

Labor Management Procedures

Strengthening Reform Management in Jordan (P171965)

V1: September 2019

V2: updated in April 2022

1. INTRODUCTION AND OVERVIEW OF LABOR USE ON THE PROJECT

With the support of the World Bank, the Government of Jordan (GoJ) has recently approved and launched at the London Conference in February 2019 its reference plan for economic reform and growth, the Five-Year Reform Matrix. The Matrix is based on the economic elements of the Prime Minister’s Path Towards National Revival. Its implementation has started in 2018, with the first set of reforms comprising the actions under the World Bank-financed First and Second Equitable Growth and Job Creation Development Policy Financing (DPF I, P166360 and DPF II, P168130).

The Five-Year Reform Matrix comprises a set of policy and structural reforms over a period of five years (2018-2022), that pertain to the most critical economic policy issues facing Jordan. To jumpstart growth, make the economy more competitive, and create jobs, GoJ has prioritized and sequenced a set of cross-cutting (horizontal) reforms and sectoral (vertical) reforms. Horizontal reforms include macroeconomic adjustment; reduction in business costs; increased competition; flexibility in labor markets; development of exports and investment; deeper access to finance; and expansion and better targeting of social safety nets. Vertical reforms include increasing access to and reducing the cost of public transport (a constraint for getting to work, especially for women); ensuring the financial viability and efficiency of the water sector; and promoting competitiveness through energy sector measures.

The project supports the implementation of the Five-Year Reform Matrix, and the World Bank-financed First and Second Equitable Growth and Job Creation Development Policy Financing (DPF I, P166360 and DPF II, P168130) and is well aligned with the World Bank Group Country Partnership Framework (CPF) for Jordan for the period of FY2017–2022 (Report no. 102746-JO, discussed by the Board of Executive Directors on July 14, 2016). The CPF focuses on mitigating the immediate impact of the regional crises while supporting long-term development objectives and structural reforms, to improve the equity and quality of public service delivery. It is therefore relevant to the current challenge of setting the foundations for equitable growth and job creation.

The project also contributes to implementation of the World Bank Group’s enlarged Middle East and North Africa Regional Strategy (March 2019), particularly its pillars on renewing the social contract, resilience to refugee/IDP shocks as well as its priority area of digital transformation. The project is also supporting the maximizing finance for development approach, and the regional climate change mitigation and adaptation agenda, through energy sector reforms included in the Five-Year Reform Matrix.

Policies supported by the project contributes to the World Bank Group’s twin goals of ending extreme poverty and promoting shared prosperity in a sustainable manner. The Five-Year Reform Matrix includes reforms related to improving fiscal sustainability through more efficient public spending and better management of risks, which supports the attainment of fiscal objectives, reducing business costs, improving market accessibility,

improving productivity; creating flexible and integrated labor markets, and more efficient social assistance thereby allowing more Jordanians to work and access social safety nets.

The implementation, follow-up and efficient coordination of the Five-Year Reform Matrix demands a dedicated and well-resourced Reform Secretariat. This Reform Secretariat has been established in the Ministry of Planning and International Cooperation (MoPIC), building on the existing Jordan Compact Project Management Unit (PMU) and its current staff, who have played an essential role in coordinating the design of the Five-Year Reform Matrix with GoJ entities, World Bank and development partners. Alongside overseeing the implementation of the Five-Year Reform Matrix, the Reform Secretariat continues to manage the implementation of the prior actions of the second tranche of the DPF II, World Bank-financed Program for Results Economic Opportunities for Jordanians and Syrian Refugees (PforR), and other programs and technical assistance that are in line with the Reform Matrix.

A World Bank-managed “Jordan Inclusive Growth and Economic Opportunities Multi Donor Trust Fund” (MDTF) has been put in place to finance the implementation of the Five-Year Reform Matrix, including partially financing the Reform Secretariat. The MDTF is currently financed by the United Kingdom (UK), with additional financing expected from the Netherlands, EU, France, Germany and Canada.

Project Development Objective

PDO Statement

The objective of the project is to Strengthen coordination and delivery of policy reforms in Jordan with a focus on the Five-Year Reform Agenda.

PDO Level Indicators

- Number of additional reforms coordinated by the Reform Secretariat under the Reform Matrix
 - Out of which number of additional implemented reforms that predominantly benefit women
- Share of investment projects approved by GoJ that are registered in the National Registry of Investment Projects (NRIP)
- Share of investment projects approved by GoJ that use the PIM-PPP project evaluation framework.

These Labor Management Procedures (LMP) are applicable to the Strengthening Reform Management in Jordan Project. These procedures set out the way in which project workers are managed in accordance with the requirements of national labor laws and the World Bank’s Environmental and Social Standard 2 on Labor and Working Conditions (ESS2).

