



The Work Conditions of Syrian Refugee Women in Jordan

About Tamkeen Fields for Aid

Tamkeen Fields for Aid, is a neutral and independent non-governmental organization, founded on October 10th 2007, that aims to promote the guarantee and exercise of fundamental rights and freedoms of all segments of society. Specifically, Tamkeen aims to promote these rights among the most marginalized members of society such as children, women, refugees, workers, people with disabilities, and others, in accordance with national legislations and international covenants.

Tamkeen Fields for Aid is specialized in supporting and assisting workers to strengthen the protection of migrants, workers, combat human trafficking, and enhance social protection and the rule of law.

The center seeks to achieve this through building the capacity of government and non-government agencies, through the provision of services and consulting to those in need, through empowering people and the public with the knowledge of their rights and duties, and the provision of specialized human rights programs. The center also issues reports and studies within its field.

Tamkeen Fields for Aid works to strengthen collaboration among all stakeholders – agencies, national institutions, associations and civil society organizations, as well as activists

in the field of human rights. The center also works to establish partnerships with organizations in other countries in order to protect the rights of migrants.

Tamkeen Fields for Aid works to combat human trafficking and human rights violations through implementing a three-step system: prevention, protection, and prosecution.

Prevention can be achieved through educating migrant workers, governmental officials, and the public about possible labour related human rights violations. Tamkeen is also involved in the reduction of human rights violations through legal advocacy for policy reform, educating migrant workers about their rights and duties, and publishing accessible materials for public consumption.

Introduction

In recent years Syrian refugee women in Jordan have challenged stereotypes. In contrast to the traditional stereotype as weak, submissive, forced by the conditions of asylum to sit in camps seeking aid without having any role in the community - despite the fact that many Syrian women are working to support their families and others - these ladies have left a mark that continues to evolve positively every day.

Many reports confirm that one out of every four families are sustained by a woman alone. Women are often locked in difficult circumstances in order to make ends meet, struggling to maintain their dignity and care for their families in dilapidated and overcrowded homes, temporary shelters, and unsafe tents.

Furthermore, because of financial problems, many of these women face the threat of violence and exploitation while their children face traumas and increasing tragedies. According to many women refugees, money is the first hurdle in the life of Syrian families. Most women are struggling to pay rent and secure food and basic supplies.

In order to overcome their lack of money, Syrian refugee women have joined the labour market through both individual and collective institutional work targeted to improve the difficult circumstances of their lives under asylum and poor living conditions.

In this progressive report, Tamkeen Fields for Aid Center sheds light on the working conditions of Syrian refugee women in the Jordanian labour market, in terms of wage rates, working hours, social protection, and other conditions related to a decent work environment.

Significance of the Report

The importance of this report stems from the nature of the subject and in its approach with dealing with it. Moreover, the report is yet even more important considering the scarcity of studies related to the work conditions of Syrian refugee women, their legal and economic status, the effectiveness of the rights of workers, and the work environment on the ground.

Objectives

The report aims to identify the national and international legal framework that address the work of Syrian refugee women, to identify the social and economic framework for their work in Jordan, in addition to highlighting their working conditions in various labour sectors.

Report Methodology

The report will use a descriptive and analytical approach through the application of various quantitative and qualitative research tools in order to achieve the objectives of the thumbnail report:

1. Conducting a review of the entirety of studies, reports, international conventions, and national legislations related to women's work.
2. Conducting a series of interviews with specialists, female Syrian refugee workers, and employers.
3. Analyzing the interviews and identifying the characteristic of the workers and the details of their work.

Executive Summary

This prospective thumbnail report extensively analyzes the conditions of Syrian refugee women involved in the Jordanian labour market. It seeks to learn about the size of the problem, and then to develop an appropriate mechanism to work with the population given that nearly 51% of the total number of Syrian refugees in Jordan are females, of whom 15% work in several professions such as sewing, confectionery, and pickling.

