

Instructions for the Conditions and Procedures of Bringing and Employing Non-Jordanian Workers in the Qualified Industrial Zones

Issued by virtue of the Provisions of Article (4) of the Regulation of the Fees of the Employment Permits for Non-Jordanian Workers No. (36) of the Year 1997 and its Ammendments

Article (1):

These Instructions shall be called" Instructions for the Conditions and Procedures of Bringing and Employing Non-Jordanian Workers in the Qualified Industrial Zones", and shall be effective as of the date on which they are published in the Official Gazette.

Article (2):

The following terms and phrases wherever stated in these instructions shall have the meaning assigned against each of them, unless the context indicates otherwise:

Ministry : Ministry of Labour.

Minister : Minister of Labour or whom he authorizes.

Worker : The non-Jordanian worker.

Qualified Industrial Zones: Any economic activity that exists within any qualified industrial zone, whose products are qualified and on which the provisions of the Law of Investment Promotion are applicable.

Article (3):

The employer who wants to employ or bring a non-Jordanian worker shall:

A) Submit a written application to the authorized official of the Ministry in the Stop Shop at Jordan Investment Board. The application shall include:

1. Name of the establishment, name of its owner or the in charge manager, address of the establishment, nature of its activity and its branches if any.
2. Name of the worker as written in his/her passport, his/her date of birth, his/her nationality and the occupation that he/she is going to have.
3. A certificate, authenticated by the worker's embassy, attesting that the worker shall be brought by means of an employment agency licensed in his/her country, and that apart from fees stipulated by the law in his/her country; he/she paid nothing to be brought in.

4. A certified copy of an advertisement issued by the bringing company published in a newspaper in the worker's country, clarifying the job terms and conditions, salary, working hours, nature of work and other privileges such as accommodation, catering and health insurance. The advertisement should also stress that apart from the fees stipulated by law in his/her country, the worker is not required to pay any amount to be brought.
5. A certificate issued by the Ministry of Industry and Trade attesting that the product of the establishment is qualified (QPR).

B) The application shall enclose the following documents:

1. The establishment registration certificate.
2. A valid vocational license of the establishment.
3. A certificate issued by the Ministry of Industry and Trade listing the names of the persons authorized with signature.
4. A duly certified contract of lease or a proof of proprietorship of the establishment.

C) In case of submitting an application for renewal of employment permits or for bringing workers for the second time, then the owner of the establishment shall enclose- in addition to the documents mentioned in item B of this article - a report issued by the Directorate of Employment in the Ministry, detailing the extent of compliance of the establishment with the policy of gradual substitution with the Jordanian workers, in accordance with the training and employment project agreements.

Article (4):

Within a period not exceeding a week as from the date of receiving the application, the authorized official of the Ministry at the Stop Shop shall consider and give decision concerning the application.

Article (5):

The approval of employment permits shall be in accordance with the following bases:

- A)** The report of inspection conducted by the Jordan Investment Board and the concerned directorate of labour, regarding the reality of conditions in the establishment.
- B)** The report issued by the Directorate of Employment in the Ministry concerning the extent of compliance of the establishment with the policy of gradual substitution with the Jordanian workers.

- C) The productive capacity of the establishment in accordance with the number of its machines and lines of production.

Article (6):

- A) Fees of employment permits shall be paid in advance upon getting approval for bringing workers.
- B) Approval of the Ministry shall remain valid for four months starting from the date of approval.
- C) Term of an employment permit starts as of the date in which its holder enters into Jordan.
- D) In case workers whose bringing was approved have not entered, the employer may submit an application for substituting them, in accordance with the provisions, provided that the workers non-entry was proven, within the term stipulated in item (B) of this Article and for one time per each application.

Article (7):

Upon getting the approval, the employer or his representative shall refer to the concerned directorate of labour; for further varification of the application and completion of procedures of getting the permits, the following steps shall be followed:

A) Submitting the following documents:

1. Copy of a valid vocational license of the establishment.
2. Two copies of the work contract.
3. Two personal photos of the worker.
4. Copy of a minimum of one year valid passport of the worker.
5. A medical check-up conducted by a medical centre approved by the Ministry of Health.
6. Approval of the Ministry of the Interior on granting annual residence permission to the worker whose stay in Jordan entails permission.
7. Other documents that the Ministry may require or forms it may demand filling in, in accordance with the case.
8. A certificate issued by the Social Security Corporation attesting that all workers for the employer are duly subscribed.

B) For the purpose of verifying the application, the Ministry shall collect the following fees:

1. 10 JDs against the application form, its considering and verification services.
 2. 10 JDs against the accreditation card of an establishment representative and its annual renewal, provided that the representative shall be accredited for only one establishment.
- C) The accreditation card of an establishment representative is issued by the Ministry pursuant to an application forwarded by the employer, enclosed with s certificate of non-conviction of the representative.

