



ilent Women

ARDD's Report on harassment problem in the workplace

The report is one of the outcomes that are to be produced as part of the Ford Foundation project 'Women's Access to Economic Justice through Legal Empowerment'. It provides an in-depth analysis of harmful and discriminatory workplace practices in Jordan that are potentially hindering women from safely accessing the labour market, and works towards answering the overall project question: 'How can refugee and host community women in Jordan be empowered to safely access the labour market and be able to confidently utilize the Jordanian legal system when rights are violated?.'



ARDD

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Brief about Arab Renaissance for Democracy and Development (ARDD)

ARDD adopts a holistic approach to help marginalized and unrepresented groups in society. Since its inception in 2008, ARDD objectives have evolved not only to help people reach justice and legal empowerment, but also to address the key cross-cutting issues facing the Arab World. The most important of these are democratization, development, social protection initiatives and other strategies. Thus, the organization's objectives are primarily focused on access to justice, accountability, comprehensive social protection and gender equality aiming to achieve regional peace and promote cultural heritage. ARDD's vision is to empower the people of the Arab World to establish an open, democratic society in which everyone has access to justice regardless of their situation.

Brief about the project: “Women’s Access to Economic Justice through Legal Empowerment”

Seeking to increase the participation of women in the labour force and to achieve gender equality in the workplace, the project aims to enable vulnerable women in Jordan to secure access to the labour market and enhance their confidence in the Jordanian legal system if any of their rights are violated. The project also seeks to engage stakeholders to create an enabling environment for women to have sustainable access to the labour market and to ensure fair treatment and compensation by their employers. The project started by supporting women from the local communities manage their personal debt, it then took part in a conference on the plight of migrant workers. The project held legal awareness sessions, focus groups and psychosocial support sessions. It will also help to mediate legal disputes in order to provide women with legal services and assistance and to connect women to existing economic empowerment programs.

Disclaimer:

This report provides information that reflects ARDD's views only and is based on the methodology developed for its preparation, official bodies were not consulted.

Gratitude:

ARDD thanks all who supported the work on this report, mainly Ford Foundation the donor for the project.



Silent Women: an ARDD report on harassment in the workplace

Introduction:

A 2018 ARDD report entitled “Silent Women: an ARDD report on harassment in the workplace” found sexual harassment to be one of the main challenges facing women in the workplace today. This issue cannot be viewed in isolation to other discriminatory and harmful workplace practices as it manifests in socio-cultural norms and becomes institutionalized in the workplace through gaps in the legal framework or in the law’s implementation. Given that the levels of women’s paid employment are so low and gender discrimination so high in a number of spheres, and with the increased focus on improving paid employment opportunities for both Jordanian and non-Jordanian women in Jordan, there is a need to look into the differing ways that Jordanians and non-Jordanians experience such discrimination in the workplace.

ARDD’s report on harassment in the workplace in Jordan

The report is one of the outcomes that are to be produced as part of the Ford Foundation project ‘Women’s Access to Economic Justice through Legal Empowerment’. It provides an in-depth analysis of harmful and discriminatory workplace practices in Jordan that are potentially hindering women from safely accessing the labour market, and works towards answering the overall project question: *‘How can refugee and host community women in Jordan be empowered to safely access the labour market and be able to confidently utilize the Jordanian legal system when rights are violated?’.*

While both men and women can be perpetrators and targets of sexual harassment, women are more frequently targeted, to such an extent that many are deterred from accessing the labour market. Employers should have a duty to provide a safe working environment for their staff, and the government a duty to apply necessary policies to prevent and protect employees from sexual harassment and punish perpetrators. However, data gathered by ARDD and presented in its report “Silent Women” shows that this is not happening. Reported rates of sexual harassment are not the reality; rather gaps in the law, lack of workplace policies and social stigma create an enabling environment for sexual harassment, while deterring people from reporting cases.

Main findings:

- 1.** Harassment in the workplace remains hidden – women fear the repercussions of reporting harassment, due to social stigma and a lack of confidence in the law and other protection mechanisms.
- 2.** Sexual harassment in the workplace cannot be viewed in isolation to other harmful workplace practices, such as in-equality in other labour rights.
- 3.** Refugees and those working informally are particularly vulnerable to sexual harassment and other harmful and discriminatory workplace practices.
- 4.** A lack of guidance for women and mandatory duties for employers regarding policies on sexual harassment, alongside an absence of clear reporting policies for employees contributes to ad hoc approaches to addressing sexual harassment.

The consequences of sexual harassment

A manifestation of gender-based discrimination, sexual harassment is a pervasive behaviour bearing significant costs, and has become an important concern at both the international and the national level.

Resulting from inequality in duties and rights, sexual harassment is a profound aspect of various cultures that strongly impacts social stability and limits women's engagement in employment and socio-economic life.¹ Whether physical, verbal or non-verbal, sexual harassment in the workplace deeply affects those who face it. They can be left experiencing **psychological suffering, reduced motivation or self-esteem and stress-related physical and mental illnesses** that can ultimately lead them to abandon their employment or refrain from pursuing career opportunities.²

The International Labour Organisation's (ILO) (2017) definition of sexual harassment is "a sex-based behaviour that is unwelcome and offensive to its recipient... [that] may take the form of:

- 1) a job benefit - such as a pay rise, a promotion, or even continued employment - is made conditional on the victim acceding to demands to engage in some form of sexual behaviour; or,
 - 2) a hostile working environment in which the conduct creates conditions that are intimidating or humiliating for the victim. It includes physical behaviour, such as violence and touching, verbal behaviour, such as comments about appearance, offensive and intrusive remarks, and non-verbal behaviour, such as whistling and sexual gestures."
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The Jordanian law and policy on sexual harassment

Currently, the laws related to sexual harassment in workplace is limited to Article (29/A/6) of the Jordanian labour law (1996):

"The Employee may quit work without notice and still retain his legal rights for the termination of service as well as the damage compensation accruing to him in any of the following cases: 6) If the employer or his representative assaults him during or because of his work by beating, degradation or any form of sexual assault punishable under the provisions of the legislation in force."

