



Guide to Jordanian Labour Law for Garment Industry

(Third Edition, 2019)



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Preface

The Ministry has taken it upon itself to guarantee an effective labour market with qualified and productive workers in a safe and stable work environment. It also works to regulate and develop the labour market according to best practices, guarantee equal opportunities, and create a comprehensive system of standards, policies and oversight tools following a participatory approach with relevant public institutions, the private sector, and social partners.

Consequently, it cooperated with Better Work Jordan, under the umbrella of the ILO, since its inception, which brings together the three parties to production in the global garment industry to improve work conditions, respect worker rights, and enhance competitive capacities. Better Work Jordan offered its services to the factories participating in the program, which include factory assessments, consultation visits, and training services.

The program played a pioneering role over the past few years and continues to support decent work in the garment sector and to improve its competitiveness by enhancing economic performance at the establishment level and improving compliance with the Jordanian Labour Law and the ILO core labour standards.

Following the decisions to simplify the Rules of Origin no. 1/2016 and 1/2018 signed between Jordan and the European Union, which paved the way for Jordanian producers and investors to access the European market, including the garments sector. Therefore, increasing Jordanian exports and increasing job opportunities, particularly in areas with poverty.

This Guidebook for the garment is therefore important to enhance awareness of employers and workers, and all stakeholders, on the provisions of the Jordanian Labour Law and the legislation regulating this sector. It also simplifies the legal provisions to reach the largest group of stakeholders, which translates into greater compliance and reflects on providing a motivating work environment that attracts investment and works to balance between economic growth and create decent work opportunities for job seekers.

Minister of Labour

Introduction

This Guidebook explains and simplifies the Labour Law for employers, workers, international buyers and others in this sector. The first copy of this Guidebook was published in 2013, which helped employers, workers, buyers and stakeholders in explaining and simplifying the Labour Law in the garment sector. In view of the significant developments in this sector, it was necessary to keep up with them and publish a new and edited version according to the latest amendments to the Labour Law, and the regulations, instructions and decisions issued in accordance with it, in addition to updating the rulings on collective labour agreements.

We used simple and clear terms in this Guidebook so that they may be referred to by its users. This Guidebook does not replace the Labour Law, but rather simplifies and facilitates understanding the legal aspects according to the provisions of the Jordanian Labour Law and the legislation issued in accordance with it, without referring to the core ILO labour standards used by Better Work Jordan to conduct factory assessments, in addition to the national law (Labour Law).

We seek to work with the Ministry of Labour and local and international partners to raise legal awareness on the rights and duties of the parties to labour according to the Labour Law and international labour standards, in view of its significant impact on the garment sector and all the sectors in general.

Better Work Jordan Programme Manager
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1 Right to Labour

1.1 Right to Labour:

The Constitution of Jordan guaranteed the right to labour and obligated the state to provide it to Jordanians by directing the national economy and raising its performance level.

It also stipulated that the state protect labour and enact legislation to this effect based on the following principles:

1. Every workman shall receive remuneration commensurate with the quantity and quality of his work.
2. The number of hours of work per week shall be limited. Workers shall be given weekly and annual days of paid rest.
3. Special compensation shall be given to workers supporting families and on dismissal, illness, old age and emergencies arising out of the nature of their work.
4. Special conditions shall be made for the employment of women and young persons.
5. Factories and workshops shall be subject to health rules.
6. Free Trade unions shall be formed within the limits of law.

Legal reference:
Articles 6/2 and 23/1/2 of the Jordanian Constitution and its amendments of 1952.

1.2. Right to the Best:

The Labour Law stipulated the minimum level of worker rights, and thus the rights granted to the workers by any other law, labour contract, agreement or decision must be considered if they grant the worker better rights than those stipulated in the Labour Law provisions. Similarly, every condition in a contract or agreement which leads the worker to waive any right enshrined by the Labour Law shall be considered null and void.

Legal reference:
Article 4/A/B of the Jordanian Labour Law.

2 Minimum Age for Work

2.1 Legal Age for Work:

Young persons may not be employed if they have not completed sixteen years of age in any form.

Legal reference:
Article 73 of the Labour Law.

2.2 Protecting young workers:

Young workers (between 16 and 18 years of age) may not work for more than 6 hours a day and must receive one hour of rest after every 4 hours of work. Young persons may not work from 8 pm until 6 am or on religious holidays, official holidays and weekends.

To protect the health of young workers, their safety and morals, employers are prohibited from employing young persons in several fields, including some fields in the plastics, engineering and chemical factories:

Legal reference:
Articles 74-76 of the Labour Law and Decision of the Labour Minister on Work Hazardous, Exhausting or Harmful to Young person Health of 2011.

- Working with flammable materials
- Activities that cannot be performed without wearing personal protection equipment to prevent immediate and direct danger
- Guarding lives and property
- Activities requiring in their nature dealing with machines that have parts unprotected by special shields
- Handling activities that utilize conveyor belts, winches, machinery with rotating, sharp, moving, cutting and cog parts
- Activities requiring in their nature exposure to traffic risks, driving any machine, bus or vehicle transporting humans, equipment or products, regardless of the mode of transport.
- Activities that require operating winches in factories.
- Work in restricted zones
- Activities that require extreme physical stress such as loading and unloading
- Activities that result in electrical risks, such as handling electric generators
- Activities that result in exposure to dust, fibers, fumes and smoke
- Activities that result is exposure to organic dust such as cotton, linen and garment industries
- Activities where young persons are exposed to noise over 85 decibels

- Activities where young persons are exposed to vibration and shaking
- Activities where young persons are exposed to high heat or under direct sunlight.

2.3 Documents required of young workers:

Before employing young persons, employers must request of them or their guardians the following documents, on condition that the work is not hazardous, exhausting, or harmful to young person health (aforementioned):

- Certified copy of the young person's birth certificate
- Certificate of young person fitness to perform the required work, issued by the authorized physician and certified by the Ministry of Health.
- Written consent from the young person's guardian.

These documents must be retained in the young worker's employment file, along with information on his address, date of employment, work performed, remuneration and leave.

Legal reference:
Article 76 of the Labour Law and Decision by the Minister of Labour on records that must be retained by the employer of 2002.

3 Trade Unions

3.1 Forming trade unions

Trade unions shall be formed to fulfill the following objectives:

- Look after the interests of the workers in the profession/occupation and defending their rights at work.
- Improve relations and work conditions, including collective bargaining and signing collective agreements.
- Contribute to avoiding group and individual disputes and working to resolve them.
- Represent workers at establishments relevant to worker, economic and social affairs, according to the valid legislation.
- Work to elevate levels of economic, social, occupational and cultural awareness of workers, and enhance their participation in making decisions related to them.
- Offer health and social services to their members and any facilities to fulfill their consumer needs.

Legal reference:
Articles 98-100 of the
Jordanian Labour Law.

No worker union or employer association may be formed with the purpose of undertaking any activities on ethnic, sectarian or religious grounds.

Trade unions in Jordan fall under the umbrella of the General Federation of Jordanian Trade Unions.

3.2 Freedom to form or join trade unions (Freedom of Association):

Workers in any profession/occupation are entitled to form their own union, and workers in that profession/occupation have the right to join it if they fulfill membership conditions.

Employers are prohibited from joining trade unions and workers joining trade unions may not be less than 18 years of age.

The trade union shall be formed of no less than fifty workers in a single occupation, similar occupations and occupations connected to each other in production.

Founders of any trade union or employer association must be:

- Jordanian
- Not less than 18 years of age
- Not convicted of any misdemeanor relevant to honor and honesty or a felony.

Legal reference:
Articles 97 and 98 of the
Jordanian Labour Law
and Decision to classify
occupations and industries
where workers may form
trade unions of 1999.

3.3 Facilitate the work of trade unions:

The trilateral committee for worker affairs shall designate the necessary principles and standards to enable trade union representatives to perform their duties, including conditions on reducing working hours or working full time on trade union affairs, and providing the necessary financial capacities for this purpose, considering the establishment's capacities and number of workers.

Legal reference:
Articles 107 and 108 of the Jordanian Labour Law.

3.4 Protecting trade union representatives:

Employers may not take any action against any trade union representative on the grounds of practicing trade union activities, including dismissal from work. If the employer does this, the labour inspector shall issue a warning on the need to correct the violation within a period not to exceed seven days from the warning. If the violation persists, the labour inspector shall write a report and refer the matter to the competent court.

Legal reference:
Article 108/A/B/C of the Jordanian Labour Law.

The worker may also claim damages caused because of the action taken against him. If he is dismissed from work, the court may issue a decision to reinstate him along with the payment of full remuneration for the period he was dismissed from work until the date of the decision. If the worker is unable to return to work for reasons related to the employer, he may claim additional compensation no less than the remuneration of six months and no more than twelve months, in addition to compensation for arbitrary dismissal and any other rights due according to the Labour Law.

3.5 Prohibition of interference in trade unions or employer unions:

Trade unions and employer unions are prohibited from conducting any activities that entail interference in the affairs of the other side, directly or indirectly, with regard to forming or managing them, or how they are conducting their work.

Legal reference:
Article 97 of the Labour Law.

3.6 Prohibit discrimination against trade unions:

Employers are prohibited from employing any worker on condition that he is not part of a trade union, relinquishing membership in it, work to dismiss him from any trade union, undermine any of his rights because of trade union membership or contributing to its activities outside working hours.

Legal reference:
Articles 97 and 108 of the
Jordanian Labour Law.

Employers are prohibited from taking any action against the trade union representative because of practicing union activities, including dismissal from work. If the employer takes such action, the labour inspector shall issue a warning on the need to correct the violation within a period not to exceed seven days from the warning. If the violation persists, the labour inspector shall write a report and refer the matter to the competent court. The worker may also claim damages caused because of the action taken against him. If he is dismissed from work, the court may issue a decision to reinstate him along with the payment of full remuneration for the period he was dismissed from work. If the worker is unable to return to work for reasons related to the employer, he may claim additional compensation ranging between 6 and 12 months of remuneration, in addition to compensation for arbitrary dismissal and any other rights due.

4 Collective labour agreements

4.1 Definition of collective labour agreements:

The collective labour agreement is a written agreement regulating the work conditions between the employer or employer association on one hand and a group of workers or the trade union on the other.

Legal reference:
Article 2 of the Jordanian Labour Law.

4.2 Content, registration and publication of the collective labour agreements:

The collective labour agreement shall be made in three original copies at least, and each party shall retain a copy of it. The third copy shall be deposited with the Ministry of Labour for registration in a special record. It shall also be published on the website.

Legal reference:
Articles 39 and 42/A of the Jordanian Labour Law.

The collective labour agreement must include:

- Employers and groups of workers benefitting from it.
- Points agreed upon by the parties, including labour conditions, circumstances and relations.
- Start and end date, if it is a fixed term agreement.
- Description of the procedures to amend the contract.
- Implementation shall be guaranteed by forming a committee made up of representatives of the parties to the agreement, so that membership is equal between employers and workers. It shall be mandated with settling disputes arising from its implementation.

4.3 Implementation of the collective labour agreement:

The collective labour agreement shall be binding for:

- Employers included in its provisions and their legal successors, including the heirs and persons to whom the establishment reverts in any form.
- Workers included in its provisions
- Workers in any establishment subject to the provisions of the collective labour agreement, even if those workers are not members in any trade union.
- Workers in any establishment subject to the provisions of the collective labour agreement if those workers have individual labour agreements with the establishment, and the conditions and provisions of their individual agreements are less beneficial to them than those in the collective labour agreement.

Legal reference:
Article 42 B of the Jordanian Labour Law.

Any conditions violating the collective labour agreement in any individual agreement signed between the workers and employers, or the trade unions that have signed a collective agreement, unless this condition is more useful to the worker than the collective labour agreement.

4.4 Duration and amendment of the collective labour agreement:

The collective labour agreement is for a fixed or indefinite term. If it is a fixed term, it may not exceed 3 years. After two years of implementing the indefinite term contract, either party to the agreement may request any of the following:

Legal reference:
Articles 40 and 41 of the
Jordanian Labour Law.

- Conclude the agreement pursuant to a notice sent to the other party at least one month prior to the conclusion date
- Complete or partial amendment to the agreement, provided that the amendment is within one month from the date of notification.

The party requesting the amendment or conclusion must notify the Ministry with a copy of the request as soon as it is sent.

If the collective labour agreement concludes or either party concludes it, and there are negotiations to renew it, extend its term or amend it, it shall remain valid throughout the duration of the negotiations, for no more than six months. If no agreement is reached within the six months, the contract shall be considered expired.

