer provide child care? Is it a good quality?*
- ▶ *Does your employer take all reasonable steps to make sure that you are respected and safe? Have you experienced any form of work related hazard, illness, injury or violence? If so, please tell me about it.*

Section 4: Other Aspects of Worker Rights

6. *Are your earnings and working conditions the same for all nationalities with that job? Probe on any differences between Jordanians, Syrians, and various nationalities of migrant workers.*
7. *Has a labour inspector ever come to your workplace? If so, what happened? For what purpose did the inspector come? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

Additional questions:

- ▶ *If you had a disagreement with your employer, have you told him? What happened?*
- ▶ *If you had a major problem, like a legal problem, were not being paid on time or were being abused, what would you do? Who would you contract for help?*
- ▶ *Is there a union or other group of workers representing your job? If so, are you a member? If not, why not?*

Section 5: Attitudes about the sector and occupation

8. *Are you content and proud to be working in this job? How does your family feel about you working in this job? How would you feel about your own children working in this job? Why or why not? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*
9. *What is the most important thing that would make you feel more content and proud to be working in this job? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

Additional questions:

- ▶ *Would you consider this job suitable for your wives/daughters? If not, why not?*

Section 6: Attitudes about migrant workers and Syrians working in Jordan

10. *What is the percentage of foreign workers at your business? Do you know what the nationalities are? Have Syrian workers joined your workplace since April 2016?*
11. *Does the presence of foreign workers in Jordan impact you in any way – either positively or negatively? If so, how? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

Moderator: *Do you have any questions for us? Is there anything more you want to say? Thank you for your time.*

Appendix D: Interview Guide for Migrant Workers

Note to researcher: The essential questions to cover are numbered. You will need to allocate the time appropriately to ensure you get through all of the numbered questions. Additional questions are provided below to use only if you have enough time.

Section 1: Introduction

Moderator: *My name is xxx. I am working with the ILO on a study on the labour market in Jordan. The results of this study will be used to make recommendations for improving the quality of work for Jordanians, refugees, and migrant workers.*

Thank you for agreeing to participate in this discussion. Please be assured that the information you provide will remain anonymous and confidential and will be used only in an aggregated manner and only for the purpose of generating recommendations.

I would like to record the conversation to help me remember what is said, but I will not share the recording with anyone. Would you be comfortable with me recording?

If any participants appear uncomfortable with having the discussion recorded, do not pressure them to accept having the discussion recorded. Simply indicate that you understand and will take notes instead.

In order to break the ice, the moderator goes around the table getting to know the participants in general. If you are tape recording the FGD, do not start recording while participants are introducing themselves or providing identifiable descriptions of themselves.

Section 2: General questions

12. *What were your reasons for working in this job? Probe to see if this is the sector and occupation they worked in their home country? Do they have skills in other occupations that they would have preferred to use?*

Additional questions:

- ▶ *How did you find this job? Through friends/relatives, through a recruiter? Did you have to pay someone to help you get this job? If so, who and how much?*
- ▶ *Explain the system of Jordanian-only occupations and sector-based quotas. Where you aware of this system? Has it effected your ability to find work? The kind of work you found? Has it effected whether or not you have a permit? If so, how?*

Section 3: Documents

13. *Do you currently have a valid work permit? What did you have to do to get the work permit? Are you working in the same sector that is stated on your work permit? If you don't have a work permit, why not? (e.g too expensive, afraid of the authorities, not needed) Record answers from each participant, extract top 3 reasons for not having work permits, then further probe these reasons.*

14. Have inspectors or the police ever asked to see your legal documents (e.g. work permit) either at work or away from the workplace? What happens if you don't have a work permit? Record answers from each participant, extract top 3, then further probe on the top 3 answers.