The labour law thus provides some compensation to workers who face certain types of harassment and assault. Some cases of sexual assault can then be pursued through the Penal Code Law (1996) no. (16), Cyber Crime Law (2015) no. (27) and the Telecommunication Law (1995) no. (13).

However, the law does not prohibit all types of sexual harassment. The ILO notes that illegal behaviours under Jordanian law include *"sexual assault, attempted sexual assault, physical molestation or touching involving intimate areas of the body, [and] behaviour constituting a breach of public morality such as indecent exposure"*.³ However, **still permissible are quid pro quo sexual harassment and some types of hostile work environment sexual harassment, such as unwelcome advances, sexual innuendos, or pervasive and offensive gender-related language.**

¹ NFCA, 2008. *Status of Violence against Women in Jordan*. [Online] Available at: <http://ncfa.org.jo:85/ncfa/sites/default/files/publications/reality-violence-against-women-jordan.pdf> [Accessed 24 Jan 2018]

² ILO, 2017a. *Sexual Harassment at Work*. [Online] Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_decl_fs_96_en.pdf [Accessed 24 Jan 2018].

³ ILO, 2017b. *Addressing Sexual Harassment in Jordan's garment industry*. [Online] Available at: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_237612.pdf [Accessed 20 Sep 2018].

Thus, the rights of women who face ‘subtler’ forms of sexual harassment are unclear, with the term “degradation” open to interpretation.

Furthermore, **no existing laws compel employers to have written procedures on sexual harassment**; thus the implementation of workplace sexual harassment policies that cover all forms of harassment is done at the will of the employer.

Employees’ experiences: a lack of confidence in the law

In April 2018, as part of the Ford Foundation project ‘*Women’s Access to Economic Justice through Legal Empowerment*’, ARDD gathered data on women’s experiences of discriminatory workplace practices through a survey reaching 439 women, focus group discussions with 43 women, and interviews with representatives of 13 companies from the private sector (see Annex 1). Data was also analysed from 3077 legal consultations and 861 legal cases regarding workplace practices, which took place from 1 July 2017 to 20 July 2018.

Methodology

The women who participated in the study were some of the most vulnerable Syrian refugee and host community women, including Jordanians and other refugees present prior to the Syrian Crisis, between the ages of 18 and 50. The women were either facing economic vulnerability, as female heads of households, living in poverty, or at risk of debt; faced particularly low access to services; had previously applied for a loan or work permit or had previously faced harassment in connection with pursuing work opportunities.

Participants came from disadvantaged areas of Amman or Mafraq - a governorate of Jordan close to the Syrian border that suffered economically prior to the Syrian crisis. Along with Amman and Irbid, Mafraq is one of the governorates hosting the majority of Syrian refugees and, in 2015, Syrian refugees constituted 52% of the population of Mafraq (ILO/FAFO, 2015). Of survey participants, 166 women were employed and 273 unemployed, with 192 of those unemployed being Syrian refugees. Syrian refugee women tended to have lower levels of education than Jordanian refugee women (see Annex 2). The majority of women – both those in paid employment who responded to the survey and those who sought legal consultations with ARDD – were married (65.7% and 53% respectively) (see Annex 3). Almost equal numbers were single (18.1% and 17%) and widowed (7.8% and 8%). Women who had sought legal consultations, however, were much more likely to be divorced than survey respondents in paid employment, who may or may not have faced discrimination and/or sexual harassment.

ARDD data collection

- 3 focus group discussions with a total of **(52)** 32 Syrian refugee women, 20 Jordanian women and a Palestinian woman, especially female heads of households.
 - A survey was conducted reaching **(439)** 300 Syrian refugee women, 129 Jordanian women & 10 women of other nationalities.
 - Legal consultations on workplace practices were held with **(3077)** 1466 Jordanian and 1611 Syrian refugee women and girls. Legal cases were handled for **(861)** 265 Jordanian and 596 Syrian refugee women and girls.
 - Interviews were held with the representatives of **(13)** companies from the private sector
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Findings

Women’s data collected from the surveys and legal consultations made it clear that **laws are neither working to prevent sexual harassment, nor to support women in reporting it.** Of women who sought legal consultations or pursued cases with ARDD for workplace matters, 52% of Jordanian women and 73% of Syrian refugee women informally reported experiencing sexual harassment at work.

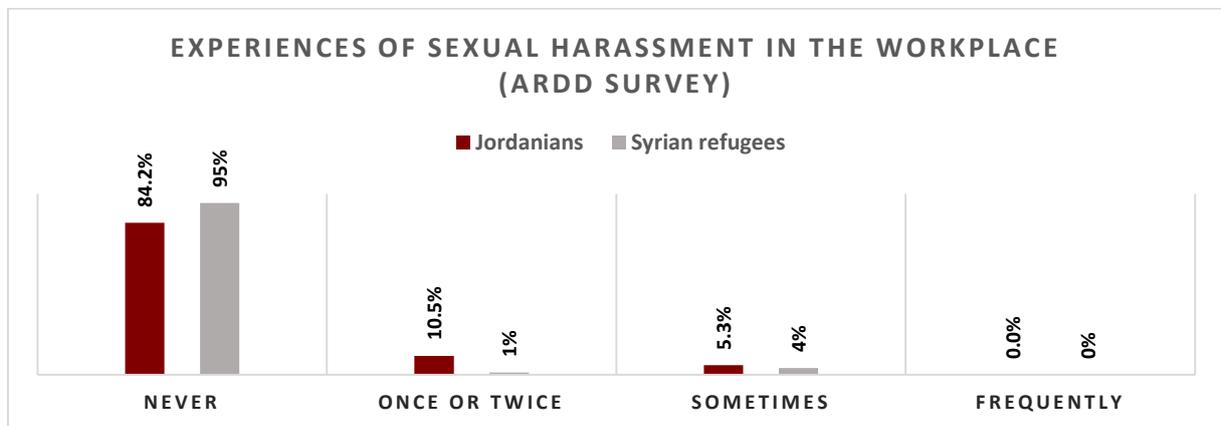
Hidden Harassment: 52% of Jordanian women and 73% of Syrian refugee women who sought legal consultations for workplace issues informally reported that they had also experienced sexual harassment

When discussing workplace sexual harassment with ARDD, women reported **verbal and non-verbal harassment as being most common.** Other ‘subtler’ forms of harassment were also regarded as pervasive by many women, such as male colleagues asking female colleagues for their personal numbers and trying to contact them outside of working hours. **Instances of physical harassment were also mentioned,** such as being touched by other colleagues or employers against their wishes. Harassment from other women was also noted to be an issue. While not necessarily sexual in nature, it may still be gender-based, with judgements made by women to each other in relation to traditional gender stereotypes.