Note: The conclusion of the collective labour agreement does not allow the employer in any form to undermine the rights acquired by the workers included in the agreement.

5 Labour disputes

5.1 Labour disputes

The remuneration authority at the Ministry of Labour shall hear lawsuits relating to wages in a specific area including the shortage in paid wage, illegal deductions therefrom, delaying its payment or wages of overtime hours provided that it is immediately settled. The worker has the right to file the lawsuit whether during his employment or within six months from the date of termination of his employment if the contractual relationship was terminated from the worker's side.

Legal reference:
Articles 54 of the
Jordanian Labour Law.

Worker to resolve the dispute between him and the employer, on condition that this mediation takes place within six months from the conclusion of employment.

5.2 Individual labour disputes:

The Magistrate Court shall have cognizance to hear the lawsuits arising out of individual work disputes including disputes arising in areas without a Wage Authority in accordance with the provisions of paragraph B of this Article, whereby the lawsuit shall be finalized within three months from the date of its receipt by the Court.

Legal reference:
Articles 54 and 137 of the
Jordanian Labour Law.

The Magistrate Court shall settle all the disputes related to the shortage of wages, illegal deductions, or the wages of overtime hours, as follows:

- A. The worker himself or the trade union on his behalf shall file the claim in writing. A uniform claim may be filed by an number of workers if they are employed by the same institution and the cause of their claims is one cause. The employer shall file a detailed response on the claim plea on every incident attached with the documents and data providing paying the wages which the worker is claiming within ten days from the date of filing the claim.
- B. The court may ask the employer within a specified period to pay the employee wages illegally deducted or unpaid wages or due or delayed payment in the period designated for this purpose and may add compensation provided that the amount of compensation does not exceed the amount of the unpaid wages for the claimed period under that condition that the employer shall not be required to pay compensation for undue or late wages if the court is satisfied that the delay was caused

by a mistake in good faith . A dispute over the amount to be paid or for the occurrence of an emergency or a default of the worker in relation to claiming the wages or accepting the same.

- C. The decision of the court issued pursuant to the provisions of paragraph (a) of this Article may be appealed with ten days from its notification if it was read with the existence of both parties, and from the date of its notification if it was read without the existence of both parties, and the court shall settle the appeal within thirty days from filing it.
- D. 1. The claims filed before the Magistrate Court shall be exempted from all fees including the execution fees of the decision issued therefrom.
- 2. The provisions of clause (1) of this paragraph shall not be applied whenever the claim is renewed for more than one time after dropping it or on any other claim filed by the worker under the same subject matter.

5.3 Collective labour disputes:

Collective labour disputes are every dispute arising between the trade union on one hand and the employer or employer association on the other on the implementation or interpretation of the collective labour agreement or the circumstances and conditions of work.

Legal reference:
Articles 2, 132 and 134 of
the Jordanian Labour Law.

While the labour dispute is being heard, no employer may change valid employment terms, dismiss any worker or shut down his establishment without prior written consent from the entity hearing the dispute. Similarly, workers may not go on strike nor may employers shut down their establishment if the dispute is being heard by a conciliation representative, conciliation council or labour court, or in the period during which the settlement or any decision is valid, if the strike or closure relates to issues included in that settlement or decision.

5.4 Steps to resolve the collective labour agreement by the Ministry of Labour:

The minister must appoint one or more conciliators from the Ministry to undertake mediation to settle collective labour disputes for the area and duration he deems appropriate. If there is a collective labour dispute, the conciliator must start mediation between the two parties to settle that dispute. If an agreement is reached with a collective agreement or by any other means, the conciliator shall retain a copy of it certified by both parties. If no negotiations are possible between the two sides for any reason, or if continuing them will not lead to a settlement of the dispute, the conciliator must submit a report to the Minister with the causes of the dispute and the negotiations that took place between the two sides, and the result reached, within no more than twenty days from the date that the dispute was referred to him.

Legal reference:
Articles 120, 124 and 128
of the Jordanian Labour
Law.

If the Minister in turn is unable to settle the dispute, he must refer it to the conciliation council formed of a chair appointed by the Minister, on condition that he is not a party of the dispute, trade unions or employer associations, and two members or more representing the employers and workers in equal numbers. Each party shall name his representatives to the council.

If the labour dispute is referred to the conciliation council, it must make all efforts possible to reach a settlement in the manner it deems appropriate. If a complete or partial settlement is reached, a report shall be sent to the Minister of this along with the settlement signed by the two sides. If the conciliation council does not reach a settlement, it must submit a report to the Minister with the causes of the dispute, the procedures taken to settle it, the reasons for the failure to reach a settlement, and the recommendations it deems appropriate in this regard.

The council must also in all cases conclude the conciliation procedures and submit its report on the results reached within a period no more than twenty-one days from the date that the dispute was referred.

If a dispute is settled, a report shall be sent to the Minister with the settlement signed between the two sides. It shall also be published in a local newspaper at the expense of the parties to the dispute. If the council fails to settle the dispute, the Minister shall refer to the dispute to the labour court.

The conciliation council shall write a report to be signed by all members of the council, as the case may be. The decision shall be reached by consensus or majority, and every dissenting member of the council must write his opinion in the report or the decision.

Neither party to the labour dispute may appoint a lawyer before the conciliator or conciliation council.

5.5 Steps to resolve the collective labour dispute by the labour court:

If the conciliation council is unable to conclude the collective labour dispute, the Minister must refer it to a labour court consisting of three judges delegated by the Judicial Council for this purpose at the request of the Minister, presided over by the highest-ranking judge.

It may convene with two of its members present. If they disagree on opinion, the third judge shall be called in to consider the case and issue a decision.

The labour dispute referred to the labour court shall be considered a summary case so that it is heard within no more than seven days from the date of referral. The court shall issue its decision on the dispute and report it to the Minister within thirty days from that date. The decision shall be final and not subject to appeal before any judicial or administrative entity.

The labour court shall hear the labour dispute referred to it and shall dispose on it according to the procedures it deems appropriate to achieve justice between the two sides, provided that any special procedures outlined in this law are considered. Both parties may appoint one or more lawyers before the court.

The labour court decision shall be in writing and signed by the members of the court as the case may be, and the decision shall be reached by consensus or majority, and every dissenting member of the court must write his opinion in the decision. The report of the council or the decision of the labour court shall be issued in one or more local newspaper at the expense of the parties to the dispute within thirty days from the Minister receiving the report or decision.

The settlement reached on the results of the conciliation procedures or labour court decision shall be binding for the following groups:

- A. Parties to the labour dispute

Legal reference:
Articles 124, 128, 130
and 131 of the Jordanian
Labour Law.

- B. Successors of the employer including his heirs to whom the establishment reverts
- C. All persons who worked at the establishment that is the subject of the dispute on the date it occurred or part of, as the case may be, and all persons later employed at the establishment or any part of it if the settlement report or labour court decision stipulates this, and the law or bylaws issued in accordance with it do not prohibit this.

The labour court decision must come into effect on the date designated by it, and the settlement reached because of conciliation procedures shall come into effect on the date agreed upon by the parties to the labour dispute. If no agreement is reached on this, the settlement shall come into effect on the date the settlement report is reached. It shall be binding for all parties and according to the conditions stipulated in it.

5.6 Strikes and closures:

- Strikes

Strikes are a group of workers stopping work because of a labour dispute.

A worker or workers may not strike until notice is given to the employer 14 days from the date of the strike. This period is doubled if work relates to a public interest service. This notice must be in writing and signed by the workers or their trade union, on condition that it clearly specifies the worker groups involved. The notice must also include the subject and cause of the dispute and the expected date of the strike.

The notice must be submitted to the employer or his delegate if he is not present. If this is not possible, it can be sent to him by registered mail, and in this case, notification shall be considered valid 7 days from the date that the notice is sent. Accordingly, the date of the strike must be changed to the date this period concludes.

No worker may go on strike if the dispute has been referred to a dispute settlement entity, or if it is related to issued included in a valid settlement agreement or a valid decision.

Legal reference:
Articles 135 and 136 of the Labour Law and the Bylaws and the Conditions and Procedures for Strikes and Closures No. 8 of 1998.

- Work site closures by employers:

Closures are complete or partial closures of the establishment or stopping work at the establishment by the employer. The employer may not shut down any work site before notifying the workers and the Labour Directorate in writing 14 days before the closure. This period shall be doubled if the work relates to a public interest service. The notice must be in writing and include the subject of the dispute and the expected date of closure. It should be signed by the employer or his delegate and must be delivered directly to the concerned workers or the trade union that represents them. If this is not possible, the employer or his delegate must announce the closure in writing in a prominent and clear place inside the work site.

The employer may not shut down his establishment if the dispute is being heard by the entity settling the dispute.

Legal reference:
Articles 134 and 135 of the
Labour Law and Bylaws on
Conditions and Procedures
for Strikes and Closures
of 1998.

6 Discrimination

6.1 Discrimination:

The Jordanian constitution stipulates that all Jordanians shall be equal before the Law. There shall be no discrimination between them as regards to their rights and duties, on the groups of race, language or religion.

It also provides for every worker receiving remuneration commensurate with the quantity and quality of his work.

The Labor Law also defines discrimination in wages as the inequality among workers for all work of equal value without any discrimination based on sex.

The Labor Law stipulates that the Employer shall be penalized by a minimum fine of five hundred Dinars and not exceeding one thousand Dinars for every incident wherein a payment below the minimum wage established to the wages is made to a worker or any discrimination in wages based on sex in addition to passing judgment in favor of the worker of the wage difference. The penalty shall be doubled whenever the violation is repeated.

The law also grants the Wage Authority the right to hear cases concerning discrimination of wages for work of equal value, provided that they are dismissed expeditiously and that the worker may initiate proceedings whether he is on duty or within six months of leaving the job if the contractual relationship is terminated by the worker.

Jordan has also ratified the two ILO core conventions: The Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value No 100 of 1951 and the Convention concerning Discrimination in Respect of Employment and Occupation. The Jordanian Labour Law protects working women from discrimination during pregnancy and maternity leave. Employers may not terminate the services of pregnant working women from the sixth month of pregnancy or during maternity leave.

Legal reference:
Articles 2, 53 and 54 of the Jordanian Labor Law, Articles 6 and 23 of the Constitution of Jordan, ILO Convention No. 100 of 1951 on Equal Remuneration for Men and Women Workers for Work of Equal Value and Convention No. 111 of 1958 on Discrimination in Respect of Employment and Occupation, and Article 27 of the Labour Law.

6.2 Employment of Persons with Disabilities:

Jordan was one of the first countries to ratify the International Convention on the Rights of Persons with Disabilities. It aimed to implement the provisions of this convention and fulfil its objectives and goals, namely the protection of the rights of persons with disabilities and guarantee their full enjoyment of human rights and basic freedoms.

The law mandates employers with between 25 and 50 workers to employ one person at least with a disability. If the number of workers exceeds 50 workers in any of them, a percentage of 4% shall be allocated for persons with disabilities, according to the Ministry of Labour.

The Law on the Rights of Persons with Disabilities prohibited discrimination based on disability in the work place. It also limited the restriction of any rights or freedoms enshrined in the valid laws based on disability, as well as undermining, denying or negating any rights or freedoms, whether directly or indirectly, or failing to offer reasonable accommodation.

No person may be excluded from work or training based on a disability or because of it, and the disability itself shall not be considered a reason preventing either work or training. Moreover, job ads and their application forms may not stipulate a condition of freedom from disability. Persons with disabilities may not be excluded from training for any profession/occupation after accommodation the job based on their disability.

Employers must provide reasonable accommodation to perform any job, continue it or obtain a promotion in it. Reasonable accommodation shall mean amending environmental conditions in terms of time and place to enable persons with disabilities to practice a right or freedom, or access services on an equal footing with others.

The law mandated employers to send periodic data to the Ministry of Labour on the number of workers with disabilities, the nature of their work, jobs that they occupy, the remuneration they are paid, and the reasonable accommodation offered to them.

Legal reference:
Article 13 of the Jordanian Labour Law, Articles 2 and 25 of the Law on the Rights of Persons with Disabilities No. 20 of 2017 and the International Convention on the Rights of Persons with Disabilities.