Syrian refugee women suffer from the harsh conditions of war that forced them to seek refuge in Jordan. The pain of managing the affairs of their families is compounded by the loss of a family member and the absence of a breadwinner and a home. Syrian women are pushed to enter the Jordanian labor market to provide for their families despite facing inappropriate working conditions that in most cases may elevate to be considered forced labor.

Studies indicate that 28% of Syrian refugee families are led by a woman, while 35% of housewives are often working as domestic workers in Jordanian homes¹. Moreover, reports from the United Nations High Commissioner for Refugees show that more than 145 thousand Syrian women in asylum countries are managing their house affairs².

Under the conditions of asylum, Syrian refugee women seeking work in the Jordanian labour market are exposed to the same violations their Jordanian counterparts are facing. However, the conditions of asylum make them more susceptible to abuse as employers can take advantage of their dire need for work. The violations may take the form of the non-payment of

¹ CARE International

² UNHCR

wages, expulsion from work after several days without pay, and in a few cases harassment by the employer.

The suffering of asylum may end with time, but the human abuse remains much heavier on the Syrian refugee who wants to earn a livelihood which protects her from begging.

For the purposes of this report the Tamkeen Fields for Aid team met with 150 workers from Syrian nationality working in the textile and service sector that resorted to informal employment in simple professions to bypass the need for regular permits, valid passports, and the consequent expensive financial fees.

A number of cases interviewed asserted their need to work in view of the inadequate assistance provided to them and their families. The workers interviewed earned between 100 and 300 Jordanian dinars in return for long working hours without overtime, their inclusion under social security, or labour rights – often justified under the pretext of providing them with work. In addition to that, there are workers who get paid according to a percentage and receive their wages according to the selling of clothes they sewed or through the sale of pickles and popular folk foods they prepare themselves.

60% of the sample said that they earn wages between 100 and 150 Jordanian dinars, 23% receive wages ranging between 150 and 200 Jordanian dinars, 10% are paid between 200 and 300 Jordanian dinars, and finally 7% of the sample receive wages which exceed 300 Jordanian dinars.

With regard to social security, 71% of the sample are not covered; this is considered as a violation of the Social Security Act paragraph (c) of Article (20).

As for the working hours, 59% of the sample work between 12 to 15 hours a day without getting paid for the overtime - violating the provision of Article (59) of the Jordanian Labour Law.

70% of the sample confirmed that they do not receive any type of vacation: annual, sick or official holidays.

25% of the sample reported that they had been threatened with dismissal from work or deduction from their wages when demanding their labour rights, or if they refuse a decision considered as a violation of their rights; 75% reported that they while they were not subjected to any kind of direct threatening they may have been subjected to indirect threats.

In addition, occupational health and safety standards are not applied despite the seriousness and sensitivity of the tasks the workers carry out; 100% of workers confirmed the lack of occupational health and safety standards in their workplace.

This report recommends activating the role of the Ministry of Labour's inspectors to identify violations Syrian refugee women involved in the Jordanian labour market are subjected to, and activating the role of the Social Security Corporation inspectors to ensure the participation of all workers in social security.

In addition, to work on the development of accurate database covering all Syrian refugee women workers and the sectors of their work, the expansion of social security coverage provided in the Social Security Act to include health insurance for all participants, and to expand the provisions of the Jordanian Penal Code to explicitly criminalize forced labour.

The Work of Syrian Refugees and International Humanitarian Law

Although Jordan has not signed the 1951 Refugee Convention, like many other countries it is committed to applying the general principles contained in international human rights conventions, including the 1951 convention. Jordan has reinforced its commitment to respecting basic rights of refugees through ratifying the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. Based on these foundations, Jordan received various waves of asylum seeking Syrian refugees over the past five years.