However, while pervasive, it is clear that most women are not motivated to report, and even fear reporting, sexual harassment. In a survey carried out by ARDD, the majority of respondents (84.2% of Jordanians and 95% of Syrian refugees) reported never having experienced sexual harassment in the workplace.

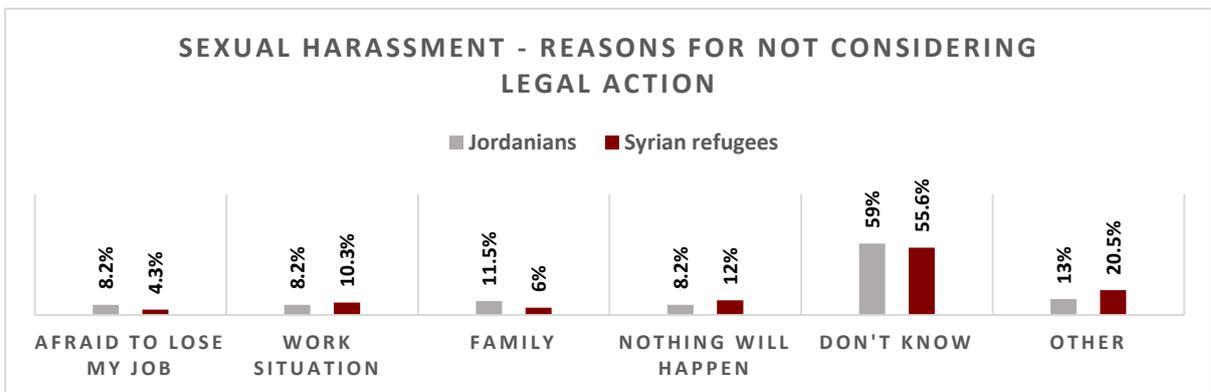
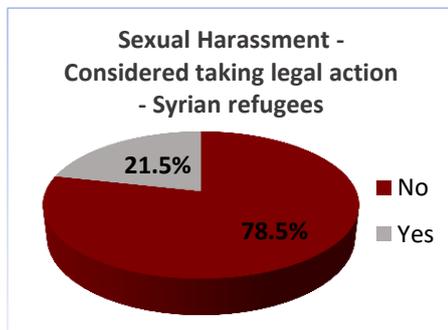
“I don’t have information if I face harassment as to what the laws are.”

— Syrian refugee woman, Mafraq



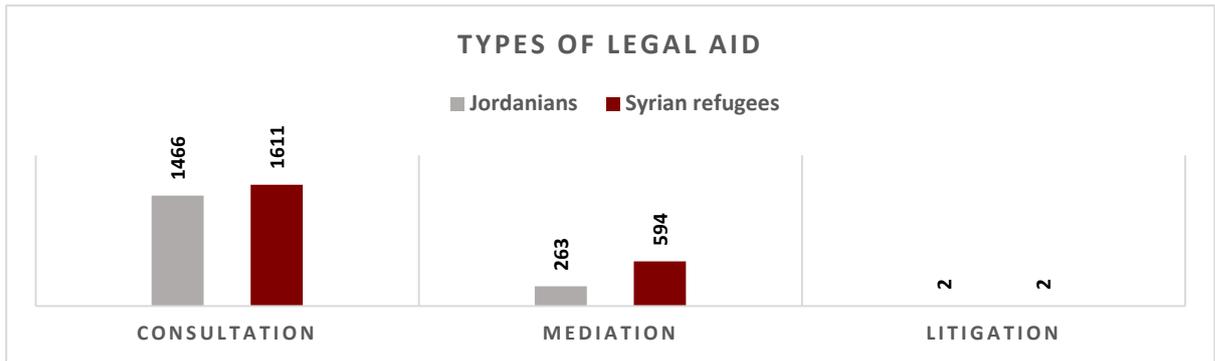
From those survey respondents who *did* report having experienced sexual harassment:

- 75.3% of Jordanian women and 78.5% of Syrian refugee women reported that **they had not considered taking legal action.**
- 8.2% of Jordanian women and 12% of Syrian refugee women said that they did not report sexual harassment because **they did not believe anything would happen if they did so.**
- 8.2% of Jordanian women and 4.3% of women said they did not report sexual harassment because they were either **afraid to lose their job** and 8.2% of Jordanian women and 10.3% of Syrian refugee women because they were **afraid that the work situation would get worse.**
- Furthermore, of those women who informally reported workplace sexual harassment in consultations with ARDD lawyers, **none** chose to pursue cases of sexual harassment legally, either through mediation or litigation.