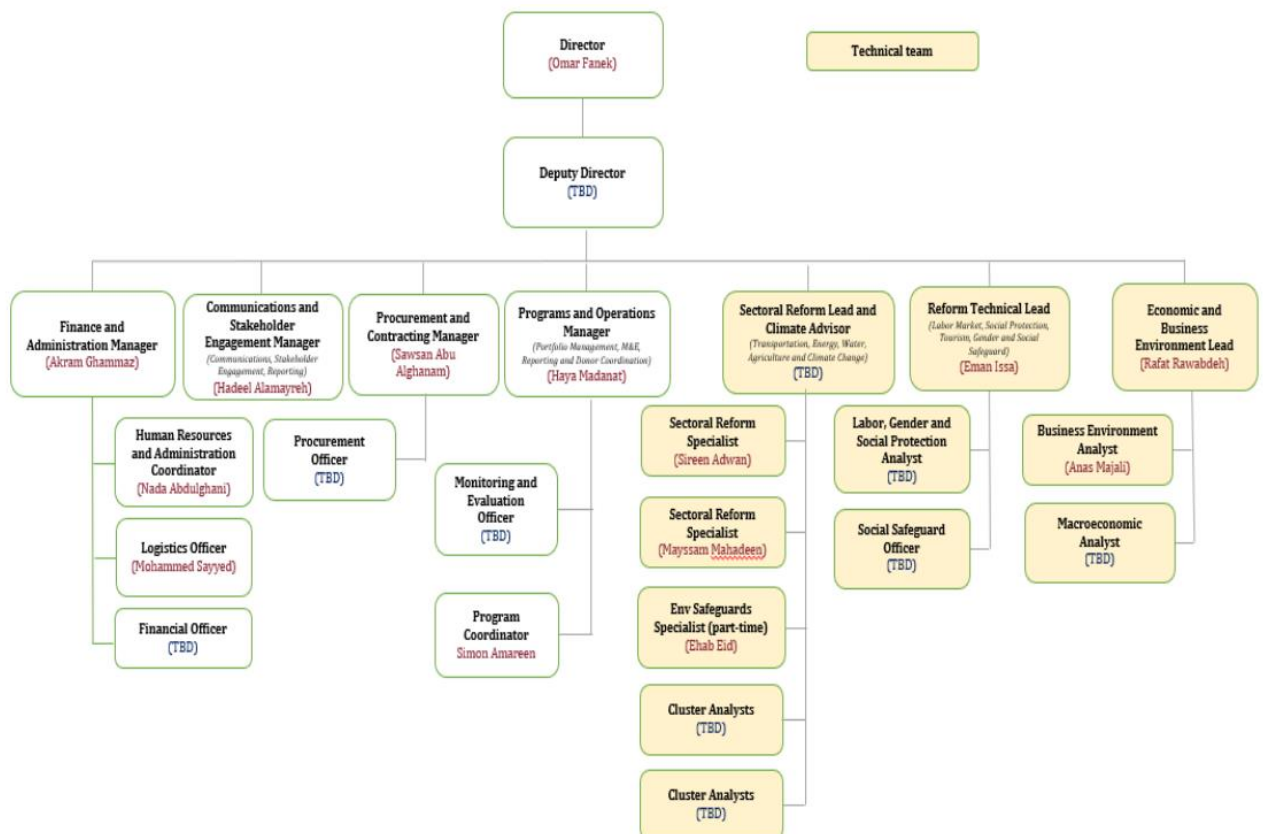
The Reform Secretariat oversees and coordinates the implementation of the Five-Year Reform Matrix (Reform Matrix), monitor and report on the progress of each reform action,

coordinate with relevant GoJ entities and the donor community, and provide technical assistance that is mainly targeted to address capacity issues within GoJ.

The Reform Secretariat is a directorate in the International Cooperation Directorate within MoPIC and will be reporting to Secretary General of MoPIC.

a. Number of Project Workers:

The below figure illustrates the organizational structure of the Reform Secretariat which comprise of 20 full-time and part-time staff with expertise in technical pillars, project management, M&E, safeguards and communications. It is also envisaged that around 10-200 short and long-term consultants are used as and when needed, in fields that correspond to the nine pillars of the Reform Matrix supporting both the RS and GOJ implementing agencies. The labor terms and conditions for these workers, including their rights related to hours of work, wages, overtime, compensation and benefits, are governed by the Jordanian Labor Law and this LMP.



b. Characteristics of Project Workers:

All full-time staff of the Reform Secretariat are nationals, who are professional workers and would be a mix of males and females and none under the age of 18 although the Reform Secretariat strives to maintain 50% female participation.

c. Timing of Labor Requirements:

Building the capacity of the Reform Secretariat is happening gradually, starting with the core team of technical leads in trade, investment and business environment sectoral, and labor market, in addition to communications and M&E specialists.. The Reform Secretariat adopts a Coordinate, Learn and Adapt (CLA) approach, in which it expands and develop its organizational structure based on experience to reach to the optimal organizational structure.

d. Contracted Workers:

There are no Contracted Workers envisioned. The individual consultants are hired directly by the Reform Secretariat and are therefore considered Project Workers

2. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

Project Components:

This project comprises three components: 1) support to reform management, 2) strengthening the PIM-PPP framework and function, and 3) strengthening the public procurement framework and function. These components are implemented in phases as funding becomes available. Phase 1 consists of a sub-set of activities to be covered by the financing of US\$ 1.6 million currently allocated to this project from the Bank-managed Inclusive Growth and Economic Opportunities MDTF, while Phase 2 encompasses the full scope of activities, for a total amount of US\$ 6.5 million.

