Under Curfew 15

The Ramifications of the Corona Crisis on workers in the Qualified Industrial Zones (QIZ)

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For legal aid and human rights

Amman- Governments around the world have taken precautionary and preventive measures to curtail the emerging Corona virus epidemic. Following in the footsteps of the world, Jordan began enacting numerous precautionary measures. The most important of the decisions it took is the declaration of the Defense Law of 1992 and its amendments. Based on it, it enacted a number of decisions, including the announcement of the curfew in the Kingdom on the 21st of March,2020.

The Defence Order stopped the movement of citizens and residents, as well as the movement of vehicles, except in a very limited scope related to those working in vital sectors like the security forces and health services. All the public and private establishments were also closed, as cities were sealed off from one another and life was put on hold.

Numerous sectors were affected by these measures including factories operating inside the Qualified Industrial Zones (QIZ). With the onset of the pandemic and subsequent government measures that resulted in the shutting down of economic institutions, the challenges faced by this sector increased as supply chains were completely disrupted in almost all factories. Consequently, urgent actions were made to face the negative effects of these measures, by searching for quick solutions that included allowing a number of factories to resume operations, especially those that were responsible for manufacturing Personal Protective Equipment (PPEs).

Tamkeen for Legal Aid and Human Rights monitored the ramifications of the COVID-19 crisis on Migrant Workers in the QIZ. The monitoring was conducted through phone calls between workers and the Tamkeen team and as well as complaints that were received either through phone or social media platforms like: Facebook and WhatsApp, in the period between 18/3/2020 till 29/6/2020.

Workers in the QIZ

The enactment of Defence Order (13) had significant repercussions on workers in all sectors, except those employed in vital ones. Workers in QIZ, whether Jordanian or Migrants, also shared this uncertainty at the start of the crisis since they were not going to work and did not know whether they would be paid their wages for the month March despite governmental decisions that said employers should do so. Then, more governmental decisions were announced, which extended the shutdown period till the end of April, which made matters worse to workers who were now unable to secure their basic livelihoods. They were also filled with doubts about their fate and the long-lasting effects of the crisis on the Labour Market and their jobs.

Workers in the QIZ, whether male or female, Jordanians or Migrants, faced exceptional difficult circumstances, as well as being subjected to very difficult economic and living conditions during the Corona Pandemic.

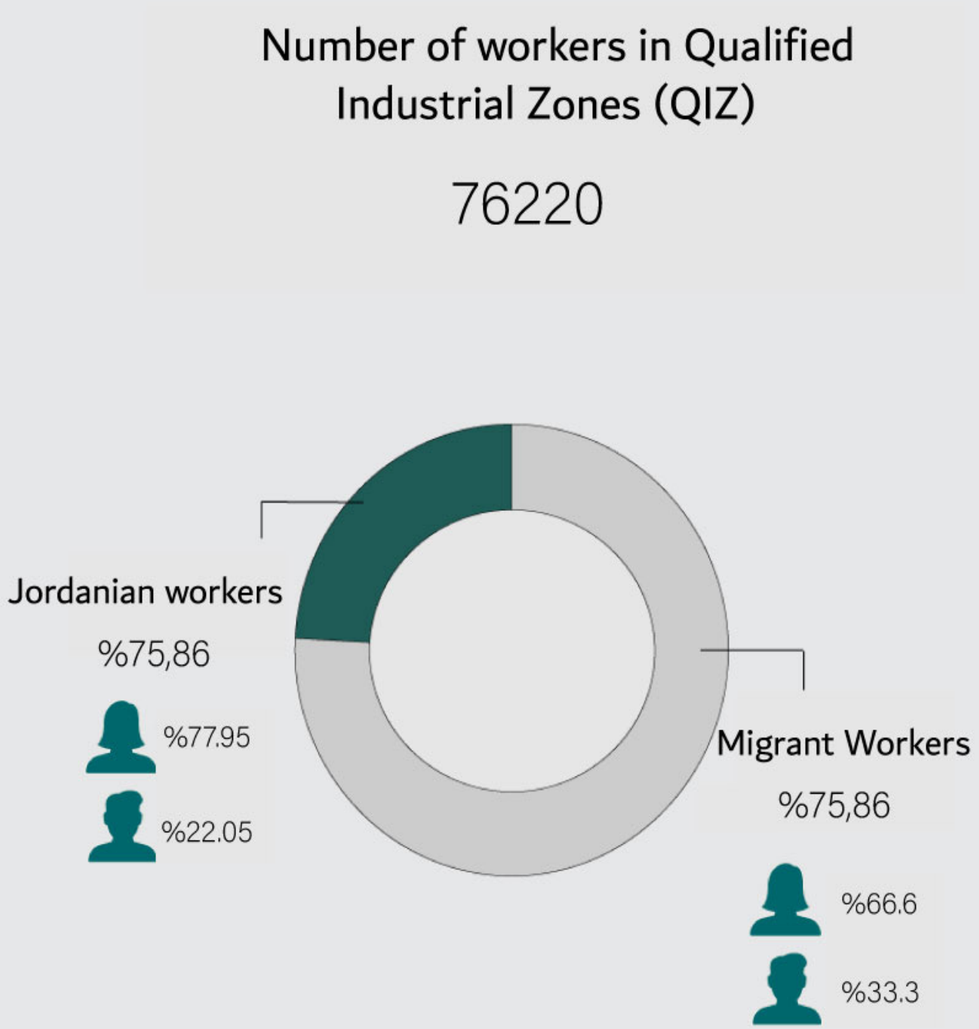
It should be noted that the Qualified Industrial Zones (QIZ) are the product of the free trade agreement Jordan signed with the United States on 2000, and later ratified by Law No. (24) for the year 2001 as pursuant to Article (33/2) of the Jordanian constitution.[1]