7 Forced labour

7.1 Forced labour:

Forced labour and trafficking in persons are crimes according to the Anti Trafficking in Persons Law in Jordan and the international agreements that prohibit the recruitment or receipt of persons with the intent to exploit them in forced labour using the threat or use of force or other means of coercion, kidnapping, fraud, tricks, or abuse of power or a state of weakness. In case of individuals under eighteen years of age, the purpose or means used are not taken into consideration. Jordan ratified the two core ILO conventions aimed at combating forced labour: Forced Labour Convention No. 29 of 1930 and the Abolition of Forced Labour Convention No. 105 of 1957.

Legal reference:
Article 3 of the Anti-Trafficking in Persons Law No. 9 of 2009, Article 17 of the Labour Law, Convention on Forced Labour No. 29 of 1930 and Convention on Abolishing Forced Labour No. 105 of 1957.

Forced labour is defined as any act or service attained under the threat of any penalty, when the person is perform it against his own free will.

The Labour Law also contains measures aimed at guaranteeing that migrant workers do not pay unauthorized fees or are deceived upon appointment. Workers are also not obligated to perform work that is different in nature than the work agreed upon in the labour agreement, unless necessary: prevent accidents, repair the effects of any accidents, or in case of a force majeure.

7.2 Coerced labour:

Employers may not coerce workers to work under coercion or by threats or fraud, including the seizure of travel documents. This includes employing workers overtime without their consent for hours that exceed the agreed upon hours or employing them without their consent during weekends or on religious or official holidays.

Legal reference:
Article 77/A and B of the Labour Law and Article 23 of the Passports Law No. 2 of 1969.

In case of a violation, the employers are fined between 500 and 1000 JD. This penalty shall be doubled in case of recidivism.

7.3 Prohibition of Worker Assault and Sexual Harassment:

A worker may leave work if the employer or his representative assaults him by beating, debasement, or any form of sexual assault punishable in accordance with the provisions of the valid legislation. If the Minister of Labour finds that the employer or his representative beat his workers or practiced any form of sexual assault against them, he may decide to shut down the establishment for a period he deems appropriate, considering the provisions of any other valid legislation.

Legal reference:
Article 29/A/6 and 29/B
of the Labour Law.

8.1 Employment:

Employers must send written notice to the Ministry of Labour or any of its directorates in the work area on the first month of every year, indicating the number of workers employed, the location and nature of work, the remuneration, and the date every worker started work.

Legal Reference:
Article 8/A of the
Jordanian Labour Law.

Employers must retain worker records at the main headquarters of the establishment and the worker's work site, with the following:

First: Workers record, containing: name of worker in four parts, national ID, date of birth, nationality, academic qualifications and specialization, nature of work, date of joining (in day/month/year), date and cause of conclusion (in day/month/year), and remuneration.

Second: Remuneration record, containing: name of worker in four parts, remuneration (in months/weeks/daily/by the hour/by piece), bonuses, increases and any other privileges, legal deductions, total remuneration, signature of worker upon receipt and date of receipt.

Third: Overtime record, containing: name of worker in four parts, number of overtime hours worked in a single day, date of receipt, signature of receipt by worker, total remuneration, number of official and religious holidays or weekend days worked, total remuneration, signature of receipt by worker, and date of receipt.

Fourth: Record of fines in accordance with Article 48 of the Labour Law, containing: name of worker in four parts, remuneration, value of deducted fine, date fine was imposed and cause.

Fifth: Record of annual / sick / study/ worker culture / pilgrimage / leaves for working women, containing: name of worker in four parts, type of leave, duration, start and end dates, annual leaves program for the workers agreed upon in the first month of the year according to Article 61/D of the Labour Law, balance of remaining days for every worker, and balance of the annual leave carried forward to the following year.

Sixth: Record of trainee workers, containing: name of worker in four parts, age, academic qualification, number and date of the approval received from the Vocational Training Corporation, duration of training, location and phases, type of occupation, remuneration for the last phase of training, consent by the guardian for trainees who have not completed eighteen years of age.

Seventh: Record of work injuries and medical tests, containing: name of worker in four parts, nature of work, date of appointment, date and cause of injury, steps taken by the establishment, injury description, duration of inability to work, medical action taken, summary and date of final medical report, and any other comments.

Employers must show these records to the labour inspectors upon request and facilitate their viewing and copying.

8.2 Employing non-Jordanian Workers:

- Non-Jordanian workers may not be employed unless they enjoy qualifications not enjoyed by Jordanian workers, or the number of available Jordanians is insufficient, considering the decision on closed professions/occupations issued by the Ministry of Labour, which are restricted exclusively to Jordanians.
- Non-Jordanian workers must secure a work permit for no more than one year, subject to renewal by the Ministry of Labour. Work permits allow workers to work in a specific profession/occupation and a specific employer.
- Employers are in violation if they employ non-Jordanian workers without a permit or employ an unlicensed worker, or in a profession/occupation in which he is not authorized to work. If the Minister decides to deport the worker who is illegally employed, the employer must cover the cost of the worker's return ticket.

Legal reference:
Article 12 of the Jordanian Labour Law and decision by the Minister of Labour on closed profession/occupation restricted exclusively to Jordanians of 2016.

8.3 Conditions and procedures for recruiting and employing non-Jordanian workers:

The Minister of Labour may form a committee of Ministry staff called the recruitment committee, which approves or rejects recruitment or employment applications for non-Jordanian workers from inside or outside the Kingdom, according to the instructions published by the Ministry.

Every employer wishing to employ or recruit a non-Jordanian worker must take the following action:

Fill out the employment and recruitment form adopted by the Ministry of Labour, duly signed, with the following:

- Name of employer or establishment, name of its owner or manager, address, nature of work, and branches, if any.
- Name of the worker as it appears in the passport, date of birth, nationality, and occupation.

The employment application must include the following documents:

- Work contract in two copies, signed by the two sides.
- Valid vocational license of the establishment and a copy of it.
- Copy of the worker's valid passport.
- Statements by the Social Security Corporation indicating the establishment's subscription.
- Copy of the projects and tenders awarded to the establishment with the awarding entities.
- Valid medical certificate of the recruited or employed worker, issued by a clinic accredited by the Ministry of Health.

The recruitment application must include the following documents:

- Valid vocational license of the establishment and a copy of it.
- Copy of the projects and tenders awarded to the establishment with the awarding entities.
- Copy of the worker's passport, valid for no less than one year.
- Work contract in two copies, produced when the application is approved.
- Certificate of non-conviction duly issued by the competent authorities in the worker's country.
- Work permits shall be paid in advance after the application is approved.

Legal reference:
Instructions on the conditions and procedures for recruiting and employing non-Jordanian workers of 2012, and Instructions on the conditions and procedures for recruiting and employing non-Jordanian workers in the qualified industrial zones of 2007.

8.4 Work Permit Fees:

The Ministry charges employers permit or permit renewal fees for one year or part of a year for non-Jordanian workers totalling 175 JD for every permit, in addition to 100 JD for every permit.

Legal reference:
Bylaws on the work permit fees for non-Jordanian workers for non-Jordanian workers No. (142) for 2019. .

8.5 Individual labour contract:

The labour contract is an explicit or implied oral or written agreement according to which employers, under their supervision or their management in return for remuneration. The labour contract may be for fixed term, unlimited term, or for specified or unspecified work.

Legal reference:
Articles 2, 4, 15 and 45 of the Labour Law.

The labour contract must contain work items and conditions, such as:

- Duration of work
- Hours, site and scope of work
- Remuneration and privileges due to the worker
- Procedures for resigning work.

The labour contract may be oral or in writing. However, it is best to be in writing to reduce misunderstandings and disputes and facilitate the process of proof in the event of a dispute.

Labour contracts must be written in Arabic and the employer and worker must each keep a copy. If the worker is non-Arab, another copy of the contract must be written in a language he understands.

Workers may not waive any right enshrined in the Labour law. Any waiver by a worker of any of his rights shall be considered null and void, for example, any agreement signed by the worker leading him to waive his right to an annual leave shall be considered null and void.

8.6 Collective Labour Agreements:

These are written agreements signed between the employer or employer association on one hand and a group of workers or a trade union on the other, regulating work conditions.

Legal reference:
Articles 39-44 of the Jordanian Labour Law.

Fixed term and unlimited term contracts:

The work contract is either:

- Fixed term; concludes of its own accord with the expiry of this term. If both parties continue to implement it after its expiry, this shall be considered an unlimited extension of it, from the time of first use. The duration of the fixed term contract may not exceed five years. If it drafted for more than five years, it shall revert to five years.
- Unlimited term; has no specific date for its expiry.

Legal reference:
Article 15 of the Jordanian Labour Law and Article 806 of the Jordanian Civil Code.

8.7 Probation Condition for Workers:

Employers may employ workers on a probation basis, after verifying efficiency at work and ability to perform the work required, for no more than three months. The remuneration of probation workers may not be less than the minimum wage.

Legal reference:
Article 35 of the Jordanian Labour Law.

The probation period is not assumed, it must be agreed upon by both sides when signing the contract. The worker may not be put on probation more than once by the same employer.

8.8 Worker Training:

Drafting training contracts:

Vocational training contracts must follow the model and terms set by the VTC for this purpose. The vocational training contract must be in writing between the worker and employer. The trainer should have sufficient qualifications and expertise in the trade or craft that is the subject of the training, and the VTC itself should have the appropriate conditions for training. If the trainee is a young person, his guardian or custodian shall enter into the contract on his behalf.

Legal reference:
Article 36 of the Jordanian Labour Law and VTC Contract Instructions of 1999.

Training contract duration:

The training contract shall designate its duration, consecutive phases and remuneration due for the trainee in every phase, provided that the remuneration in the last are not less than the minimum wage paid for similar work. In no event shall the remuneration be by piece or production.

Legal reference:
Article 37 of the Jordanian Labour Law and VTC Contract Instructions of 1999.

Training contract conclusion:

The training contract may be concluded at the request of the employer or the trainee, in any of the following cases:

- If either of them violates the Labour Law
- If either of them does not live up to the terms of the contract signed
- If it is impossible to fulfil the contract conditions for reasons outside the will of both parties
- If the employer moves the training location specified in the contract to another location that is difficult for the trainee to reach or harmful to the trainee's health.
- If continuing the training threatens the health or safety of the trainee and this is proven in the labour inspector's report or a medical report issued by an accredited medical committee.

Legal reference:
Article 38 of the Jordanian Labour Law and VTC Contract Instructions of 1999.

8.9 Work restricted to specific times:

Occasional work:

Work performed by the worker or a group of workers due to emergency needs. Work is considered occasional if completed in 3 months. For example: employing the worker for one week to unload goods so that the employer can fulfil a delivery date.

Legal reference:
Article 2 of the Jordanian Labour Law.

Interim work:

Any work by nature requiring a limited period to complete, for example: appointing a worker in another's place who is on maternity leave.

Legal reference:
Article 2 of the Jordanian Labour Law.

8.10 Internal regulations:

Every employer employing 10 or more workers must draft internal regulations to regulate work at his establishment. These regulations shall be compliance with the Labour Law and ratified by the Ministry.

The internal regulations must be available to all workers as well as Labour inspectors.

The internal regulations must designate the following:

- Working hours
- Daily and weekly rest times
- Rules of work, disciplinary measures and penalties
- Other matters relevant to the nature of work

The internal regulations shall be subject to ratification by the Minister of Labour or his delegate and shall come into effect on the date of ratification.

Legal reference:
Article 55 of the Jordanian Labour Law.

8.11 Disciplinary measures:

Employers may take disciplinary measures against the worker if the worker violates the instructions of the internal regulations of his work place. Employers may not impose penalties on the worker which violate the law or are not listed on the penalties list of the internal regulations. The penalty must be imposed on the worker according to the sequence listed on the list.

The disciplinary measures shall be subject to the following restrictions:

- Employers must create a list of disciplinary measures for workers in the internal regulations of the company, ratified by the Ministry of Labour.
- Workers shall not be subject to fines exceeding remuneration for three days in a single month or suspended from work without pay for more than three months in a single month.
- Employers must allow workers to defend themselves before they are subject to a penalty.
- Workers have the right to appeal a ruling imposed on him to the labour inspector within one week of notification.

Legal reference:
Articles 48 and 55 of the Jordanian Labour Law and decision on the fines imposed on the workers in accordance with the provisions of Articles 48 and 55 of the Labour Law of 2002.

- Employers may not take any disciplinary action against the worker who commits a violation 15 days from the date of committing this violation.
- Fines imposed on workers should be recorded in a special register with the name of the worker, remuneration and causes of the fine. Fines must be allocated for social services for the workers at the establishment as decided by the Minister of his delegate.