Component 1. Support to reform management (US\$ 3.8 million)

Sub-component 1.1. Support to the Reform Secretariat (US\$ 0.5 million)

This sub-component finances the set up and first year operations of the eform Secretariat. Namely, the project supports the establishment and operation of the Reform Secretariat to coordinate, advance and implement reforms under the Five-Year Reform Matrix and provision of necessary technical assistance for implementing the reforms, including IT support and capacity building. The support is specifically targeted to fully resourcing the Secretariat with qualified fulltime staff, both technical (project management and technical staff) and support Monitoring and Evaluation (M&E) and Communications); providing technical assistance to GoJ to address capacity issues and advance the implementation of reforms; and financing other direct and indirect operational costs including IT equipment, office supplies, professional services, travel etc. Beyond the first year, the Reform Secretariat is expected to be financed by other donors.

The Reform Secretariat is housed within MoPIC and oversees the implementation of the Five-Year Reform Matrix; ensure reforms are designed in consultation with stakeholders; report to GoJ and development partners on progress; and coordinate between GoJ entities and development partners to ensure implementation and alignment of donor programs with national priorities. Besides, the Reform Secretariat coordinates with GoJ entities and development partners to produce and disseminate information and communication material to inform all target groups of the progress of implementation and importance of reforms, including the private sector and the public. The Reform Secretariat includes a team member, that in addition to his/her core tasks, is in charge of gender (women empowerment) who contributes to consultations, reform design, implementation, and outreach with differentiated approaches as needed to reach women, youth, and other target groups.

Sub-component 1.2. Reform Support Fund (US\$ 3.3 million)

This fund is lodged at MoPIC and finances just-in-time technical assistance in support to line Ministries and government agencies involved in designing, implementing and monitoring the Five-Year Reform Matrix. Expenses include: short and long-term consultants,

procurement of contractors, procurement of equipment, systems and services needed to design, implement and monitor reforms.

Component 2. Strengthening of the PIM-PPP framework and function (US\$ 2.2 million):

This component supports the development of Jordan’s PIM-PPP institutional, procedural and capability strengths through the following activities:

- Establishment of the legal and institutional framework for PIM-PPP.
- Establishment of the Jordan National Registry of Investment Projects (NRIP), which contributes to PIM-PPP strategic planning and performance monitoring, alignment of the project cycle to the budget cycle, and increase efficiency and rationalization of the PIM-PPP pipeline and portfolio. With guidance from the World Bank, the NRIP was procured and developed by MoPIC as a modular web-based information management system and included sub-accounts for PIPs and PPPs.
- Capacity building and technical assistance to the Central PIM unit established within MoPIC and the PPP Directorate establishes within the Office of Prime Minister on strategic planning, project appraisal, asset management, oversight of PIM by Statement of Expenditures (SOEs), and ex-post project and portfolio evaluation and audit.
- Capacity building and training on Financial Commitment and Contingent Liability (FCCL)
- Preparation and operationalization of the Project Development Fund (PDF) within the PPP Directorate: The PDF finances feasibility and technical studies and PPP transaction advisory services for proposed PPP projects. This project supports the creation and institutionalization of the PDF through the development of the legal framework, development of a business plan and manual of procedures as well as preparation of project concept note templates.

Component 3. Strengthening of the public procurement framework and function (US\$ 0.5 million)

This component aims to pursue the GoJ modernization efforts of public procurement. It supports the strengthening of the legal framework and infrastructure including the recently established JONEPS through technical assistance comprising of (a) securing audit and necessary re-engineering of JONEPS system to address securing requirements for software and hardware; and (ii) system enhancement and development of functionalities for the procurement cycle. The unified procurement bylaw makes the use of JONEPS mandatory for the three central procuring entities that adopted it since February 2019.

The project is based in Amman/Jordan under the Ministry of Planning and International Cooperation (MoPIC). The type of work is mainly be desk-based in office settings. Minimal field/site visits are conducted by some staff as needed. The activities evolve around supporting regulatory reforms under the pillars of the Reform Matrix.

a. Key Labor Risks:

Labor risks associated with office-environments are outlined as follows, and are generally considered to be low risk:

- Terms and conditions of employment (e.g. hours of work, overtime, benefits remuneration, termination of employment; disciplinary measures and grievance procedures)
- Discrimination and not applying Equal Opportunity in the workplace
- Occupational Health and Safety related violations in an office setting
- Possible exposure to sexual harassment and GBV related risks
- Lack or in adequate emergency response and evacuation measures.

3. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

Labor terms and conditions for this project are governed by the Jordanian Labor Law No. 8 of 1996 and its amendments thereafter. All references below refer to this law, unless otherwise noted. The summary of key terms and conditions below is non-exhaustive. The Labor Law applies to all types of workers under the project.

Documentation of Terms and Conditions of Employment

All labor issues under the project are governed by the Jordanian Labor Law No. 8 of 1996 and its amendments

Documentation of Terms and Conditions of Employment

Article 15 requires a contract of work to be prepared in Arabic and both the Employer and Employee shall retain copies. Note that as per Article 4 of the labor Law, a work contract or other agreement may establish better rights than those in the labor law. Terms and conditions of employment (e.g. hours of work, overtime, benefits remuneration, termination of employment; disciplinary measures and grievance procedures).

Wages and deductions:

As per Chapter 7 (Article 45) wages shall be fixed in the contract. The wage shall be paid within a maximum period of seven days from the date of its entitlement. Only those wage deductions permitted by law are allowed (Article 46, 47). Minimum wage is set by a committee appointed by the Council of Ministers (Article 52). Minimum wage is fixed by tripartite Committee in Jordanian currency either generally or for a particular area or trade.

