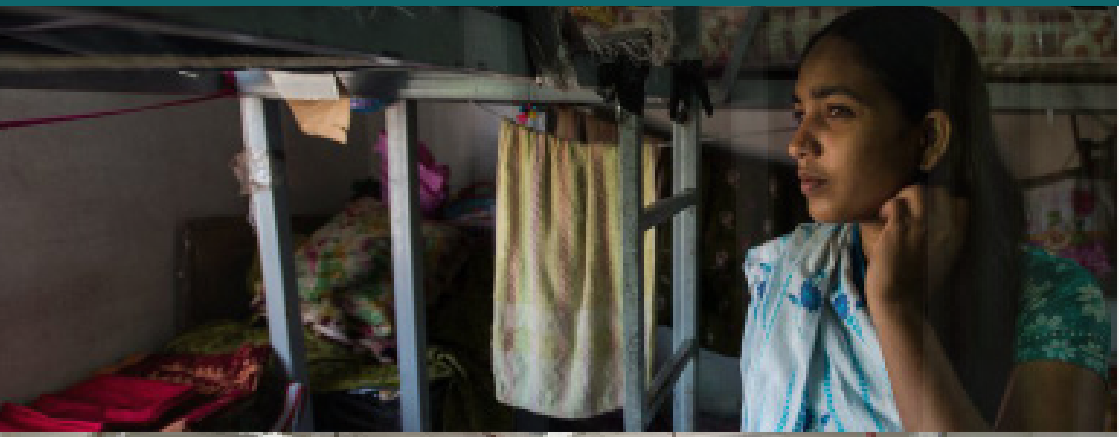
Under Curfew: 6

Tamkeen reveals the status of Migrants in the midst of the Corona Virus Crisis and the difficulties they are facing



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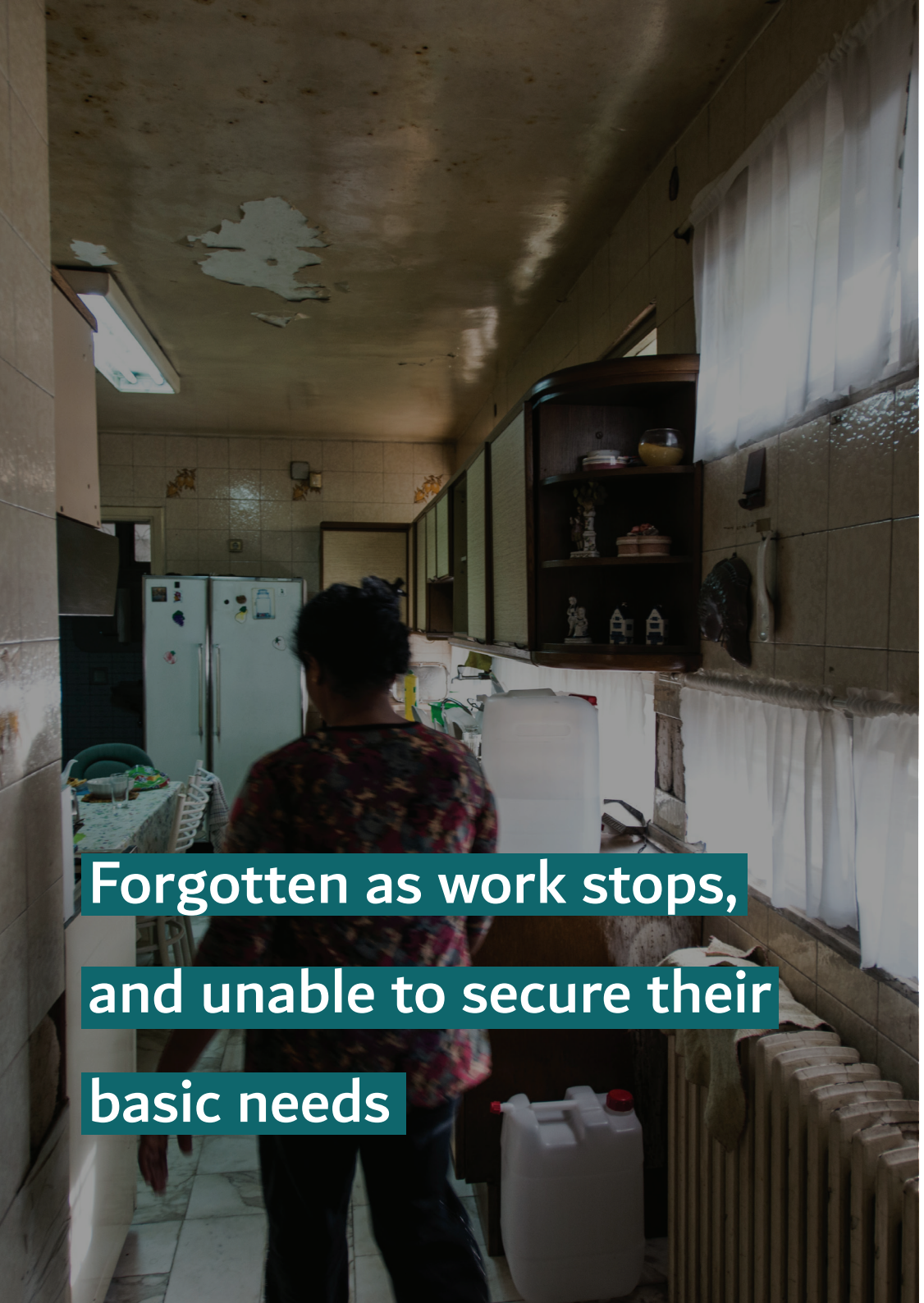
For legal aid and human rights