8.12 Concluding the contract:

The contract shall be concluded in one of the following cases:

- If the two parties agree to conclude it
- If the duration of the contract expires or the work itself is finished
- If the worker is diseased, disabled by disease or cannot work, and this is proven by a medical report issued by a medical authority.
- If the worker meets the conditions of old age pension provided for in the Social Security Law unless the parties agree otherwise.

Legal reference:
Article 21 of the Jordanian Labour Law.

8.13 Arbitrary and illegal dismissal of workers:

The law prohibits terminating the services of workers in any of the following cases:

- If he files a complaint against the employer regarding the application of the Labour Law to the competent authorities.
- The working woman is pregnant working women (starting from the sixth month of pregnancy) or on maternity leave.
- If the worker is on annual leave, sick leave or leave granted for worker education or pilgrimage purposes, or the worker is performing military service or reserve service, while on duty, or on leave agreed upon for trade union work.
- Based on membership in a trade union or participating in trade union activities.

Legal reference:
Articles 23, 24, 25, 27, 28, 29 and 138 of the Jordanian Labour Law.

If the worker is dismissed from work for an illegal reason, the following shall ensue:

- The worker may file a lawsuit within two years from the date the reason for claiming those rights and remuneration arose.

- If the competent court finds that the dismissal was arbitrary and in violation of the law, it may order the employer to reinstate the work (within sixty days from the date of his dismissal) or pay compensation to the worker equal to the remuneration of half a month for every year of service by the worker, with a minimum of two months' remuneration, in addition to the cost of notification and other dues of the worker as stipulated in the Labour Law.
- The duration of sixty days in Article 25 of the Labour Law are the court's authority to reinstate the worker and not the statute of limitations for filing an arbitrary dismissal case, which has a two-year statute of limitations according to Article 138/B of the Labour Law.
- Compensation is calculated according to the last remuneration received by the worker.

8.14 Notice of Conclusion:

If the worker or the employer wish to conclude the unlimited term contract, he must send notice to the other party at least one full month before leaving work, and the notice may be withdrawn with the consent of both parties.

Legal reference:
Articles 23, 28, 29 and 35
of the Labour Law.

If the notice is by the employer, he may exempt the worker within the notice period or refrain from employing him except in the last seven days of them. The worker shall be due his remuneration for the duration of the notice in all these cases.

Employers may dismiss the worker without notice to him in the following cases:

- During the probation period, If agreed upon.
- If the worker assumes the personality or identity of another, or if he submitted false certificates or documents.
- If the worker does not fulfil the obligations on his part according to the labour contract
- If the worker commits a mistake leading to a grave financial loss for the employer, on condition that the employer notifies the competent authority or authorities of the incident within five days of learning of it.
- If the worker violates the internal regulations of the establishment, despite being notified twice in writing.

- If the worker is absent from work without a legitimate cause more than twenty intermittent days in a single year or more than ten consecutive days, provided that the dismissal is preceded by a written notice by registered mail to his address and published in one local daily newspaper one time.
- If the worker reveals work secrets.
- If the worker is convicted of a felony or a misdemeanour relevant to honour and public morals, and the ruling has become final
- If the worker is found at work in a state of clear intoxication or influenced by a narcotic or psychotropic substance or committed acts against public morality at work.
- If the worker assaults the employer or manager(s) or any worker or other person during work or because of it, by beating or debasement.

Any worker may leave work without notice to the employer while retaining his end of service legal rights, and the ensuring damages compensation, in any of the following cases:

- Employment in a job significantly different from the work agreed upon in the contract, provided Article 17 of the Labour Law is considered.
- Employment in a manner requiring him to change her permanent place of residence, unless the contract stipulates that this is permitted.
- Transferred to another job at a lower rank than the work it was agreed to employ him in.
- Reduced remuneration, provided Article 14 of the Labour Law is considered.
- If a medical report by a competent authority finds that continuing work will threaten his health.
- If the employer or his representative assaults him by beating or debasement, or any form of sexual assault punishable according to the valid legal provisions.
- If the employer fails to comply with any legal provision and is notified by a competent authority asking him to abide by it.

8.15 Suspending or concluding labour contracts for economic or technical circumstances:

If the economic or technical circumstances of the employer require reducing the work volume or replacing one production system with another, or completely stopping work, which may lead to concluding or suspending all or some of the unlimited contracts, the employer must:

Legal reference:
Article 31 of the Jordanian labour law.

- Notify the Minister of Labour in writing of this, prior to making any decision in this regard outlining the need for this, and the employer may not take any action before notifying the Minister.
- The Minister shall form a committee of the three parties to production: Workers, employer, and representatives of the Ministry, to verify the soundness of the employer's procedures. The committee shall submit its recommendations within no more than 15 days from the date of the notice.
- The Minister must decide on the employer's procedures within seven days from receiving the committee's report.
- Anyone affected by the Minister's decision must submit within 10 days from receiving notice of this decision an appeal before the competent court of appeals, and the court must consider the appeal in form and dispose on it within one month.
- Workers may return to work within one year from the date of leaving it if the work returns to normal and they can be employed by the employer.
- Any worker whose work was suspended due to a reduction in the volume of work or suspension of work may leave work without notice and retain his end of service legal rights.

8.16 End of service dues

The amounts due on the conclusion of work vary according to the type of labour contract, reasons for concluding work, and duration of work. The worker may collect all rights and dues stipulated in the contract, such as: annual leave dues and remuneration due until the end of the outstanding period of the contract, in the case where the Employer terminates the worker's contract without legal justification.

Legal reference:
Articles 26, 29, 32, 33, 35 and 63 of the Jordanian Labour Law.

Dues resulting from a termination of the employment contract:

- The worker not subject to the provisions of the Social Security Law is due an end of service award at a rate of the remuneration of one month for every year of actual service,

and a proportionate award for parts of the year. The award shall be calculated based on the last remuneration received during the term of employment. If all or part of the remuneration are calculated based on commission or piece, the calculation of the award shall be based on the monthly average of the worker's actual pay in the last twelve months preceding the conclusion of services. If the service did not reach this limit, then the monthly average of his total service.

- The end of service award shall not be due to workers on probation.
- The worker subject to special provisions relevant to savings, retirement or other similar funds shall have be entitled to all dues granted to him according to the labour contract.

If the fixed term contract is terminated, by the Employer the worker is entitled to the following:

- If the employer concludes the contract before its expiry, the worker is entitled to the full remuneration and privileges due to him and shall be entitled to the remuneration due until the conclusion of the remaining period of the contract. If the worker excludes the fixed-term contract before its conclusion, the employer may claim from the work the damages resulting from this, which is assessed by the competent court. The amount to be paid by the worker should not exceed the remuneration of half a month for every month of the outstanding contract period.

If the unlimited term contract is terminated, the worker is entitled to the following:

- If the competent court finds that the conclusion by the employer (dismissal) was arbitrary and in violation of the law, it may order the employer to reinstate the worker (within sixty days from the date of dismissal) or pay complete compensation to the worker equal to the remuneration of half a month for every year of the worker's service, at a minimum of no less than two months' remuneration, in addition to the other rights of the worker stipulated in the Labour Law.
- The compensation shall be calculated based on the last remuneration earned by the worker at work.

9 Remuneration and Privileges

9.1 Definition of remuneration:

Remuneration are all dues earned by the worker in return for his work, in cash or in kind, along with all other dues, whatever their type, if stipulated in the law, labour contract, internal regulations or habitually paid, except for remuneration due for overtime work. The remuneration shall be designated in the contract so that the worker is aware of them. The remuneration shall be assessed for the same type of work to be performed by the worker or according to the custom in the occupation. In the event of conflict over remuneration, the court shall assess it pursuant to the provisions of the Labour Law.

Legal reference:
Articles 2, 45 and 46 of the Labour Law and the Resolution by the Opinion and Legislation Bureau No. 5 of 2003.

Remuneration can be determined by:

- Time: Remuneration per hour, week or month
- Piece: According to the quantity produced by the worker.

The work may be paid by time and piece simultaneously, and in this case the worker's basic pay increases with increased production.

For example: The daily remuneration for the worker at 8 JD, in addition to 0.5 JD for every piece produced over the first 100 pieces.

Remuneration may be in cash or in kind, and include all other dues to the worker stipulated in the law, labour contract or internal regulations, such as the following dues:

- Remuneration specified in the contract, cash or in kind
- Dues stipulated in the law
- Dues stipulated in the labour contract
- Dues stipulated in the international regulations of the establishment
- Dues habitually paid to the worker, except for remuneration due for overtime work.
- Cash or in-kind dormitory allowance
- Bonuses connected to profit and fulfilling the goals set by the establishment in its annual plans.
- Worker's share of the profit
- Remuneration in lieu of Fridays and official holidays
- Designating a vehicle for the worker from the employer to provide transportation instead of a cash transport allowance falls within the concept of remuneration if stipulated in the work contract.

Remuneration must be paid within a period not to exceed seven days from the date the remuneration is due. Workers must sign on receiving the remuneration. The burden of proof that the worker received his due remuneration falls on the employer.

9.2 Minimum wage:

Workers shall be paid by the employer the minimum wage set by the tripartite committee for labour affairs formed by the Ministry of Labour.

- Minimum wage for Jordanian workers is 220 JD a month, as of 1/3/2018
- The decision of the tripartite committee on labour affairs on 22/3/2017 enabled worker representatives and employers to find a mechanism for implementing the minimum wage decision, so that the agreement is an integral part of the minimum wage decision. The latest collective agreement was deposited with the Ministry of Labour to equate between Jordanian and migrant workers in the minimum wage. Thus, the minimum wage for migrant workers in the garment industry became 220 JD per month as of 1/3/2018. However, it was divided into two parts, cash and in-kind:
- 125 JD cash a month
- 95 JD in kind for dormitory and food, so that the remuneration is calculated for purposes of social security and overtime as cash plus in-kind remuneration = 220 JD per month.

Legal reference:
Articles 52 and 53 of the Labour Law, Council of Ministers Resolution No. 1688 in its session held on 5/2/2017 on increasing the minimum wage, resolution by the tripartite committee on labour affairs to create a mechanism for enforcing the minimum wage resolution by the Council of Ministers in accordance with the provisions of Article 52 of the Labour Law No. 8 of 1996, and the collective labour agreement deposited with the Ministry of Labour published in the Official Gazette, issue No. 5455 dated 16/4/2017.

9.3 Deductions from worker pay:

Employers cannot deduct any amount from the worker's remuneration, except in the following cases:

- Recover the advances paid by the employer to the worker, on condition that no instalment paid by the worker to recover the advances paid by the employer exceeds 10% of the worker's remuneration.
- Recover any amount obtained by the worker over what he merits.
- Any deductions imposed by the law or subscriptions from the worker's remuneration, such as social security.

Legal reference:
Article 47 of the Jordanian Labour Law.

- Worker's subscriptions in the savings fund.
- Deductions relevant to dormitory facilities offered by the employer to the worker.
- Any debt that must be collected because of a court order.
- Any amounts imposed on the worker due to violating the internal regulations at work or due to destroying the employer's equipment.

9.4 Fines and their allocation

- Workers may not be subject to a fine exceeding three days of remuneration in a single month.
- Workers should be granted the opportunity to defend themselves and be heard before the penalty is imposed.
- The worker has the right to appeal the penalty imposed to the labour inspector within one week from the date of notification.
- No penalty may be imposed on the worker 15 days after committing the violation.
- Before deducting from the worker's remuneration in lieu of destroying the employer's tools and equipment, the employer must prove that the destruction was the result of the worker's mistake or failing to abide by the instructions.
- No deductions may be made from the worker's remuneration if he destroys the employer's equipment or tools that exceed his remuneration for 5 days a month.
- Every work place must have a committee formed, responsible for disposing of the funds collected from the fines imposed on the workers.

Legal reference:
Articles 48-49 of the
Jordanian Labour Law
and resolution on fines
imposed on workers of
2002

9.5 Deductions from remuneration

Income tax:

The valid income tax shall apply to all workers in Jordan regardless of their nationality, and according to the percentages stipulated in the valid law.

Legal reference:
Income and Sales Tax Law
No. 34 of 2014.

9.6 Overtime:

Overtime shall be calculated as follows:

Employers may be employed, with their consent, over the daily or weekly work hours, provided workers are paid for every overtime hour additional remuneration no less than 125% of their usual remuneration.

If workers work on their weekends, religious or official holidays, they shall earn for that day additional remuneration no less than 150% of their usual remuneration.

The overtime for workers by piece shall be calculated in the same way. Overtime shall be calculated as follows:

Overtime remuneration = actual remuneration by hour multiplied by 125% or 150% multiplied by overtime hours.