In 1997, Jordan signed a memorandum of understanding with the UNHCR that empowers the commission to work with matters directly related to providing international protection and humanitarian assistance to refugees – with the exception of Palestinian refugees who are included under the framework of the UNRWA. The agreement also prevents refugees who are accepted as asylum seekers by the commission from expulsion with the necessary commitment of refugees to the Kingdom's laws and regulations. The agreement included articles related to the refugee's religious and ethnic rights, the right to work in the professions open to foreigners, and to exempt refugees from the overstay fees. In addition, the agreement includes that UNHCR office will continue to provide assistance towards accommodation, food, clothing, and treatment in accordance with the foundations established by the commission. The agreement also included the commitment of both parties, Jordan and the UNHCR, to full cooperation for rapid response in emergency situations of a large influx of refugees and to develop a joint mechanism to deal with food, water and sanitation services, shelters, health services, and the security requirements of refugees.

In this framework, Syrian refugees are also regulated by the same work requirements of other foreign workers in Jordan in terms of the need for a work permit, the framework of professions allowed for foreigners to work in, and everything else required by Jordanian law. Furthermore, since they are living in Jordan, they enjoy the full rights set forth in the two international human rights covenants, regardless of their refugee status.

The Legislative and Legal Framework for Women in Jordan

Jordan signed 24 of 188 international conventions and 198 recommendations related to work. In addition, it also ratified the International Convention on the Elimination of All Forms of Discrimination against Women of 2000 which strengthened protections for women already provided by the Jordanian Constitution. Paragraph 1 of Article (6) of the Jordanian Constitution provides that Jordanian men and women shall be equal before the law in terms of rights and duties and there shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion. Paragraph 2 of the same Article provides that the government shall ensure work and education within the limits of its possibilities as well as a state of tranquility and equal opportunities to all Jordanians.

Article 13 of the Constitution also stipulates that while compulsory labour shall not be imposed on any person, any person may be required to do any work or to render any service in circumstances prescribed by the law such as a state of war, the occurrence of a public danger, fire, flood, famine, earthquake, serious epidemic amongst human beings or animal diseases, insects or pets or any other similar event, or in any other circumstances which would endanger the safety of the population, in whole or in part.

Article 23 of the Constitution stipulates that it is the right of every citizen to work and that the State shall provide opportunities for work to all citizens by directing the national economy to encourage economic growth. Importantly, the provisions of the Constitution do not distinguish between men and women in terms of rights and duties – especially within the right to work.

However, there are many labour legislations that do not sufficiently protect women from discrimination. The Labour Law of 2010 does not include explicit provisions prohibiting discrimination in employment and occupation, it does not insure equal pay for equal work between men and women, and finally lacks clear provisions to protect women from all forms of harassment in the workplace.

95% of working women in Jordan are concentrated in public administration, education, health and social work; three out of the thirteen sectors of the Jordanian economy.

The Status of Women in the Jordanian Labour Market

The Jordanian labour market is an unfriendly environment for women. The rate of women's participation in the Jordanian labour market is still of the lowest rates worldwide (14% women vs. 66% men). The World Economic Forum on Gender of 2014 ranked Jordan 140 out of 142 countries in economic participation and opportunity³. In addition, the unemployment among women in Jordan has dramatically to 22% and up to 40% in poor areas.

³ World Economic Forum on Gender of 2014

On the other hand, the latest figures from the Social Security Corporation during the year 2015 indicate that the proportion of women participating in the corporation is nearly 26.0% of the total subscribers⁴.

Women working in Jordan also suffer from wage discrimination. According to the Department of Statistics, the average monthly wage for workers is 412 Jordanian dinars in the public sector and 338 Jordanian dinars in the private sector - with a gap in favor of males of 63 Jordanian dinars and 69 Jordanian dinars respectively⁵.

Many labour and human rights reports indicate that women workers in the private sector, including Syrians, are subjected to many abuses and violations contrary to Jordanian labour law. A significant number women work for hours more than 8 hours a day, are deprived from any form of social protection and social security, receive wages far below the minimum wage, and do not enjoy job security and other decent work conditions.