Forgotten as work stops, and unable to secure their basic needs

Introduction:

Governments around the world have taken precautionary and preventive measures to besiege the emerging epidemic of the Corona virus, and Jordan has not failed to take precautionary measures, the most important of which is the declaration of the Defense Law of 1992 and its amendments, and taking decisions according to it, the most important of which is the announcement of the curfew and movement in the Kingdom, and failure to do so results in several penalties amounting to imprisonment and a fine from the date of 3/18/2020 continuing until the writing of this report. Article (11) of the Defense Law states:

"If any contract or obligation cannot be executed due to observance of the provisions of this law or any order, mandate or instructions issued pursuant to it or due to compliance with these provisions, the person associated with this contract is not considered to be in breach of its terms; rather, the contract is considered suspended to the extent that it is impossible to implement the contract, and this is considered a defense in any lawsuit that has been or is filed against that person or any measures taken against him as a result of not implementing the contract or obligation."

As a result, all public and private establishments were closed, except for a number of sectors that were deemed vital. The curfew decision has affected employers and workers alike, particularly from an economic perspective. The most affected of them are daily workers and self-employed, as they have been the hardest hit on one hand, and it has been difficult to find adequate solutions to protect all workers employed in the various sectors on the other.

In these circumstances, which do not differentiate between a migrant worker and a local worker, the economic and living conditions of migrant workers have been affected, in particular, the irregular ones, and those with flexible work permits, as they are employed on a daily-wage basis.

The report examines the conditions of Egyptian migrant workers and migrant workers in the domestic work sector, factories, and beauty salons in Jordan from 3/18/2020 to 4/22/2020. The monitoring process was conducted through telephone interviews, and through the numerous phone calls and messages that Tamkeen received on its social media outlets such as Facebook and WhatsApp.

First of all, we would like to emphasize that there were no cases of administrative detention or deportation of migrant workers due to a violation of the Residence and Foreigners Law or the Labor Law.

Second, it should be noted that Tamkeen has followed up on the status of three domestic workers of Sri Lankan nationality, who were placed under quarantine among those who came to the country on 16 and 17/3/2020. Pursuant to the decision of the Jordanian government, these travelers were put under a 14 days quarantine in four- and five-star hotels in Amman and the Dead Sea. The workers stated that there was no discrimination and they received all the services provided to everyone from housing in separate rooms, food, drink and other necessities.

