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Daily-wage migrant workers, employment relations, and emergency relief during COVID-19 in Jordan

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Abstract

The government of Jordan provided some emergency assistance to migrant workers during the pandemic, but migrants' lack of formal employment impeded the implementation.

Keywords

Jordan, migrant workers, daily-wage workers, agriculture, construction, COVID-19, informal economy

Theme

Mobility work

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On 17 March 2020, the government of Jordan began deploying a series of coronavirus-related protection measures. These included a broad shutdown on movement, which was then subsequently relaxed in favour of private-sector restrictions, including a complete suspension of all activities deemed non-essential² and requiring special permits to drive a car.³ Economic consequences appeared almost instantly: worker dismissals, unpaid wages, and business shutdowns occurred en masse. This prompted the government to approve a series of emergency decisions, known as ‘Defence Orders,’ which set protections for workers’ rights. Daily-wage workers soon became the subject of larger campaigns organised by labour activists and civil society organisations, which motivated responses from the government providing in-kind and cash assistance for Jordanian daily workers.

These responses were also complemented by Defence Orders 6 and 9, both of which targeted workers made vulnerable by the crisis. Defence Order 6 protected workers’ wages and set conditions on worker dismissals,⁴ and Defence Order 9 set out a number of protections for daily-wage workers, including the right to claim unemployment benefits and make small withdrawals and loans from their social security accounts.⁵ While this order extended benefits to migrant workers, it ignored the broad reality of what migrant work looks like in Jordan: these are mostly daily-wage, informal workers, who are not making payments to social security accounts and thus cannot benefit from these extraordinary social protection measures. Following years of being mostly excluded from the formal social protection system in Jordan, informal migrant workers are thus left in limbo, with little formalised reprieve from the losses in wages due to inaccessible work opportunities.

Migrant work in Jordan makes up nearly half of the country's workforce. Migrants work across a number of economic sectors, including agriculture, construction, manufacturing, accommodation, and food services. While these all have incidences of informality, agriculture and construction are especially dependent on daily-wage work schemes⁶ and are mostly staffed by non-Jordanians.⁷ These are essential sectors. While Jordan’s agriculture makes up only 6% of GDP, it is an important contributor to other sectors, including both local producers and exporters, such as the agro-food sector. Like agriculture, the construction sector also has a low contribution to GDP; however, it is

² Dentons. 2020. COVID-19-related legislation in the Hashemite Kingdom of Jordan. Available online at: <https://www.dentons.com/en/insights/articles/2020/april/21/covid-19-related-legislation-in-the-hashemite-kingdom-of-jordan>. Last accessed on 31 January 2021.

³ Sharbain, Raya. 2021. COVID-19 and shrinking freedom limits in Jordan. *Global Voices*. Available online at: <https://globalvoices.org/2021/01/06/covid-19-and-shrinking-freedom-limits-in-jordan/>. Last accessed 1 February 2021.

⁴ The Jordan Times. 2020. PM issues Defence Order No. 6 stipulating labour rights under Defence Law. Available online at: <https://www.jordantimes.com/news/local/pm-issues-defence-order-no-6-stipulating-labour-rights-under-defence-law>. Last accessed on 15 January 2021.

⁵ The Jordan Times. 2020. Gov’t issues Defence Order No. 9 to support non-working employees, employers, daily wage workers. Available online at: <https://www.jordantimes.com/news/local/govt-issues-defence-order-no-9-support-non-working-employees-employers-daily-wage-workers>. Last accessed on 15 January 2021.

⁶ Al Nawas, Bahaa Al Deen. 2020. Daily wage workers toil in summer heat. *The Jordan Times*. Available online at: <https://www.jordantimes.com/news/local/daily-wage-workers-toil-summer-heat>. Last accessed on 31 January 2021.

⁷ While large construction projects are legally mandated to hire Jordanian workers, they are often recruited and paid without actually working. Instead, migrants are tasked to do the work. See more at: Gordon, Jennifer. 1 June 2020. The Obstacles to Decent Work for Migrants in Jordan: A Discussion with Alia Hindawi. *Civil Society Knowledge Centre*, Lebanon Support. Available online at: <https://civilsociety-centre.org/paper/obstacles-decent-work-migrants-jordan-discussion-alia-hindawi>. Last accessed on 31 January 2021.

considered a catalyst for other economic sectors, as well as an important employer of highly skilled workers, including engineers, providing opportunities for highly skilled Jordanians.⁸

The importance of the agricultural sector has been especially recognised in lockdown periods as it has been able to sufficiently cover the Kingdom's needs. Migrants make up the grand majority of workers in this sector – 85% and 92% of workers in the livestock and crop production sectors respectively are non-Jordanian.⁹ Agricultural work was named essential from the beginning of lockdown to support the local food supply, reflecting the economy's dependency on foreign workers for the production of essential goods. Yet workers in this field are entirely informalised due to their exclusion from the Labour Code and the seasonal nature of their work.¹⁰

Similar dynamics prevail in the construction sector, where daily-wage¹¹ and informal work makes up the majority of work opportunities for low-income migrant workers.¹² Very few construction companies take measures to guarantee that their contractors commit timely payment of wages and observation of labour standards, thus worsening conditions for migrant workers in the sector that otherwise have no legal recourse to ensure their rights are safeguarded.¹³ Many are not only excluded from formal social protection mechanisms but also from proper work authorisation. Due to the nature of daily-wage work in this sector, many non-Jordanian workers work without permits¹⁴ – or with incorrect sectoral permits – placing them at further risk in their day-to-day work.