Report Sample Details

Tamkeen Fields for Aid's team met with 150 Syrian refugee women workers and who have sought asylum in Jordan at different times since the beginning of the crisis. Their ages range between 18 and 47 years and they are all the breadwinners of their families. Around 33% are educated and have various certificates ranging from Diploma and Bachelor's degree and around 67% are uneducated and studied only at the elementary level; there are also women who did not attend any stages of education.

⁴ Social Security Corporation

⁵ Department of Statistics

As for the economic sectors of the women surveyed, 44% were employed in textiles, 38% of women workers were employed in cooking and pickling, and 18% were employed in domestic work.

Through the prospective report, we will illustrate the working conditions of Syrian refugee women according to their responses.

Working Conditions

In this section of the prospective thumbnail report we will review the circumstances of the Syrian refugee women workers in Jordan who are often exposed to violations that are considered forced labour. The report team conducted interviews with 150 Syrian refugee women workers from several provinces, namely; Amman, Irbid, Mafraq and Karak. Syrian refugee women work in Jordan in different professions to provide the minimum requirements for their families. They work through poor working conditions and various labour violations to escape the poor economic conditions in Syria and compensate for the absence of male economic providers lost in the war.

The Work of Syrian Refugee Women

The work of Syrian refugees is subject to Jordanian labour law in addition to the regulations, instructions, and decisions issued by the Jordanian Ministry of Labour. More specifically, the work of Syrian refugees is linked to Article (12) of the 2010 amended Labour Law No. (26) which stipulate that the Minister may issue any instructions he deems necessary to organize the employment and recruitment of non-Jordanian workers. The employer or establishment manager, as the case may be, shall be penalized with a fine no less than 200 dinars and no more than 500 dinars for every month or fraction thereof during which a non-Jordanian worker is

employed in violation of the provisions of this code. The fine shall be doubled with repeat offenses. These are in addition to work permit fees ranging from 60 Jordanian dinars to 825 Jordanian dinars.

With regard to the international conventions that govern the work of refugees in Jordan, while it is not a signatory to the United Nations Convention of 1951 and the 1967 Protocol relating to the status of refugees, and obliged only through an agreement between the government and the UNHCR, Jordan is committed to international covenants and conventions and in particular to both The International Covenant on Civil and Political Rights and The Covenant on Economic, Social and Cultural Rights.

Part 3 (Article 7) The Covenant on Economic, Social and Cultural Rights recognize the right of everyone to the enjoyment of just and favorable conditions of work which provides all workers, as a minimum, with fair wages, equal pay for equal work, equal work conditions for men and women, a decent living for themselves and their families in accordance with the provisions of the present covenant, safe and healthy working conditions, equal opportunity for promotion subject to no considerations other than those of seniority and competence, rest, leisure, reasonable limitation of working hours, periodic paid vacation, as well as remuneration for public holidays.

At the beginning of this year the Ministry of Labor issued a decision to close several professions to non-Jordanian workers. The former Minister of Labour Nidal Qatamein confirmed that the creation of job opportunities for Syrians in Jordan will be through investments and the priority will be on Jordanian workers. He further stressed the unacceptability of compromising Jordanian workers; many jobs and profession will remain closed for Jordanians only. Syrians will continue

to be subject to Jordanian labour laws and regulations - perhaps the most important of which is for the employer to issue them a work permit.