Article (8):

After getting the approval of the Minister or whom he authorizes, a non-Jordanian worker's permit is issued in accordance with the appropriate form that shall include the following:

- A) Name of the worker; as written in his/her passport, his/her nationality and the occupation in which he/she is permitted to work.
- B) Name of the employer and his/her establishment in which the worker intends to work.
- C) The permit's effective and expiry dates.
- D) Number and date of the receipts.
- E) Signature and stamp of the director of the concerned directorate of labour.

Article (9):

- A) Workers permitted to work in the Qualified Industrial Zones shall not be moved to any other sector of production.
- B) The employer is the one responsible to repatriate the workers he/she brought; upon termination of their employment for him/her. He/she also has to prove that they have duly left.

Article (10):

1. The employer shall submit an annual and automatically renewable bank surety that, following a decision of the Minister, may be at disposal in case the employer breached any of his/her obligations required by law, regulations and these instructions. The value of surety shall vary according to the number of workers in the establishment as follows:
 - a) 1-100 workers: 30 000 JDs.
 - b) 101 - 200 workers 50 000 JDs.
 - c) 201 - more workers 75 000 JDs.

2. The employer shall be exempted from the surety mentioned in item (1) of this Article a year after establishing the project and starting production, provided that the establishment is in full compliance with all provisions stipulated in the Golden List attached to these instructions, and getting (80%) of the points total.
3. A committee appointed by the Minister shall undertake the application of the criteria of the Golden List enclosed herewith and the allocation of deserved points.

Article (11):

In the following cases, the Minister may halt, for the period he deems appropriate, issuing employment permits to any establishment:

- A) For the purpose of labour control and regulation.
- B) The degree of compliance with the policy of substitution with Jordanian workers.
- C) Violation, on the side of the establishment, to the provisions of the Law of Labour, or to regulations, instructions and decisions issued by its virtue.

Annex (A)

Golden List

Item	Degree			Points deserved
	Excellent	Average	Below average	
1. Compliance with labour legislations				
A) Compliance with the minimum limit of wages	5	3 accommodation and catering expenses included in the minimum of wages	0	5
B) Wages paid on time	5	3 a week delay of wage payment	0	5
C) Registering all workers in the social security and paying their subscriptions	10	5 irregular payments of workers shares	0	10
2. Working hours, overtime work and leaves				
A) Compliance with the maximum lawful ordinary working hours (8 hours)	10 8 ordinary working hours daily	7 2-3 over-time hours daily with the worker's approval	0 more than 3 over-time hours with the worker's approval	10
B) Compliance with paying overtime wages : 125% of hour wage for usual days, 150% of hour wage for holidays	10	0	0	10
3. Working and accomodation conditions				
A) Providing health care stipulated by law for all workers	5	3	2	5

B) Fulfilling conditions of vocational health and safety stipulated by law	5	3	2	5
C) In case accommodation is provided by employer: compliance with proper conditions according to instructions (annex 2)	5 0,5 for every item in annex 2	3	2	5
4. Compliance with the policy of employing Jordanians through the National Project of Training and Employment	10 agreements with the Ministry of Labour were signed	0	0	10
5. Percentage of Jordanians working in the establishment	15 60% or a minimum of 300	10 50% - %59 or a minimum of 200	5 less than 50% or a minimum of 100	15
6. Guest workers				
A) All workers have the option of keeping their passports	5 passports with the workers	3 passports with employers, according to the approval of workers	0	5
B) All workers have valid employment permits	5	0	0	5
C) Compliance with renewing employment permits on time	5	0	0	5
D) Paying workers wages through their bank accounts	5	0	0	5
Total				100

Annex to the Golden List

Annex No. 1

Criteria for the degrees of penalties when issuing visas for guest workers

80% -100%: Member of the Golden List

51% - 79%: A one year bank surety of 250 JDs for each guest worker, renewed annually.

40% - 50%: A one year bank surety of 500 JDs for each guest worker, renewed annually.

Less than 40%: Applications for bringing guest workers are disapproved.

Annex No. 2

Instructions in relation to accommodation

1. Separate males and females accommodation.
2. A bed and cupboard (with keys) for each worker.
3. A minimum of a chair and a table for every bedroom.
4. Providing water, electricity, heating and hot water regularly.
5. A minimum of 1.7 square meters per each worker.
6. A minimum of one toilet per 15 workers.
7. A minimum of one bathroom per 15 workers.
8. Keeping accommodation clean.
9. First aid kits containers.
10. Fire exits and fire extinguishers.
11. Locked box for suggestions, its keys kept with the Ministry of Labour.