

LABOR COMPLIANCE IN JORDAN'S APPAREL SECTOR

THIRD REPORT ON INSPECTION ISSUES

D.K. TEXTILES

4 DECEMBER 2007



**MINISTRY OF LABOR
AMMAN, HASHEMITE KINGDOM OF JORDAN**

Background

On 30 March 2007, the Ministry of Labour (MoL) published a Plan of Action outlining steps taken and planned to improve overall labour administration and social dialogue and compliance specifically in the apparel sector (www.mol.gov.jo). In addition to regular updates on the implementation status of the different elements in the Plan of Action, the Ministry also decided to publish more detailed reports on its inspection activities. The objective of these reports is to provide additional information on inspection reform activities, as well as to provide information with regard to findings made by the MoL for specific enterprises about which allegations of worker rights violations have been made in public. This is the third such report.

Ministry of Labor findings

The following section provides information and an overview of MoL findings with regard to a report published by the National Labor Committee (NLC) on 26 November, 2007 with regard to D.K. Textiles. These findings are based mostly on information already obtained through Ministry inspections of D.K. Textiles before the publication of the NLC report, although an additional inspection by MoL personnel was undertaken to D.K. Textiles on November 27, immediately after publication of the NLC allegations. It is important to underscore here that the teams investigating these issues include people who speak Bangla, the language of the guest workers employed at D.K. Textiles.

The Government of Jordan recognizes the important role the NLC has played in drawing attention to the working conditions situation in Jordan's garment sector and welcomes its continued commitment in this respect. Unfortunately its report of 26 November, 2007 is, in our view, highly inaccurate. Realizing the difficulties that exist for the NLC with regard to relying on subjective sources for information in particular factories that it may have difficulty in verifying, the Ministry again calls upon the NLC to engage with the Ministry on allegations prior to their publication and ensuring that published information is up to date. The Government of Jordan, which has made clear its commitment to a timely and transparent investigation of all allegations, has made this appeal to the NLC on two previous occasions and finds it highly disappointing that the NLC does not appear to have followed such an approach.

D.K. Textiles/Al Sharshaf for Linen:

D.K. Textiles has been in operation in Jordan since March 1999. There are 129 Bangladeshi workers and 35 Jordanian workers. Out of the 129 Bangladeshi workers, 49 were transferred to the factory by the MoL on 19 December 2006 after closure of another factory, which had left the workers stranded in Jordan without valid papers. Contrary to what the NLC reports there are no Sri Lankan workers in the factory.

Because there has been frequent interaction between the labour inspectorate and the transferred workers, the labour inspectorate had detailed knowledge of the working

conditions situation, prior to the appearance of the NLC allegations. However, following the NLC allegations an international monitor from Bangladesh attached to the Ministry again visited D.K. on 27 November and interviewed more than 25 Bangladeshi workers.

Clearly, the most serious allegation of the NLC concerns the imprisoned workers. Given the seriousness of the allegations, the Ministry of Labour requested the National Centre for Human Rights (NCHR) to launch an independent investigation. The NCHR is a national institution with full financial and administrative independence with regard to its mandate, which includes the monitoring and follow up of any allegations of violations of worker rights in Jordan.

The NCHR investigation is ongoing and when the NCHR makes its report, the Government of Jordan will take the appropriate action and issue a follow-up report.

The NCHR will also address the issue concerning the worker the NLC alleges is seriously ill. However, according to the medical report currently available to the MoL the worker was taken to the hospital on 28 November with complaints of abdominal pains. He was admitted overnight on suspicion of acute appendicitis and, following physical examinations and laboratory tests, released the day after with a clean bill of health.

With regard to the specific allegations in the NLC report, the MoL has long been aware that none of the Bangladeshi workers at D.K. Textiles had valid residence permits as required under the law. This is partly due to management and partly because some of the workers were transferred by the MoL from a closed factory, as stated earlier. However, as part of a sector-wide policy to address the issue of workers without valid papers, the MoL provided all Bangladeshi at D.K. Textiles workers with temporary identity cards on 15 August. These cards enable workers to move about freely inside and outside the industrial zone because the police have been instructed not to arrest any guest worker for not having a residence permit when carrying such a card, and there is no evidence that the workers have had any problems with their freedom of movement. As part of this regularization policy, the MoL is working to ensure all workers entitled to it under the criteria developed will eventually be provided with the necessary documents without having to pay any fines attached to overstaying visas. Should the regularization process and related documentation not be finalized by 15 December, the MoL will extend the validity of the temporary cards and inform all workers, factory managers and relevant authorities accordingly.

Workers confirm that, contrary to the allegations by the NLC of extraordinarily long work days without days off, over time work is on average limited to 1 or 2 hours per day, though sometimes it may extend to 3 or 4 hours per day. The overtime is, however, according to the workers undertaken voluntarily. Work on Friday is also voluntary and on average undertaken once or twice a month. Again, contrary to the NLC allegations, these working hour conditions are consistent with Jordanian law.

Also contrary to what the NLC reports, wage payments for regular and over time hours are correct. In fact, D.K. uses a bonus system that enables workers to earn 5 hours extra pay when they reach the targets, regardless of how many hours they work, even when this is only 8 hours. As a result, the average wages at D.K. are far above the minimum wage

of 110JD. For instance, from a random sample of 14 Bangladeshi workers whose basic wage is the minimum wage of 110JD, the monthly average wage during one recent month was 193JD. However, workers do have problems understanding their wage calculations, confusing, for instance salary slips with production records used for the calculation of the bonus provided. To avoid any possible future misunderstandings, the MoL will ensure that workers have their wage calculations explained better by organizing information meetings for the workers within the next two weeks.

The NLC allegations concerning the insufficient availability of hot water and the lack of a heating system in the dormitories are correct. The MoL has communicated to the management of D.K. textiles that the provision of adequate water and heat is necessary and has asked the management for a response plan.

Contrary to what the NLC reports, no worker has ever complained to the MoL about physical abuse by management at D.K. However, workers did indicate that they feel the Bangladeshi production manager does not correctly convey their concerns and questions to general management. It is against this background of tensions between the production manager and the group of workers that were transferred by the MoL, that the NLC allegations concerning the arrested workers must be placed.

On 12 November some workers started a strike demanding the release of the arrested workers. However, contrary to the allegations in the original NLC report that the strike is still ongoing, workers went back to work within a few days. The NLC corrected this point on its website on November 29, but alleged this was as a result of pressure. In the same update the NLC still alleges that the regular work day continues to be 13 to 15 hours daily. There is no evidence to substantiate either allegation. Moreover, workers report that management has not threatened to cut off water, cease the supply of water or remove workers from their dormitories at any time.

For additional information, please contact representatives of the Government of Jordan:

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