An employer who has paid a worker less than the minimum rate of remuneration shall be punishable by a fine of no less than twenty-five and no more than one hundred Dinars in respect of each offense and shall also be ordered to pay the worker the difference. The penalty shall be doubled every time the offense is repeated.

Remuneration is specified in the contract. In the absence of such provision, the worker shall be paid the remuneration that would be assessed for work of the same type, if such type of work exists. Otherwise, remuneration is assessed in accordance with common practice. In the absence of such practice, payable remuneration is assessed by court in accordance with the provisions of this Code, considering the case as a labor dispute over remuneration. Remuneration shall be paid within a period not exceeding seven days from the date on which it becomes payable. An employer may not make any deductions therefrom other than those authorized by this Code.

Working Hours:

The ordinary working hours shall be eight hours per day provided that the total working hours do not exceed forty-eight hours per week over a maximum of six days (Article 56). The legal working time excludes meal breaks and rest periods. The seventh day is a paid weekly holiday. A worker may be employed, with his consent, in excess of normal working hours, provided that he is paid overtime at a minimum rate of 125% of his regular remuneration. If a worker works on his weekly rest day or on religious or official holidays, he shall be paid overtime at a minimum rate of 150% of his regular remuneration. The project does not finance overtime, thus; direct project workers are not obliged to work overtime. The project staff allocation is planned against the workload.

Leave and Rest Days:

Leave and rest days as per Article 19-61. Hours of Work and Leaves are: i. MoL operates five days a week and project staff have to comply with MoL regulations as well as the working hours of the Jordanian law, stated in section b above) ii. SSC operates five days a week and project staff have to comply with SSC regulations as well as the working hours of the Jordanian law, stated in section b above) iii. Paid leave: Every worker is entitled to annual leave with full pay for a period of fourteen days for every year of employment. This leave is extended to twenty-one days where the worker has been in the employment of the same employer for five consecutive years. Official and religious holidays and weekly rest days shall not be counted as part of a worker's annual leave unless they fall in its course. There are also clauses for sick and Haj Pilgrim as well as close family member death as well as spouse relocation accompaniment leaves. Maternity leave is for 3 months.

Termination and Disciplinary Action:

Article 48 restricts disciplinary actions that can be taken by the Employer. The Employer may terminate employment of employee without notice in certain cases outlined in Article 28 (e.g., if the employee violated organization's internal rules including in work safety or safety of workers despite being twice warned). Details the severance payments owing are also included. Referring to ESS2, Para 12, the law appears to silent regarding the requirement to provide written notice of termination and details of severance payments in a timely manner.

Maternity leave, Labor Law articles 67, 70 Social Security Law article 44:

Women workers are entitled to 10 weeks fully paid maternity leave, six weeks of which must occur after delivery. An enterprise employing 10 or more workers must allow women to take up to one year of unpaid leave post-delivery, so long as they do not work for another employer during that time. Maternity leave may be paid by social insurance if the worker has been covered by social insurance for at least 9 months preceding the entitlement.

Breastfeeding breaks, labor law article 71:

During the first year after giving birth, women workers may take up to one paid hour off per day to breastfeed their babies

Non-discrimination and Equal Opportunity

The labor law is not explicit regarding non-discrimination and equal opportunity. However, the Constitution of the Hashemite Kingdom of Jordan, Article 6 states that all Jordanians are equal before the law, and prohibits discrimination on grounds of race, language or religion. Jordan has ratified the two core ILO conventions addressing discrimination in respect of employment and occupation: 1) the Equal Remuneration Convention No. 100 of 1951 (C100) and 2) the Discrimination (Employment and Occupation) Convention No. 111 of 1958 (C111).

The Jordanian Labor Law protects women from discrimination during pregnancy and while on maternity leave. Employers may not terminate women starting from the sixth month of pregnancy or during maternity leave. The labor law is not explicit regarding measures to prevent or address sexual harassment, intimidation or exploitation in the workplace. It is also vital to ensure pay equity for male and female.

Furthermore, MoL developed Model policy for protection against harassment, violence and discrimination in the workplace for the employers to adopt¹.

Jordan ratified the International Convention on the Rights of Persons with Disabilities in 2007, which entered into effect the following year. Article 27 of the abovementioned Convention enshrines the right of people with disabilities to work without being subject to discrimination, and to being treated fairly, enjoying equal opportunity, equal pay for work of equal value, and safe and healthy working conditions. The Convention protects their right to form and join trade unions, and to participate in union activities on the same basis as any other worker, and emphasizes their claim to public services, technical and vocational training, and professional guidance and placement. It likewise protects the right of disabled persons to be employed in the public sector. Jordan also ratified the 1983 ILO Convention No. 159 regarding the Vocational Rehabilitation and Employment of Disabled Persons, which calls on states to enable disabled persons to “secure, retain and advance in suitable employment” as a means to ensure social integration.

