

Report

Labor Protests in Jordan 2010

“A Call for those who want to hear”

Labor Watch Reports

Prepared by:

Jordan Labor Watch

Phenix Center for Economic and informatics Studies

In Cooperation with Friedrich-Ebert-Stiftung

February, 2011
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للمراسات الاقتصادية والمعلوماتية
ECONOMIC & INFORMATICS STUDIES

Phenix Center for Economics and Informatics Studies

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.



Friedrich-Ebert-Stiftung (FES)

Is a German non-profit political foundation based on the principles of social democracy. FES was founded in 1925 , FES promotes international cooperation, education and research in Germany and abroad. FES opened it's office in Amman in 1986 for supporting and enhancing efforts of civil society organisations to become accepted partners of public bodies, enhancing furthers political dialogue between decision-makers from Jordan, Iraq, Germany and the region, and strengthening the participation of youth in the political process.



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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Phenix Center for Economics and Informatics Studies and Friedrich - Ebert - Stiftung is not responsible about the statements of workers and their leaderships.

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Contents

Introduction	7
Methodology	8
A Reading on the Figures	8
A Reading for the Causes	9
Exceeding Standing Association Frameworks	11
Breaking the Fear Barrier	13
Change of the Government Reaction	14
Conclusion And Recommendations	15

Introduction

Labor protests in Jordan in recent months escalated dramatically and in an unprecedented manner. The total number of protests during the months of January and February of this year 2011, was nearly 100 labor protests. If we compare these numbers with the labor protests in 2010, totaling 140 protests, we will notice a sharp rise in their number, although only two months have lapsed since the beginning of this year.

These labor protests come as an explicit expression of the depth of the economic, social and political crunch the country is going through, and as a result of a number of factors which combined together to push large numbers of workers to protest against their difficult working conditions.

Among these factors is the retreat of circumstances and conditions of employment for the majority of workers in Jordan, in terms of significant reduction in the rates of wages and the prescribed rate of minimum wage, the deprivation of large segments of laborers to enjoy their basic labor rights stipulated by the Jordanian labor legislation, including daily working hours, annual leave, sick leave, official holidays, the provision of occupational health and safety conditions, social security benefits provided by the Public Institution for Social Security, in addition to the absence of health insurance and lack of other decent conditions work.

In addition to this, the majority of salaried workers in Jordan have been denied the right to organize themselves in trade unions, either because of labor legislations that deprive large segments of laborers the right to organize for reasons related to vocational classification system issued by the Minister of Labor, which set forth the professions permitted to join trade unions, and restricted the number of trade unions to seventeen unions which did not increase for nearly four decades, or because of the vulnerability of the majority of trade unions of Jordan and their squatting on themselves to re-produce the very same leaders, and their disregard to look at the real problems experienced by the workers in Jordan.

This has coincided with increased awareness of large labor segments of the importance of taking the initiative to defend their rights with disregard to all legal restrictions which prohibit the formation of trade unions and prevent assembly without prior permission from the Interior Ministry or the relevant official bodies, or waiting for help from any other source, whether government, trade unions, or begging employers or the government officials for such approval. This matter clearly indicates that these legal restrictions are no longer in pace with the nature of the transformations and changes experienced by the Jordanian society and its needs.

This is in addition to increasing the confidence of workers in themselves and in their ability to change their difficult reality and miserable conditions have strengthened in recent months in the aftermath of the radical transformations that occurred in both Tunisia and Egypt, and the unprecedented social and political mobility in the region towards achieving substantial political and social reforms.

Ahmed Awad, Director
Phenix Center for Economics and Informatics Studies

Methodology:

This report aims to provide an analytical reading of all economic, social and political union protests that have taken place in Jordan last year, 2010. The analytical, descriptive method has been used in this study, and all labor protests that took place in Jordan in 2010 have been monitored and documented in two methods, the first, included direct contact with the perpetrators of these protests to stand on the details of such protests, and the second method was the analysis of press coverage by the Jordanian media, which varied between paper and electronic newspapers, video and audio means. All forms of protest actions of whatever sort, including threats of strike or sit-in, were considered as a form of protest.