Legal reference:
Article 59 of the Jordanian Labour Law.

9.7 Overtime exceptions:

Overtime hours provisions shall not apply to persons performing duties of general supervision over the establishment or its management, not on workers who nature of work requires travel and movement, inside and outside the Kingdom.

Legal reference:
Article 58 of the Jordanian Labour Law.

9.8 Paid Holidays

- Paid weekends and holidays:

The weekly holiday is Friday, unless the nature of work requires otherwise. Workers shall earn their full remuneration during their designated weekend. Workers also earn full remuneration on official holidays, as published by the Council of Ministers. These are:

- Hijri new year
- Prophet Mohammad birthday
- Eid Al Fitr (4 days)
- Eid Al Adha (5 days)
- Christmas Day (1 day)
- New Year's Day (1 day)
- Independence Day of the Hashemite Kingdom of Jordan on 25 May
- Labour Day on 1st of May
- Easter Day for the Christian employees (Eastern calendar), two days

Legal reference:
Official memorandum by the Prime Ministry No. 6 of 2007, dated 6/2/2007, and memorandum No. 4 of 2012 dated 3/4/2012.

- Palm Sunday for the Christian employees (Eastern calendar).

- If the worker works on a daily or weekly basis, he shall earn in both cases weekend remuneration if he works six consecutive days before the day designated as a weekend. He shall earn a percentage of those remuneration for the days he worked during the week, if they are three days or more.

9.9 Paid annual leave:

Every worker is entitled to no less than 14 days paid leave for every year of work, and every worker who has spent five years with the same employer is entitled to 21 days paid leave. If the worker has not spent over a year with the employer, he is entitled to a paid leave proportionate to the period he worked during the year. Weekends and official holidays shall not count as part of the annual leave, even if they fall during the leave.

It is permissible to postpone the workers leave for any year by agreement between the worker and the Employer to the immediate coming year. The workers right to the leave postponed in this manner shall drop if the year to which it is postponed lapses and he did not request the utilization of same during such year. The Employer may not reject the Employees request for the utilization of his leave. If the Employer rejected such leave and two years have lapsed then the Employer shall be penalized with a fine that equals one hundred dinars and shall pay the annual leave compensation cash.

Workers may not waive their annual leave in any circumstances. If the worker concludes his service without using his leave, the worker may take remuneration in lieu of the leave days that he did not utilize.

The employer may designate within the first month of the year the annual leave for every worker, considering the worker's interests. The worker and employer may agree to postpone the worker's annual leave to the following year, and the employer may not refuse the worker's request to take his postponed leave.

Legal reference:
Articles 61, 63 and 64 of
the Jordanian Labour Law.

9.10 Special leaves:

Workers are entitled to 14 paid days of leave if:

- The worker enrolls in a worker education course accredited by the Ministry of Labour or General Federation of Jordanian Trade

Legal reference:
Articles 66 and 68 of the
Jordanian Labour Law.

Unions.

- The worker is performing pilgrimage, on condition that the worker has been employed with the same employer for at least 5 consecutive years. This leave is only granted once during the period of service.

A worker is entitled to 4 months leave without pay if he registers to study at an official recognized institute, college or university.

The worker is entitled to two years of unpaid leave to accompany a spouse, if the spouse's work moves inside or outside the Kingdom.

9.11 Sick leave:

Every worker shall be entitled to a fourteen-day sick leave with full pay per year based on a report from the physician approved by the establishment of workers less than twenty. As for establishments with over twenty workers, that it shall adapt its own medical committee for the purposes of approving medical reports. It may be renewed for a further fourteen days with full pay if he is hospitalized and with one half pay if it is based on a report of a medical committee approved by the establishment and was not hospitalized in any hospital.

Legal reference:
Article 65 of the Jordanian Labour Law.

Note: The worker's sick leave is merited according to the physician's report, as soon as work starts. The proportion and duration of service shall not be considered as in the case of the annual leave.

9.12 Maternity leave:

- The female worker is entitled to paid maternity leave before and after having her child for a total of 10 weeks, on condition that the duration after birth is at least 6 weeks.
- The female worker working in a workplace employing 10 workers or more may obtain a maximum of one-year unpaid leave to raise her child, on condition that she does not work at any other workplace for pay during this leave.

Legal reference:
Articles 67 and 70 of the Jordanian Labour Law and Article 44 of the Social Security Law.

The maternity leave shall be included in the social security's maternity insurance if the worker is covered by the provisions of this insurance within the last six months preceding her earning the maternity leave and this is proven by an official birth certificate.

9.13 Time allocated for nursing:

Female workers are entitled for one year only from the date of birth to take paid periods of time to nurse the new born, on condition that this period does not exceed one hour every day.

Legal reference:
Article 71 of the Jordanian Labour Law.

9.14 Social security:

All workers subject to the Labour Law shall be enrolled in social security without discrimination in nationality or the form and duration of the contract, on condition that the remuneration are not below the minimum wage. Overtime shall not be considered part of the pay subject to social security deductible wage.

Legal reference:
Articles 4, 24, 29, 42, 45, 48 and 59 of the Social Security Law.

Note: Remuneration subject to social security shall include all dues and fixed increases according to the definition of remuneration in the Labour and Social Security Laws.

10 Occupational Safety and Health

10.1 General Provisions:

To guarantee the occupational health and safety (OSH) of workers, employers must:

- Protect workers from risks and illnesses resulting from the work and the machinery used in it
- Educate workers before their employment on the risks of their profession/occupation and methods of protecting against them. Employers must also hang in a visible location instructions and guidelines outlining occupational risks and means of protecting against them.
- Provide personal protection equipment (PPE) for workers to protect against occupational risks and illnesses, such as clothes, glasses, gloves, shoes, and others.
- Guide them on the methods of using PPE and maintaining and cleaning them.
- Protect workers from fire risks.
- Provide first aid equipment and tools for workers at the establishment.

Legal reference:

Articles 78, 80 and 85 of the Jordanian Labour Law.

Workers may not be made to bear the expenses incurred for implementing or providing the above.

10.2 OSH Supervisor Committees:

Every establishment must form a specialized OSH committee proportionate to the number of its workers, according to the following table:

Number of workers	Specialized supervisor	Full time technician	OSH Committee
20-50	-	1	-
51-200	-	1	1
201-500	1	2	1
501-1000	2	3	1

Legal reference:

Bylaws on Forming OSH Committees and Supervisors No. 7 of 1998.

Any company employing over 1000 workers must also employ two technicians and a specialized supervisor for every 1000 employees over the first 1000.

The specialized supervisor and OSH supervisor shall be accredited by the Ministry of Labour. Final accreditation is contingent upon passing a court for accrediting OSH supervisors.

The OSH supervisor at the establishment shall report directly to the establishment's manager and must be trained in accordance with the level of responsibilities and nature of work at the establishment. The supervisor shall be responsible for:

- Creating OSH programs at the establishment, including the necessary annual plans.
- Conduct the necessary environmental measurements using the appropriate equipment to determine the risks, and record this in a special log for reference and follow up.
- Periodic inspection of all work sites and providing the protection requirements appropriate to the risks and harms, including PPEs and machinery-based protection.
- Inspect, record and report accidents with the measures and precautions necessary to avoid their recurrence and present them to the Ministry of every three months.
- Inspect work sites where an occupational disease is proven, and report on the work conditions with the assistance of the establishment physician, if any.
- Follow up on providing means of protection from fire and first aid equipment, organizing the transport of the injured workers to clinics or hospitals, if necessary, and observing good organization and cleanliness at the establishment.
- Create training programs for workers at the establishment to protect them from occupational risks, injuries, accidents and illnesses, and prepare educational, guiding and warning signs on OSH matters.
- Express opinions on importing machines or materials used in production in terms of fulfilling their safety and health conditions.

10.3 OSH Committee:

Every establishment and every branch with over 50 workers shall form an OSH committee made up of:

- Establishment manager, as the chair of the committee
- OSH supervisor at the establishment
- Representatives of the workers in a number equal to the heads of divisions who are members of the committee, considering that they represent all production divisions.
- Establishment physician.

The manager must notify the Ministry of Labour of the names of the committee member as soon as it is formed or any of its members are changed.

The committee shall discuss the following matters:

- Accidents and injuries at the place of work and means of protecting against them
- Work undertaken by the supervisor
- Educating the workers on OSH
- Study the proposals by the workers on OSH matters
- Create internal regulations to organize committee meetings, times and locations.

The committee must meet at least once a month, and its quorum shall be met with most of its members present, provided that the chair or his deputy is one of them. The committee decisions and recommendations must be recorded in a special record that is easily accessible.

Legal reference:
Bylaws on Forming OSH Committees and Supervisors No. 7 of 1998 and Article 8 of the Decision on OSH Supervisor Training Levels and Entities for Establishments of 2010.

10.4 Work injuries:

- Article 10 of the Labour Law on “Work Injuries and Occupation Illnesses” shall apply to workers not enrolled in social security
- As for workers included in social security, they shall be subject to the provisions of the Social Security Law of 2014.

Work injuries are injuries to workers resulting from:

- Being subjected to an accident while performing his work
- Injury arising with time due to the nature of the work
- Being subjected to an accident while going or returning to work.

An occupational disease is the worker’s affliction with an industrial disease outlined in Table No. 1 or occupational injury outlined in Table No. 2 annexed to the Labour Law.

Legal reference:
Articles 2 and 86 of the Labour Law and the Industrial Illnesses and Occupational Injuries Tables No. 1 and 2 annexed to the Labour Law.

10.5 Employer duties following an accident:

If the worker is afflicted with a work injury that led to his death or caused grave bodily harm that prevented him from continuing work, the employer must transport him to a hospital or clinic. The employer must pay the expenses of transporting the worker to the hospital for treatment and notify the competent security authorities of the accident within 48 hours.

Legal reference:
Article 87 of the Jordanian Labour Law.

10.6 Compensation for Work Accidents

Workers afflicted with a work injury may not claim any other compensation from the employer not stipulated in the Labour Law, unless the injury was caused by the employer.

In the event of an occupational illness, the worker must submit a medical report to merit compensation. The compensation shall be determined according to the last remuneration of the worker or his average remuneration in the six months preceding the injury in the event of working by piece.

Legal reference:
Articles 88 and 89 of the Jordanian Labour Law.

10.7 In the event of worker's death or complete disability:

The employer must compensate the worker afflicted with complete disability or who dies because of work with a payment of remuneration equal to 1200 working days, provided that the compensation does not exceed 5000 JD and is no less than 2000 JD.

Legal reference:
Article 90 A of the
Jordanian Labour Law.

In the event of the worker's temporary disability:

- 75% of the average daily remuneration if treatment is outside the hospital.
- 65% of the average daily remuneration if treatment is inside the hospital.

Legal reference:
Article 90 B of the
Jordanian Labour Law.

Workers shall receive remuneration during treatment, to be determined according to the medical report.

In the event of the worker's permanent disability:

If the worker is afflicted with a permanent partial disability, the injured worker shall be paid compensation according to the percentage of disability determined by the competent medical authority.

Legal reference:
Article 9 C of the
Jordanian Labour Law.

10.8 In the event that the worker has more than one bodily harm:

If the work injury results in more than a single bodily harm, the injured worker shall be due compensation for every harm, provided that the total to be paid in this case does not exceed the compensation due in the event of a complete disability.

Legal reference:
Article 90 C of the
Jordanian Labour Law.

10.9 Medical Services and First Aid:

Number of physicians and nurses:

Every employer employing over 50 workers must appoint physicians and nurses proportionate to the number of his workers and establishments employing less than 50 workers may share a physician and nurse:

Number of workers	Part time physician	Full time physician	Nurse	Medical Unit
50-100	1	-	1	-
101-500	-	1	2	1
501-1000	-	2	3	1
1001 and above	-	3	4	1

Legal reference:
Bylaws on Preventive and Curative Care for Workers No. 42 of 1998.

10.10 Preliminary Medical Exam:

No worker may be employed until after a preliminary medical exam is conducted to ensure physical fitness to undertake the work that will be assigned to him. The medical exams must consider the nature of the work, the worker's profession/occupation and the risk level that the worker may be exposed to because of work, such as a specialized eye exam for workers in stressful and accurate work, and workers subject to invisible radiation; audiogram for workers exposed to noise; and lung function test for workers exposed to dust and various gases.

The employer or responsible manager must assume the cost incurred for conducting the preliminary medical exams for all their workers.

Legal reference:
Articles 2, 3 and 4 of the Preliminary Medical Exam for Workers at Establishments of 1999.