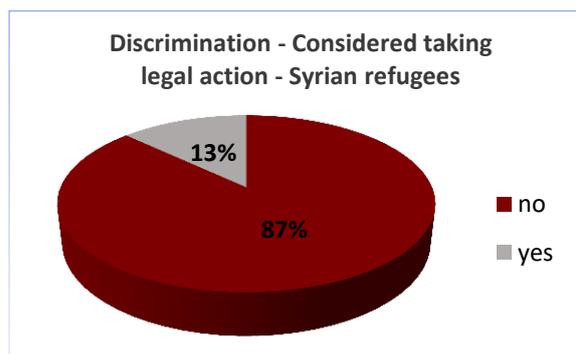
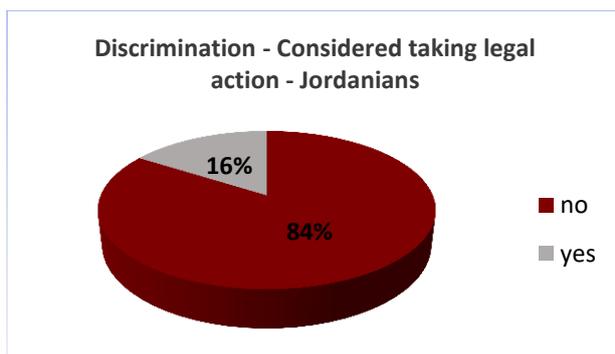
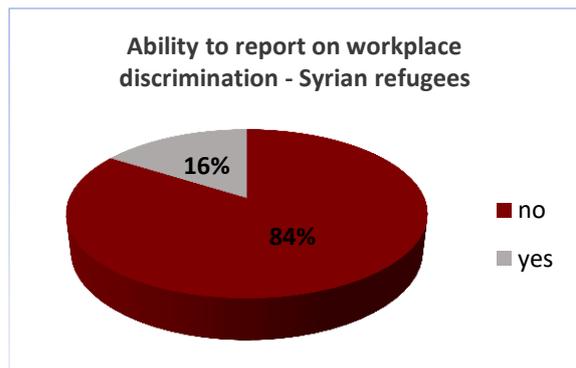
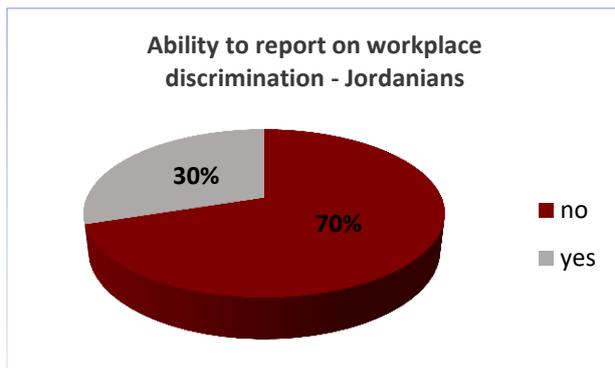


ARDD also found women to lack knowledge, not only on all the forms of sexual harassment, but on how to follow up on cases of harassment. One Syrian woman in Mafraq remarked, “I don’t have information if I face harassment as to what the laws are.” A Jordanian woman explained that she had not taken legal action because “our rights are not protected”, while another said that she would only consider taking legal action for ‘a lot of’ harassment and if she could not stop it by herself.

ARDD also found women unlikely to report and seek legal action on all forms of discrimination. The majority of women sought only advice from ARDD legal aid team and did not wish to take legal action. Of those who chose to take action, almost all pursued mediation, instead of litigation. ARDD lawyers noted that this was often due to the cost and length of time required for litigation, as well as that mediation could be sought in cases where women did not have a work permit or contract.



As women were reluctant to report on sexual harassment in the workplace, so were they reluctant to report on other forms of workplace. Both Jordanian and Syrian refugee women survey respondents who had experienced workplace discrimination were highly unlikely to report it, though Jordanian women were more likely to do so than Syrian refugee women: 30% of Jordanians, and only 16% of Syrian refugees, responded that they were able to report workplace discrimination. Both were even less likely to consider taking legal action: 16% of Jordanian women and 13% of Syrian refugee women reported that they considered taking legal action.



Sexual harassment, refugee women & the informal labour market

The informal labour market

Those working in the informal labour market are at particular risk of sexual harassment and exploitation. Characterized by lack of social protection and employment contracts, as well as exclusion from the benefits of labour legislation, informal employment is pervaded by uncertainty, insecurity, inadequate work conditions and low wages,⁴ creating power imbalances that increase employees' chances of experiencing sexual harassment.

ARDD's research found that **a high number of women resort to informal work** due to the lack of paid job opportunities for women in the formal sector and the responsibilities of women in the home, with regards to childcare and housework, a trend supported by the work of other organisations.⁵ However, the percentage of paid working women in ARDD's study who were self-employed was far higher than previous research,⁶ suggesting informal labour to be a particularly strong trend among the most vulnerable.

Refugee women are even more likely to be working in informal sectors, since many traditionally female sectors, such as administrative work, teaching and hairdressing, are closed to non-Jordanians. Furthermore, ARDD's report highlights that Syrian refugees may still lack work contracts when undertaking formal work in closed sectors or be at risk of exploitation by employers that may confiscate their documentation as a guarantee, and thus fear that reporting their employer will prevent their documents from being returned. This contributes to why ARDD found Syrian refugee women 21% more likely to report having experienced sexual harassment.⁷

Syrian refugee women told ARDD that both themselves and their husbands have faced situations of exploitation and abuse by employers, from being made to carry out demeaning tasks unrelated to their job role, to not being paid the agreed compensation, and even being threatened with expulsion from Jordan. Syrian women more often reported that they felt unable to report workplace discrimination and abuse. Such lack of legal empowerment greatly increases the risk of sexual harassment and abuse by decreasing the ability of the employee to report such occurrences without consequences.

Furthermore, in the formal labour market, **sexual harassment has been found to be particularly prominent in the manufacturing and global export-oriented industries,** where large numbers of often young, inexperienced and, on occasion, illiterate women are employed and supervised by small groups of men.⁸ This is one sector open to non-Jordanians and thus **Syrian and other refugees find themselves driven into a risky form of paid employment.**

⁴ ILO, UNDP, WFP, 2017. *Jobs Make the Difference*. [Online] Available at: <https://www.jobsmakethedifference.org/full-report> [Accessed 24 Jan 2018].