Additional questions:

- ▶ Do you have a residency card? If so, how much did it cost? If not, why not (e.g. too expensive, afraid of the authorities, not needed)
- ▶ Explain the Kafala system. Has this system affected you in any way? If so, how? Probe possible constraints of the sponsorship, in terms of bargaining power, legal rights and ability to change jobs.
- ▶ Who holds your legal documents (passport, residency card, work permit)? If you don't hold it yourself, why not?
- ▶ Do you have a written contract? If you have a written contract, for what length of time is it (one-year contract)? If you don't have a written contract, for what length of time has your employer promised you work? For the season? Until the end of the project? Just for the day?
- ▶ If you wanted to terminate your contract early, what do you think would happen? Would you be able to? What problems, if any, would you expect to encounter?

Section 4: Remuneration and Working Conditions

Record responses from each participant in a table.

15. How much do you earn per month? Are you paid by the piece, by the hour, by the month? Are deductions made for any reason and, if so, what? Probe regarding deductions that may have been taken out for recruitment, transportation, residency documents, work permit, etc.

16. How many hours do you work in a typical day? How many days do you work in a typical week? Does it vary from season to season?

17. In addition to your salary, do you get any benefits? If so, which ones? Probe about social security, paid vacations, work injury/health insurance.

Additional questions:

- ▶ How much of your earnings do you send home or to relatives elsewhere? Some much do you spend inside Jordan?
- ▶ If relevant, ask: Does the employer provide transportation? Is it safe and convenient? Does the employer provide child care? Is it a good quality?
- ▶ Does your employer place any limits on your movement, such as ability to leave your work location during non-working hours?
- ▶ Does your employer take all reasonable steps to make sure that you are respected and safe? Have you experienced any form of work related hazard, illness, injury or violence? If so, please tell me about it.

Section 5: Other Aspects of Worker Rights

18. Are your earnings and working conditions the same for all nationalities with that job? Probe on any differences between Jordanians, Syrians, and various nationalities of migrant workers.

19. *Has a labour inspector ever come to your workplace? If so, what happened?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

Additional questions:

- ▶ *If you had a disagreement with your employer, have you told him? What happened?*
- ▶ *If you had a major problem, like a legal problem, were not being paid on time or were being abused, what would you do? Who would you contract for help?*
- ▶ *Is there a union or other group of workers representing your job? If so, are you a member? If not, why not?*

Section 6: Attitudes about the sector and occupation

20. *Are you content and proud to be working in this job? How does your family feel about you working in this job? How would you feel about your own children working in this job? Why or why not?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

21. *What is the most important thing that would make you feel more content and proud to be working in this job?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

Additional questions:

- ▶ *Would you consider this job suitable for your wives/daughters? If not, why not?*

Section 7: Attitudes about Syrian refugees working in Jordan

22. *As you know, many Syrians have come to Jordan in the past few years and are now permitted to work. Has the presence of Syrian workers impacted you in any way? Are there Syrians working with you? Do you feel competition for jobs? Has it impacted your wages?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

Additional questions:

- ▶ *The Government has done a few things – on a temporary basis – to give employers incentives to hire Syrians, including making work permits free for Syrians and restricting the entry of new workers from Egypt and other countries. Were you aware of this? Do you think it's fair? Why or why not?*
- ▶ *In general, what is your view about the Jordanian Government's policies related to Syrians working in Jordan?* Probe attitudes about how policies treat Jordanian workers different from Syrians and different from migrant workers (Egyptians and other nationals)

Moderator: *Do you have any questions for us? Is there anything more you want to say? Thank you for your time.*

Appendix E: Interview Guide for Syrian Workers

Note to researcher: The essential questions to cover are numbered. You will need to allocate the time appropriately to ensure you get through all of the numbered questions. Additional questions are provided below to use only if you have enough time.

Section 1: Introduction

Moderator: *My name is xxx. I am working with the ILO on a study on the labour market in Jordan. The results of this study will be used to make recommendations for improving the quality of work for Jordanians, refugees, and migrant workers.*

Thank you for agreeing to participate in this discussion. Please be assured that the information you provide will remain anonymous and confidential and will be used only in an aggregated manner and only for the purpose of generating recommendations. I would like to record the conversation to help me remember what is said, but I will not share the recording with anyone. Would you be comfortable with me recording?

If any participants appear uncomfortable with having the discussion recorded, do not pressure them to accept having the discussion recorded. Simply indicate that you understand and will take notes instead.

