

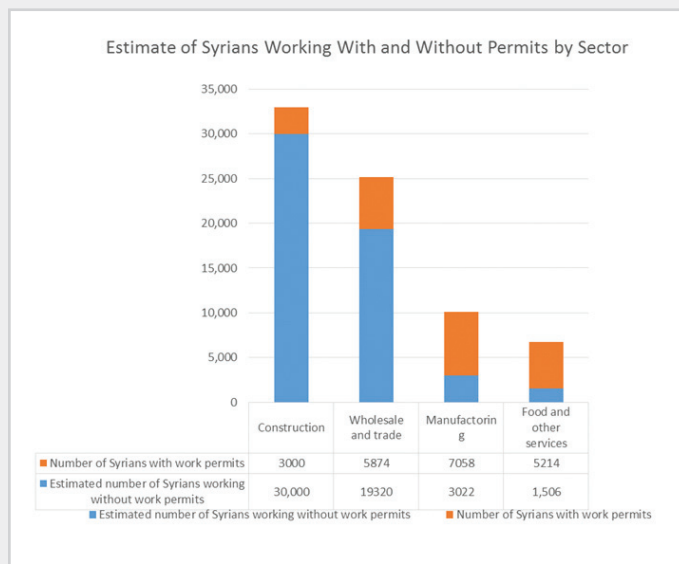
New regulations for Syrian refugee access to non-employer-specific work permits in Jordan's construction sector

August 2017 - FACTSHEET

Background

Jordan's construction sector employs the largest number of Syrian refugees working without work permits - and hence deserves sector-specific interventions.

An assessment conducted by the ILO and the Institute for Applied International Studies (FAFO) in 2015¹ found that 40 per cent of working Syrian refugees in Jordan were employed in construction - one of the sectors open to 'non-Jordanians' under the country's labour regulations. According to estimates, around 201,042 Syrians are active in the labour force, of whom 84,000 (42 per cent) are employed in the labour market. This means that around 33,600 Syrians work in construction, of whom only 3,000 have work permits and are therefore formally registered by the Ministry of Labour (MOL). The remaining 30,600 - or 91 per cent - of Syrians working in construction are employed without work permits.



The presence of Syrian refugees in the informal economy contributes to the segmentation of the Jordanian labour market with a new layer of Syrian refugees willing to work below national labour standards due to lack of better options. This has fueled "a race to the bottom" that affects wages and working conditions of not only Syrians, but Jordanians as well, particularly women and youth. **Ongoing efforts to formalise Syrian refugee employment will help prevent the further deterioration of wages and working conditions for Jordanian and Syrian workers in the country.**

Through ILO support in implementing sector-specific interventions to formalise jobs and provide decent work environments, the Ministry of Labour and the General Federation of Jordanian Trade Unions (GFJTU) recently signed a Memorandum of Understanding (MOU) to ease the process of issuing work permits to Syrian refugees in the construction sector. The agreement allows work permits to be issued through the GFJTU, and stipulates that workers should be covered by a private insurance scheme. The permits are issued for renewable one-year periods. Permit applicants must purchase insurance policies for 50 Jordanian dinars (about \$US 70).

Applicants for the new work permits must hold a Recognition of Prior Learning (RPL) certificate, which is obtained through the Centre for Accreditation and Quality Assurance (CAQA). The RPL course that workers are required to complete includes sections related to occupational safety and health (OSH), in which workers receive practical instruction on workplace health and safety measures and requirements.

This development also benefits employers. The Recognition of Prior Learning Certificate helps employers match job requirements to workers with the right skills, and the mandatory insurance coverage improves protection of workers.

¹ Impact of the influx of Syrian refugees on the Jordanian labour market: Svein Erik Stave and Solveig Hillesund; International Labour Office; Fafo Institute for Applied International Studies - Geneva: ILO, 2015.

Social Security Coverage

While having a work permit appears to increase the likelihood of being covered by social security, it is still far from a guarantee.

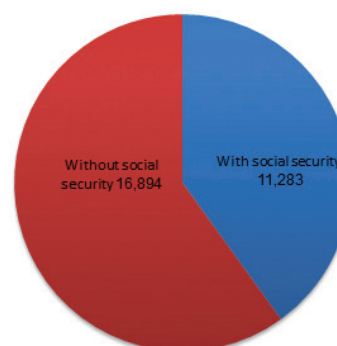
The 2015 ILO-FAFO assessment found that 96 per cent of Syrian refugee workers have no social security specified in their work contract or agreement. In an updated assessment released in 2017 by the ILO², results suggest that this figure has increased, particularly among Syrians working with work permits. This is in violation of Jordanian law, which require employers to enrol all their employees into a social security scheme. A letter of clarification was recently issued by the Ministry of Labour stating that evidence of social security coverage was not required at the time of submitting a work permit application, although employers must enrol their new employees soon after work permits are issued.



It is worrying that very few workers reported benefiting from social security, despite the fact that the Social Security Commission can block employers' business transactions if they do not register their workers. In the 2017 assessment, a significant number of Syrians with permits did not know whether they were covered by social security, and did not know what benefits social security provided.

According to the Social Security Corporation, the number of Syrian refugees enrolled in social security as of August 2017 is 11,283, 10,814 of whom are men and 469 women. On the other hand, in August 2017, there were almost 28,177 valid work permits - indicating that only 40 per cent of the total number of Syrians with work permits are enrolled in social security.