The protest, according to the literature of sociology, is a collective effort to change the nature of social relations established in a particular community, the social movement is represented in collective projects and efforts aimed at setting up a new system of life based on a sense of dissatisfaction with the prevailing pattern and the desire to establish a new format, which should include elements essential for its survival and success of continuity, organization, awareness and change.

A Reading on the Figures:

Jordan has witnessed during the year 2010 a marked increase in the number of labor protests, which totaled 140 protests,

distributed among the public and private sectors. However, the majority had been concentrated in the private sector, as the percentage of labor protests of the workers in the private sector represented 75% of the total of 105 protests, while the rest of the protests totaling 35 were carried out by some 25% of the total workers in the public sector.

What is worth noting here, is the presence of labor protests in the public sector, which is regarded as a stable more than the private one. The majority of the protests that took place in this sector were carried out by day laborers because of discrimination against them compared with other colleagues who were doing the same jobs, and this discrimination was centered on lower monthly wage, lack of job security and stability, and difficult working conditions. (For more details on this category of workers, please refer to the report of the Labor Watch for April 2010, with the title: Day Laborers: The Absence Of Justice For Workers In The Public Sector).

Part of the labor protests in the public sector came to demand a union for teachers, who carried out 12 protests in total.

The reasons for protests in the private sector at this level in 2010 back to the acquired experience of the private sector in actions of protest over long periods of time, although less frequently, in the addition to exceeding the existing frameworks of association and development of alternative regulatory frameworks, and the deprivation of a

large segment of workers of their right to organize themselves in trade unions and the large scale of violation suffered by large segments of this sector. The problem of Jordan workers, has become a complex one and it is attributed to an incompetent labor law and the absence of democratic trade union organization, and the predominance of many employers.

A Reading for the Causes:

The causes for which the labor protests have been triggered varied to include objection against separation from work, demand for higher wages, improvement of benefits and incentives, demand for the establishment of new trade unions, and other reasons. The reasons that prompted the workers to protest can be distributed as follows: Dismissal from work was the most important factor in launching labor protests in 2010, as it triggered 43 protests, forming the rate of 30.6 percent of all protests, the vast majority of which were recorded in the private sector, such as repeated sit- in protests of dismissed employees from the Jordanian United TV Broadcasting Company (ATV) television station and Dubai Islamic Bank (formerly, Industrial Development Bank).

Protests against termination from work included some categories in the public sector, and these were mainly confined in repeated sit-ins of day laborers laid off by the Ministry of Agriculture.

The high proportion of the protests because

of termination from work reflects loss of the feeling of job security in view of the arbitrary measures taken by many employers against the right of laborers, a procedure facilitated by the Jordanian Labor Law by virtue of the text of Article (31), which allows employers to fire workers, individually or collectively, in line with what had been termed as restructuring. It is worth mentioning that the cases of separation from work on the basis of the Labor Code does not exceed 10 percent of the total laid-off workers. Hundreds of

workers were separated without referral to the Ministry of Labor, through mostly unfair settlements to the right of workers. The focus of this type of protests had largely been in the services sector by 42 percent, the agriculture sector by 35 percent, and then the industrial sector by 21 percent.

This was followed by a rate of 25 percent of all the protests that prompted a host of benefits at the same time, by 35 protests. The demands comprised wage increases and improved occupational health and safety, health insurance, , better working conditions, and housing in general. The focus of these protests increased significantly to the textile sector by 86 percent and had been in the Qualified Industrial Zones (QIZ).