Wages and Salaries

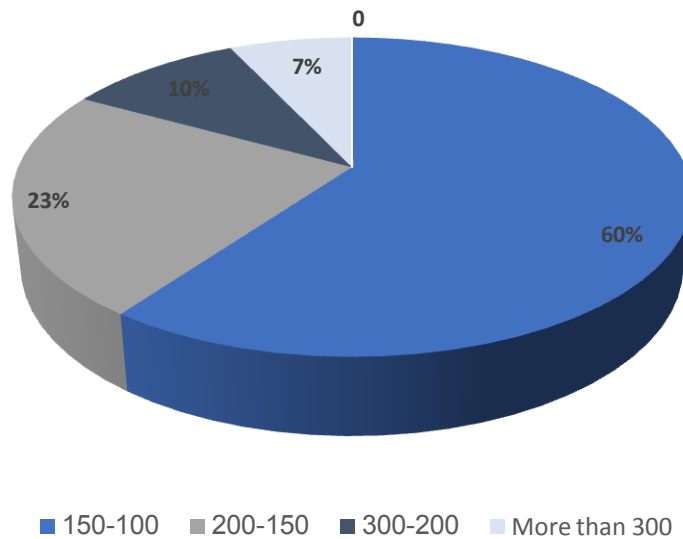
While wages vary depending on the skill of the workers, one of the important challenges faced by Syrian refugee women in Jordan are low wages. 60% of the sample said that they earn wages between 100 and 150 Jordanian dinars, 23% receive wages ranging between 150 and 200 Jordanian dinars, 10% are paid between 200 and 300 Jordanian dinars, and finally 7% of the sample receive wages which exceed 300 Jordanian dinars.

Wages Received by Syrian Refugee Women in Jordanian Dinars

	Number of workers	Percentage of workers
100-150	90	60%
150-200	35	23%
200-300	15	10%
Over 300	10	7%

N=150

Wages Received by Syrian Refugee Women
in Jordanian Dinars



Participation in Social Security and Health Insurance

While Syrian workers are legally required to be included in social security, only 29% of the sample had coverage, 71%, did not. This is a violation of the provision of Paragraph (c) of Article (20) of the Social Security Act.

Aya, 23, sustains her 5 person family working in factory. She works over 14 hours a day and receives a monthly salary of less than 170 Jordanian dinars.

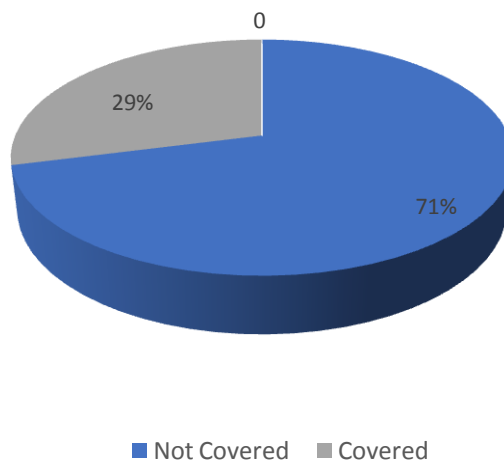
All the workers interviewed do not have a health insurance.

	Number of workers	Percentage of workers
Covered	44	29%
Not Covered	106	71%

Social Security Participation

N=150

Social Security Participation



Sara works for a clothing shop to provide for her family. She works over 12 hours a day for a monthly salary of 100 Jordanian dinars without overtime or inclusion in

Vacations and Public Holidays

70 percent of workers do not receive vacations or public holidays. This is a violation of the provision of Paragraph (a) of Article (61) of the Jordanian Labour Law which stipulates 14 days of annual vacation, or 21 days for those who work for the same entity for five years or more. We point out here that only 30% of the sample have access to annual leave.

With regard to sick leaves, the majority of the workers are being deprived of the right to sick leave in clear violation of the provisions of Article (65) of the Jordanian Labour Law, which stipulate that "each employee shall be entitled to a fully paid fourteen-day sick leave per year based on a report of a physician approved by the Establishment. It shall be renewable for another fully paid fourteen-day shall he be hospitalized, and based on a report of the medical committee that is approved by the foundation."

