



JORDAN

REGULATORY FRAMEWORK GOVERNING MIGRANT WORKERS ¹

Updated March 2021



International
Labour
Organization

A note on temporary changes due to COVID-19: Defence Order No. 6, effective from April 2020 (end date not specified), made certain temporary changes to the law with respect to wages, employment conditions and temporary closure of companies unable to cope with the crisis. This factsheet makes brief reference to the most relevant change for migrant workers in italics to demonstrate that the measures are temporary.

PRIVATE SECTOR WORKERS

*(other than domestic workers
and agriculture workers)*

DOMESTIC WORKERS

KEY LEGISLATION	Jordanian Labour Law, No. 8 of 1996, and its amendments. ²	Regulations No. 90/2009 concerning Domestic Workers, Cooks, Gardeners and Similar Categories, and its amendments. ³
RECRUITMENT		
RECRUITMENT FEES	<p><i>The Rule</i></p> <p>It is not prohibited to charge recruitment fees to workers.</p> <p><i>Exceptions</i></p> <p>The Qualified Industrial Zones (QIZs), where workers are not required to pay any fees except for the “fees stipulated by the law in the country of origin of the worker”. ⁴</p>	It is prohibited for recruitment agencies to charge fees to domestic workers. ⁵ Employers must also pay for work and residency permits.
PASSPORT CONFISCATION	It is prohibited for employers to confiscate workers’ passports. ⁶	
WORKING CONDITIONS		
CONTRACT	An employment contract may be written or verbal. Written contracts should be drafted in Arabic in two copies, one for each party. If a worker does not understand Arabic, a copy of the contract must be made in a language the worker understands.	<p>An employment contract is written and drafted in four copies in Arabic and in a language the worker understands.</p> <p>The employer, the domestic worker, the Ministry of Labour and the recruitment agency shall each have a copy of the contract.</p>
MINIMUM WAGE	The minimum wage is 260 Jordanian dinars (JOD) (US\$367) for nationals and JOD230 (US\$324) for migrant workers, except for domestic workers, migrant workers in the QIZs and loading-unloading workers. For workers in the QIZs the minimum wage is JOD125 (US\$176) plus JOD95 (US\$134) of in-kind wages (food and accommodation).	None applicable.

¹ This factsheet was prepared by the ILO FAIRWAY Project, supported by the Swiss Agency for Development and Cooperation.

² The most recent amendments to the Labour Law were made through Law No. 14 of 2019. The most relevant amendments concerned the following areas: wages, overtime, paternity leave, annual leave, childcare, retirement and labour disputes.

³ As amended by Regulation No. 64 of 2020 and Regulation No. 11 of 2011.

⁴ Instructions for the Conditions and Procedures of Bringing and Employing Non-Jordanian Workers in the QIZs, article 3(a). Additionally, along with their work permit application, employers in the QIZs must submit a certificate authenticated by the worker’s embassy stating that the worker has been recruited through a licensed recruitment agency and that the worker has not paid any recruitment fees, together with a certified copy of the job announcement published in a newspaper in the worker’s home country outlining the terms and conditions of employment.

⁵ Regulation No. 63 of 2020 on the Organization of the Private Offices for Recruiting Non-Jordanian House Workers, issued pursuant to article 10(b) and (c) of the Labour Law, No. 8 of 1996.

⁶ Passport Act, No. 2 of 1969, and article 77(b) of the Labour Law, No. 8 of 1996.

<p>WORKING HOURS</p>	<p><i>The Rule</i></p> <p>Eight hours per day (excluding breaks) and 48 hours per week. It is possible to increase daily working hours up to 11, so long as the total hours do not exceed 48 hours per week.</p> <p><i>Exceptions</i></p> <p>The employer may request compulsory overtime in very limited cases, and this is capped at no more than 30 days in any year. ⁷</p>	<p>Eight hours per day, excluding breaks.</p>
<p>REST PERIODS</p>	<p>One day per week, usually Friday. ⁸</p> <p>Women are entitled to a minimum 10-hour rest between each working day. ⁹</p>	<p>One day per week agreed upon between the domestic worker and employer.</p> <p>A minimum of eight hours of sleep per day.</p>
<p>OVERTIME</p>	<p>Overtime provision is rated as follows:</p> <ul style="list-style-type: none"> • 125 per cent of normal wages for all ordinary overtime hours worked; • 150 per cent of normal wages for all overtime hours worked on weekly rest days, religious feasts and public holidays. <p><i>Exceptions</i></p> <p>The provisions of the articles related to working hours stipulated in the Labour Law are not applicable to persons undertaking the duties of general supervision, managing the company or travel.</p>	<p>Overtime is not provided for by the law.</p> <p>The domestic worker is entitled to a compensatory leave day if asked to work on the weekly rest day by their employer.</p>
<p>PAYMENT OF WAGES ¹⁰</p>	<p>Employers can pay wages in cash or in kind, and payment must be paid within seven days of its due date. ¹¹</p> <p><i>During the COVID-19 period (as of April 2020, end date not defined)</i></p> <p><i>For workers who are required to be in the workplace, wages can be reduced no more than 30 per cent of the ordinary wage, and only if the following conditions are met:</i></p> <ul style="list-style-type: none"> • worker freely consents to the proposed reduction; • reduction also applies to the salaries of higher management (such as the general manager, the finance manager, etc.); • reduction applies to all employees equally; • salary after reduction to not fall below the minimum statutory wage; and • if worker is requested to work overtime, they are still entitled to overtime. 	<p>Employers must keep evidence of the salary payments.</p>

⁷ Under article 57 of the Labour Law, compulsory overtime can be requested to prepare inventory, balance sheets, closing accounts, etc., or “to avoid loss of merchandise or any other material exposed to damage”. In cases of compulsory overtime, there should be additional wages.

