

Report

Workers at the Jordan Customs

“Hard working conditions... and insufficient remunerations”

Labor Watch Reports

Prepared by:

Jordan Labor Watch

Phenix Center for Economic and informatics Studies

In Cooperation with Friedrich-Ebert-Stiftung

December, 2012



للدراسات 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.



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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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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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Introduction

This report is being issued following a series of labor protests which caught the attention of Jordan Labor-Watch Program team, and were carried out by workers at the Jordan Customs, demanding improvement of their working conditions; it aims at exploring the working conditions of workers at the Jordan Customs in terms of wages, increments, job stability, as well as availability of occupational safety and health standards, and other labor fundamental rights as stipulated by the relevant Jordanian and international labor legislations. The present report is being issued by the Jordan Labor-Watch Program, an affiliate of The Phenix Center for Economics and Informatics Studies, Amman, Jordan, within a series of periodical reports examining the working conditions in various economic sectors, within the frame work of an action plan intended to cover most labor sectors where laborers are exposed to violations of their fundamental labor rights.

In preparing this report, our team adopted a number of the qualitative approach tools, through conducting several personal interviews with many workers at the Jordan Customs; as well as conducting interviews with many members of the trade union committee, set up by employees of the Jordan Customs in order to defend their interests, and improve their working conditions. The Jordan Labor-Watch Program team raised relevant questions in the face of many workers through a Facebook page, and received their answers. Among the reasons which prompted our team to launch this report, were the many labor protests carried out by workers at the Jordan Customs, demanding improvement of their working conditions and increase their wages; within the same context, they have established their own trade union to defend their interests and improve their working conditions. The report team perceived an obvious weakness in providing many of the common work standards as per the Jordanian legislations, as well as some of the relevant international standards, especially in terms of the occupational safety and health standards.

Ahmed Awad

Director

Phenix Center for Economics and Informatics Studies

Jordan Customs in brief

The first customs department was founded in Jordan in 1922, as it was called: "The Excise and General Statistics Department", which reported to the "Presidency of the Board of Counselors", (the then Prime Ministry). The said department carried out statistics, inspection, and revenues collection for imported goods, which were called "statistics fees", later on "inspection fees" and is now called "customs duties". Since its foundation, the department was given several names; as it was called the "Excise and Customs Directorate" during the period from 1926 to 1935; "Customs, Trade and Industry Directorate" for the period from 1936 to 1951; "Ministry of Trade/Customs" for the period from 1951 to 1956; "Ministry of Finance/Customs" for the period from 1956 to 1983, and ever since, it was called: "The Jordan Customs". Since its foundation in 1922, the Jordan Customs expanded by establishing many customs centers: In 1930, the King Hussein Bridge Customs Center, located on the River Jordan was founded to facilitate the passage of goods from and to Palestine; the Ramtha Customs Center on the Jordanian-Syrian borders, as well as the Amman Customs Center located at Aingazal district.

During the period from 1931 to 1938 a number of customs centers were founded in each of Almajame Bridge, Almafraqa, Aladassiyah, Sheikh Hussein Bridge "currently the Jordan Valley Crossing", as well as the post office centers in Irbid,

Amman, Zarka; and the two customs centers in Hfour (currently Arrouaished), and Ma'an. The Aqaba Customs Center was founded in 1944 . Objectives of the Jordan Customs are represented in combating smuggling, limiting illegitimate commercial activities; assist in promoting investment atmosphere, in addition to boosting and enhancing the financial resources of the treasury; as well as to upgrade the performance and the institutional capabilities.

Jordan Customs in Numbers:

Workers at the Jordan Customs counted 2975 in 2011; of which 2816 males and 159 females; the proportion of women working in this department is rather low due to the nature of work at the border posts; therefore, women working in this sector mostly take administrative positions. Workers at the Jordan Customs are divided, in terms of their occupational categories, as follows: Permanent and classified jobs, counting 2513 workers

Workers under the Customs Security Agreement, counting 307 workers

Contract workers, counting 153 workers.