COVID-19 CONSIDERATIONS

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[http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D9%86%D9%85%D9%88%D8%B0%D8%AC%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9%D9%84%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9%D9%85%D9%86%D8%A7%D9%84%D8%B9%D9%86%D9%81%D9%88%D8%A7%D9%84%D8%AA%D8%AD%D8%B1%D8%B4%D9%88%D8%A7%D9%84%D8%AA%D9%85%D9%8A%D9%8A%D8%B2%D9%81%D9%8A%D8%B9%D8%A7%D9%84%D9%85%D8%A7%D9%84%D8%B9%D9%85%D9%84\(2\)\(1\)-1.pdf](http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D9%86%D9%85%D9%88%D8%B0%D8%AC%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9%D9%84%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9%D9%85%D9%86%D8%A7%D9%84%D8%B9%D9%86%D9%81%D9%88%D8%A7%D9%84%D8%AA%D8%AD%D8%B1%D8%B4%D9%88%D8%A7%D9%84%D8%AA%D9%85%D9%8A%D9%8A%D8%B2%D9%81%D9%8A%D8%B9%D8%A7%D9%84%D9%85%D8%A7%D9%84%D8%B9%D9%85%D9%84(2)(1)-1.pdf)

As Jordan is still battling the consequences of COVID-19 pandemic, the Project strive to minimize the exposure and infection by the contagion of all workers under the project. This has been done through:

- Following and applying all published governmental published guidelines and measures aiming at controlling the spread of the disease;
- The director of the RS is responsible to communicate and update his staff on all issues regarding the development of COVID-19 situation;
- The RS, through the STC (Special Tendering Committee), procurement and HR departments is overseeing the performance of all staff and other workers under the project in regard to compliance with the social distancing and OHS requirements.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

National legislations related Occupational Health and Safety

Many Jordanian laws, regulations, instructions and decisions have dealt with the subject of occupational health and safety starting from the Constitution through the Jordanian Labor Law (No. 8, 1996) and its amendments, Social Security Law (No.1, 2014), Public Health Law (No. 54, 2002).

All NEP supported institutions and firms have the legal liability to maintain the OHS of workers (whether direct workers or NEP supported workers), in line with this LMP, the Jordanian Labor Law, the Public health law, and the instructions to protect workers and institutions from the risks of the work environment for the year 1998.

Additionally, the Ministry of Labor developed several guidelines for ensuring compliance with labor law articles:

- [The OSH National Profile 2012](#) and
- [Safety in workplaces \(Your guide to safety\)](#)
- [OSH procedures in construction sites](#) (Guideline for contractors and site engineers in the small projects)
- [Guide for Labour Inspectors; Inspection in workplaces](#) – construction sector

Public Health:

Public health protection is assured under the Public Health Law (No. 54, 2002). According to this Law, issued by a Royal decree in 2002, the Ministry of Health is responsible for all health matters in the Kingdom, and in particular:

- Protecting health through providing preventive and curative services as well as monitoring responsibilities
- Organizing and supervising health services provided by the public and private sector
- Health insurance for citizens.

Additionally, the SSC law number 1, year 2014,, article 5 states that SSC provides financial compensations in case of work injuries.

Work injuries are defined as physical injuries that occur either during working hours or during commuting time to work (one hour before official working hours or one hour after working hours). once the SSC is informed, they will send a focal point to the injury location to conduct a field assessment that includes evaluating the location and causes of injury, asking involved individuals about the incident, and requesting medical reports. Based on the results of the assessment, the SSC might increase the social security allowance of the injured employee. If the injury is so severe that the employee cannot perform work tasks permanently, the SSC will refer the employee to early retirement.

Articles under Chapter 9 titled “Safety and Occupational Health” cover the obligations of the employer to provide a safe working environment for workers.

Articles under Chapter 10 titled “Work Injuries and Occupational Diseases” provide for issues related to work injuries and occupational diseases for those employees who are not covered under the provisions of the Social Security Law of Jordan.

Occupational safety and health (OSH) general provisions within the Labor Law - Articles 78, 80 and 85:

In order to ensure the occupational safety and health of workers, the employer must:

- protect workers from work-related accidents and illnesses
- prior to employment, inform workers about work-related hazards and necessary precautions
- provide workers with necessary personal protective equipment (PPE), such as goggles, aprons, masks, gloves, and/or footwear
- guide workers in the use and maintenance of PPE, and
- Protect workers from fire hazards
- Workers are not required to pay any costs for these measures.

First Aid - 1997 Decision on medical aid means and devices for workers: The employer must provide first aid supplies that are sufficient for the nature of work and the number of workers.

Welfare Facilities - 1998 Instructions for protection of workers and establishments from workplace hazards

The employer must provide a break room where workers can rest and eat.

Noise, 1998 instructions for protection of workers and establishments from workplace hazards

Employers are required to protect workers from exposure to noise. Exposure should not exceed certain defined limits of Noise Intensity in dB which has Allowed Exposure by Hours per Day based on the intensity in db. Workers who are exposed to noise above permitted levels must be provided with ear plugs and hearing protection devices.

Lighting 1998 instructions for protecting workers and establishments from workplace hazards

Employers must provide appropriate natural or artificial lighting as follows:

- Light should be evenly distributed
- Windows must be clean and unobstructed
- Workplace light levels should be at least 20 candles/square feet, and
- Glare should be avoided.

Heavy lifting 1998 instructions for protection of workers and establishments from workplace hazards

Heavy lifting should be done by machines whenever possible. Pre-set limits are stated differently for men and women as applied by the law.