10.11 Periodic Medical Exams:

The periodic medical exam for workers in the garment industry shall be conducted once a year.

Legal reference:
Articles 2 and 3 of the Instructions on the Periodic Medical Exams for Establishment Workers of 1999.

First Aid:

Employers must provide first aid tools and equipment for workers in the work place according to the nature of work and the number of workers. These must be kept in a box that is visible and safe place and must be accessible to workers. The box must contain:

- Fever reducing medicine and pain relievers and ointment for burns (Vaseline)
- Gauze, cotton, adhesive tape for gauze and band aids in several sizes
- Rubbing alcohol / disinfectant, hydrogen to clean wounds, iodine, compressors and triangular bands
- Container, tweezers, scissors and gloves.

Legal reference:
Decision on First Aid Tools and Equipment for Workers at Establishments of 1997 and Decision by the Minister on the Periodic Exam Form of 2002.

10.12 Break and dining room and washrooms:

Employers must provide a break and dining rooms according to the following conditions:

- Well-lit with good and quiet ventilation, with bright colours walls.
- Furnished with appropriate furniture (tables, chairs and clock)
- Clean and bug free, with waste containers and soft metal screens on the outside of the windows and doors.
- Equipped with fire extinguishers and a fire exit other than the main entrance.
- Cooled to the extent possible, preferably at 22 degrees Celsius.
- Level and non-slippery floors, with doors opening in both directions.
- Easily accessible by the workers.
- Break rooms should be far from the other sections that contain toxic or hazardous materials.

Legal reference:
Instructions on Protecting Workers from Work Environment Risks of 2008.

It is preferred that the washrooms for the workers are separate from the break and dining room, and equipped as follows:

- Hot and cold-water tanks, special hand washing soap, and hand drying options.
- Non-slippery floors.

A changing must also be provided for the workers, separate from the break room and washrooms, with individual lockers and keys to store their clothes and personal belongings safely.

10.13 Child care at work:

Employers employing over twenty female works must outfit an appropriate site under the supervision of a qualified child care professional to look after the children of female workers, provided they are no less than ten children.

Legal reference:
Article 72 of the Jordanian Labour Law.

10.14 Noise:

Employers must take measures at the workplace to protect workers from exposure to noise. The number of hours where workers are exposed to noise should not exceed:

Severity of noise in decibels	Duration of hours permitted per day
80	16
85	8
90	4
95	2
100	1
105	$\frac{1}{2}$
110	$\frac{1}{4}$
115	$\frac{1}{8}$

Legal reference:
Instructions on Protecting Workers from Work Environment Risks of 2008.

Workers at work sites where they are exposed to noise higher than the permitted levels shall be supplied with special ear plugs and protectors.

10.15 Lighting:

Employers must provide enough lighting appropriate to the type of work practiced, whether the lighting is natural or industrial, and shall consider:

- Lighting distribution is appropriate
- Windows are clean and not obstructed
- The light brightness should not be less than 20 candles / foot
- Avoid glowing and reflective light

Legal reference:
Instructions on Protecting Workers from Work Environment Risks of 2008.

10.16 Lifting Heavy Weights:

It is preferable that all weight lifting work is done by machines wherever possible. If workers are required to lift weights, there are maximum limits and conditions, as follows:

For men

Age	16-18	19-20	21-25	26-50	50 or more
Intermittent lifting / kg	20	25	30	23	17
Ongoing lifting / kg	15	18	20	15	11

For women

Age	16-18	19-20	21-25	26-50	50 or more
Intermittent lifting / kg	12	15	17	14	11
Ongoing lifting / kg	8	10	12	10	7

Legal reference:
Instructions on Protecting Workers from Work Environment Risks of 2008.

10.17 Personal Protection Equipment:

Workers must be provided with special glasses and protectors against the risk of small flying particles, invisible rays, sparks and ultraviolet rays.

Workers at the work site where they are exposed to noise that exceeds the permitted levels according to the adopted Jordanian standards and metrology in this regard must be provided with special ear plugs and hearing protectors.

Moreover, workers working in an environment polluted with gases, dust or steam at higher concentrations than the adopted thresholds must be provided with cotton or filter masks covering the mouth and nose.

Workers working in activities that subject the hands to risk and damage must be provided with the following:

Legal reference:
Instructions on Protecting Workers from Work Environment Risks of 2008.

- Leather gloves lined with leather, cotton and fabric to protect the hands from the risk of mechanical injuries.
- Leather gloves lined on the inside with a central steel metal liner to protect hands from the risk of cutting by sharing surfaces, knives, cutting tools, scratches, and the like.
- Protective gloves made of plastic materials to protect the hands from toxic substances.
- Protectors for palms designed for protecting hands from mechanical injuries and burns.
- Protectors for fingers from leather, rubber or plastic, to protect fingers from mechanical injuries, provided they are lined on the inside with a central steel liner if the risk is a mechanical injury resulting from fingers being subject to heavy objects falling.
- Gloves protecting hands from the effects of humidity, abrasive materials, high toxicity substances, alcohol and the like.
- Rubber insulating gloves to protect the hands from electrical current risks while working in the electricity field.
- Protective gloves lined with lead to protect against the risk of radiation.
- Disposable plastic and rubber gloves to protect hands from the risks resulting from food industries and service work for surgical operations and the like.
- Protective gloves that resist high heat to protect the hands from the risk of high heat resulting from melting metals or glass, hot substances, or spraying with molten metals, the manufacture of steel, working in hot ovens or similar work.
- Protective gloves that protect against the risk of sparks and flying metals while using flames and flashes to protect the hands from the risk of flying hot metals, sparks, radiating heat and ultraviolet rays, and the risk of burns when touching hot items and the like.

10.18 Protection against electricity risks:

Any electrical device, machine, cable, wire, connection or key must be permitted for use according to the adopted standard metrological specifications, and there must be skilled technicians who work on installing, fixing and maintaining them.

All machines, equipment and tools operated by electricity must be supplied with keys to cut off the electrical, and these keys must be insulated, safe, according to the nature of the work at various sites, and visible so that they are easily accessed in emergencies.

Insulated flooring must be installed around all electric panels made of dry wood, rubber or any other appropriate insulating substance

Periodic tests must be performed for all cables, wires and electric conductors to prevent any short circuiting and avoid any sudden risks such as fires and electric shocks.

Legal reference:
Bylaws on Protection
Against and Safety for
Industrial Machines and
Work Sites No 43 of 1998.

10.19 Protection against mechanical risks:

Employers or managers at the establishment must take the precautions and procedures necessary for protection against and safety of the mechanical risks of industrial machines and work sites.

A sealed protective barrier must be placed around all hazardous machines and equipment, including cutting parts, mobile scrapers, knitting machines, cog wheels, chains and gears.

Legal reference:
Bylaws on Protection
Against and Safety for
Industrial Machines and
Work Sites No 43 of 1998.

10.20 Protection against chemical hazards and toxic materials:

Employers must take the necessary precautions and procedures to protect against chemical hazards, as follows:

- The necessary precautions must be taken to protect workers from the risk of exposure to used chemical materials, or that leak to the work place, such as gases, dust, liquids and acids, so that they do not exceed the permitted benchmarks.
- The work rooms at productive establishments must be well ventilated according to the conditions designated by the Occupational and Environmental Health and Safety Directorate at the Ministry of Labour, to clear dust, gases and other harmful substances from their sources of generation, using ventilation ducts or industrial ventilation systems.

Legal reference:
Bylaws on Protection
Against and Safety for
Industrial Machines and
Work Sites No 43 of 1998.

- Provide the appropriate PPEs for the nature of work in chemical industries, including filter masks, appropriate shoes and helmets, gloves, work clothes, leather aprons and protective glassware.
- Provide the appropriate warehouses for storing the processed and raw chemical materials separately and provide all necessary conditions for the storage process.
- Outfit special sites or buildings separate from the work sites for industrial operations or machines and equipment whose operation leads to harmful dust, fumes and gases. These sites and buildings must be provided with the necessary prevention method that guarantee these substances do not spread in the work place.
- Place stickers on all chemical substances with the name of the substance, the chemical composition, the commercial name, method of handling, storage processes, hazards, methods of protection against hazards, and any other necessary information.

10.21 Worker dormitories:

If employers provide dormitories for their workers, the dorms should fulfil the following general conditions:

- The dormitory unit site should not be near sources of pollution and noise, so that the distance between the unit and these sources is 500 meters.
- The dormitory unit should have independent sites designated for sleep, sitting, cooking and dining, as well as restrooms, following the conditions outlined in these instructions.
- The dormitory unit or any part of it may not be used for purposes of work, storing raw materials or produced items relevant to work.
- Install a sign with the name of the dormitory unit at the entrance of the unit.
- Appoint a supervisor for every dormitory unit with knowledge of public health and safety issues.

The following conditions must be fulfilled in places designated for sleep:

- A land area of no less than 3.5 square meters should be designed for every worker.
- If bunk beds are used, the land area outlined in the point above shall be covered in the lower bed and upper bed, and

Legal reference:
Instructions No. 1 of 2013
on Preventing Health
Hazards Resulting from
Dormitory Units of
Worker Dormitory, issued
in accordance with the
provisions of Article 49 of
the Public Health Law No.
47 of 2008.

the distance between the two bunks should not be less than 70 cm. The beds should fulfil safety conditions.

- The height of the bed should not be less than 30 cm from the surface of the floor, and the beds should be separated from each other by no less than 70.
- Every room should have an appropriate bed and closet for every worker.
- The height of the room should not be less than 2.8 meters.
- The single room should not house more than 12 workers.
- Provide lockers or shoe shelves in the hallways on each floor in sufficient numbers.

The following conditions should be fulfilled in places designated for cooking:

The places designated for cooking (kitchens) should be tied to a height no less than 2 meters. They should be supplied with safe drinking water, sinks, sufficient and appropriate cabinets for storing food items and other items to store cleaning supplies, a refrigerator for keeping foods and a cooker / oven, with the following:

- A self-closing screen for the kitchen door
- Fan / ducts inside the kitchen
- Methods for combating insects and rodents
- Appropriate containers for waste, with covers
- Valid health certificates for kitchen staff, if any.
- It is prohibited to cook inside the bedrooms.

The following conditions must be fulfilled in the bathrooms:

Every dormitory unit or group of dormitory units should contain bathrooms in appropriate numbers, and these should have ceramic tiling which is easy to clean. They should be in a suitable location so that they do not cause a health hazard such as odours, water flows, waste collection areas, and others.

Each facility should fulfil the following requirements:

- The distance between the bathrooms and the dormitory unit (building) should not be more than 20 meters if separate from the building. The path leading to the bathroom should be covered to protect the workers from the elements.
- The bathroom door should not open directly onto the kitchen or dining room.
- The distance between the bathroom door and the kitchen or dining room door should not be less than 4 meters.

- The bathroom should contain at least one bathroom for every 15 workers and should be supplied with a wash tank.
- It should contain no less than one shower for every 15 workers.
- It should contain no less than one sink for every 15 workers. If the sink is a communal basin with several water taps, each tap shall be considered a single sink.
- Each toilet should have one wastepaper basket
- An appropriately sized waste container should be allocated for every bathroom.
- It should have an appropriate changing area.
- It should have cold and hot water.

The dormitory units should have:

- A location or basin designated for laundry, by hand or machines, with special hanging lines for the laundry outside the places designed for sleep or cooking, at a rate of 1 meter per worker.
- An appropriate system for draining water with covers for land drainage outlets
- Walls and floors free of flaws
- Good ventilation and lighting, some of which must be from natural sources
- Screens on the windows
- A special place for storing worker valuables.
- Safe means for heating
- Safe electrical wiring and outlets, with covers for the electric panels.
- Water from safe, clean and sealed sources, provided that the quantity available for consumption per person is not less than 60 litres a day, in addition to providing water tanks.
- Sanitation water must be treated through linking with the public sanitation network or to a concrete septic tank according to the valid specifications.
- Each floor of the dormitory unit should be supplied with one or more containers for solid house waste enough to hold 3 litres per worker, and this should be emptied once a day at least.
- Clean outside spaces free of waste, rubble and stagnant water.
- First aid box with the necessary medical supplies for first aid, placed in a clear and known location for all residents of the dormitory unit.
- Fire prevention methods, with maps outlining exits and directions, emergency numbers, and instructions on dealing with accidents, in the language or languages of the workers.
- Safe storage of gas tanks.