⁵ OECD, 2017. *Women's Economic Empowerment in Selected MENA Countries*. [Online] Available at: https://www.keepeek.com/Digital-Asset-Management/oecd/development/women-s-economic-empowerment-in-selected-mena-countries_9789264279322-en#page1 [Accessed 24 Jan 2018]; UN Women, 2017. *Women Working: Jordanian and Syrian Refugee Women's Labour Force Participation and Attitudes Towards Employment*. [Online] Available at: <http://www2.unwomen.org/-/media/field%20office%20jordan/attachments/publications/jordanian%20and%20syrian%20refugee.pdf?la=en&vs=1300> [Accessed 24 Jan 2018]; West Asia- North Africa (WANA) Institute, 2018. *Syrian Refugee Women in the Workforce in 2017*.

⁶ UN Women, 2017.

⁷ Data collected from ARDD legal consultation and cases, 1 July 2017 – 20 July 2017

⁸ ILO, 2017b.

Armed Conflict and sexual harassment

Armed conflict increases the risk of sexual harassment and other forms of gender-based violence (GBV). In the country of asylum, refugees are at increased risk of sexual abuse and exploitation due to the legal and socio-economic insecurities they face,⁹ such as the fear of forceful repatriation, as found by ARDD. **Many refugee women also become the heads of their households** (77% of female heads of households in ARDD's survey were Syrian refugees) as war separates them from immediate male family members, yet their increased economic and social vulnerability makes them a target for abuse.

United Nations Security Council Resolution 1325 on women, peace and security recognises the disproportionate and unique impact of conflict on women and girls and calls on the international community to work towards achieving equal participation of men and women in conflict prevention, resolution, rehabilitation and the maintenance of peace and security, as well as in other decision-making positions. Since sexual abuse often becomes heightened through a period of conflict, **the resolution also highlights the importance of ensuring special measures are in place to protect women and girls from gender-based violence.**

Employers' approaches

Sexual harassment policies in the workplace

The **lack of guidance and mandatory duties for employers regarding policies on sexual harassment also contributes to ad hoc approaches to addressing sexual harassment and a lack of clear reporting policies for employees.** Of the 13 company from the private sector representatives that ARDD consulted, none reported any instances of sexual harassment ever having occurred in their workplace. They applied a variety of approaches to preventing and responding to workplace sexual harassment. Two companies reported having written policies on sexual harassment and another had a complaints procedure and a complaints box in place. **Others, though they took some action to reduce the risk of harassment, such as covering sexual harassment in employee inductions, had no official reporting mechanisms in place.** One large organization did not have an official procedure or written policy but informed ARDD that complaints were made through email and then passed upwards. They had removed their complaints box because no one used it.

Two companies took a traditional gender-based approach to preventing sexual harassment by having **sex-segregated workspaces** and emphasizing the role of supervision. One of these also invited the family members of women employees to visit the workplace to check that it was a suitable environment. However, **trying to prevent sexual harassment by segregating men and women and closely supervising male employees views all men as potential harassers and fails to acknowledge the root cause of sexual harassment as lying in gender stereotypes,** particularly that of hegemonic masculinity.

⁹ UNHCR, 2003. *Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response*

Perceptions of women as employees

The prevalence of sexual harassment cannot be understood without considering gender inequality and the negative perceptions of female employees in the workplace that such inequality engenders, since sexual harassment often occurs alongside other forms of discrimination.

ARDD's report on workplace practices found women employees to be subject to both statistical discrimination – discrimination based on the belief that women are less able to perform their job - and taste-based discrimination – discrimination based on irrational prejudices towards women. While two companies actively employed women and one had achieved gender parity, the majority were far less likely to employ women than men, which corresponds with the low employment rate of women in Jordan.

“Men are beneficial because they can work longer hours and are more likely to be on time. Women need to leave by 5 and, if they don't have a car, maybe as early as 3, but men will work all night and sleep there if necessary.”

Employer, Amman

Some employers believed women to only be suitable for certain jobs, deeming roles that required lifting heavy items or other manual labour as unsuitable for women. **Others noted the societal barriers that restricted women's ability to carry out jobs** that required such activities as call-outs to customers' houses or frequent travel. Women's inability to work long hours was frequently mentioned as an issue in employing women, as was the likelihood that they would take maternity leave or leave work when they married.

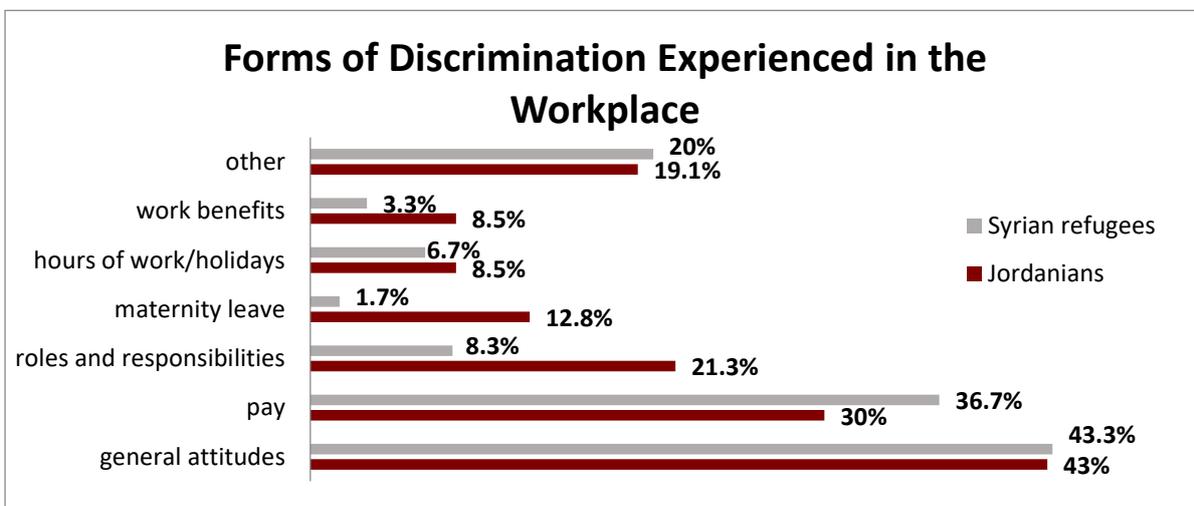
Some displayed outright sexist attitudes towards women employees. The female head of one organization, for instance, said that: *“Men have a better approach to the workplace. Women are more likely to be worried about their appearance... Women need to know workplace behaviour and how to act with colleagues.”* Another employer said that: *“Women are more sensitive in conversation and easily cry.”*

Syrian refugee women face double-discrimination – as women and as refugees. Half of consulted employers displayed nationalist attitudes towards refugees, believing that Jordanians should be prioritised over non-Jordanians in the recruitment process.