Protection for Pregnant and Breastfeeding Women- Minister of Labor Decision in Respect to Activities and Times During Which it is Prohibited to Employ Women, 2010

In Jordan, pregnant and breastfeeding women may not engage in:

- Work that requires exposure to fumes or smoke from any petroleum derivatives, or
- Work that requires exposure to ethylene in tinting, or Sulphur dioxide in artificial silk.

Personal Protective Equipment (PPE) Instructions for Protecting Workers and Enterprises from Workplace Hazards

- Workers must be provided with goggles to protect them from visible light rays, sparks, and ultraviolet rays.
- Workers exposed to noise above allowable levels must be provided with ear plugs and protective hearing devices.
- Workers exposed to gases, dust, or fumes above approved limits must be provided with cotton or filtration masks that cover the mouth and nose.
- Workers whose hands are exposed to risks must be provided with:
- Gloves lined with leather/cotton for protection from mechanical injuries
- Leather gloves lined with an intermediate layer of metal for protection from sharp surfaces, knives, or other cutting tools, and/or
- Plastic gloves for protection hazardous substances

Electrical Safety Regulation No 43 Of 1998 On Protection and Safety from Equipment, Industrial Machines and Job Sites

- Electric devices, machines, cables, wires, connections, or switches must comply with required specifications and be properly installed and maintained by competent technicians.
- Electrical machines, equipment, devices, cables and wires must be grounded and have insulated circuit breakers that are easily accessible in emergencies.
- Insulated flooring must be placed in front of and behind electrical distribution panels.
- Cables, wires, and electric connections must be tested regularly to prevent short-circuiting and avoid sudden hazards such as fire or electric shock
- The employer must protect workers from hazardous machinery and jobsites.
- Barriers must be placed around hazardous machines and equipment, including cutting machines, weaving machines, moving belts, gears, and chains.

Chemicals and Hazardous Substances Regulation No 43 Of 1998 On Protection and Safety from Equipment, Industrial Machines and Job Sites

The employer must take precautions and measures for the safety and protection from chemical hazards as follows:

- limit hazardous chemical materials such as gases, dust, liquids, or acids to the permitted levels and protect workers from exposure to these materials
- ensure that workplaces have good ventilation through the use of exhaust fans or an industrial ventilation system, in accordance with the health conditions determined by the Directorate of Safety, Vocational Health, and Environment of the Ministry of Labor
- provide personal protection equipment needed for work in the chemical industries including filtration masks, proper shoes, helmets, gloves, work uniforms, leather jackets, and goggles
- provide appropriate warehouses to store finished and raw chemical materials separately through a safe process
- designate locations separate from the workplaces for industrial processes and machinery that produce harmful fumes, dust, or gases; these locations must be equipped with the necessary protection to guarantee that such materials do not spread into the work environment, and
- label every chemical material with its common name, chemical composition, trade name, method of handling, storage process, hazards, hazard prevention, and any other necessary information.

Civil Defence Directorate:

The Civil Defence Directorate deals mainly with emergencies, disasters and fire defence, and fighting measures. They conduct inspections of buildings, commercial, industrial and tourist facilities to ensure the adequacy and effectiveness of the fire-fighting supplies. For non-hazardous work enterprises this only either takes place once a year at the time of the renewal of the trade license of the enterprise or through spot checks.

Ministry of Labor (MOL):

The Ministry of Labor's inspectors are governed by the Regulation No. 56 of 1996, "The Regulation of Labor Inspectors". All factories, plants, shops, establishments, enterprises, construction sites, workplaces, and other entities, including private dwellings, where work is performed by an employee of an employer, need to be registered with Ministry of Labor and all such registered enterprises entered in this register shall be liable for routine, follow-up and special inspection, as appropriate, by labor inspectors appointed under the Labor Law 1996. Article 15 states that labor inspection exists to protect the working conditions and working environment of workers, prevent the exploitation of workers and where possible improve the terms and conditions under which they work. Article 16 sets out the function of the labor inspector to: advise and inform employees and employers about their rights and obligations under the Labor Law 1996 and its regulations; to investigate and, when necessary, take action in accordance with the law; and to take all reasonable steps to ensure that the provisions of the Labor Law 1996 and its regulations are complied with.

Further details on the scope of inspection is included in the “Instructions for MOL inspection on Economic Activities conducted by MOL Inspection Team, year 2021” ².

Additionally, MoL has developed several guidelines³ aimed to ensuring the companies compliance with OHS terms and conditions under the national labor laws and regulations :