The agreement allows Jordan to export any clothes made in the QIZ without being subjected to any tariffs or taxes by the Americans.

According to the Development Zones Law, the industrial zones that are under the Jordan Industrial Estates Company are classified as being under the umbrella of development zones.

There are 76220 workers in the QIZ, of whom 57818 are Migrants, disaggregated between 19260 males and 38549 females. Meanwhile, there are 18402 Jordanians working in the QIZ, of whom 4058 are males and 14344 are females.[2]

1 Tamkeen Fields for Aid, The Weakest Link. Found at: http://tamkeen-jo.org/download/halakaadaaf.pdf
2 Ministry of Labour, Report on QIZ. Found at: https://bit.ly/2R4c70w



During the crisis, the shutdown resulted in many workers losing their jobs, including those working in garment factories. The pandemic also impacted the commercial market, as many clothes brands were forced to cancel their orders from factories without paying its expenses. As a result, the Jordanian government cautiously began allowing these factories to resume production to lessen the economic impact of the measures it had to take to curtail the spread of the virus. It thus allowed for some factories, especially those that employ Migrants that reside inside the zone, to go back to work. These factories were instructed to adopt strict preventive measures and to disallow entry and exit from these zones as well. The decision also stipulated that only workers residing inside the QIZ can return to the factories, adding that they need to fully comply with the procedures related to occupational safety and health to prevent the spread of the Corona virus.

The status of QIZ workers during the curfew

There are still many questions raised about the way Jordanian and Migrant QIZ workers are treated. These questions revolve around the contractual relationship between workers and factory owners which are usually filled with violations to the provisions of the Labour Law. The relationship also highlights clear shortcomings that are found in the law, particularly the lack of clear provisions that offer protections to Migrant Workers.

At the beginning of the Corona Crisis, the status of QIZ workers was not clear. Many workers were uncertain about their fates in light of the governmental decisions, including the imposed curfew and the limitations on movement. These measures further impacted the workers since their residents are located at faraway places who could not leave and go buy their needs, except on foot. Moreover, the workers faced issues related to their wages. Even though the government announced in March that wages will be paid through E-wallets, QIZ Migrant workers did not know how to use this complicated and unclear technology.

Migrant Workers coming from India, Bangladesh or India also faced difficulties using the wallet because it was only offered in either Arabic or English. Other workers reported that they lacked any basic supplies in the stores near them, and for two weeks, no food supplies or vegetables were available. It was noted that workers also complained when the government issued its first decision to allow going out and purchase of basic necessities, hundreds of workers went to the nearby stores but the supplies ended and were not renewed; while others have reported that they were exploited by traders who used these conditions to sell very old supplies them.