11.1 Regular working hours

Regular working hours are the hours in which workers work for normal remuneration (before the overtime hours). Workers may not work over 8 hours a day or 48 hours a week. However, the maximum hours of work and rest per week may be distributed so that their total does not exceed eleven hours per day. This duration does not include rest or daily dining times.

Legal reference:
Article 56 of the Jordanian Labour Law.

11.2 Flexible hours:

The employer and worker who has worked for three consecutive years with the same employer, or the worker who has family responsibilities, including pregnant women, or the worker who looks after a family member, or a senior due to disability or illness, the worker enrolled in university education, or the worker with a disability, may enter into a flexible contract according to the following forms:

Legal reference:
Flexible Work Bylaws No. 22 of 2017 and Flexible Work Instructions of 2018.

- A. Part time: The worker may reduce the working hours with the approval of the employer, if the nature of work allows this
- B. Flexible working hours: The worker has the right, with the employer's approval, to distribute the working hours designed daily in a manner that is in harmony with the worker's needs, so that the number of working hours performed daily is not less than the usual working hours of the worker.
- C. Intensive work week: The worker has the right, with the approval of the worker, to distribute the weekly working hours over a number of hours that are less than the usual hours in the establishment, if they do not exceed 11 hours a day.
- D. Flexible year: The worker, following an agreement with the employer, may distribute the annual working days over a designated number of months, if there is no violation of the law.
- E. Distance work: Work is completed at a distance, with the approval of the employer, and without the need for the worker to be present at the work place.

- The employer following a flexible working hour system must amend the internal regulations of the establishment according to the flexible work bylaws and instructions, in addition to submitting periodic reports to the tripartite committee for labour affairs.

The employer may not refuse to transfer the regular (original) contract for any worker to flexible working hours at the establishment, unless the decision is based on one of the following reasons:

- If the contract transfer requires additional financial costs to be paid by the employer.
- If there is a negative impact on the quality of work and the worker's performance
- If the nature of the worker's work requires his daily presence at the work place within the usual working hours.

The flexible working hour remuneration shall be calculated like the original remuneration of the worker for the same value of flexible work divided by thirty working days a month, divided by eight hours a day. The remuneration may not be less than the minimum wage.

11.3 Weekly holiday:

The worker is entitled to one day of rest a week, which is the Friday of every week, unless the work circumstances require otherwise. The worker may, with the approval of the employer combine his weekly holidays and take them all at once within a period not to exceed one month.

Legal reference:
Article 60 of the Jordanian Labour Law.

11.4 Overtime:

Mandatory and voluntary overtime

The employer may mandate the workers to work overtime to conduct the annual inventory for the establishment, prepare the budget and closing account, and prepare for sales, on condition that the number of these days does not exceed thirty days a year, and that the number of actual working hours do not exceed ten hours per day, or to avoid a loss in goods or to receive or deliver specific goods, on condition that these days do not exceed thirty days a year.

Legal Reference:
Articles 57 and 59 of the Jordanian Labour Law.

12 Other relevant legislation

12.1 Instructions of Inspection on Factories benefitting from the decision of the European Jordanian Joint Committee related to simplification of Rules of Origin

Article 1:

These instructions are called "Instructions of Inspection on Factories benefitting from the decision of the European Jordanian Joint Committee related to simplification of Rules of Origin for Jordanian factories exporting to the European Union for year 2019" issued pursuant to article (11) of Labor Inspectors' Bylaw number 56 for year 1996 and shall enter into effect as of date of publication in the Official Gazette.

Article 2:

The following words and phrases wherever they appear in these instructions shall have the meanings designated below unless the context provides otherwise:

The Ministry:	Ministry of Labor
The Minister:	Minister of Labor
The Organization:	International Labor Organization (ILO) and ILO Better Work Jordan Project
Partnership Agreement:	The EU-Jordan Partnership Agreement
Partnership Committee Decision:	The decision of the EU-Jordan Partnership Committee no. 1/2018 of 4 Dec. 2018 amending decision no. 1/2016 of 19 July 2016 concerning simplification of Rules of Origin of Jordanian factories exporting to the European Union, and in implementation of decision no. 2/2016 of 19 July 2016 concerning mechanism of implementation of decision no. 1/2016.
The Joint Committee:	The joint committee consisting of MOL inspectors and ILO representatives
The Authorization Number:	The number granted by Jordan Customs Department to the factory that meets specified conditions of the decision of

Legal reference:

Instructions of Inspection on Factories benefitting from the decision of the European Jordanian Joint Committee related to simplification of Rules of Origin for Jordanian factories exporting to the European Union for year 2019.

The Agreement:

simplification of Rules of Origin to export to the European Union.
The Memo of Understanding on cooperation in the field of human rights protection at work between ILO and Ministry of Labor signed on 4 Dec. 2016, and the decision of HE the Minister no. Sh/1/1/458 of 8 Jan. 2018.

Article 3:

- a. These instructions shall apply on factories benefitting from the decision of the EU-Jordan Partnership Committee no. 1/2018 of 4 Dec. 2018 amending decision no. 1/2016 of 19 July 2016 concerning simplification of Rules of Origin of Jordanian factories exporting to the European Union, and in implementation of decision no. 2/2016 of 19 July 2016 concerning mechanism of implementation of decision no. 1/2016.
- b. For the purposes of implementation of paragraph (a) of this article, the Minister shall issue a decision consisting names of factories obtaining authorization number every three months that are approved by Minister of Industry, Trade and Supply.

Article 4:

The Joint Committee shall conduct inspection on the factories specified in the Minister's decision to verify, including but not limited to the following conditions:

- a. Audit size and percentage of Syrian refugee workforce working and compare with set percentage within the frame of the decision at factories obtaining authorization number.
- b. Verify implementation of legal clauses related to labor conditions and laborers' protection while at work.

Article 5:

For the purposes of inspection on factories stated in article (3/b) of these instructions, inspection and reporting procedures and evaluation tools shall be applied by a decision of the Minister or whoever delegated, noting the agreement signed between the Ministry and the Organization.

Article 6:

The Joint Committee shall commit to prepare a report for each inspected factory. The report shall include the following matters:

- a. Number of Jordanian and non-Jordanian workers at the factory,
- b. Percentage of Syrian nationality workers to total number of workers of the factory,
- c. Labor conditions that the factory complies with,
- d. Labor conditions that the factory is not in compliant with,
- e. Scope of application of international and national decent labor standards, and
- f. Availability of an action plan of staff capacity building and training, as well as other matters that require enforcement of Labor Law and other valid legislations issued pursuant to.

Article 7:

While performing inspection functions, the Joint Committee shall:

1. Maintain not to disclose or share results of the initial assessment of the factories during the first year visit.
2. Share results of the secondary assessment of the factories during the second year only between the Ministry and the European Union exclusively.
3. Publish the assessment results of the third year visit on the website identified by the Minister or whoever delegated.

Article 8:

Factories obtaining authorization number shall commit to join ILO / Better Work Jordan project without taking responsibility of any fees, charges or expenses as a result of this membership.

Article 9:

The Minister shall issue necessary principles needed to implement provisions of these instructions and/or issue any exceptions of these provisions he may find appropriate.

Minister of Labor

Nidal Faisal Albataineh

12.2 Instructions of Monitoring and Control for the implementation of decision of simplification of Rules of Origin for Exports to the European Union

Article 1:

These instructions shall be called "Instructions of Monitoring and Control for the implementation of decision of simplification of Rules of Origin for the Exports to the European Union number (1) for year 2019" and shall enter into effect as of date of publication in the Official Gazette.

Article 2:

The following words and phrases wherever they appear in these instructions shall have the meanings designated below unless the context provides otherwise:

The Ministry:	Ministry of Industry, Trade and Supply
Chamber of Industry:	Chambers created according to the Chambers of Industry Law number (10) for year 2005
Partnership Agreement:	The EU-Jordan Partnership Agreement
The Decision:	The decision of the EU-Jordan Partnership Committee no. 1/2018 of 4 Dec. 2018 amending decision no. 1/2016 of 19 July 2016 concerning amendment of Protocol of Rules of Origin of the Partnership Agreement
The Factory:	Any company or individual enterprise which its main goal is industry and operates in specific industrial sector
The Authorization Number:	The number granted by Jordan Customs to the factory that meets specified conditions of the Decision
The Concerned Entity:	Any of the following entities: Ministry of Labor, Jordan Customs, Chambers of Industry, Ministry of Industry, Trade & Supply, and Ministry of Planning and International Cooperation.

Legal reference:

Instructions of Monitoring and Control for the implementation of decision of simplification of Rules of Origin for Exports to the European Union number (1) for year 2019

Article 3:

These instructions aim to identify mechanisms of monitoring and control on factories benefitting from the decision of the EU-Jordan Partnership Committee no. 1/2018 of 4 Dec. 2018 amending decision no. 1/2016 of 19 July 2016 concerning simplification of Rules of Origin of Jordanian factories exporting to the European Union, and

in implementation of decision no. 2/2016 of 19 July 2016 concerning mechanisms of implementation of decision no. 1/2018 dated 4 Dec. 2018 amending decision no. 1/2016 of 19 July 2016.

Article 4:

To enable factories, obtain authorization number, benefit from the decision and receive needed approvals by concerned entities, after having verified fulfillment of specific conditions of the Decision, the following steps shall be followed:

1. Fill in the standard application form to obtain an authorization number to benefit from Decision of simplification of Rules of Origin, and attach necessary documents as identified in the standard form attached with these instructions. The form includes factory information, products, and labor force percentage. The Ministry and Chambers of Industry have availed hard and soft copies of the standard form to facilitate factories obtain authorization numbers.
2. Check with concerned entities to audit and approve information.
3. Jordan Customs shall check products' customs entry items, check products, approve that conditions are met, and stamp at the designated box within three working days period maximum as of date of completion of documents.
4. Ministry of Labor shall check information provided by the factory concerning total labor force, number of Syrian employees (holders of work permit), check that the factory meets the required Syrian labor percentage identified in the decision on all assembly lines of products intended for export to the European Union, and shall be separated from accountancy perspective. If the information is met, approval shall be made through having the seal at the designated box within three working days period maximum as of date of completion of documents.
5. The factory shall declare that the products mentioned in the application request form fulfill the required rules of origin to benefit from the decision of simplification of rules of origin for export to the European Union and all information included is correct and true. Further the factory, upon request of any of the concerned entities, shall present any supporting documents needed, show any of the concerned entities factory data to verify correctness and review manufacturing processes by specialized authorities for the processed products through verification of the authorized signatory of the factory and company seal on the request, and endorsement of Chamber of Industry on the signature, as well as approval of factory to have

regular monitoring by ILO to ensure compliance with conditions through revision of documents to prove that employment percentage of Syrian employees is in compatible with national legislations.

6. Submit the request form to the Ministry after being filled.
7. The Ministry shall, within three working days maximum as of date of completion of documents, review the request form, check that it met all required conditions, and recommend in writing to the Jordan Customs to issue the factory an authorization number and identify products benefitting from the Decision. If the result of the revision process is non-fulfillment of required conditions, the factory shall be notified in writing on disapproval of granting an authorization number. A copy of approval or disapproval letter shall be submitted to Ministry of Planning and International Cooperation, Ministry of Labor, Jordan Customs, and Jordan Chamber of Industry.
8. Jordan Customs shall issue an authorization number to the factory upon recommendation of the Ministry which shall be notified in writing accordingly.
9. The Ministry shall notify the factory in writing to benefit from the Decision, along with the authorization number granted and products benefitting from the Decision.

Article 5:

If the factory wishes to add additional products after obtaining the authorization number, a new request shall be submitted, procedures followed previously shall be applied to obtain an approval for the newly added products to benefit from the Decision. After having reviewed the request and checking that all required conditions are met, the Ministry shall notify Jordan Customs and the factory in writing.

Article 6:

The request application form and related documents shall be kept in a special register at the Ministry's Industrial Development Directorate.

Article 7:

The Ministry shall furnish concerned entities with a list of factories obtaining authorization numbers on a monthly basis.

Article 8:

Jordan Customs shall publish regularly an updated list of factories that obtained an authorization number. The list shall be publicized and accessible. Jordan Customs shall supply the European Union with the electronic link of the updated list of factories.