Daily workers, counting 2 workers.

It is noteworthy here that the number of customs centers count 23 customs centers divided in the various Kingdoms' governorates.

Work Conditions:

In this section, working conditions at the

Jordan Customs will be reviewed through the following set of criteria:

Wages and Allowances:

First of all, it has to be pointed out that salaries of workers at the Jordan Customs are divided into three parts: the basic salary, overtime and customs missions pay, which represents 2 per mil of the customs revenues; and the third part is the incentives, which are estimated in relation to the workers' efforts in discovering the smuggling attempts. The first two parts, however, are constant, while the third part is inconsistent and varies from one month to the other in accordance to the department's performance. Nonetheless, the ultimate monthly wage rates for most workers at Jordan Customs range between JOD 400 and JOD 600. According to workers, these wage levels, however, are considered low in view of the technical nature of work performed, and the occupational hazards they are exposed to, as well as the difficulties they face in undertaking their work.

Furthermore, workers at the border posts, especially the remote ones, complained of the lack of any special allowances to differentiate between them and their peers who work in the internal customs centers. They are entitled; however, to a "Summering" allowance, which is paid out three times a year, and is calculated on the basis of three times the monthly basic salary of approximately JOD 120;

this allowance is paid out to all workers at the Jordan Customs without any special consideration of the different nature of work or location of their border post. In the same context, it has been noted, however, that some distinction in paying out some allowances to workers who have the same titles, and carry out the same tasks; many interviewed workers reported that payment of allowances and overtime pay is largely linked to the nature of the relation between the workers and their supervisors, whereas many workers stay in the same office, and is given the same title, but do not enjoy the same advantages and benefits when it comes to allowances and bonuses. As regards the overtime allowance, which was repaid lately to workers, after having been cancelled earlier under the excuse that the work nature requires overtime hours without pay, and, therefore, a cash compensation is not necessary, a clear mechanism to calculate the same, however, is missing.

The repayment of overtime working hours allowance lately, which was cancelled earlier under the excuse that the work nature requires overtime working hours without pay, and, therefore, a cash compensation is not necessary, however, has no clear mechanism to calculate it.

Furthermore, many employees complained of the unidentified rules under which an employee is transferred from his work place to another; such actions are largely based on the mood of the superintendent, and the

extent of loyalty and relation between the employees and their supervisor, explaining that employees are transferred without due consideration to their place of residence, their human needs, or experience.

Job Stability:

Most workers at the Jordan Customs lack job stability. The lack of the sense of satisfaction and security on behalf of the employees towards themselves, their job, and the department where they work, is a common status of the majority of workers. Many of those interviewed confirmed that they don't feel job stability due to the high temperamental behaviors of executives in the department, and due to linking allowances and privileges with their executives' personal satisfaction, which deprives many of their simplest rights stipulated in the Jordanian labor legislations. This negative feeling is combined with high work pressures resulting from the long working hours at the border posts, a situation stemming from the lack of human resources caused by the Government's decision to halt new appointments; this represents the most important problems suffered by employees of the Jordan Customs who affirmed that their work requires high degree of accuracy and precision, whereby an employee is seriously held responsible in case of any failure resulting from the high work pressure.

Employees of the Jordan Customs are

exposed to high psychological pressures owing to materialistic temptations and bribing attempts offered to them, as well as threats and abuse if they don't react positively to desires of importers. According to interviewed employees, despite the existence of a judicial control regulation governing the work of the customs employees, they are not protected by a security cover; even those workers at the customs patrols who are exposed to risks of purists with smugglers either through exposure to abuse or through exposing suspects engaged in smuggling. In addition, employees of the Jordan Customs suffer of the long working hours; as well as the long distances between their homes and the border posts; they work eight days against six days of break, a situation regarded by some workers as physically and psychologically exhausting for they are denied the chance to exercise their normal social life.