The labor protests demanding higher wages also ranked third by 16.4 percent of all protests and totaled 23 protests, most of which had been recorded in the private sector, particularly in institutions that do

not adhere to or intend to circumvent the minimum wage. Strikes of the textile sector formed the highest proportion of this kind of protests to demand higher wages, especially by expatriate migrant workers who, along with their national counterparts, were excluded from application of the minimum wage of (150) Jordanian dinars per month (\$210), as provided by the law. The demand for higher wages also came in the context of protests carried out by some workers in the public sector, where the demand to increase wages came in the sequence of demands made by day laborers and teachers, which necessitated not to include protests of day laborers and teachers in the column of protests in demand of higher wages on the grounds that such a requisite was part of a set of demands.

This kind of protests (demanding wage increase) was distributed to a number of economic sectors, which mostly included the sectors of services, textile, building and construction, industry, and transport at the following rates of 26 percent, 22 percent, 17 percent, 17 percent and 13 percent, respectively.

The labor protests demanding higher wages signal the difficult economic conditions experienced by large segments of workers in Jordan, in light of continuing high prices of goods and basic services, which have not been matched by any merit increments in wages and salaries at the same level.

It should be noted in this regard that the

unemployment index, which ranges from ten years between 12% to 14%, is no longer sufficient to clarify the imbalances in the Jordanian labor market, especially with the growing layer "poor workers", who receive quite meager salaries. Moreover, there had been a substantial and significant decline in the rates of wages for the great majority of wage earners, especially in consideration of the hike in the prices of various goods and services.

In this context, figures of the Social Security Corporation for the year 2009 indicate that the average monthly wage of workers affiliated with it, had been (379) Jordanian dinars a month (\$534), while in the public sector it was less than the private sector at the rate of (324) dinars (\$482), and it averaged (401) dinars (\$565) in the private sector.

The matter becomes clearer when looking at the detailed segments of wages, especially when we know that (27) percent of the workers earn a monthly salary of 200 dinars (\$284) or less, and (56) percent of them earn (300) dinars (\$422) or less, and the monthly wages of (78) percent is 400 dinars or less.

These figures become more meaningful when we know that the absolute poverty line (food and non-food) for the standard family of six members in Jordan is (323) dinars (\$455), in the sense that the family that can not spend this amount is classified as "poor" in Jordan. The matter becomes even darker, when we know that the minimum wage determined in Jordan is

(150) dinars per month (\$210), which is far below the absolute poverty line in a large, striking manner. Several studies and reports refer that large numbers of workers in Jordan receive a monthly wage less than the already low minimum wage, which clearly indicates that the majority of the salaried workers in Jordan are classified within the poor labor category . (For more details on this matter, please review a series of reports of the Jordanian Labor Watch).

As for the labor protests on the application of certain rules and regulations, they have reached 10.7 percent of all protests, totaling 15 incidents, and were noticeably focused in the transport sector by 87 percent. But as for the protests prompted by demands for the establishment of a trade union, they formed 8.6 percent of all the protests totaling 12 incidents, and were carried out by teachers throughout various governorates of the Kingdom.

Meanwhile, the rest of the percentage of protests were distributed at demanding incentives at work, and return of workers to their home countries that have emerged, particularly among domestic female workers, textile spinning and weaving laborers, in addition to protests against arbitrary transfer, and demands requiring improved conditions of occupational health and safety.

The year 2010 also saw one protest against the arrest of a labor leader , the protest was carried out by day laborers at the Agriculture Ministry and demanded the

release of the Chairman of the Committee of day laborers in government institutions, Mohammed Al Sinead, who was arrested for ten days because of his labor activity.

Exceeding Standing Association Frameworks:

It is worth noting in this regard that most of the labor protests had been carried out by segments of workers with no union framework , or by segments of labor bypassing the frameworks of their trade union bodies and replaced them by self-organizing bodies to defend their interests and demands. This feature in the mobility of labor is considered as a "coup" and represents an encroachment on many "official labor leaders" in result of the loss of confidence in those leaders, and due to distancing themselves from the concerns and problems of workers they represent in the economic and labor sectors.

And the legality of what had happened stems from the inability, or failure, of many of the existing association frameworks to perform their natural role in defending the interests of whom they represent by providing a minimum legal protection for them.