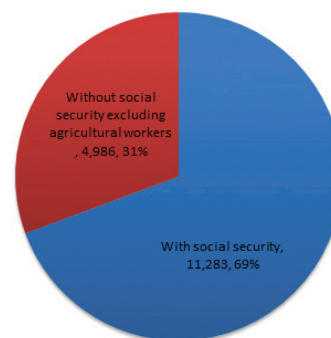
Number of Syrians with Work Permits enrolled in social security



Ministry of Labour & Social Security Corporation data

It is worth noting that social security enrolment is not mandatory for workers in the agricultural sector. This means that the 11,908 Syrian refugees with agricultural work permits are not eligible for social security enrolment (from the 28,177 workers with work permits). This leaves approximately 4,986 Syrians - or 31 per cent of Syrian refugees with work permits - who are not covered by social security. Yet according to Social Security Corporation data, only 11,283 (or around 69 per cent) have so far enrolled.

Number of Syrians with Work Permits enrolled in social security



Ministry Of Labour & Social Security Corporation data

Non-employer-specific work permits in the construction sector: requirements and benefits

The ILO has previously had sector-specific interventions in the agriculture sector, where it worked closely with the MOL to issue non-employer-specific work permits for agricultural workers through cooperatives. Syrian refugee workers now have the ability to move from one employer to the other, as the season requires, to find year-long job opportunities, instead of being tied to a single employer.

² Work permits regulations and employment outcomes of Syrian refugees in Jordan: towards the formalisation of Syrian refugees employment / International Labour Organization, 2017.

With the support and coordination of the ILO, the Ministry of Labour sent out several instructions in order to facilitate the issuance of non-employer-specific work permits. Such instructions included the mechanism of applying for the permit, specifying the policy insurance benefits and communicating with the labour directorates on this manner. Accordingly, the GFJTU began issuing non-employer-specific work permits for Syrian refugees working in the construction sector. This frees workers from being tied to either a specific employer or a specific area of specialty within the construction sector, allowing workers to move between jobs and from one employer to another.

These recent developments, which end the *Kafala* system for Syrian refugees working in these two sectors, has been hailed as ground-breaking developments for the region as steps towards organising and formalising the labour market and securing better working conditions for workers.

The following documents are required of a Syrian refugee for obtaining a non-employer-specific work permit in the construction sector:

1. A photocopy of the worker's Ministry of Interior identification card;
2. A photocopy of the formal Recognition of Prior Learning certificate;
3. One personal picture;
4. Ten Jordanian Dinars (around \$US 14) in processing fees; and
5. A photocopy of the 45 Jordanian Dinars (around \$US 63) insurance policy document, which provides the following benefits:

Benefits	Amount the insurance policy covers annually
Accidental death (beneficiaries are the policy holder's legal heirs or his/her legal representatives)	15,000 JD
Complete disability due to an accident (compensation is paid to the policy holder or his/her legal representative)	15,000 JD
Charges for burial or moving the body to the policy holder's country of origin	2,500 JD
Medical bills resulting from a work injury	3,500 JD
Medical bills for hospital stay due to a work injury	2,500 JD

Recognition of Prior Learning



The following elements are needed for Syrian refugee workers requiring a formal Recognition of Prior Learning (RPL) certificate (obtained through the Jordan Center of Accreditation and Quality Assurance):

1. Workers attend a one-month RPL training course, which includes both theoretical (in-class) and on-the-job components;



2. Trainers conduct monitoring and coaching visits to workers at their work sites during working days;



- Workers apply for the theoretical testing and practical assessment based on CAQA instructions in order to obtain the RPL formal certification;



- Workers interested in acquiring the RPL formal certificate for the non-employer-specific work permits must send a message through Whatsapp to the call centre (07 9682 1514) to include their name, governorate of residence and profession;
- The call centre will inform the candidates about information related to the course date, venue and programme.

Guidance and Support Offices

Non-employer-specific work permits for the construction sector can be obtained through the following Guidance and Support Offices (GSOs):

- Amman - GFJTU Headquarters in Shmeisani (Rawdat Wahat Altamari traffic light).
- Irbid - Marj Bani Amer Cooperative (Falasteen St.) in front of Hour Alain Alislmya Lounge - Mr. Hatim Alhoroub (07 8534 9520).
- Mafraq - Taqat Alshabab Cooperative in Mafraq, Southern neighborhood, near Ali and Ibrahim supermarket - Mr. Oudah Abu Hola (07 7776 1177).



Procedures

The following procedures should be followed by workers to facilitate the issuance non-employer-specific work permits:

- Worker should have all required documents;
- Workers should follow up with one of the GSOs to submit the application for the work permit;
- A liaison officer from the GFJTU will follow up with the MOL Labour Directorate and submit the application for a work permit; and
- A GSO will contact the worker to pick up his/her work permit at a later date (approximately within 1 week of submission).



Key Figures:

(As of August 2017):

- 1,943** Syrian refugees have valid work permits
- In five days (6-10 August)**, a total of **121** non-employer-specific work permits were issued.
- Since September 2016, **2,500** Syrian refugees were certified with occupational licences in 12 occupations in the construction sector.
- In five days (6-10 August)**, **1120** Syrian refugees applied for occupational licences.
- Since December 2016, **200** Syrian workers in construction completed in-class training on labour rights.
- Since January 2017, **500** Syrian workers completed E- learning programme on labour rights.
- Since January 2017, **50** Individuals from different construction companies were certified by CAQA as Occupational Safety and Health supervisors.