Egyptian Workers:

The number of Egyptian workers working in Jordan is estimated at approximately one and a half million[1] , according to the Egyptian Bureau of Statistics. Meanwhile, the number of works permits for Egyptians reached 858.796 thousand permits according to the Jordanian Ministry of Labor. Of these permits, 853,699 permits are for males and 5,097 for females[2], while the number of informal Egyptian workers is estimated at 600,000 Egyptian workers. We point out here that one of the most important reasons for the irregularity of workers is due to the failure of employers to renew the residence of the worker and/or work permit. Additionally, the closed professions system and its applications affects the status of these workers, as employer may need a migrant worker to work in a closed profession, so s/he may employ the worker in an open profession but actually makes him work in one of the occupations listed in the closed professions.

A large number of Egyptian workers has been affected as a result of the recent government measures to limit the spread of the Corona virus, which began taking effect on March 18th and concluded in the imposition of a curfew and movement restrictions in all governorates.

Most Egyptian workers work in the sectors of agriculture, construction, saws, quarries, daily labor, restaurants, and sewing workshops. Egyptian workers and Jordanian workers were greatly affected after the curfew, as they could no longer continue working. Consequently, they no longer had the ability to provide basic needs of food and rent for housing, electricity and water, and their families were also affected as workers did not transfer any amount of money to Egypt.

1- The Egyptian Bureau of Statistics

2- Press statements / Al-Mamlaka Channel 14/1/2020 https://bit.ly/2UVIXBL

The complaints submitted included forcing workers to join work or giving compulsory leave without salaries. As for daily workers, their work was permanently suspended until the end of the Corona virus crisis and the governmental measures associated with it.

In Jordan there are a large number of Egyptian informal workers who depend on daily work as well as workers who have flexible work permits recently approved by the Ministry of Labor which allow workers to work in certain sectors without being associated with a specific employer. These workers were affected by the crisis and their work stopped. In phone interviews, Daily Workers told Tamkeen that since their wages are paid on a daily basis, they have not been able to provide the lowest standards of living since the curfew decision began as they lost their income. To make matters worse, some employers postponed the payment of their due daily wages before the curfew was imposed, until the beginning of the month of April, including some who wanted two weeks' wages from the employer.

An Egyptian worker working in a stone saw in the capital, Amman, confirmed that he did not get paid before the holiday was approved, as the employer did not pay his daily wages due to his lack of financial liquidity.

In addition, there were complaints received from several Egyptian workers working in vital sectors that are excluded from the compulsory leave, such as grocery shopping centers, bakeries, fuel, and support services. The complaints were concerning public transportation, which have stopped working, as a result of the curfew. The stoppage has made it difficult for workers to reach their jobs, except by using the available means of transportation which are taxi and smart applications. However, such means carries a great financial burden, especially

for those whose wages do not exceed 250 dinars. As a result, a number of bakeries began providing cars to transport workers at the expense of employers.

It is necessary to note that irregular migrant workers may not file complaints with the Ministry of Labor if they are exposed to labor violations, for fear of being held accountable for their irregularity and the expiry of the work and residence permit. Where "Tamkeen" team received a case of two Egyptian nationals who reported that they were working in a workshop, and one of the workers had his permit expired. While these workers reside in Madaba, the workshop where they are employed is in the Capital of Amman where they working when the curfew decision was announced, without them being aware of this. They were unable to get out of the workshop, and the two workers stayed inside the workshop for a whole week, with little food and heating sources. Despite knowing the emergency number, they did not try to call for fear of the consequences of the irregular situation of one of them.

Domestic Workers:

The number of domestic workers is around 70,000, of whom 54,000 are registered, mostly from the Philippines, Sri Lanka, and Bangladesh[3] .