In order to break the ice, the moderator goes around the table getting to know the participants in general. If you are tape recording the FGD, do not start recording while participants are introducing themselves or providing identifiable descriptions of themselves.

Section 2: General questions

1. *What were your reasons for working in this job? Probe to see if this is the sector and occupation they worked in in Syria? Do they have skills in other occupations that they would have preferred to use?*

Additional questions:

- ▶ *How did you find this job? Through friends/relatives, through a recruiter? Did you have to pay someone to help you get this job? If so, who and how much?*
- ▶ *Has working in Jordan allowed you to gain any new skills or further develop skills you had before?*

Section 3: Documents

2. *Do you currently have a valid work permit? What did you have to do to get the work permit? When did you get the work permit? Are you working in the same sector that is stated on your work permit? If you don't have a work permit, why not? (e.g too expensive, afraid of the authorities, not needed) Record answers from each participant, extract top 3 reasons for not having work permits, then further probe these reasons.*
3. *Have inspectors or the police ever asked to see your legal documents (e.g. work permit) either at work or away from the workplace? What happens if you don't have a work permit? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

Additional questions:

- ▶ *Have you registered with UNHCR? Do you have an MOI ID card? If so, how much did it cost? If not, why not (e.g. too expensive, afraid of the authorities, not needed)?*
- ▶ *Explain the Kafala system. Has this system affected you in any way? If so, how? Probe possible constraints of the sponsorship, in terms of bargaining power, legal rights and ability to change jobs.*
- ▶ *Who holds your legal documents (passport, MOI ID card, work permit)? If you don't hold it yourself, why not?*
- ▶ *Do you have a written contract? If you have a written contract, for what length of time is it (one-year contract)? If you don't have a written contract, for what length of time has your employer promised you work? For the season? Until the end of the project? Just for the day?*
- ▶ *If you wanted to terminate your contract early, what do you think would happen? Would you be able to? What problems, if any, would you expect to encounter?*

Section 4: Remuneration and Working Conditions

Record responses from each participant in a table.

4. *How much do you earn per month? Are you paid by the piece, by the hour, by the month? Are deductions made for any reason and, if so, what? Probe regarding deductions that may have been taken out for recruitment, transportation, residency documents, work permit, etc.*
5. *How many hours do you work in a typical day? How many days do you work in a typical week? Does it vary from season to season?*
6. *In addition to your salary, do you get any benefits? If so, which ones? Probe about social security, paid vacations, work injury/health insurance.*

Additional questions:

- ▶ *How much of your earnings do you send home or to relatives elsewhere? Some much do you spend inside Jordan?*
- ▶ *If relevant, ask: Does the employer provide transportation? Is it safe and convenient? Does the employer provide child care? Is it a good quality?*
- ▶ *Does your employer place any limits on your movement, such as ability to leave your work location during non-working hours?*
- ▶ *Does your employer take all reasonable steps to make sure that you are respected and safe? Have you experienced any form of work related hazard, illness, injury or violence? If so, please tell me about it.*

Section 5: Other Aspects of Worker Rights

7. *Are your earnings and working conditions the same for all nationalities with that job? Probe on any differences between Jordanians, Syrians, and various nationalities of migrant workers.*
8. *Has a labour inspector ever come to your workplace? If so, what happened? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

Additional questions:

- ▶ If you had a disagreement with your employer, have you told him? What happened?
- ▶ If you had a major problem, like a legal problem, were not being paid on time or were being abused, what would you do? Who would you contract for help?
- ▶ Is there a union or other group of workers representing your job? If so, are you a member? *If not, why not?*

Section 6: Attitudes about the sector and occupation

9. *Are you content and proud to be working in this job? How does your family feel about you working in this job? How would you feel about your own children working in this job? Why or why not?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

10. *What is the most important thing that would make you feel more content and proud to be working in this job?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

Additional questions:

- ▶ *Would you consider this job suitable for your wives/daughters? If not, why not?*

Section 7: Attitudes about different nationalities in the Jordanian labour market