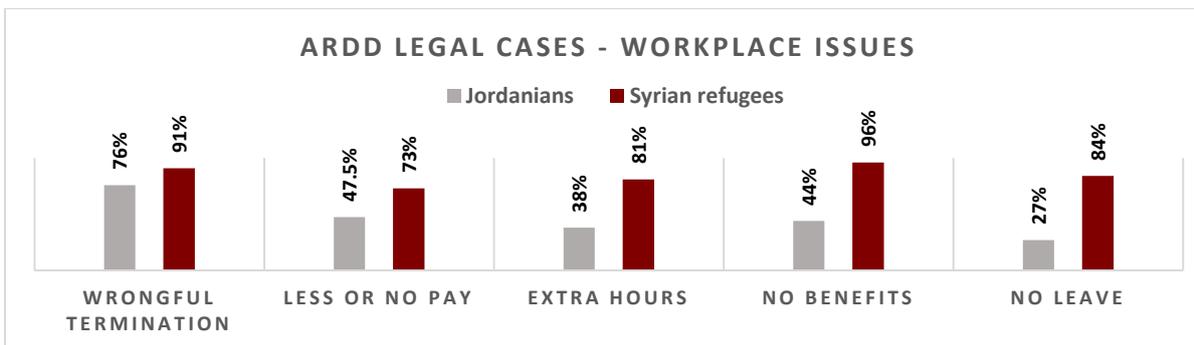
The overall negative attitudes of employers towards women's role in the labour force exemplify the societal prejudices that underlie the discrimination experienced by women in the workplace. Most companies that employed women were most likely to employ young, unmarried women. This is a phenomenon supported by the results of ARDD's survey that found that unmarried women and women 25-30 years of age were most likely to be in paid employment.

Furthermore, ARDD found 67% of Jordanian women and 44% of Syrian refugee women to report having experienced workplace discrimination. **The most commonly experienced form of discrimination was general attitudes of employers and colleagues:** reported by 43% of Jordanian women and 43.3% of Syrian refugee women. This was **followed by unequal pay:** reported by 30% of Jordanian women and 36.7% of Syrian refugee women. **Women in discussions with ARDD also reported being exploited by being given less than the minimum wage or less than they were promised.**

The legal cases handled by ARDD lawyers confirm the prominence of this practice, with 73% of Syrian refugee women and 47.5% of Jordanian women who sought legal consultations and mediation from ARDD not having received all or some of the agreed payment from their workplace. Other forms of discrimination experienced by women included roles and responsibilities, maternity leave, working hours and paid leave and benefits.



Significantly, ARDD’s report shows that women tend to experience more than one form of discrimination at a time. The analysis of legal cases in particular highlights that Syrian refugee women are not only more likely than Jordanian women to experience workplace discrimination but that they are more likely than Jordanian women to experience multiple forms of discrimination.



The high rates of sexual harassment among women who were facing other forms of malpractice in the workplace also suggests that women are likely to experience sexual harassment in addition to other forms of abuse and discrimination. **Sexual harassment can thus not be tackled without addressing gender inequality and all forms of discrimination and GBV.** This means working not only in the legal sphere, but also the social sphere: working in communities with men, women, boys and girls to increase understanding of GBV and its consequences, and the responsibility that society bears to tackle it.

A culture of silence

In addition to the legal barriers deterring women from reporting on sexual harassment, **ARDD found there to be a culture of silence surrounding sexual harassment that made women even less likely to report incidents.**

While high rates of sexual harassment were informally reported by women who met with ARDD lawyers, the survey results showed far fewer women to experience harassment: of women in paid work, only 15.8% of Jordanian women and 5% of Syrian refugee women reported having experienced workplace sexual harassment. In discussions with ARDD, **women were initially reluctant to talk about sexual harassment.** Only once they became comfortable talking about harmful workplace practices did they begin to discuss sexual harassment in the workplace and its many forms. In a training conducted with workers from a manufacturing company in Jerash, ILO also found many workers to “fear the consequences of openly discussing sexual harassment”.¹⁰

Jordanian women’s organisations have reported that such consequences include fear or being blamed for provoking sexual harassment, losing paid employment, and the stigma of sexual harassment.¹¹ Women also spoke to ARDD about such fears, especially the stigma surrounding sexual harassment and the social repercussions they could face for reporting it. So strong is such fear that UNDP found that it was common for women who experience sexual harassment in the workplace to opt out of employment entirely and put an end to their career rather than be faced with victimisation and social stigma.¹² **The low rate of reported experiences of sexual harassment in ARDD’s survey is therefore a better indication of the reluctance of women to report harassment, than any indication as to the likely levels of harassment.**

The fear of stigma appears to have been internalised by women to a point at which it goes unquestioned.

Furthermore, this fear of stigma appears to have been internalised by women to a point to which it goes unquestioned. Thus the majority of survey respondents who experienced sexual harassment – 59% of Jordanian women and 55.6% of Syrian refugee women - reported ‘not knowing’ why they did not consider taking legal action, almost as if inaction has become not a choice but an instinct.

¹⁰ ILO, 2017b.

¹¹ US Department of State, 2015. *Jordan 2015 Human Rights Report – Executive Summary* [Online] Available at: <https://photos.state.gov/libraries/jordan/444371/rabadids/JORDAN2015HumanRightsReport.pdf> [Accessed 4 Oct 2018]

¹² UNDP, 2012. *Gender Equality and Women's Empowerment in Public Administration*. [Online] Available at: <http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Women-s%20Empowerment/JordanFinal%20-%20HiRes.pdf> [Accessed 20 Sep 2018].