As for the industrial zones in Al-Dleil, where there are special housing for migrant workers (Bengali, Indian and Pakistani), on 3/25-20 when it was announced that people were allowed to go out shopping following the imposition of the curfew; it was noted that workers in these factories rushed to the neighboring market to do so. Unfortunately, the resulting large gatherings violated the general safety conditions imposed by the curfew in the previous days. Accordingly, the administrative

authorities cautioned in Dleil that these gatherings might be a fertile environment conducive to disease. Thus, these gatherings were dismantled, and accordingly the workers were returned to their homes by police patrols. Since workers still needed supplies, the factories administration worked to provide the workers with their needs of meals through Jordanian employees who have work permits dedicated to this task.

Workers were also informed that they will be provided with hygiene supplies, including cleaning and disinfection materials, by the factory's management. We point out that some factories in the Al-Dleil and Ramtha were allowed to open and operate, even under the current circumstances; as they were asked by the government to manufacture masks and other much needed medical and protective supplies.

However, the decision that allowed these factories to operate, also specified a number of regulations related to safety that they should adhere to in order to prevent the spread of the virus. Despite that, Tamkeen received

reports indicating that a group of irregular migrant workers were allowed to return to work inside these factories. Such a step constitutes a big violation, as these factories are located inside the QIZs, while these workers reside outside them.

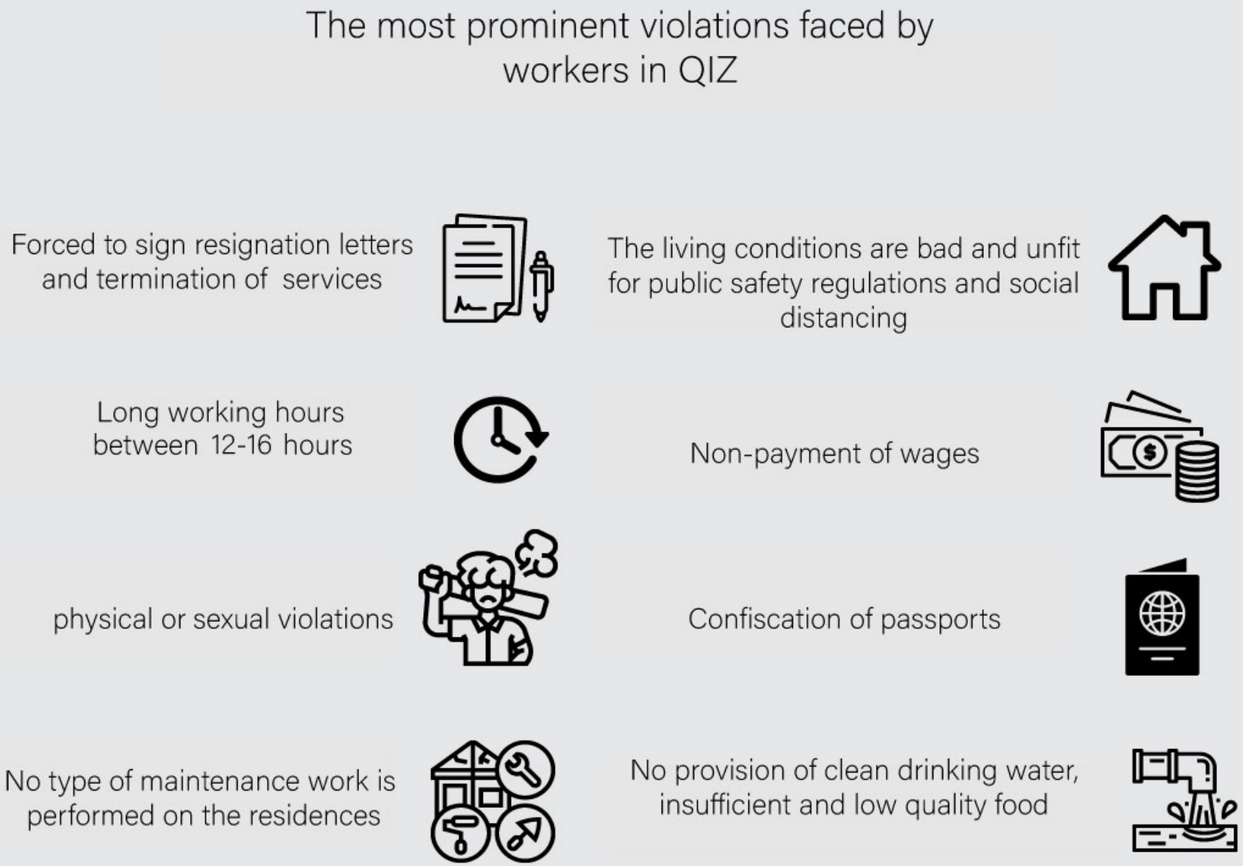
Thus, these workers are themselves endangered as they are at risk of being apprehended and then held legally accountable in case they were arrested by the police. Moreover, they place both themselves and their colleagues who reside in the zone at risk, as they could be infected with the virus and then unwittingly transmit it to others during their travel from and to their residences.