- [The OSH National Profile 2012](http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%A7%D9%84%D8%AA%D9%88%D8%B5%D9%8A%D9%81_%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A.pdf) and
http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%A7%D9%84%D8%AA%D9%88%D8%B5%D9%8A%D9%81_%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A.pdf
- [Safety in workplaces \(Your guide to safety\)](http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%AF%D9%84%D9%8A%D9%84_%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85%D8%A9_%D9%88%D8%A7%D9%84%D8%B5%D8%AD%D8%A9_%D8%A7%D9%84%D9%85%D9%87%D9%86%D9%8A%D8%A9-1.pdf)
(http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%AF%D9%84%D9%8A%D9%84_%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85%D8%A9_%D9%88%D8%A7%D9%84%D8%B5%D8%AD%D8%A9_%D8%A7%D9%84%D9%85%D9%87%D9%86%D9%8A%D8%A9-1.pdf)
- [OSH procedures in construction sites](http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%A7%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA_%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85%D8%A9_%D9%88%D8%A7%D9%84%D8%B5%D8%AD%D8%A9_%D8%A7%D9%84%D9%85%D9%87%D9%86%D9%8A%D8%A9_%D9%81%D9%8A_%D8%A7%D9%84%D9%85%D9%88%D8%A7%D9%82%D8%B9_%D8%A7%D9%84%D8%A7%D9%86%D8%B4%D8%A7%D8%A6%D9%8A%D8%A9.pdf) (Guideline for contractors and site engineers in the small projects)
(http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%A7%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA_%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85%D8%A9_%D9%88%D8%A7%D9%84%D8%B5%D8%AD%D8%A9_%D8%A7%D9%84%D9%85%D9%87%D9%86%D9%8A%D8%A9_%D9%81%D9%8A_%D8%A7%D9%84%D9%85%D9%88%D8%A7%D9%82%D8%B9_%D8%A7%D9%84%D8%A7%D9%86%D8%B4%D8%A7%D8%A6%D9%8A%D8%A9.pdf)

Full list of Jordanian Laws and regulations relevant to managing the OHS risks are available at MOL website⁴:

MoL categories of safety hazards

Mechanical Hazards

²

http://www.mol.gov.jo/ebv4.0/root_storage/ar/eb_list_page/%D8%AA%D8%B9%D9%84%D9%8A%D9%85%D8%A7%D8%AA_%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA_%D8%A7%D9%84%D8%AA%D9%81%D8%AA%D9%8A%D8%B4_%D8%B9%D9%84%D9%89_%D8%A7%D9%84%D8%A3%D9%86%D8%B4%D8%B7%D8%A9_%D8%A7%D9%84%D8%A7%D9%82_%D8%AA%D8%B5%D8%A7%D8%AF%D9%8A%D8%A9_%D9%85%D9%86_%D9%82%D8%A8%D9%84_%D9%85%D9%81%D8%AA%D8%B4%D9%8A_%D9%88%D8%B2%D8%A7%D8%B1%D8%A9_%D8%A7%D9%84%D8%B9%D9%85%D9%84_%D9%84%D8%B3%D9%86%D8%A9_2021.pdf

³

http://www.mol.gov.jo/AR/List/%D8%A7%D8%AF%D9%84%D8%A9_%D9%88%D9%85%D8%B7%D8%A8%D9%88%D8%B9%D8%A7%D8%AA_%D8%AE%D8%A7%D8%B5%D8%A9_%D8%A8%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85%D8%A9_%D9%88%D8%A7%D9%84%D8%B5%D8%AD%D8%A9_%D8%A7%D9%84%D9%85%D9%87%D9%86%D9%8A%D8%A9

⁴

http://www.mol.gov.jo/AR/List/%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA_%D8%A7%D9%84%D8%B3%D9%84%D8%A7%D9%85%D8%A9_%D9%88%D8%A7%D9%84%D8%B5%D8%AD%D8%A9_%D8%A7%D9%84%D9%85%D9%87%D9%86%D9%8A%D8%A9

Mechanical hazard factors include just about anything inorganic that moves or can cause injure. These include many tools, machines and (moving) vehicles, and any part of the machine that could be dangerous.

Electricity Hazards

Serious workplace hazard that exposes workers to burns, electrocution, shock, arc flash / arc blast, fire, or explosions.

Avoid danger of Static electricity:

- by creating an earth connection, taking into consideration all the technical engineering requirements that are necessary for all electrical tools, equipment and machines.
- Avoid danger of Dynamic electricity:
- by considering the technical requirements needed geometrically, whether in electricity generating stations, electrical converters or electric power transfer networks.

Chemical Hazards

Chemical hazards represent potential for illness or injury due to single acute exposure or chronic repetitive exposure to toxic, corrosive, sensitizing or oxidative substances. They also represent a risk of uncontrolled reaction, including the risk of fire and explosion, if incompatible chemicals are inadvertently mixed.

Any chemicals in the workplace that may negatively affect health, including chemical fumes such as ammonia, corrosive chemicals, phosphoric acid, and others.

Employer should protect workers from the hazards of being subjected to chemical materials that are used or that leak to the work environment, such as gases and dusts and from the liquids and acids that they may contain, so that they will not exceed the allowed limits in accordance with the table which is attached to this regulation.

Physical Hazards

Physical hazards represent potential for accident or injury or illness due to repetitive exposure to mechanical action or work activity, such as noise and vibration, extreme temperatures, work at high altitudes, and manual material handling.

Biological Hazards

Biological agents represent potential for illness or injury due to single acute exposure or chronic repetitive exposure. Workplace hazards include viruses, fungi, germs and bacteria that cause illness and injury.

Ergonomic Hazards

Workplace conditions that place workers at increased risk for muscle injuries And other Hazards such as workload, violence or aggression, etc

5. RESPONSIBLE STAFF

The Director of the Reform Secretariat and the HR and Procurement Departments will be responsible for the following tasks according to applicable Jordanian laws and regulations and MoPIC's internal policies and guidelines:

- Engagement and management of project workers – Director of Secretariat with HR dep.
- Engagement and management of consultants. Technical leads with Director of Secretariat
- Occupational health and safety (OHS). HR department at MoPIC
- Training of workers - HR department at MoPIC
- Addressing worker grievances - HR department at MoPIC

6. POLICIES AND PROCEDURES

The Project operates in compliance with the Jordanian Labor Law and this LMP. The Jordanian Labor Law, along with the orders regulation were reviewed and considered consistent with ESS2, section (a) Paragraph 10 to 12.

