

Report

The Situation of Teachers in Private Schools "Several Violations of Their Basic Rights"

Labor Watch Reports

Prepared by:

Jordan Labor Watch

Phenix Center for Economic and informatics Studies

In Cooperation with Friedrich-Ebert-Stiftung

October, 2010



للمراسات الاقتصادية والمعلوماتية
ECONOMIC & INFORMATICS STUDIES

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Is an independent scientific institute founded as a house for study, research and public opinion measurement in Amman in 2003. the Center seeks to contribute to the realisation of comprehensive development in Jordan through developing and modernising of the Jordanian community at the economic, social, political and legislative levels, working to foster democracy in Jordan on the basis of freedom and equity, ensuring basic human rights at the social, political and civil levels for all Jordanians through developing projects and conducting studies and opinion polls and reports, in addition to creating a database that covers all fields of development to help realise the centre's objectives.



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Labor Watch

Is a joint program between Phenix Center for Economics & Informatics and Friedrich - Ebert - Stiftung (FES). Labor Watch Works to Monitor the status of labour and trade union movements in Jordan, lobbying for the development of labour legislations in cooperation with the concerned parties and in accordance to the international labour standards, contributing to the development of work conditions in Jordan, publishing reports on the status of laborers in Jordan, to raise awareness among workers themselves, facilitating the exchange of expertise in trade unions among other Arab and foreign countries to benefit from their experiences.

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Introduction

This report sheds a light on the working conditions of teachers in private schools and kindergartens in Jordan and their conformity with the Jordanian labour legislation

It also presents figures on the number of workers in the sector and their geographic distribution in the Kingdom's schools, their wages and subscription in the Social Security Corporation and health insurance

The report also addresses the issues of annual leaves, official holidays and other working conditions

According to the report's results, the majority of teachers working in this sector are subject to several violations of their labour and basic human rights in light of existing Jordanian labour legislation and relevant conventions

These violations include low salaries and deprivation of sick and annual leaves, maternity leaves for married teachers and coverage by social security and health insurance

The report relied on collecting initial figures on the number of private schools and workers in these schools thorough the Private Education Department affiliated to the Ministry of Education as well as figures from the General Union of Workers in Private Education and Association of Owners of Private Schools

In addition, the report was based on tens of interviews with several teachers in the different private schools across the Kingdom

We at Labour Watch-Jordan, decided to launch this report on the occasion of the World Teachers' Day that takes place on October 5 yearly. This occasion was celebrated annually by official entities and the public in previous decades, but it seems that the decline of the role of teachers in the educational process as well as social and political factors led to neglecting the occasion as the majority of citizens, including huge numbers of teachers themselves, do not even remember the occasion

Ahmed Awad

Director

Phenix Center for Economics and Informatics Studies

Figures

Statistics on the number of teachers in private schools vary, especially when it comes to the number of teachers.

Figures by the Ministry of Education indicate that the number of workers in private schools and kindergartens stands at 26,791 persons distributed in 2,140 schools and kindergartens in different parts of the Kingdom. Half of these schools, or 1,068, are located in Amman. According to figures by the ministry, the total number of teachers in private schools and kindergartens stands at 23,484 of whom 87 per cent are women. In addition, there are 3,327 administrative staff of whom 87 percent are females. These figures seem to differ when compared to those by the Association of Owners of Private Schools.

According to the association, there are about 35,000 teachers working in 2,100 private schools. Of those workers, 70 per cent are women.

However, figures by the General Union of Teachers in Private Schools indicate that there are 54,000 workers distributed in 1,700 schools and kindergartens of whom 35,000 are teachers.

In brief, the number of teachers in this educational sector is no less than 23,000 of whom the majority are female teachers.

Level of Schools and Working Conditions:

The following highlights some of the main working conditions of teachers in private schools. It is also important to indicate that there are differences among private schools in terms of working conditions.

Only a very limited number of schools provide very good working conditions for teachers in terms of salaries, annual and sick leaves, social security and health insurance as these educational institutions are committed to the unified labour transaction signed between the Ministry of Labour, the Ministry of Education, Association of Owners of Private Schools and General Union of Workers in Private Education.

