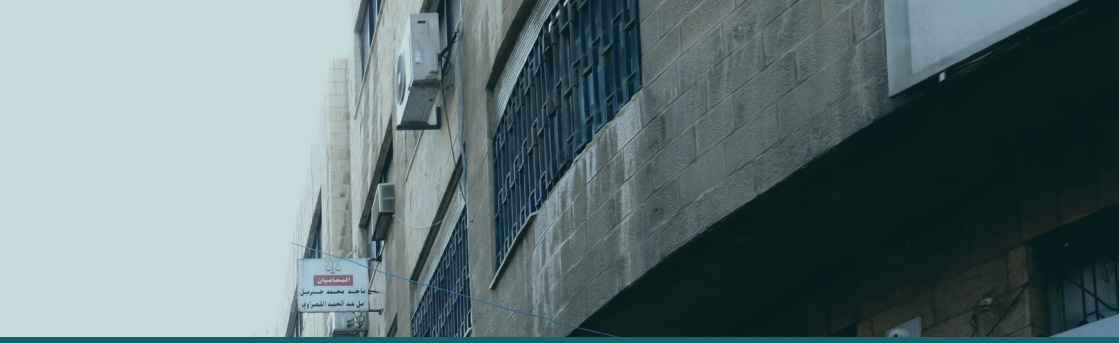


Under Curfew: 1

Monitoring Report for Violations faced by Private Sector Workers

تمكين
TAMKEEN
للمساعدة القانونية وحقوق الانسان
For legal aid and human rights

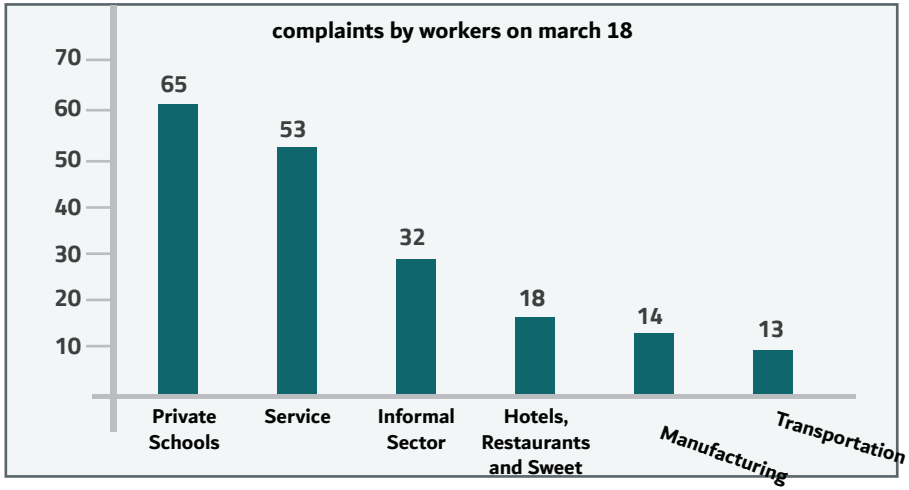
Introduction:

This week, the Ministry of Labour said that it has decided to declare a vacation for workers in both the public and private sector, starting from Wednesday, March 18th, 2020 to limit the spread of the Corona virus. The Ministry added that all workers would be entitled to receive their wages during this vacation, which will not be counted as part of their annual leave days. During the first day of this vacation though, Tamkeen for Legal Aid and Human Rights registered 195 complaints that were registered by workers in various sectors whose labour and administrative rights have been violated.

The complaints were registered in sectors where were covered by the official holiday decision, which excluded a number of vital sectors. These sectors include: the health sector; pharmacies and supermarkets; bakeries; food, medicine, water, electricity, petroleum suppliers; in addition to hypermarkets and pharmacies that operate inside malls. The Ministry affirmed that while these sectors are exempt from the holiday decision, that employers should continue to apply the provisions of Labour Law, in terms of their workers' wages. Moreover, these sectors have the ability to implement flexible work in all its forms (remote work, work within flexible hours, working within the intensive work week).

These institutions can do that without the need to gain the approval of the Ministry, or applying any amendment to its internal regulations for the present time, and only through securing the approval of both the employers and employees. The Ministry added that these regulations should be in accordance with the provisions of Flexible Labour Law No. (22) of 2017 and the instructions issued accordingly as to ensure the sustainability of the work.