Recommendations

ARDD recommends:

PREVENTION

➤ Legal

- Introduce a mandatory duty on employers to take reasonable steps to protect workers from harassment and victimisation in the workplace, and to publish their sexual harassment policy on their external website.
- Chapter 9 of the labour law, 'Safety and Occupational Health', should be amended to make it the duty of employers to provide a safe working environment for their staff with regards also to occurrences of harassment and assault, not only from "hazards and diseases" and "the risks of work".
- Remove exceptions to the application of the law, such as for civil servants, gardeners, and cooks, as found in Article (3) of the labour law, to increase their protection against harassment and abuse.
- Take steps to help both Jordanian and refugee women access the formal labour market, such as through opening up traditionally female sectors to refugee women, which usually is considered under the closed professions/sectors.

➤ Social

- To reduce social stigma, greater transparency is required so that the scale and nature of workplace sexual harassment is more visible, and it is clear if attempts to prevent and respond to it are succeeding. To this end, data needs to be collected by the Jordanian government on workplace sexual harassment, and the findings published.
- More work is needed with communities, including with men and boys. Men and boys need to also be recognised as potential targets of sexual harassment and other forms of GBV and sensitised to gender issues.
- As female refugees are more likely to remain silent, they need to be better supported to participate in decision-making processes and to take up leadership positions, as advocated for by UNSCR 1325.

Women recommend:

- Awareness-raising for employees on reporting mechanisms and the law
- Activating a hotline specifically for reporting harassment
- Improvements to the laws

Employers recommend:

- Written policies in the workplace on equal pay, sexual harassment and other forms of discrimination
 - Improvements to the laws
-

➤ Infrastructure

- Improve the accessibility and the affordability of transportation systems to help women access the formal labour market and the justice departments, if needed, for reporting and protection.

RESPONSE

➤ Legal

- Clearer and more comprehensive laws on sexual harassment are needed to ensure all forms of sexual harassment are covered by the labour law and employees are protected from arbitrary dismissal for reporting harassment.
- Introduce a statutory code of practice on sexual harassment at work, specifying the steps that employers should take to prevent and respond to sexual harassment.

➤ Professional

- Clear external reporting mechanisms should be made available for employees.

➤ Infrastructural

- There is a need to enhance all protection mechanisms. The reporting mechanisms for all forms of GBV need to be strengthened, while compensation ought to be offered to those who experience harassment.
- The availability of, and access to, provisions such as shelter, legal aid and psychosocial support need to be improved, in conjunction with the provision of financial aid or other forms of economic support to access these services, and support and empower women who may face the additional complication of losing paid work as a result of reporting harassment. This is especially necessary since the poorest are most vulnerable to harassment and other forms of discrimination.
- Improve the accessibility and affordability of safe transportation systems to help women access services.

Appendix

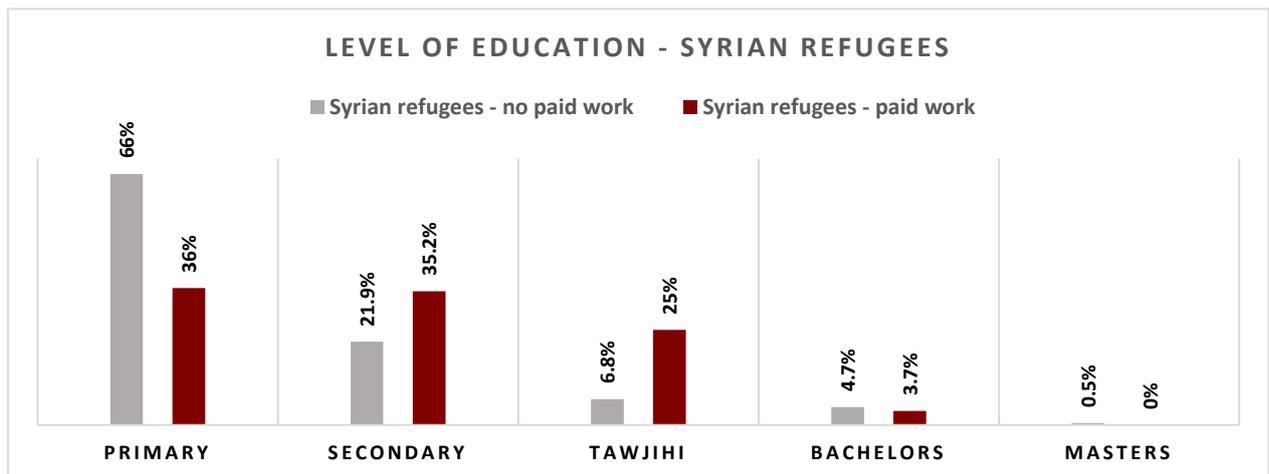
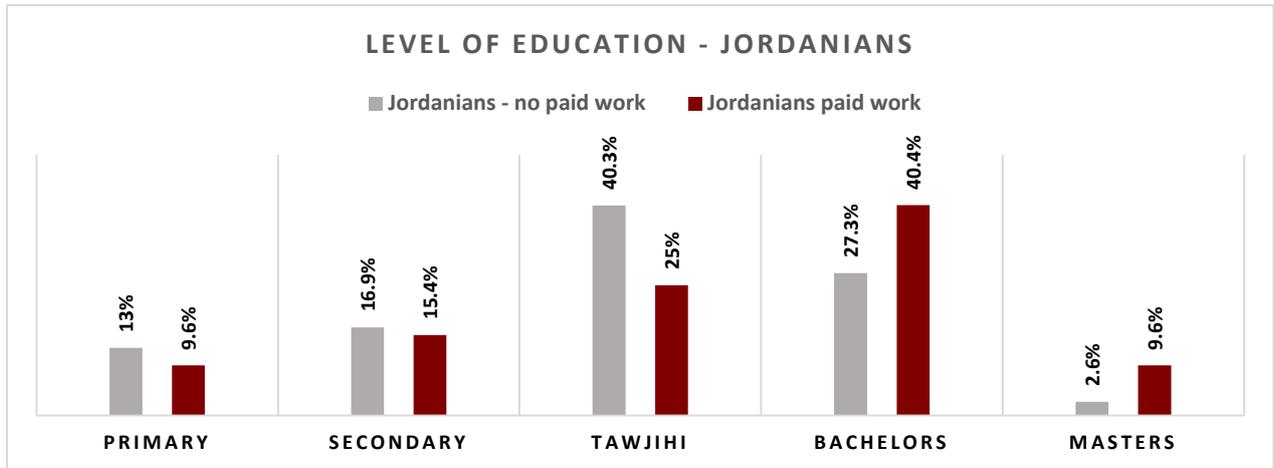
Annex 1 – Profile of consulted companies