The labor movement revolt against their associations' leadership requires the need to review the legitimacy of trade unions representatives, especially when we take into account that 15 out of 17

existing unions appoint their presidents or representatives by acclamation without running any elections, and 13 of the 17

unions nominate their governing bodies also by acclamation without election, which prompted the majority of trade unions to squat on the very limited numbers of their members and stay away from broad sectors of labor, forcing workers to overtake their trade unions by their protest movement.

At the time the minimal number of workforce is estimated at least one million and four hundred thousand workers, the labor unions represent only 8% of this workforce, making it easier for the majority of workers to bypass their trade unions and to ignore the laws inhibiting their movement. This fact requires to stand on the large growth in the protest movement, on the basis of social and economic assumptions, and to stop looking at it from the standpoint of security and breaching laws.

It is also worth to point out here that all labor protests were embarked upon, despite the barriers and constraints specified by the Labor Code and the law on public meetings, which demonstrates that the social mobility of workers had virtually extended itself and expanded, despite laws against the imposition of the same matter of fact, which requires the revision of laws impeding the mobility of the peaceful protest. For instance, the Jordanian labor law as per its provision in Article 135 of paragraph (a) thereof, does not allow the laborer to strike without giving the employer an advance notice of not less than fourteen days prior to the date set for the strike, and the length of such notice period

will be doubled if the work relates to one of the public interest services.

And in view of the weakness of the majority of the currently existing union frameworks, and the success of self-regulation established by the protesters in achieving many of their demands and access to a number of gains, and their entry in negotiations with official bodies and employers despite lack of "legal legitimacy" cover for such entry, as a result of the imposition of their presence in reality, it is required now to open the area in front of all workers in Jordan to form their own unions without restrictions.

The growing protests in their social dimension reflects transmission of the working class into advanced stages in the defense of their rights, with disregard to laws restricting freedom of expression, as a result of their sense of the erosion of such rights, due to lack of social dimension in the majority of institutions and private sector companies in Jordan, whose main focus is on the equations of profit and loss at the account of workers.

The Labor Protests and Economic Sectors
The labor protests that took place in 2010 were distributed among a number of economic sectors at variable degrees, with textile workers protests forming the largest proportion of labor protests at the rate of 25.6 per cent of all their labor protests, totaling 36 protests of which the majority had been implemented by expatriate "immigrants" in harsh living and difficult

work conditions, while they are denied of their basic labor rights. The working conditions in this sector attracted a lot of criticism from local and international human rights organizations.

The laborers employed in the textile sector (Jordanians and expatriates, alike) are still exposed to flagrant discrimination regarding the application of the minimum wage condition, as they had been excluded from this resolution, and the old minimum wage of 110 dinars per month is still applied to them, at the time that the minimum wage applicable to other sectors is 150 dinars per month.

The services sector ranked second among the labor protests, reaching 21.4 percent rate, by 30 protests, mostly concentrated, at the rate of 80 percent, against the dismissal from work and demand for higher wages. Meanwhile the percentage recorded in the transportation sector at the rate of 13.4 percent, by 19 protests, formed mostly protests against the application of certain instructions such as the prevention of parking the transport and shipping vehicles in specific locations, and preventing the passage of certain transport or shipping vehicles to go through certain lines and protests of "Al Momayaz" taxi drivers against the change of their contracts, reduction of their benefits and the like.

The industry and agriculture formed the proportions of 12.9 percent and 12.1 percent, respectively, of these protests and were focused on protests against dismissal from work and demand for wage increments.

The protests of female domestic workers which emerged lately, had recorded 2.9% of all protests, with only four protests, as some Filipina domestic workers picketed in front of the Ministry of Labor, demanding repatriation to their home country.

Breaking the Fear Barrier

The large number of labor protests in 2010 reflects an evident growth in the scale of labor protests and its appearance as a social culture, reinforced by the sense of the working class of the size of injustice experienced by them, along with their feeling of their ability to make a change, and to break the barrier of fear. The movement of daily laborers, the lowest category on the career ladder in the government sector, formed a big motivation for various labor groups to move forward, particularly after the day laborers obtained a number of achievements from their demands, and proved their presence as a virtual force on the ground, which was met with a popular embrace, and pushed the government and its authorities to change the mechanisms for dealing with them.