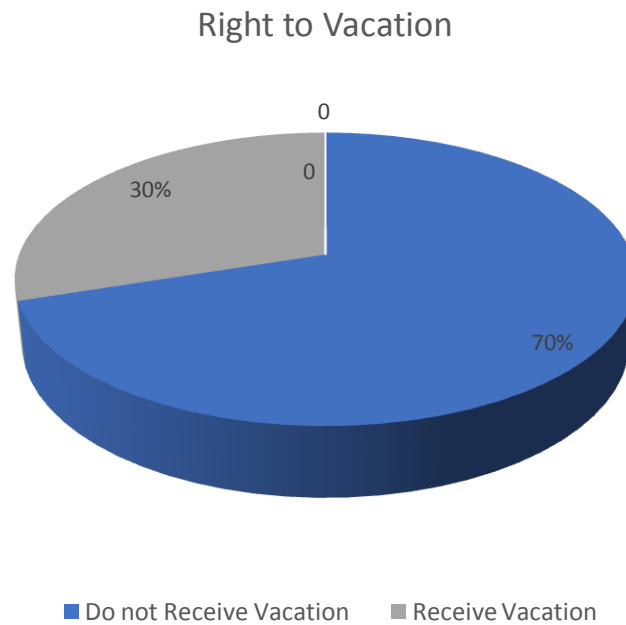
In addition to those previously mentioned, Syrian refugee women workers are subjected to many other violations including denial of overtime, verbal abuse, and not being issued work and residency permits.

Um Rashid was pushed to work in a soap manufacturing shop after her husband and son were killed at war in Syria. She makes less than 200 Jordanian dinars without paid overtime, leave, or social security.

Right to Vacation

	Number of workers	Percentage of workers
Receive Vacation	45	30%
Do not Receive Vacation	105	70%

N=150



Long Working Hours

The Jordanian Labour Law No. 8 of 1996 and its amendments defined the daily working hours as eight hours a day or 48 hours per week. However, the majority of the employers who recruit Syrian women workers do not adhere to the working hours stipulated in the law: 59% of the sample work 12-15 hours a day, 23% of the sample work for more than 15 hours a day, and 18% of the sample work 8-11 hours a day with a one hour break for lunch, prayers, and other matters. It is worth emphasis that workers do not receive overtime.

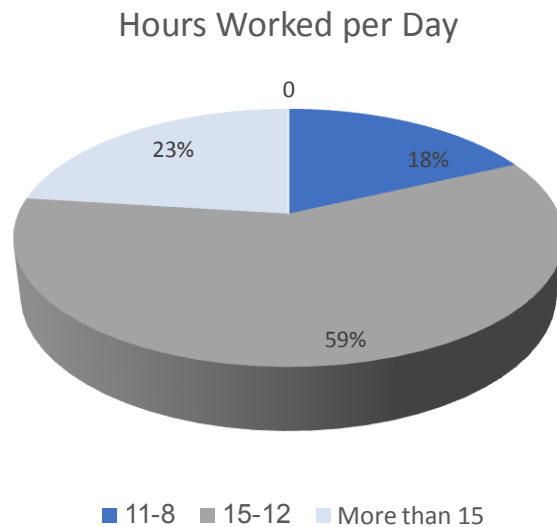
Article (57) of Chapter 8 of the Jordanian Labour Law stipulates that the employer may put an employee to work for more than the daily or weekly working hours, provided they are additionally compensated according to the provisions of the law, in any of the following cases: taking annual inventory, preparation of the balance sheet and closing accounts, preparing arrangements for sales, avoiding losses of merchandise or any other material exposed to damage, to avoid damaging a work of art, and for receiving, delivering and transporting certain materials. The number of days to which the provisions of this article apply may not exceed thirty days per year and that the number of actual working hours may not exceed ten hours per day.

Article (59) of Article (a) of the law stipulates that the employee may be put to work with his consent in excess of the daily or weekly working hours provided that the employee receives not less than 125% of his ordinary wage for each extra hour of work.