11. *What are your views about the Jordanian labour market and government policy? Unemployment is very high among Jordanians. Why do you think that is?*

12. *What has your experience been vis-à-vis Jordanian workers? Workers from other countries (e.g. Egypt, Bangladesh, Philippines)? Do you think there is competition among the groups? Does it create problems?*

Additional questions:

- ▶ *Explain the system of Jordanian-only occupations and sector-based quotas. Were you aware of this system? Has it affected your ability to find work? The kind of work you found? Has it affected whether or not you have a permit? If so, how?*
- ▶ *The Government has done a few things – on a temporary basis – to give employers incentives to hire Syrians, including making work permits free for Syrians and restricting the entry of new workers from Egypt and other countries. Were you aware of this? Do you think it's fair? Why or why not?*
- ▶ *In general, what is your view about the Jordanian Government's policies related to Syrians working in Jordan? Probe attitudes about how policies treat Jordanian workers different from Syrians and different from migrant workers (Egyptians and other nationals)*

Moderator: *Do you have any questions for us? Is there anything more you want to say? Thank you for your time.*

Appendix F: Interview Guide for Unemployed Jordanians

Note to researcher: The essential questions to cover are numbered. You will need to allocate the time appropriately to ensure you get through all of the numbered questions. Additional questions are provided below to use only if you have enough time.

Section 1: Introduction

Moderator: *My name is xxx. I am working with the ILO on a study on the labour market in Jordan. The results of this study will be used to make recommendations for improving the quality of work for Jordanians, refugees, and migrant workers.*

Thank you for agreeing to participate in this discussion. Please be assured that the information you provide will remain anonymous and confidential and will be used only in an aggregated manner and only for the purpose of generating recommendations. I would like to record the conversation to help me remember what is said, but I will not share the recording with anyone. Would you be comfortable with me recording?

If any participants appear uncomfortable with having the discussion recorded, do not pressure them to accept having the discussion recorded. Simply indicate that you understand and will take notes instead.

In order to break the ice, the moderator goes around the table getting to know the participants in general. If you are tape recording the FGD, do not start recording while participants are introducing themselves or providing identifiable descriptions of themselves.

Section 2: General questions

13. *Have you ever had a job? If so, what was the occupation? How much did the job pay? Why are you not doing that job anymore? When did you become unemployed?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

Section 3: Attractiveness of various types of jobs

I'd like to understand your willingness to accept certain types of jobs.

14. *Would you be willing to work in agriculture? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

15. *Would you be willing to work in cleaning houses? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

16. *Would you be willing to work in a hotel or restaurant? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

17. *Would you be willing to work in construction? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

18. *Would you be willing to work in a factory? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

Additional questions:

► *Which of these jobs would you consider suitable for your wives/daughters? Why?*

Section 4: Attitudes about the labour market

19. *What do you think the Government should do about the unemployment situation in Jordan?*

20. *As you know, there are many non-Jordanians working in Jordan. Why do you think that is? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

21. *Do you think Syrian refugees should be given priority for hiring over people from other countries (such as Egypt, Philippines, Bangladesh)?*

22. *Does the presence of Syrian or other foreign workers in Jordan impact you in any way – either positively or negatively? If so, how? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

Moderator: *Do you have any questions for us? Is there anything more you want to say? Thank you for your time.*

Appendix G: Interview Guide for Unemployed Syrians

Note to researcher: The essential questions to cover are numbered. You will need to allocate the time appropriately to ensure you get through all of the numbered questions. Additional questions are provided below to use only if you have enough time.

Section 1: Introduction

Moderator: *My name is xxx. I am working with the ILO on a study on the labour market in Jordan. The results of this study will be used to make recommendations for improving the quality of work for Jordanians, refugees, and migrant workers.*

Thank you for agreeing to participate in this discussion. Please be assured that the information you provide will remain anonymous and confidential and will be used only in an aggregated manner and only for the purpose of generating recommendations. I would like to record the conversation to help me remember what is said, but I will not share the recording with anyone. Would you be comfortable with me recording?

If any participants appear uncomfortable with having the discussion recorded, do not pressure them to accept having the discussion recorded. Simply indicate that you understand and will take notes instead.