⁸ With the employer’s consent, workers may accumulate weekly rest days so long as these are used within one month.

⁹ Minister of Labour Decision in Respect to Activities and Times during which It Is Prohibited to Employ Women, 2010.

¹⁰ The amended law introduces the concept of “discrimination of wages”, which can be explained as inequality in payment of wages based on gender. The law imposes a penalty on the employer of JOD500–1,000 (US\$705–1,410) in the event the employer discriminates between the employees based on their gender.

¹¹ Wages include all entitlements provided for under the law, employment contract, or bylaws, such as:

- cash or in-kind housing allowance;
- allowances for Fridays and official holidays;
- life insurance allowance;
- technical, specialist and liability allowances;
- monthly or annual allowances; and
- food allowances.

ANNUAL LEAVE	<p>14 days of fully paid annual leave and 14 days of sick leave.</p> <p>For establishments with fewer than 20 workers, sick leave may be renewed for another fully paid 14 days if the worker is hospitalized based on the orders of a physician.</p> <p>For the establishments with more than 20 workers, a medical committee shall be adopted for the purposes of approving medical reports.</p> <p>Workers who have worked with the same employer for at least five years are entitled to at least 21 days of paid annual leave. Workers who have worked for less than a year are entitled to paid leave calculated in proportion to the period of employment for that year.¹²</p> <p>Female workers are entitled to 10 weeks maternity leave (full pay); while fathers are entitled to three days of leave after the birth of a child.</p>	14 days of fully paid annual leave and 14 days of sick leave.
OTHER REQUIREMENTS	<p>It is prohibited for women to work between 9 p.m. and 6 a.m.</p> <p>Exceptions require a decision from the Minister of Labour.</p>	<p>Domestic workers are entitled to call their family abroad at the expense of the employer once a month.¹³</p> <p>Employers must purchase the domestic worker's return ticket to their country of origin after two years of employment.</p> <p>Employers may receive compensation for the payment of recruitment fees if their domestic workers decide to leave/ change jobs within the first two years of employment.</p>
END OF SERVICE GRATUITY	At least one month per year for any worker who is not subject to the Social Security Law.	Not applicable.
FREEDOM OF ASSOCIATION		
RIGHT TO JOIN TRADE UNION	All workers can join a trade union; however, as there is no existing trade union for domestic workers, such workers are effectively unable to join a union.	
GRIEVANCES AND DISPUTE RESOLUTION		
LODGING COMPLAINTS/ RESOLVING DISPUTES	<p><i>Conciliation</i></p> <p>Labour inspectors from the Ministry of Labour can receive and help to mediate individual labour disputes.</p>	<p><i>Conciliation</i></p> <p>Either the employer or the domestic worker may file a complaint before the Domestic Workers Department at the Ministry of Labour for amicable settlement.</p>

¹² Workers are entitled to an additional 14 days of paid leave per year if they: (i) participate in a labour education course approved by the Ministry of Labour or the General Federation of Jordanian Trade Unions, or (ii) go on pilgrimage (only once during their period of employment, after five years of continuous service).

¹³ Workers can also make extra calls at their own expense and exchange letters.

	<p>Judicial remedy</p> <p>Individual labour disputes, except those related to wages in the wage authority region, can be raised before the Magistrate Court, ¹⁴ and should be considered within three months of filing.</p> <p>Labour cases are exempt from court fees the first time they are filed.</p> <p>If the dispute relates to wages (including not paying the full wage, illegal deductions, delay in paying the wage, wages for overtime hours, or any discrimination in wages for work of equal value), the Wages Authority has the jurisdiction as long as the worker is still employed, or within six months of terminating the work.</p>	<p>While under the legislation labour inspectors are allowed to enter the house with the consent of the employer, in practice, no household inspections are carried out.</p> <p>Judicial remedy</p> <p>Domestic workers may file a dispute in the courts.</p>
<p>SHELTER AND PROTECTION SERVICES</p>	<p>There is a shelter run by the Ministry of Social Development (Al Karamah Shelter). There is another shelter run by the Jordanian Women’s Union for victims of trafficking. There are also shelters in certain embassies.</p>	
<p>SPONSORSHIP</p>		
<p>SPONSORSHIP AND CHANGING EMPLOYERS</p>	<p>With permission of employer</p> <p>Workers can transfer their sponsorship to another employer anytime or terminate the contract.</p> <p>Without permission of employer</p> <p>After one year of service with the original employer, except for QIZ workers and agriculture sector workers.</p>	<p>With permission of employer</p> <p>Domestic workers can transfer their sponsorship to another employer anytime or terminate the contract.</p> <p>Without permission of employer</p> <p>After two years of service with the original employer.</p> <p>A domestic worker has the right to leave work immediately and seek justice if she/he was subject to sexual or physical abuse, or a serious violation of the worker’s fundamental rights.</p>
<p>LEAVING THE COUNTRY</p>	<p>There is no requirement for an exit permit to leave the country.</p>	

¹⁴ Magistrates Courts have jurisdiction in labour matters. There are 14 magistrates in Amman and most other Jordanian cities have two or three such courts. Both civil and criminal cases before the Magistrate’s Court are heard by a single judge.