It is also worth noting that on April 2, 2020, the Ministry of Labor issued a decision allowing garment factories operating in the special and qualified industrial zones to resume working, after obtaining the approval of the Epidemiological Committee. The decision states that these factories can operate, provided that only migrants whose 'housing is within the industrial zones are allowed to work. Otherwise, the factory which shall breach these

regulations, shall be closed till the end of this crisis. Consequently, it was reported that several factories in Hassan Industrial City have indeed resumed working.

Violations in Reality

The situation of Migrant Workers in the QIZ remains as it was, and is even worse than before in some cases. There are a number of workers who have not received their wages yet, while others received only a small sum or half of it. The situation in residences has not improved either, they are still in a bad condition and are unfit for public safety procedures or social distancing. Indeed, the condition in these residences constitute a fertile environment for the virus to spread among workers, in case one of them got infected. It was also noted that a number of disputes have arose between workers and factories' managements over non-payment of wages. In other cases, some factories have exploited the situation by forcing workers to sign resignation letter and terminate their services based on promises that they will be reinstated after the pandemic.



Due to the pandemic, the economic sectors faced numerous difficulties because of the Corona virus. While Jordan tried to preserve workers' rights through Defense Orders, many employers did not abide by these orders and the first victim is workers. It was clear that although all workers were affected by this crisis, migrants were especially so after they were excluded from the social protection programs that were announced by the Social Security Corporation even though they contribute to the corporation, just like Jordanian workers, which is considered blatant discrimination.

Throughout this period, Tamkeen monitored the numerous violations that workers were subjected to and they include:

Even though workers in the QIZ were subjected to numerous violations, Tamkeen noted that workers were unwilling to report them due to their fear that their services would be terminated; as well as fears related to the fact that these workers reside inside the QIZ and are unable to leave it. Other workers could not report the

violations because they spoke neither Arabic or English.