Hours Worked per Day

	Number of workers	Percentage of workers
8-11	27	18%
12-15	88	59%
More than 15	35	23%

N=150



Occupational Health and Safety

A crucial problem faced by the Syrian women workers is absence of tools and standards of occupational safety. They face various risks of injury in their respective fields whether it be factory work, sewing, or selling cleaning materials.

In addition, occupational health and safety standards are not applied despite the seriousness and sensitivity of the tasks the workers carry out; 100% of workers confirmed the lack of occupational health and safety standards in their workplace.

Article (78) of the Labour Law stipulates that the employer shall be obligated to take necessary measures and precautions to protect employees from work related hazards and diseases. In addition, to provide employees with means of personal protection such as clothes, eyeglasses, gloves, and shoes, and the necessary training for their use and maintenance.

The article also states that the employer is obliged to inform the employee of the work hazards and protection methods before commencing work. The employer is obligated to display the instructions and directives showing occupational hazards and means of protection against them in a conspicuous site. The employer is also required to provide first-aid equipment for employees in accordance with the standards set by the Minister and after consulting the opinion of the competent official authorities.

Various Rights

25% of the sample reported that they had been threatened with dismissal from work or deduction from their wages when demanding their labour rights, or if they refuse a decision considered as a violation of their rights; 75% reported that they were not subjected to any kind of direct threatening, but they may have been subjected to indirect threats.

In addition, many Syrian workers view their jobs as unstable as some employers may dispense with workers easily and without justifications.

Work Permits

Although the Ministry of Labour issued thirty-four thousand valid work permits to Syrians in 2016, and issued a decision to exempt employers from work permit issuing fees for Syrian workers, Syrian refugee women are still very underrepresented when it comes to work permits. In our sample the percentage of women who were issued work permits did not exceed 29%.

Syrian refugee women workers are hesitant to seek a work permit for fear of losing their rights as refugees legally and financially – they especially fear about losing financial and in-kind assistance from UNHCR or losing right to resettle in a third country for those that have applied for asylum. The Jordanian Ministry of Labour confirmed that issuing a work permit will not affect the aid provided by UNHCR. It is considered a regulatory action to protect worker’s rights as the permits are issued in accordance with the provisions of the Labour Law.

In addition, some employers refuse to obtain work permits for their workers to avoid the associated costs. The employers specifically choose to employ Syrians because of their low wages, because they mainly work illegally in closed jobs, and because they do not want to be issued a work permit.

Employers and Recruiting Syrian Women Workers

Some business owners recruit Syrian refugee women workers due to their willingness to accept low wages and long hours without overtime.

According to a survey Tamkeen Fields for Aid carried out among 50 business owners who recruit Syrian women workers, 70%, or 35 business owners, confirmed that Syrian refugee women workers accept lower wages than Jordanian women; 30%, or 15 business owners, confirmed

that Syrian women workers do not accept lower wages because they have high craftsmanship skills.

With regard to the long working hours, 85% of business owners confirmed that Syrian refugee women workers are willing to work longer hours without objection, while 15% business owners responded that they workers refuse to work more than 11 hours a day, including a one hour break, because of their need to return home and take care of their children.

The interviewed employers preferred to recruit Syrian refugee women workers because of their skill as seamstresses, cooks, pickles, and in other sectors.

Final Recommendations

1. Give inspectors of the Ministry of Labour greater power to detect violations which Syrian refugee women are subjected to in the Jordanian labour market.
2. Give inspectors of the Social Security Corporation greater power to ensure the participation of all workers in social security.
3. Develop an accurate database covering all Syrian refugee women workers and the sectors of their employment.
4. Expand social security coverage included in the Social Security Act to include health insurance for all participants.
5. Develop a provision in the Jordanian Penal Code that explicitly criminalizes forced labour.
6. Conduct surveys on the experiences of Syrian women workers to determine the difficulties they face during their work, their numbers, and geographical distribution.



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