Annual and Sick Leaves:

Most employees at the Jordan Customs suffer from the lack of freedom to enjoy their annual leaves; as obtaining an annual leave is subject to the temperamental behavior of the supervisors who view it as a grant rather than an employee due right; the balance of unused annual leave is posted over to the next year, thereafter, if unused, it is cancelled without any compensation. According to interviewed employees, the administration justifies the refusal of

enabling the workers to enjoy their annual leave that the work requirements do not allow the approval thereof. Should an employee insist to take his annual leave, he has to expect indirect sanctions and harassment such as transferring him from his work place or depriving him of overtime hours, according to employees.

Social Security:

As regards the social security coverage of workers at the Jordan Customs, they are all fully covered by all forms of social security insurance in accordance with the civil service regulations. All of them are enrolled to the Social Security Corporation; they benefit from the Government health insurance system as well.

Occupational Safety & Health:

With regard to the occupational safety and health conditions, interviewed workers pointed out that it is not sufficiently provided for workers at the fields; as they don't use gloves and masks when dealing with some inspected containers without knowing what is inside, while it may contain hazardous materials which can harm the worker. Even the inspected cars and buses, the load of which may be too high, and no suitable equipment is provided to protect the inspectors and help them climb safely, exposing many of them to incidents of falling and breakage, as confirmed by a number of workers who reported such incidents happening to their

colleagues like falling during overtopping these high buses.

Job Security:

Large numbers of workers at the Jordan Customs and its boarder posts suffer many challenges affecting their job security. They often find themselves alone facing physical and verbal assault attempts as they undertake their work. According to many experiences, an employee found himself alone concerned, either legally or tribally "conventionally", to solve his problems with others for disputes related to the work itself, without any support from the department he works for. Employees of the Jordan Customs and its boarder posts deal with various social groups, which requires them to handle matters with high delicacy in order to avoid troubles with such groups, implying a high degree of training and qualification to be able to handle any cases they face.

Many interviewed workers stated that should a citizen complain against an employee, even if the citizen was a "smuggler", the employee has to face court with him alone; the department would not support the employee, but on the contrary, he might be punished; as had happened to one employee who was beaten, while on duty, by a "sailor" of the smugglers who used a sharp object to attack the employee, and when relatives of the smuggler complained against the employee to the department, the administration reacted to

the incident by transferring the employee to work at Almdaowarah customs post, while deducting two weeks of his salary “due to his failure to deal with the smuggler”.

Ultimately, such circumstances help only to absent and weaken the sense of job security. Several interviewed workers complained of the centrality and individuality in decision making, especially with regard to administrative and technical matters which effects adversely the completion of work and customs transactions. In addition, the absence of justice in distributing the training courses, according to many workers, who stated that selection of participants in such training courses is unfair, and is made according to the mood of some executives. Furthermore, many Jordan Customs employees suffer from the incompetence of their department managers, affecting negatively the workflow, through the managers’ procrastination in making decisions related to matters that need quicker decisions for the work to be accomplished; the reason for that, according to workers, being the appointment of lower ranked and lower experienced managers, bypassing those who are qualified and experienced.

On the subject of transferring employees from one work place to another, many workers reported that this is subject to the mood of the executives, and the intermediary, whereas some executives, modestly and considering favoritism, exploit the provisions of the Jordan Customs

regulations related to post sweeping, which implies transferring the worker within a certain period, in application of the policy of the total worker. In this regard, many workers pointed to the lack of transparency of the bases on which actions of transfer are made, as workers are transferred without due consideration to their place of residence, leaving the customs employee under permanent sense that he might be transferred from his work place at any moment.

Speaking of the fears of transferring employees, as a means of punishment, a number of the Jordan Customs stated that the Wadi Alyutm Customs Center is considered the most difficult work place in the department, as employees have to work eight hours against eight hours of break; this location is used as a means of intimidation against employees due to the bad work atmosphere and the huge work load. Next to Wadi Alyutm Customs Center, in terms of the work hardship is the Wadi Araba Customs Center. Accordingly, employees who dare demand their rights and improvement of their work conditions are transferred to those two customs centers as a means of punishment.