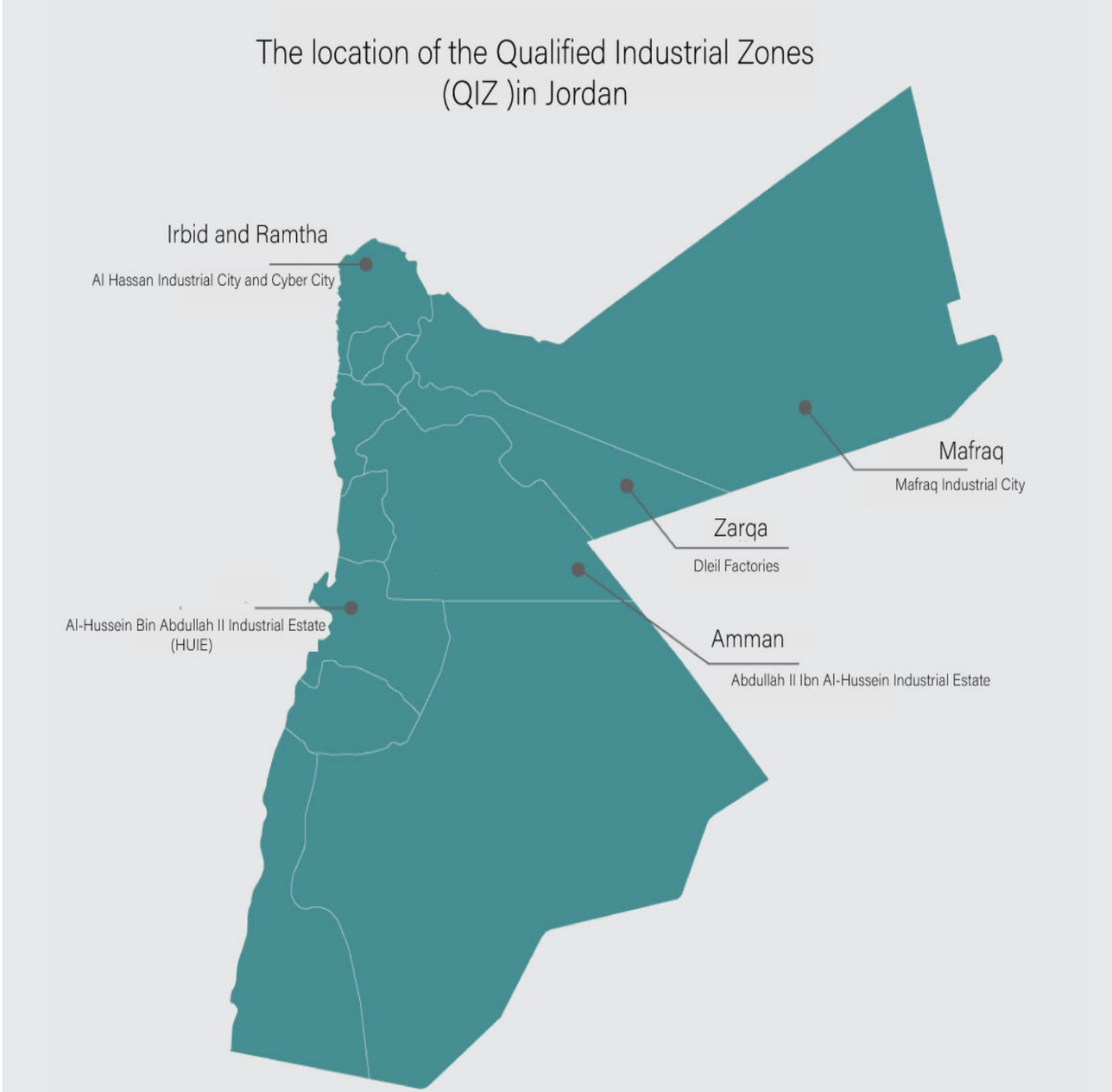
In the period between 18/3/2020 – 29/6/2020, it was reported that there were factories in the Hassan Industrial City that did not pay the wages of its workers for the months of February and March. Other factories paid its workers the wages for the months of May, while others only paid workers half of their wages for the same month.

One factory in Dleil closed its doors in compliance with the Defense Order on 18/3/2020, but then it announced that it will be closing one of its factories for good on April 1st,2020 and terminating the services of all its workers. On April 20th, it submitted the official notice to do so, and then terminated the services of 120 workers and they were forcibly asked to sign a document in a language they do not understand. 80 workers signed these documents, which the factory claimed are only quittances. These workers were then given half of their wage for the month of April and were let go even though some of them had contracts that were still valid for 2 years or even more.

In another factory in the Hassan Industrial City where 38 Indian workers are employed, none of them received their wages for the month of April, despite their families needing the money. Moreover, these workers suffer with issues in the sanitation system in their residences, which led to its flooding. These workers are also are not provided with any healthcare when they get sick, though some of them reported that they were given masks and gloves to protect them from the novel Coronavirus.

Another factory in the same city terminated the services of 72 workers after their claiming that their contracts have expired. Workers in the factory though complained due to the sudden decision and said that they considered themselves on holiday due to the pandemic but then were surprised when they were informed that their services were terminated on 1/4/2020.

A factory in Ramtha/ Cyber City where 13 Indian workers are employed shutdown on 18/3/2020 in compliance with the Defense Order. On the first week of April though, workers were told to resume working even though the factory did not receive a permission to do so.



On the 20th of April, the employer asked these workers whether they wanted to continue working or return to India because of the pandemic. The workers said that they want to return to their home country after they receive their wages for the month of April, their contributions to the Social Security Corporation and their leave allowances. After they signed the resignation letters, they were only given their wage for the month of March.