In order to break the ice, the moderator goes around the table getting to know the participants in general. If you are tape recording the FGD, do not start recording while participants are introducing themselves or providing identifiable descriptions of themselves.

Section 2: General questions

23. *Have you ever had a job in Jordan? If so, what was the occupation? How much did the job pay? Did you have a work permit? Why are you not doing that job anymore? Record answers from each participant, extract top 3, then further probe on the top 3 answers.*

24. *Did you work before you came to Jordan? If so, what was the occupation? How much did the job pay?*

25. *Do you have an MOI ID card? If not, why not (e.g. too expensive, afraid of the authorities, not needed)*

26. *If you were to get a job in Jordan, do you think it's important to obtain a work permit? Why or why not?*

Section 3: Attractiveness of various types of jobs

I'd like to understand your willingness to accept certain types of jobs.

27. *Would you be willing to work in agriculture? If so, what is appealing about it? If not, what is unappealing about it? Record answers from each participant. Extract the top 3 things unappealing about the sector. Is there anything that would make that kind of work acceptable to you? Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant*

28. *Would you be willing to work in cleaning houses? If so, what is appealing about it? If not, what is unappealing about it? Record answers from each participant. Extract the top 3 things unappealing about the sector. Is there anything that would make that kind of work acceptable to you? Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant*

29. *Would you be willing to work in a hotel or restaurant? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

30. *Would you be willing to work in construction? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

31. *Would you be willing to work in a factory? If so, what is appealing about it? If not, what is unappealing about it?* Record answers from each participant. Extract the top 3 things unappealing about the sector. *Is there anything that would make that kind of work acceptable to you?* Probe issues such as wages, working hours, working conditions, etc. Record answers from each participant

Additional questions:

▶ *Which of these jobs would you consider suitable for your wives/daughters? Why?*

Section 4: Attitudes about the labour market

32. *What do you think the Jordanian Government should do about unemployment among Syrians? What should it do about unemployment among Jordanians?* Record answers from each participant, extract top 3, then further probe on the top 3 answers.

33. *Do you think Syrian refugees should be given priority for hiring over people from other countries (such as Egypt, Philippines, Bangladesh)?*

34. *Does the presence of other foreign workers (e.g. from Egypt, Philippines, Bangladesh) in Jordan impact you in any way – either positively or negatively? If so, how?*

Moderator: *Do you have any questions for us? Is there anything more you want to say? Thank you for your time.*



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Summary

The entry of Syrians into the Jordanian labour market has exacerbated an already challenging situation. There are now three distinct groups of workers in Jordan: Jordanians, migrant workers and Syrian refugees. Because all three groups are present in significant numbers, the challenges for any group must be addressed within the context of the labour market as a whole. This study, based on extensive fieldwork, aims to contribute to the debate around three policy challenges: increasing Jordanian employment, ensuring decent working conditions in all jobs, and incorporating Syrian workers into the labour market.

Three findings stand out. Firstly, far from having an immutable culture of shame, Jordanian workers articulate specific working conditions that impact their willingness and eagerness to work, whatever the sector or occupation. Secondly, the working conditions prevalent among migrant workers and Syrian refugees put Jordanian workers at a disadvantage vis-à-vis non-Jordanians. Thirdly, although the laws governing Jordan's immigration and work permit system are sensible, disconnects have emerged between the regulations surrounding the law on the one hand, and the needs of employers and workers for short-term and part-time employment arrangements on the other.

Four main categories of recommendations emerged including: ensuring a clear and harmonized set of working conditions for all jobs; developing programmes aimed at increasing employment of Jordanians; modifying policies governing migration and work permits; and furthering policies to address the specific situation of refugees as distinct from migrant workers

The Government of Jordan has an essential role to play in articulating the type of economy Jordan aspires to have, and in aligning incentives of employers and workers with that vision. For its part, the international community should contribute its fair share to achieve inclusive economic growth that benefits all, including Syrian refugees and Jordanians struggling to cope with macroeconomic shocks resulting from regional crises.



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