Migrant domestic workers in Jordan who come from several Asian and African nationalities have jobs that includes - cleaning the house in general, washing utensils and clothes, ironing clothes, cooking, caring for children, playing with them, preparing them to go to schools, getting them to the bus, and sometimes to school and caring for the disabled, the sick and the elderly, and accompany the family in shopping to carry shopping bags, and shopping from neighboring stores.

Domestic workers are either regular workers who have work permits and residence permits and who work for a specific employer and live in the employer's home; or regulars who work in homes but lives outside the employer's home. Another group includes irregular domestic workers, who left the workplace, either as a result of violations such as non-payment of wages or the length of working hours or other labor, living or physical violations. Some of these workers though leave the workplace for no reason, but rather for not adapting, enduring alienation or those who did not like the nature of the work. Some of these workers just leave, while in other cases, the employer refuses to transfer them after the end of the work contract or after giving them a "release" to transfer to another employer.

Regarding the regular workers, Tamkeen team monitored several complaints during the Corona crisis, who reported that they were treated badly by their employers, as a result of the pressure of work that has been inflicted upon them by the presence of all family members throughout the day, and their many requirements; especially with regard to matters of permanent sterilization. These demands have been reflected in their working hours as they increased to 16 working hours per day, without holidays or rest periods.

Here, we point out that two domestic workers, Sri Lankan and Filipino, were infected with Corona virus as a result of their mixing with employers, and they received the necessary care in the hospital designated to isolate patients with the Coronavirus, and their health status is stable.

With regard to informal workers who depend on their income for daily work, their work has now stopped due to the curfew. Thus, these workers have no way to live and provide the requirements of daily life. More than 600 domestic workers have communicated with Tamkeen to report that they are unable to provide for their daily needs of food, sterilization materials and other basic requirements. Amongst them are more than thirty mothers who were suffering from being unable to provide diapers and milk for their children.

A worker from them told Tamkeen: "I am not currently working because of the curfew, and I now have a little milk for my child. I have not been able to travel, and I hope the curfew will not last long."

While workers complained about their inability to pay the rent for the house, and that if the payment is not paid, they would be ejected.

3- Invisible Women: The Working and Living Conditions of Irregular Migrant Domestic Workers in Jordan – study by Tamkeen For Legal Aid and Human Rights

Women working in beauty salons:

Most workers in the beauty salon sector work on annual contracts, on a regular basis, and with fixed monthly salaries.
“Tamkeen” monitored complaints related to not being paid their salaries by employers due to the curfew. This has resulted in difficulties for these workers, as they are the breadwinners of their families in their home countries on one hand; and in relation to their own expenses, as they are unable to pay their rents, or purchase food.
It should be noted that the Minister of Labor announced the employers in the private sector should adhere to give workers their full wages for this month, but some employers have declined to do so. The Ministry also announced that these wages will be delivered through electronic wallets. However, this method is not suitable for migrant workers who work in this sector, because most of them do not have compatible phones or lack a connection to the Internet. Others have difficulties using technology, while some simply do not understand the interface of the wallet, as it is only available in either Arabic or English.

Workers in industrial zones:

The number of workers in the qualified industrial areas is 76,220, of whom 57,818 are migrant workers, distributed among 19,269 males, 38,549 females. The other 18,402 are Jordanian workers, 4,058 of them are males and 14,344 females .

At the beginning we point out that the situation of workers in the industrial zones is not clear until the preparation of the report. According to what was reported to us, most of the workers, receive their wages at the beginning of the month, in the period between the 4th and 7th day of it. However, we highlight that these areas are far from residential areas, and according to the curfew decision, workers can only purchase their supplies on foot. Therefore, these workers have been struggling to do so, due to the long distances and since some of them have not even received their wage, due to the difficulties they are facing in navigating the electronic wallet.

As above mentioned, the wallet is only available in Arabic and English. However, most of the workers in the QIZ are of Indian and Bengali nationality, who understand neither languages. In addition to that, the workers complain about the lack of 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, as 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.

4- Ministry of Labor report for companies operating in QIZs: https://bit.ly/2R4c70w

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.

Finally, it is 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.

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