The labor protests breached the Labor Law, which requires workers to present their demands to their employers through trade unions, and the law considers the submission of such protests by means of protests as illegal. In addition, the labor protests formed labor frameworks outside the provisions the Jordanian Labor Law and the regulation on the classification

of occupations, which determine the number of trade unions, and they were in contravention of the Public Protests Meetings Law, which requires for licensing any meetings or marches to apply to the Administrative Governor, under specified conditions, and the consent of the Administrative Governor is a prerequisite for holding such a meeting or march, and in case of violation of the law procedures, the action will be considered as illegal and subject to legal liability.

Change of the Government Reaction

The scene of protests in 2010 recorded a change in methods of security forces

in dealing with the labor protests, while the interference of the security agencies in dealing with the protests used to be a violent intervention by advance threat and up to breaking up of the protests by force and launching mass arrests among the classes of protesters, the intervention of security to end the protests has become a smooth interference as a *fait accompli*, except for one case that occurred with the daily workers sit-in protest in front of the Ministry of Agriculture which was ended by police, and formed a significant improvement in the Government's vision as an executive authority towards acceptance of peaceful protests as one of the manifestations of social mobility.

Conclusion And Recommendations:

The substantial increase observed in the high pace of labor protests of various kinds and coverage of all categories, is a key indicator of the escalation and the deepening of the economic, social and political crisis in Jordan, resulting mainly from the application of a set of policies and labor legislation that have been overtaken by changes and developments in the Jordanian society, and it has become urgent to change them in order to frame a labor legislative environment to pressure the public and private sector to restore the balance between salaries and wages eroded by rising living standards and the "reasonable profit margins" for business owners.

The calcification of a large number of trade unions, and the domination of their leadership over the labor scene for more than quarter of a century, have led to the rise of a difficult work environment that was incapable to find out channels of communication and platforms to defend them and adopt their cases, which in turn have led for the laborers to take the initiative in their own hands and took to the streets to demand their rights. However, if the legislative and executive authorities do not take this matter seriously, and review the reasons that led to the emergence of this crisis, and acted on overcoming them, the Jordanian society will be on the verge of deeper crises in this area, which could lead

to threatening the social peace, because of the widening circle of participants in the protests.

And to contribute in overcoming the current situations, the report recommends the following:

1. Revision of certain provisions of the Labor Law, which facilitate the processes of arbitrary dismissal of workers, and increase of compensation to workers who are separated from their work in an arbitrary manner, and improvement of mechanisms for collective negotiations and the granting of trade unions more autonomy, beside the reduction of government interference, and the abolition of the legal provisions which prevent collective bargaining between workers who have no union representation with their employers, and the abolition of the legal text which gives the Minister of Labor the power to dissolve a trade union before resorting to the judiciary.
2. Ratification of the International Labor Organization (ILO) Convention No. (87) concerning Freedom of Association and Protection of the Right to Organize, and opening the door for workers and employees to form their own trade unions, and open up on the subject of trade union pluralism.
3. Re-examining many of the economic policies that have adversely affected, whether directly or indirectly, in the situation of the majority of workers

in Jordan and led to the emergence of a broad sector of poor laborers, most notably those policies on liberalization of prices and tax provisions.

4. Work to raise wage rates to become more commensurate with the high levels of prices of basic goods and services, along with raising the rates of the minimum wages to take into consideration the level of absolute poverty line (for food and non-food items), as adopted in Jordan at the rate of (323) dinars to the standard family of (6) members, and linking it to the inflation index on an annual basis.
5. Enhancing the effectiveness of the inspection systems applied in the Ministry of Labor, the Social Security Corporation and other relevant institutions in order to ensure the application of the minimum labor rights provided by the Jordanian labor legislations.