Company	Employment of women	Employment of Syrian refugees	Employment of Syrian refugee women	Sector currently open to non-Jordanians
1	33%	No	No	No
2	50%	No	No	Yes*
3	60%	No	No	Yes
4	0%	No	No	Yes
5	40%	No	No	Yes
6	33%	Yes	No	Yes
7	Factories 100% Farms 0%	Yes (daily contracts)	Yes	No
8	24%	No	No	Yes
9	25%	Yes	Yes (5%)	Yes
10	38%	No	No	Partially**
11	50%	No	No	Partially
12	66% (no contract)	No	No	Partially
13	6%	Yes	Yes	Partially

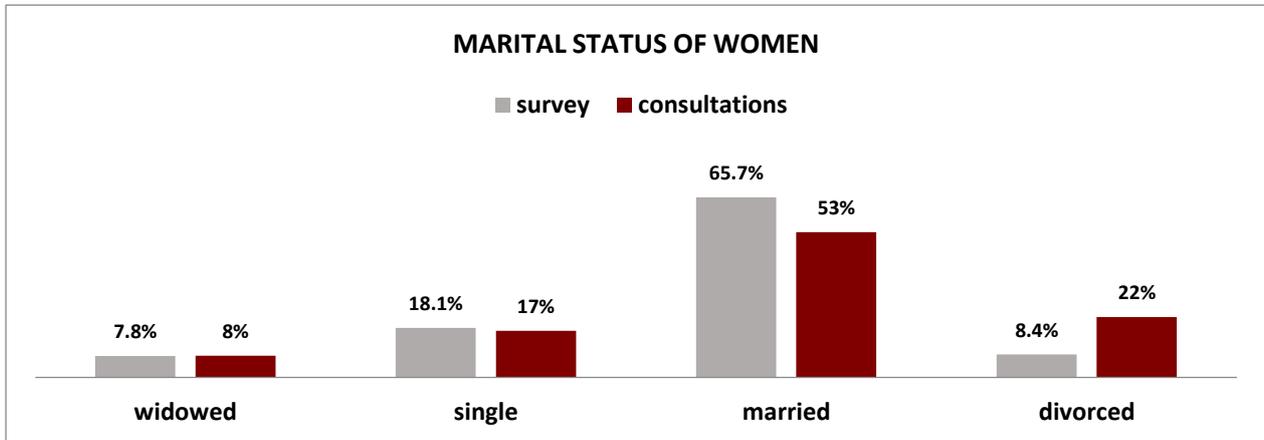
*Important to note is that those sectors that are open to non-Jordanians are still only able to employ a certain percentage of non-Jordanians, which can also depend on the availability of Jordanians and expertise of potential non-Jordanian employees.

**Some positions in the firm fall under sectors open to non-Jordanians and others under sectors closed to non-Jordanians, or that it depends on the rate of unemployment.

Annex 2 – Level of Education of ARDD survey respondents



Annex 3 - Marital status of ARDD survey respondents and the women who sought consultations, mediation or litigation for workplace disputes



Terms' Definitions:

- ❖ **Informal work:** A group of economic activities that have no legal framework, are not controlled by the government, are not taxed, and are not included in GNP accounts in contrast to those of the registered official sector.

- ❖ **Hidden harassment:** It is when an individual, regardless of his or her sex, is subjected to one or more forms of sexual harassment or suffers from other forms of gender-based abuse and discrimination in the workplace, which affects human dignity and threatens the individual's personal, social, legal and economic rights, without resorting to formally report the incidents formally or legally or to seek protection out of the fear of losing material gains or of violating of social conditions, and justify these discriminatory practices as being due to customs and traditions or their need to work, especially in the case of women and girls. The underlying cause of these cases might be due to the strength and weakness dynamics affecting the victims, the lack of knowledge of complaints' procedures, the lack of knowledge of the legal mechanisms or the lack of confidence in their effectiveness and ability to protect, this might be also contributed to the underlying weakness of the legal systems and accountability mechanisms in the environment surrounding the victim and the aggressor in addition the accusatory view towards the harassments' victims and threats of abuse through social stigma when reporting. On the other hand, the concealment may be intentional and caused by the ferocity of some social and professional environments, preferring to keep these violations secret and silent, by not clarifying the mechanisms of protection out of the desire to take over power in the relations of production, or the marginalization of these violations by the official and security authorities and the officials themselves in order not to disturb social security and not to raise the causes of societal violence, or to prevent the complexity of women's access to educational opportunities and to the labour market in light of their lack of equal opportunities with their male counterparts. This makes many of these violations hidden and undisclosed, preferring not to raise them for the impossibility of proof and obtaining evidence, which makes the knowledge of these violations within a closed circle that may not exceed the aggressor and victim, causing these ratios to be absent from the official reports and legislative, professional and communal mechanisms. Thus, leading many to suffer silently and adapt to a negative reality that feeds on the feelings of the victims and their psychological, social, vocational and legal rights.

* The above definitions were prepared according to the opinion Arab Renaissance or Democracy and Development's experts with the help of some sources such as the International Labour Organization.

“Women’s Access to Economic Justice through Legal Empowerment” Project



النهضة العربية للديمقراطية والتنمية
Arab Renaissance for Democracy & Development

To contact ARDD Amman main office call: 06-4617277

For aid services contact the following number during working days:

06-4617477

Or call the emergency line available 24/7:

0777387221



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