Notably though, the monitoring showed that small business owners have been negatively affected by the closure of their stores, like barber shops, construction materials; accessory and shoes shops. Challenges faced by these owners will be highlighted in an upcoming report.



Based on the Holiday decision, the Tamkeen team monitored a number of violations that were registered during the first day in the sectors of: Private Schools; Weaving; Restaurants and Hotels; in addition to the Service, Clothing stores, Coffee Booths and Cleaning Service Companies.

Below, the sectors in which these complaints were submitted are further fleshed out:

The Informal Sector:

Numerous workers in the Informal Sector - those who either work without work contracts signed between them and the employer, or those working in unlicensed institutions. These workers include those employed in local restaurants, street vendors, construction or agricultural workers, among others who work on a daily and intermittent manner. Due to the current holidays, these workers have lost their daily work and consequently the wage that they used to earn on a daily basis.

Through its monitoring, Tamkeen noted numerous violations that were committed in the sector. These include: arbitrary dismissal of workers by their employers as employers inform workers that there is currently no work and that they would be contacted after the holiday is over.

Unfortunately, as these workers depend on their daily or weekly wage for their livelihood, such a step means that they have used their income and thus now face difficult economic challenges that prevent them from supporting themselves or their families.

During the first day, 32 complaint were recorded in the Informal Sector. The complaints were recorded by male and female workers in the governorates of Amman, Irbid, Madaba, Zarqa and Dleil.

> I work in decor; we had to close the workshop where I work. Now, we are all on holiday. The problem is that I am a daily worker, so I will not be receiving any wages for any day I am off.

Hotels, Restaurants and Sweet Shops

18 complaints were registered for workers who are employed in Hotels, Restaurants or Sweet Shops. The complaints were about workers being given holidays but without any wages; being given annual leaves instead of official holiday as stipulated by the decision; or being forced to work.

Other workers have reported being forced to sign resignation letters, after they were promised that they will be reinstated after the Corona crisis is over and the resulting holiday. The majority of these complaints were submitted by workers in the governorates of Amman and Zarqa.

> In the hotel where we work, we were forced to sign resignation letters because all of the reservations were cancelled. Our employer told us that we will be reinstated once the crisis is over. He also did not give us our salaries

Private Schools:

In the Private Schools Sector, 65 complaints were recorded by teachers, and cleaning workers. These complaints were recorded in the governorates of Amman, Irbid and Zarqa; in medium and big-sized schools.

The complaints were regarding: teachers being forced to work and had to bring their children with them to schools. Other schools demanded that the teachers sign on wage-less vacations; while others forced workers to submit resignation letters after being promised that they will receive new contracts after the Ministry-decreed holiday ends. Another administration asked its employees to submit a 10-day vacation, stating in the request that they do not mind that this period is deducted from their salary.

> I was forced to submit a resignation letter. I do not wish to submit a formal complaint as I want to return to my work. However, if I submit the complaint, then the School Administration will terminate my services and I will not be able to find another job.

Service Sector:

The number of complaints that were registered in the Service Sector was 53. These female and male workers were employed in Clothing Stores, Coffee Booths, or Cleaning Service Companies. The complaints were filed by workers in the governorates of: Amman, Zarqa, Mafraq, Jerash, Irbid, Dleil and Azraq.

The violations that were recorded were concerning workers who were given holidays but without wages; while others were given the holidays but it was counted as part of their annual holiday.