While government responses included social protection measures for these workers, much of the protection was directed towards Jordanian citizens. For instance, even in the reopening of private sector operations in May 2020, the government mandated that private sector establishments wishing to open their doors had to employ at least 75% Jordanian staff.¹⁵ This largely neglected the reality that migrant workers make up a large segment of the labour market, with estimates ranging from 20%¹⁶ to up to 50% of total employment.¹⁷ This thereby encouraged laying off foreign workers in small establishments, as well as maintaining conditions of informal employment for foreign workers due to this quota. Furthermore, the government used this crisis as an opportunity to repatriate foreign

⁸ Al Emam, Dana. 2015. Construction sector vital for Jordan's economy, says PM. *The Jordan Times*. Available online at: <http://www.jordantimes.com/news/local/construction-sector-vital-jordan's-economy-security---pm>. Last accessed 31 January 2021.

⁹ Figueroa, José Luis, Mai Mahmoud, and Clemens Breisinger. 2018. The role of agriculture and agro-processing for development in Jordan. *IFPRI MENA RP Working Paper*. Available online at: <https://www.ifpri.org/publication/role-agriculture-and-agro-processing-development-jordan>. Last accessed 31 January 2021.

¹⁰ Ibáñez Prieto, Ana V. 2018. Despite Labour Law, agriculture sector suffers from 'persistent deficits' — ILO. *The Jordan Times*. Available online at: <http://www.jordantimes.com/news/local/despite-labour-law-agriculture-sector-suffers-'persistent-deficits'---ilo>. Last accessed 31 January 2021.

¹¹ Al Nawas, Bahaa Al Deen. 2020.

¹² Gordon, Jennifer. 2020.

¹³ Business and Human Rights Resource Centre. 2018. From unacceptable risks to shared prosperity: Building human rights into Jordan & Lebanon's construction sector. Available online at: https://media.business-humanrights.org/media/documents/files/Jordan_Report_FINAL_WEB.pdf. Last accessed 31 January 2021.

¹⁴ Ibáñez Prieto, Ana V. 2018. Foreign workers still subject to exploitation due to fragile legal status — report. *The Jordan Times*. Available online at: <http://jordantimes.com/news/local/foreign-workers-still-subject-exploitation-due-fragile-legal-status-%E2%80%94-report>. Last accessed 15 January 2021.

¹⁵ The New Arab. 2020. Jordan pressuring migrant workers to leave, says post-coronavirus jobs will be for 'Jordanians'. Available online at: <https://english.alaraby.co.uk/english/news/2020/5/5/jordan-pressures-migrant-workers-to-leave-amid-coronavirus-pandemic>. Last accessed 27 January 2021.

¹⁶ Based on author's calculations. See: AlManar – National Centre for Human Resource Development. December 2020. Human Resource Indicators 2019. Available online at: <http://www.almanar.jo/en/Documents/Booklet2019.pdf>. Last accessed 1 February 2021.

¹⁷ Large variation in estimates are a result of a high rate of informality and unregistered workers. See: Danish Trade Union Development Agency. 2020. Labour Market Report Jordan – 2020. <https://www.ulandssekretariatet.dk/wp-content/uploads/2020/09/LMP-Jordan-2020-final-version.pdf>. Last accessed 1 February 2021.

workers: in May, the Ministry of Labour facilitated the repatriation of migrant workers by setting up online application systems to support their returns as well as expediting any social security payments that (formal) migrant workers were owed, within 72 hours of application approval.¹⁸ Further, migrant workers' overstay fines were waived,¹⁹ an essential facilitator of exit as this has previously been identified as a bureaucratic hurdle to migrant workers' return to their country of origin, putting them at risk of detentions, sometimes for years on end.²⁰ This move ensures that returning migrant workers have their rights respected. The formulation and support for this policy, resolving an issue that had been problematic for years, displays a willingness to support the access of migrant workers to their rights – but only when exiting the country.

A long-standing trend of excluding vulnerable workers, especially those that are seemingly expendable, has shown its weaknesses in a time where work opportunities are scarce and access to jobs is difficult. Reliance on the private sector to provide for workers in a struggling economy only made worse by the COVID-19 crisis fails to guarantee the rights, livelihoods, and safety of migrants. Their exclusion from formalised labour codes and social protection systems aggravates their vulnerability in a period of income loss and high risks of infection while working.

¹⁸ Roya News. 2020. For the second time, expatriate workers in Jordan allowed to repatriate with fees waived. Available online at: <https://en.royanews.tv/news/21101/2020-05-26>. Last accessed 15 January 2021.

¹⁹ Ibid.

²⁰ Su, Alice. 2017. Migrant domestic workers in Jordan run the gauntlet between abuse and jail. *The Guardian*. Available online at: <https://www.theguardian.com/global-development/2017/mar/27/migrant-domestic-workers-jordan-abuse-jail> Last accessed 4 February 2021.