On the 26th of April, the workers asked the administration again to be given their dues and be allowed to leave. However, the factory's administration informed the workers that they will not be returning to India or paid their April wages on the first week of May. The workers were also threatened that they will not be provided food during the month of Ramadan. After the workers threatened to submit a complaint at the Labour Directorate, they were threatened of being thrown out of their residence.

In another factory in Ramtha where 88 Migrants are employed, 21 of whom are Bangladeshi and 16 are Indians, these workers said that they were not paid the wages for either the month of February or March till now. Furthermore, they said that neither their work or residency permits were renewed. They also said that their living and working environments are indecent, including the quality of their food and drink. The workers said that their main demand is to be paid their wages, since it is their priority.

Similar complaints were reported about another factory in Ramtha where 132 migrants work, including 70 Indians, and 24 Bangladeshi. These workers said that they were also paid the wages for either the month of February or March. Additionally, they complained about their inadequate living conditions, the lack of suitable drinking water, and insufficient amount of food. They also said that the services of 9 of their colleagues were terminated even though their contracts were still valid.

Another factory in Ramtha where 330 migrants work, including 70 from Myanmar and 30 from Bangladesh, deducted the days of the imposed curfew from the wages of the workers.

At the same time, 30 workers whose contracts expired said they had no place to go, and that they did not know how to register on the platform since it is offered only in English and Arabic. These workers were later helped by Tamkeen to register on the platform, leave Jordan and return to their home countries.

In Al Karak governorate, a factory where 2548 Migrant workers re employed, including 700 Sri Lankan and 1100 Burmese, did not pay the wages of these workers for the month of March, even though they were working throughout that month. The workers were then asked by the factory's administration to ask the Social Security Corporation to pay their wages through one of its programs, even though they were not included in them since they are Migrants.

In other smaller factories, workers were not paid their wages at all, and some migrants reported that they were not tested unlike their Jordanian counterparts.

Contextually, a number of employers who work in QIZs in Irbid and Dliel were contacted to ask them for clarifications regarding the termination of the services of their workers. They said that the termination decision was limited to those whose contracts have expired or were near expiration and that it was made based on financial reasons related to the companies' situation which was negatively affected by the closure of the markets.

The employers added that the difficult conditions that factories are currently going through due to the shutdown of production and closure of markets, as well as the lack of raw material forced factories to terminate the contracts of some of their employees.

The actions of these factories are considered a blatant violation of legislations and on workers' rights. Additionally, forcing workers to sign documents in a language they do not understand is considered a form of fraud. As for the non-payment of wages, it is in violations of Article 46 of the Labour Law as provision A states that workers' wages should be paid within a week from its due date.

These actions are also in violations of Defense Orders 1,6, and 9 which were published in the official gazette, which stated that:

"Whoever violates the provisions of this Defense Order or any of the notices issued by the Prime Minister shall be punished by a prison sentence that ranges between 3 months and 3 years or a fine of 3,000 JOD."

Occupational Safety and Health

The provision of a safe working environment, free of any dangers associated with working in the various manufacturing jobs would definitely lead to a decrease in the number of occupational injuries and illnesses a well as protect workers from accidents. The increase of workers capacity in terms of prevention would also lead to the same results and lower the number of missing working hours due to absences, illnesses or injuries. These actions would also reduce the costs of treatment, rehabilitation, and compensation for occupational diseases and injuries, which will reflect on improving and increasing the level of production and advancing the economic strength of the state.

Work accidents and injuries cause material and moral losses and damages that affects everybody, whether directly or indirectly, starting with the injured individual or his family or the institution the worker is affiliated with it. Additionally, the increase in deaths and injuries are costly, not just in the lives lost or disturbed, but also due to the enormous economic losses too.

Occupational Safety and Health is defined as the science that cares about preserving human safety and health, by providing safe working environments that are free of causes of accidents, injuries or occupational diseases. Ina other words, OSH is a set of procedures, rules and regulations in a legislative framework, aimed at protecting workers from the risk of injuries, as well as preserve the property from the risk of damage and loss.