Major Demands of Workers at Jordan Customs:

Workers at the Jordan Customs started the march of demanding their rights since nearly two years, which led to an increased conflict between the two sides of the

equation, namely the customs employees and their management, whereas they demanded to increase the overtime allowance to become 100% of the basic salary for the boarder posts, and 80% for the internal posts, such differentiation in favor of workers at the boarder posts is stemming from the fact that they are exposed to additional hardships unlike those working in the internal customs centers; in addition to some other demands. Moreover, they demanded the increase of the proportion of the endeavors fund subject to social security to become 100% instead of 80%; as well as considering a proportion of the endeavors fund in favor of workers who are subject to the civil retirement system; payment of the summering allowance four times a year at 100% of the gross salary, not to exceed JD 500 and not to include the overtime wages; a special health insurance; partial settlement of the housing loan from the endeavors fund; activation of the roll of the lending fund regarding land buying; increase of the cases bonus to exceed its ceiling by JOD 750, in order to stimulate employees to perform their duties perfectly; considering the bonus on cases and recorded violations for all active staff on a certain case regardless of the directorate they work for; amendment of the institution allowance to become 100% of the basic salary instead of 20%, similar to that applicable by institutions of less dangerous working atmosphere than the Customs; classifying the grade four

employees who obtained qualifications; equality among employees of the same rank and working place in terms of salary and allowances; equality and transparency in transferring the employees according to disclosed recommendations of the head of the department; reconsidering the Saturday as a working day in the customs centers so as to pay JOD 50 against working on Saturdays for each month; in addition to approval of the preparatory committee formed among the directorates and customs centers to follow up the rights, demands and objections of the employees.

The Independent Trade Union of the Customs Employees:

- In order to realize the above demands, workers at the Jordan Customs gathered to announce the formation of a trade union organization to look after their common interests which was declared on 17 October, 2012 as "The Independent Trade Union of the Customs Employees" aiming to protect and upgrade the profession of customs' staff in Jordan, as well as to provide economic, social and cultural services to workers and their families. The declaration was made pursuant to provisions of Article 16 of the Jordanian Constitution which provides for "Jordanians have the right to form societies, unions and political parties provided that its objectives are legitimate, its means are peaceful, and do not violate the provisions of the

Constitution”; as well as the provisions of Paragraph (w) of Article 23 of the Constitution which guarantees the right of Jordanians to form free trade unions; and the provisions of article 20 of the Universal Declaration of Human Rights, which provides that “Everyone has the right to freedom of peaceful assembly and association”; and the provisions of Article 22 of the International Covenant on Civil and Political Rights, which provides that “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his

interests”; in addition to the provisions of article 8 of the International Covenant on Economic, Social and Cultural Rights which affirms “The right of everyone to form trade unions and join the trade union of his choice”; also pursuant to the ILO Convention No. 87 regarding the freedom of association and protection of the right to organize; and the ILO Convention No. 98 regarding the right to organize and collective bargaining.

Conclusions & Recommendations

This report concludes that the majority of employees of the Jordan Customs suffer from a set of challenges in many ways, such as the long working hours, lack of job stability, low wages, and weak occupational safety and health conditions. Accordingly, we recommend the following actions, which, in case adopted, would reduce the challenges and problems facing workers at the Jordan Customs:

1. The concerned Government bodies are to deal positively with demands of

workers at the Jordan Customs, and start a dialogue between the management of the Jordan Customs and representatives of the employees and their trade union.

2. To activate the role of inspection bodies in the Civil Defense and the Social Security Corporation as to inspect the extent of commitment to public safety conditions.
3. To intensify the training activities for all workers, prequalify and encourage them to use the public safety equipment, and raise their awareness on the importance of the use thereof.