Article 9:

- a. The concerned entities shall audit factories that obtained authorization numbers to ensure continuous fulfillment of conditions that are the basis for issuance of the authorization numbers as follows:
 1. Concerning condition of fulfillment of Syrian labor force employment percentage, Ministry of Labor shall audit the required percentage of the Syrian labor force at factories obtaining authorization number once every three months maximum and whenever deem necessary. Audit results shall be forwarded to the Ministry.
 2. Concerning condition of products' fulfillment of required Rules of Origin:
 - a) Jordan Chamber of Industry, in coordination with Chambers of Industry, shall supply the Ministry on quarterly basis with a table containing numbers of Certificates of Origin (the Free Format), the products (products' description and eight-digit customs item), quantities, value, and factory per each certificate of origin issued within the context of the Decision.
 - b) The Ministry shall verify that the factory had fulfilled required Roles of Origin through application of post verification process of the Origin by taking random samples on a regular basis, in order to take necessary measures.
 3. Based on the updated list of authorization number holding factories which was supplied to the concerned entities, such entities shall notify the Ministry in writing if any change occurs on conditions previously fulfilled by the factory being the basis for granting the authorization number.
 4. If a factory violates any of the set conditions which were the basis for granting the authorization number, the Ministry shall take necessary measures by recommending in writing to Jordan Customs to withdraw the authorization number and suspend benefitting from the Decision. Jordan Customs shall send a letter to the Ministry indicating withdrawal of the authorization number. The Ministry shall immediately remove the name of the factory that its number has been withdrawn, from the updated list of factories holding authorization numbers and shall notify all concerned entities accordingly.
 5. If the factory that its authorization number has been withdrawn corrects its status within three months maximum and fulfills the conditions, previous measures shall be re-

activated with the previously granted authorization number. The Ministry shall notify the factory and concerned entities accordingly. If the time period exceeds three months, a new request form shall be submitted, and previous measures shall be followed to obtain a new authorization number.

Article 10:

To issue a certificate of origin for products of factories that obtained authorization number and fulfilled conditions required to benefit from the Decision, the following measures shall be followed:

1. The factory shall request issuance of a certificate of origin (the free format) by the concerned Chamber of Industry.
2. The Chamber of Industry, after verification of the authorization number, shall issue a **certificate** of origin (the free format) which the following phrase shall be included in the Remarks box:

"Valid for issuance of Movement Certificate (EUR.1/EUR.MED) to benefit from the European Jordan Partnership Committee decision no. 1/2016 dated 19 July 2016".

3. For the purpose of certificate endorsement, the Ministry shall audit the Certificate of Origin (Free Format) and verify factory name, authorization number, and non-suspension of benefitting from the decision of the simplification of Rules of Origin.
4. The factory shall receive the Movement Certificate form (EUR.1/EUR.MED) from the Jordan Customs to be filled as required. The Movement Certificate shall include the following phrase and the authorization number in English language

"Derogation - Annex II (a) of Protocol 3" and state the authorization number.

5. Jordan Customs shall endorse the Movement Certificate officially after auditing the data included and checking the authorization number, products' fulfillment with the required conditions of the Decision as well as the phrase stated in sub-item (4) above of this article clearly and accurately.

Article 11:

Upon receipt of a request by Jordan Customs from the European Commission or any Customs Authority of any European Union member country to check correctness of a Movement Certificate concerning products exported within the framework of this Decision

and/or request verification that the products meet the required Rules of Origin as stated in the Decision, the following shall be followed:

1. Jordan Customs shall check correctness of the certificate that requires to be checked, and notify the Ministry of the result.
2. The Ministry shall take necessary measures to check that products meet the rules of origin according to the Decision, through conducting field visits to factories, oversee production operations and audit accounts and documents of the factory.
3. If the products that require verification do not meet the Rules of Origin as stated in the Decision, the authorization number shall be withdrawn, and Decision's benefits shall be suspended.
4. The Ministry shall notify Jordan Customs of verification results in order to be forwarded to the European counterpart as indicated in the post verification process approved in the Partnership Agreement.

Article 12:

In the event that the European Commission or any Customs Authority of any European Union member country requests participation in the process to verify that EU export products meet the required Rules of Origin as stated in the Decision, and in conducting field visit to the concerned factory, coordination shall be made with the Ministry and Jordan Customs to facilitate their missions.

Article 13:

Ministry of Labor shall facilitate the ILO mission regarding monitoring procedures on Syrian labor force percentages required and other matters related to the Syrian labor force within the context of this Decision.

Article 14:

The Ministry, in cooperation with Ministry of Planning and International Cooperation and in coordination with all concerned entities, shall develop an annual report that includes statistics on production quantities, exports volume, factories benefitting from the Decision, and Syrian labor force employed and percentage. The report shall be sent to the European Commission as stipulated in the Decision.

Article 15:

These instructions shall nullify Instructions number 2 for year 2016 concerning monitoring and control for implementation of Decision of Simplification of Rules of Origin for export to the European Union.

Dr. Tareq Al-Hammouri

Minister of Industry, Trade and Supply

12.1 Golden list instructions

In June 2006, a joint code of practices between the government and the garment sector was developed, known as the Golden List, to encourage employers to comply with Jordanian labour laws and international standards. The standards of the list relate to remuneration, working hours, occupational health and safety, migrant worker treatment, and Jordanian worker appointment.

The Ministry of Labour determines the extent that the company fulfils the standards of the Golden List. No establishment is listed on it if it is found that the establishment violates any human rights, such as child labour, forced labour, trafficking in persons, physical assault, sexual harassment and others.

Incentives offered to establishments on the Golden List:

- Exemption for establishments from the bank guarantee regarding migrant worker employment.
- Permission to transfer the migrant workers among the establishments on the Golden List, for the same profession/occupation in which the worker is authorized to work, without fees, during the period of validity for the work permit, and following the approval of the Minister of Labour
- Any other incentives decided by the Minister.

Legal reference:
Instructions on the standards and principles for accrediting Golden List establishments relevant to training and employing the trainees of the National Employment and Training Company.

12.2 Instructions for Better Work Jordan

These instructions were issued in 2010, and made joining Better Work Jordan's project mandatory for the following four groups:

- Garment manufacturing companies that export directly to the US
- Garment manufacturing companies that work based on a subcontract for the companies in above
- Garment manufacturing companies that export directly to Israel.
- Garment manufacturing companies that work based on a subcontract for the companies in above

The Minister shall also issue every six months a list of the companies working in Jordan and participating in the Better Work project.

The Ministry of Labour pays a percentage of the subscription fees for the companies participating in Better Work Jordan's project, as follows:

- 50% for the first year
- 35% for the second year
- 20% for the third year.

Garment companies employing Jordanian workers only are exempt of 100% of the fees for three years. The Minister may amend the percentages if the subscription fees for participating in the project are amended, or at any time he deems fit.

All companies included in the list published by the Minister must participate in the project and pay their subscription fees within four weeks from publishing the list by the Minister. If the factories fail to subscribe or pay subscription, the factories shall be subject to a fine between 50 and 100 JD. The fine is imposed once again if the companies continues to fail to subscribe.

12.3 Anti-Trafficking in Persons Law:

The Anti Trafficking in Persons Law defined the crime of trafficking in persons very clearly and specifically in Article 3, in compliance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, completing the UN Convention Against Transnational Organized Crime. It also grants special protection to children as the trafficking in persons definition included recruiting, transporting, sheltering or receiving those under eighteen years of age, when it is for exploiting them. This exploitation was not associated with threats or use of force, or other means.

Thus, the term "trafficking in persons" means:

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; or the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation even if this does not involve threats or use of force or any other means.

Exploitation means the exploitation of persons in forced labour, slavery or servitude, removal of organs, prostitution, or any form of sexual exploitation.

The crime shall be considered of a transnational nature in any of the following cases:

- If committed in more than one country
- If committed in a country and it was prepared, planned or supervised in another country.
- If committed in a country by an organized criminal group practicing criminal activities in more than one country.
- If committed in a country and its impact extended to another.

12.4 Interpretive decision No. 5 of 2003 on interpretation of remuneration

The decision of the Legislation and Opinion Bureau indicated that remuneration for work are the remuneration stipulated in the work contract along with all the other dues that fall within the concept of remuneration.

The decision indicated that the concept of remuneration is everything due to the worker in return for work, in cash or in kind, along with all other dues whatever their type if stipulated in a law, contract, internal regulations, or if they are habitually paid to the worker, except remuneration due for overtime work.

The decision also found that the concept of remuneration includes the dues that fulfil the following conditions, and that the employer is bound by them with no other choice:

1. Remuneration designated in the contract, in cash or in kind
2. Dues stipulated by law
3. Dues stipulated by the contract
4. Dues stipulated by the international regulations of the establishment
5. Dues habitually paid to the worker, except remuneration due for overtime work

As for the following gains and dues, they fall within the concept of remuneration if the law, contract or international regulations stipulate them, or if they are habitually paid:

1. Basic salary or wage stipulated in the contract
2. Amounts that the employer's instructions allowed as part of the worker's remuneration
3. Technical, specialization and responsibility allowances
4. Allowance for preparation
5. Allowance for loading and unloading
6. Allowance for shift work
7. Allowance for field work
8. Allowance for hazardous work
9. Service allowance for hotel workers
10. Transportation allowance for workers in transport and concrete companies
11. Basic allowance
12. Allowance for treasurers
13. Allowance for workers in the airline industry (in lieu of flight hours)
14. Drilling allowance for workers in the well drilling department
15. Monthly or annual bonuses with the intent to introduce a change to the remuneration according to the type of work or a characteristic in the worker, such as knowledge of a foreign language or academic qualifications, or reward for results achieved that benefit the establishment and its progress.
16. Cash allowance in lieu of meals.

As for the following advantages, they are not part of the concept of remuneration and are not considered part of them:

1. Annual grants paid by the employer, such as wage increases agreed upon on a certain occasion and not connected to the establishment's success or failure.
2. Tips, cash amounts received by workers in some establishments by clients in return for performing a service, either directly or through the employer
3. Representation allowance
4. Cash and in-kind clothing allowance
5. Deployment allowance
6. Hospitality allowance
7. Percentages given to workers if they achieve a certain percentage of revenues and profit
8. Additional periodic allowance
9. Allowances and bonuses paid to employees who are temporarily outside the Kingdom
10. Payments in lieu of paid leaves

11. Allowance for child education
12. One-month notice payment
13. Committee membership allowance
14. Bonuses for board members
15. Travel ticket allowances
16. Laundry allowance
17. Bonuses for committee rapporteurs and board secretaries.

12.5 Definitions and terms in the Labour Law:

From Article 2 of the Labour Law:

Association:	an organization representing employers;
Worker:	any person, male or female, performing work against remuneration for an employer and under his direction, including minors, trainees and persons on a trial period;
Work:	any intellectual or manual effort made by a worker for remuneration, be it for an indefinite period, or on a casual, temporary or seasonal basis;
Casual work:	work necessitated by unforeseen contingencies the completion of which does not require more than three months;
Temporary work:	work that requires, in view of its nature, a limited period of time to be completed;
Seasonal work:	work carried out in specific seasons of the year and the completion of which does not require more than six months;
Collective agreement:	a written agreement regulating terms of employment between an employer or an association on the one hand, and a group of workers or a trade union on the other;
Contract of employment:	an agreement, verbal or written, explicit or implicit, whereby a worker undertakes to work for an employer, under his supervision or direction, in return for remuneration; contracts of employment may be for a specified period or of indefinite duration, or for specified or unspecified work;
Remuneration:	any compensation a worker is entitled to for his work, in cash or in kind, in addition to any other payments due to him by virtue of law, a contract of employment, internal regulations or common practice, except payments for overtime;

Young person:	any person, male or female, who has attained the age of seven but is less than eighteen years old;
Establishment:	an entity that provides services, or produces or distributes goods;
Medical authority:	a medical practitioner or medical commission approved by the Minister;
Occupational disease:	an industrial disease or occupational injury listed in Tables I or II of this Code;
Industrial injury:	an injury sustained by a worker due to an accident that occurs during the performance of his work or as a result thereof, including commuting accidents;
Dependent:	the worker's family member or members stipulated as beneficiaries by the Social Security Law in force;
Trade union:	an organization of workers in a trade, formed in accordance with the provisions of this Code;
Administrative board:	the administrative board of a trade union;
Collective labour dispute:	any dispute occurring between a group of workers or a trade union on the one hand, and an employer or association on the other, concerning the application or interpretation of a collective agreement or terms and conditions of employment.
Tripartite committee:	Tripartite committee for labour affairs formed in accordance with Article 43 of the Labour Law.
Flexible work:	Every intellectual or physical effort that the worker makes for a wage within one of the forms of a flexible work contract specified in regulations issued for this purpose.
Discrimination in wages:	Inequality among workers for all work of equal value without any discrimination based on sex.



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