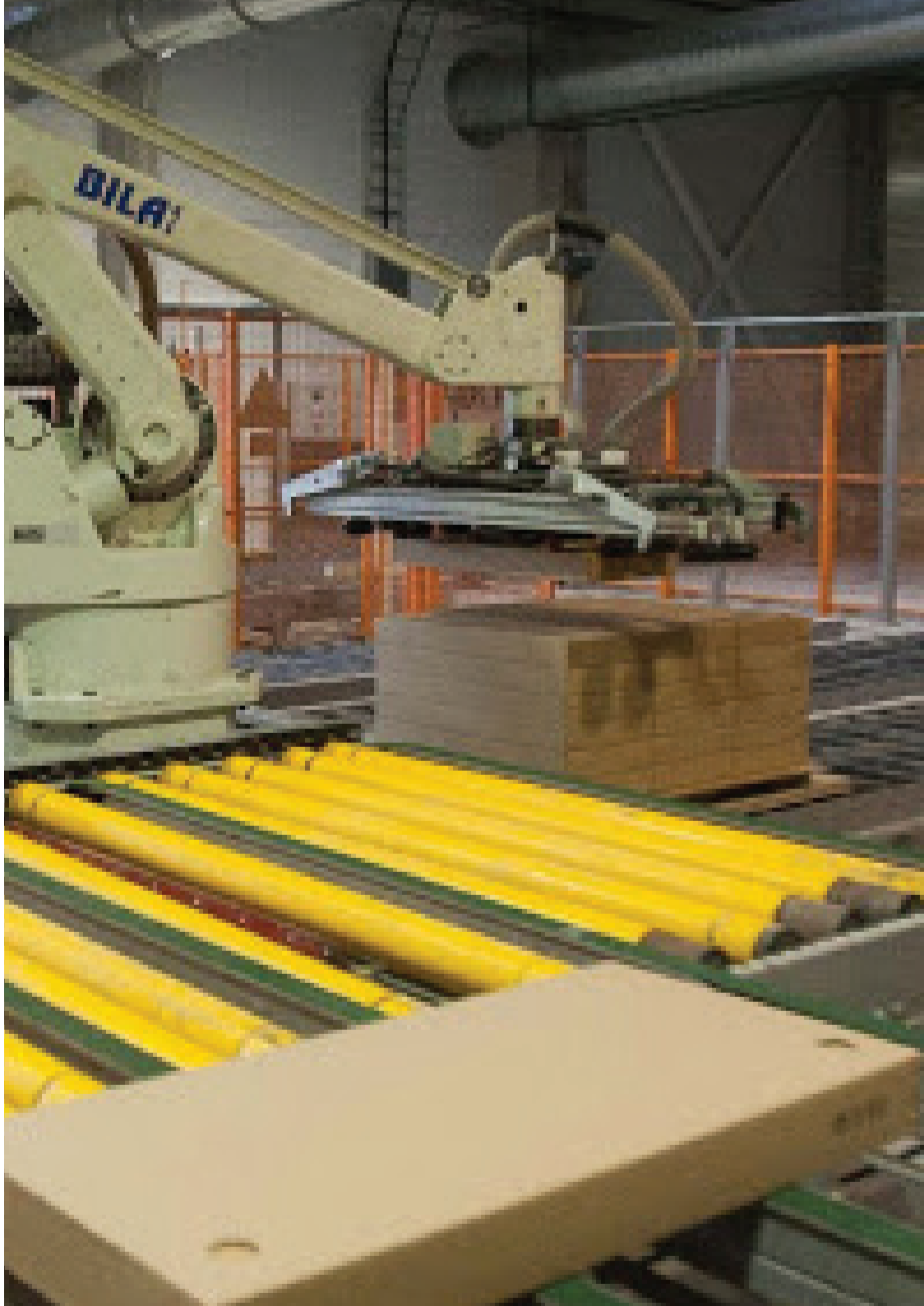
> We are waiting for the holiday to end so we could go back to work. Of course, for us this is a holiday without any wage. We are also not registered under the umbrella of Social Security, nor we have any contracts. I do not know how we will survive this period. Yes, we receive a monthly wage but it is based on our daily work.

Manufacturing Sector:

14 workers reported complaints in the Manufacturing sector. These workers were employed in weaving and textile; or in Chips and Biscuit producing factories. The complaints were for workers in the governorates of Amman, Jerash and Zarqa.

The complaints were regarding workers who were forced to work. Those who refused were forced to either submit their resignation or take days from their annual leave. Other workers reported that their employer threatened them that in case they did not come to work, their services would be terminated.

> The Factory owner told us we either come to work tomorrow or we will be fired. If you do not come to work then I do not want to ever see your face.



Transportation Sector:

Numerous taxi and bus drivers reported that their work was interrupted due to the lack of passengers in addition to the decision to stop public transportation. As their income depends on their daily wage, such a situation has led to difficult economic challenges. 13 workers in the sector have reported complaints, all of them in the capital of Amman.

> "If I do not work daily, then I do not know from where I will feed my children. My wage depends on my daily work.

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