Occupational accidents and diseases are the main causes of injuries and deaths among workers. Indeed, the data by the Social Security Corporation show that 33 work accidents occur every 33 minutes in Jordan, and a death from a work accident is registered every 5 days. The corporation also said that it registered more than 430,000 work injuries since its inception, with an annual rate of 14,000 injuries per year. [3]

According to the SSC, the majority of work injuries occur in the manufacturing sector, including the garment industry.[4] Contextually, Tamkeen received several

3 Annual Reports by the Social Security Corporation
4 Ibid

complaints regarding OSH in the QIZ, which confirms the lack of public safety tools and a healthy work environment in many factories and companies. These complaints show that many workers are being subjected to several occupational illnesses and injuries but that these institutions report them to the SSC.

Workers mentioned that they are exposed to work injuries as a result of dealing with machines, as well as respiratory illnesses due to the lack of good ventilation in the workplaces and in their residences. Others, are suffering from eye diseases or disorders caused by bad lighting.

During the pandemic, it was noted that many residences were not provided with occupational safety and health tools. The absence of these tools is especially dangerous inside these residences since they are cramped and are ill-fitted for social distancing regulations. It also remains unclear what other types of undeclared diseases that workers inside these residences might contract due to their poor hygiene.

Social Protection

Social Protection is considered a key component of the Universal Declaration of Human Rights. Article 22 stipulated that:

"Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality."[5]

Provision 3 of Article 23 states that:

"Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection."[6]

5 https://www.un.org/en/universal-declaration-human-rights/
6 Ibid

Jordanian legislations addressed the various components of Social Protection in a number of laws, regulations and instructions. However, it was noted that the majority of national legislations are still deficient or incompatible with the relevant international standards.

In light of the Corona Pandemic, the government announced a series of decisions to provide benefits to a number of categories. These included: the poor, daily workers, the elderly, in addition to Palestinians and Gazans. The government said that these benefits were provided to compensate for the impact that the governmental measures that were taken to reduce the Corona virus on them. However, it was noted that neither the measures announced by the Social Security Corporation nor by the National Aid Fund mention migrant workers, including those employed in the QIZ.

The omission of these workers is worrying as many of them work in the formal sector and are in fact registered under the umbrella of Social Security. Besides, these categories are considered among the most vulnerable in the Jordanian society as they continue to be exploited in terms of their decent work conditions and social protection. Thus, some of them continue to receive low wages; work in unsafe environments and are subjected to numerous types of labour violations.

It should be noted here that the number of actively insured people under the umbrella of Social Security is 1 million, 317 thousand, 163 thousand of them are not Jordanians, which means that 12.4% of active subscribers in SSC are non-Jordanians.

The economic effects of the Corona crisis have greatly affected these workers; as they suddenly lost their source of income due to the shutdown and are currently facing the risk of losing it completely due to the possibility of losing their work. Thus, their exclusion from social protection program is a near knockout blow for this marginalized group that is already suffering to secure their livelihoods.

Recommendations:

- Increase inspection tours and ensure that public safety standards are applied in the workplace.
- Adopt policies and strategies that accelerate the overcoming of the Corona crisis, address its effects, stimulate economic growth, and take measures to provide social protection.
- Document the lessons learnt from the crisis and the impacts of the decisions issued, especially the Defence Orders on the various labour groups, to draw future plans that avoid the losses that were incurred by the current crisis.
- Ensure that these groups are protected from the risk of infection with the novel coronavirus through implementing the following:
    1. Maintaining social distancing between workers, as it is preferable for workers to stay at a distance of 2 meters from each other, and to rearrange and organize the factory on this basis to ensure that the virus is not transmitted in case one of them got infected.

2. Implement health and safety standards inside workers' residences, and increase the number of inspections made by the Ministry of Labour on these residences.
3. Continually inspect workers' accommodations tosee whether they are compatible with the criteria mentioned in the instructions: "Preventing the occurrence of health-related illnesses due poor house units for workers" for the year 2013 and its amendments.
4. Check the temperature of each worker before they enter the factory by using an infrared thermometer that does not require touching the skin or the person.
5. Workers must wear masks and personal protective equipment (PPEs) while in the factory.
6. Provide all hygiene items in the workplace, and workers should avoid touching their colleagues' objects.
7. Disinfect all surfaces between each shift
8. Lunch or breaks should be provided each time to

a small group of workers, to prevent and reduce gatherings as much as possible in the places designated for these activities in the factory.
9. Provide protection kits for each worker that includes a personal soap, hand sanitiser, tissues and disposable containers.

7 July 2020

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