There are some schools that can be classified as “middle” where workers receive a good portion of their rights, however, they are subject to violations in a way or another. It is important to stress that the majority of private schools violate the basic rights of workers in these entities, especially the rights of teachers.

Salaries and working hours:

One of the most prominent challenges teachers in private schools face is the low salary the majority of them receive, although there are differences between teachers in one school and another.

In first class schools or those classified as “large schools”, the salaries of some of their teachers exceed JD1,000. But

the majority of teachers receive salaries ranging from JD150 to JD 250 per month, while a few numbers of them receive salaries ranging from JD250 to JD 400. It is noteworthy that a large number of teachers in the sector receive salaries that are below the minimum wage of JD150.

During several interviews, several teachers stressed that some schools force them to sign annual work contracts with a monthly salary of JD 150, but they received much less than this amount.

In addition, the majority of teachers in this sector receive only salaries for ten months during the whole year, which is a stark violation of the special unified labour contract related to teachers working in private schools, which entitles teachers to receive salaries for 12 months after the second year of work.

There are also several schools that terminate the contracts of teachers at the end of the second school semester, then, they renew their contracts at the beginning of the first school semester to avoid paying them salaries during the summer vacation.

It is also important to indicate that some schools do not sign contracts even with teachers working for them.

Several female teachers complained that their monthly salaries do not exceed JD80 per month; in addition there is a delay in paying the salaries for a month or two in some cases, which is a stark violation of article 46 of the Labour Law that

stipulates paying the salary no later than 7 days when it is due.

Several cases were registered where school administrations (including well-known schools) forced teachers working for them to sign papers obliging them not to share information about the salaries they get with their co-workers in the same school or they will be dismissed or lose their job. It seems that this measure seeks to hide the large difference in salaries among teachers of the same school, which shows the lack of work regulations.

In addition, several teachers complain that they do not receive annual raises and that their salaries get several deductions as a result of the penalties teachers receive, especially if they are late for work. The majority of these schools deduct the salary for a day or two if a teacher is 10 minutes late for work. This is considered a violation of article 47 of the Jordanian Labour Law, which shows that the delay in arriving to work is not one of the situations when employers can deduct from workers salaries.

Several teachers complained that they do not receive money for overtime, which is a violation of article 59 of the Jordanian Labour Law.

Social security and health insurance:

Although a very few number of private schools administrations commit to covering teachers working for them

under social security, there are several private schools administrations that postpone covering the social security of teachers working for them after three years of working, which is a violation of paragraph C of article 20 of the Social Security Law.

Some of administrations of these schools deduct the full subscription amount for social security coverage from the salaries of the teachers, which is in violation of several articles of the Social Security Law that indicates that 5.5 percent of the subscriptions should be paid by the employee and 11 percent by the institution or the employer.

With regard to health insurance, a very limited number of private schools provide teachers working for them with health insurance and the overwhelming majority of teachers in private schools do not receive health insurance.

Leaves and official holidays:

Regarding leaves and official holidays, teachers working in private schools are entitled to a special arrangement as stipulated by the unified labour contract signed between several parties (the Ministry of Education, the Ministry of Labour, General Union of Workers in Private Education and Association of Owners of Private Schools). The contract entitles teachers to receiving a salary for 12 months although they have a two month summer holiday and mid year

holiday that is for two weeks for those working for one year and more.

It is also the right of employers to commit teachers to working during these holidays. However, they have the right to take the holidays stipulated in paragraph A of article 61 of the Labour Law that are 14 days a year and 21 days for those working in the same institution for five years and more.

Thus, the majority of teachers working in private schools are deprived from their rights stipulated in the unified labour contract and receive salaries for 10 months for working for a whole year. With regard to official holidays announced by the Cabinet, no violations have been registered as all teachers obtain these holidays.

Regarding the sick leaves, the majority of private schools deprive teachers from their right in having sick leaves that amount to 14 days per year and in special sickness conditions they reach 28 days, which is a violation of article 65 of the Labour Law that indicates that all workers have the right to sick leave for 14 days per year during which they receive their full salaries based on a medical report by a doctor accredited by the employing institution. The leave can be renewed for 14 more days with entitlement to a full salary in case the worker is in hospital or based on a report by a medical committee accredited by the employing institution. If teachers are forced not to go to work

as a result of sickness, the majority of private schools deduct the absence days from their monthly salary and sometimes deduct amounts that are worth more than the days during which they were absent. This is also the case in emergency leaves, as private schools deduct from the salaries of teachers in these situations.

Regarding maternity leaves, married female teachers rarely receive this leave that amounts to 10 weeks including the pre-delivery leave and after delivery leave, conditional that the post-delivery leave should amount to 6 weeks or more. The majority of private schools suspend the salaries of female teachers during the maternity leave and there were some cases involving schools that dismissed teachers upon learning that they became pregnant. Some schools give female teachers a one-week leave while others only agree to a 20-day leave and force the teachers to go to work or be dismissed otherwise. In other schools, the maternity leave stands at ten days and without a salary and if the teacher does not agree to that she gets dismissed, which is a violation of article 70 of the Jordanian Labour Day.

It was discovered that in very rare cases women receive one hour per day to breastfeed their children for a whole year since the birth date, which is a violation of article 71 of the Labour Law that indicates that working women have the right to take a period or several periods,

during the first year after birth to breast feed their children for a period that does not exceed one hour per day.

Many women who were interviewed said they are not thinking of having kids as their schools do not give them maternity leaves and one-hour for breastfeeding. Several teachers called for speeding up the enforcement of the new Social Security Law and activating the Maternity Fund, which will realise equity for women and preserve their right and the interest of employers.

Lack of jobs security:

In this sector, there is no job security as it is the case in several other private sectors. The lack of feeling of satisfaction and security as far as employees are concerned, is a condition that the majority of teachers suffer from. The majority of those interviewed during the preparation of this report stressed that they do not have the sense of belonging to their institutions as making money and increasing profits is the most important priority for the owners and heads of these educational institutions. The law laws and regulations are among the last of their concerns.

This is coupled with way schools are run, that is based on the schools administrations' attitude, a matter that causes anxiety to teachers that their work in a certain school is greatly dependent on the degree of their personal loyalty to

the owners and heads of these schools. This causes frustration among teachers and non-dedicated to their schools and students, as there are no guarantees that teachers will return to work in these schools with the start of every new semester. Teachers in private schools also receive low salaries and are subject to difficult working conditions and are deprived from their basic rights stipulated in the labour law.

Non-educational tasks:

In addition to the previously mentioned issues, there were several observations about the tasks performed by teachers as they are forced to do some tasks that have nothing to do with the educational process as some are forced to do administrative jobs and do not receive money in return,

while others are tasked with looking for new students to attract them to the school or kindergarten to be able to keep their job for the new year. Some teachers are forced to sell juice, sandwiches and biscuits to students during the class break.

Lack of professional regulation:

Several teachers and activists indicate that one of the main factors that caused a decline in the professional, social and economic levels of teachers in Jordan is the lack of regulation of this profession as other professions. Some of the activists in the General Union of Workers in Private Education indicate that the majority of their activities with teachers are held in secret and entail major risks since if they are discovered they can be dismissed.

Recommendations:

At the conclusion of the report, there are several recommendations that should be adopted as they will help reduce violations workers in private schools are subjected to:

- Activating the role of the Ministry of Labour's inspectors to uncover the violations that teachers in private schools are subject to.
- Activating the role of inspectors of the Social Security Corporation to ensure that all workers in the private education sector are covered by social security.
- Creating a special association for teachers that will work on enhancing their status, developing their profession and boosting their professional, social and economic status.
- Activating the role of the General Union of Workers in Private Education and raising the awareness of private schools teachers on the importance of association work.
- Increasing the minimum salary and putting a minimum salary for workers in private education.
- Improving the compulsory labour contract to cover a period of three years to preserve the rights of teachers in the sector of private education.
- Accelerating the implementation of the legal articles related to the creation of a maternity fund to protect the right of pregnant working women.
- Creating an accurate database that covers all teachers working in private schools as well these schools.