RS is following measurements of formal work with provision of protection to workers (legal, health and SA related, GM considerations have been applied, contractual agreements are aligned with the set standards for direct and contracted workers. This LMP has not identified significant labor risks for project workers. However, the following risks and applicable policies and procedures to address these risks are summarized below:

- All staff are covered under health insurance and are be treated of their injury, regardless of the level of severity.
- Child labor at renovation sites is covered in section 7
- Harassment in the workplace is covered in section 9.

7. AGE OF EMPLOYMENT.

Ages of employment is according to Jordan Labor law; no staff to be hired will be less than 18 years old. A copy of the prospective employee ID or passport is required during the recruitment process and prior signing the contract.

8. TERMS AND CONDITIONS

- The Reform Secretariat will carry out procurement of the team workers as per Jordanian laws and regulations, and under the Public Procurement Bylaw No. 28 of 2019.
- A Special Tendering Committee is established to oversee the procurement process that utilizes external funding, i.e. MDTF.
- The selection process for consultants follows international best practices and comply with applicable Jordanian laws and regulations as well as the World Bank's Environmental and Social Framework, specifically on labor and working conditions. World Bank Procurement Regulations also apply.
- Direct Workers under the RS are governed by the National Labour Law and its legislations pertaining to fixed term contracts, as well as carrying out their responsibilities under this LMP.
- The civil servant employees assigned to work on the project from MoPIC intermediaries are governed by Civil Servants Regulations
- All project workers are required to have written contracts outlining the terms and conditions of their employment including their rights under national labor law related to hours of work, wages, overtime, compensation, and benefits. This information is provided at the beginning of the working relationship and when any material changes to the terms and conditions of employment occur.
- For workers who may have difficulties with understanding the documentation, an oral explanation of conditions and terms of employment will be provided to workers and terms and conditions of employment will be available at work sites.
- An organizational structure and salary scale for full-time staff is in place and approved officially by MoPIC.
- All project workers are paid on a regular basis as required by the national labor law and any deductions are as per national law. Project workers will be kept informed of the conditions under which such deductions are made.
- Project workers are kept informed of any defense orders in relation to COVID-19 that affects the terms and conditions of their employment, including hours of work, overtime, location of work (i.e. remote work requirements) wages, overtime, compensation, benefits, sick leave and pay, and social security deductions.
- There is no discrimination with respect to any aspects of the employment relationship, such as recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment and ensure fair treatment of all employees

9. GRIEVANCE MECHANISM

Objectives of the Worker GM policy are as follows:

- Promote the principle of transparency, justice, accountability, and equal opportunities with regard to employee rights.
- Opening channels of communication between the employees and the public on the one hand, and the various levels of administration on the other side, whenever it is required.
- Limiting errors, abuses and violations related to employees' rights, duties and obligations, work controls and professional conduct.
- Improving existing procedures in a way to prevent the recurrence of violations and mistakes which also contribute to combatting and preventing corruption.
- Monitoring of the performance of the administration unit in charge of monitoring the employee's work, which requires not to issue administrative decisions that are not based on a sound legal basis and instill the principle of the employee's acquired rights by informing him of his employment rights.

MoPIC has developed SOPs (Standard Operating Procedures) covering different topics of their mandate including handling and dealing with workers' complaints and grievances. These include:

- "SOP 03- Handling Suggestions and Complaints"
- "SOP- 04- Preventive and Corrective Procedures"

The project uses MoPIC's established GRM process and the above mentioned Standard Operating Procedures (SOPs) for handling project's workers' complaints and grievances.

Up take Channels

According "SOP 03- Handling Suggestions and Complaints" , MoPIC has adopted multiple uptake channels for complaints received from its staff as well as for those received from external sources. These include:

All project workers can submit a written complaint that includes the name, ID, phone number, subject of complaint, and details of the incidents through MoPICs GRM channels:

- a. Complaints boxes available at the 5th,3rd. and ground floors, the box open daily to collect any complaint by the quality assurance staff
- b. Any complaint sent to H.R or Institutional Development Unit. And it is checked by the quality assurance staff.
- c. Emails sent to **Suggestions.Complaints@mop.gov.jo**, handled by the quality assurance staff.
- d. phone (Land Line) **962 6 4644466 #611**.
- e. At Your Service Platform:

<https://portal.jordan.gov.jo/wps/portal/Home/CMU/CMU?lang=ar&isFromLangChange=yes#/complaintVerification?type=Complaints>

In addition to the above, additional uptake channels for workers are in place including:

- a. Complaint sent to the Reform Secretariat Director through “omar_fanek@reformjo.org” (solely for project workers)
- b. Complaint sent to the Reform Secretariat HR Officer through “Nada_Abdulghani@reformjo.org” (solely for project workers)

In case of harassment complaints, he/she could wish to directly contact the IDEU in MoPIC which directly reports to the minister.

Grievance operating procedures

The Institutional Development and Evaluation Unit (IDEU) at MoPIC is in charge of receiving and collecting all complaints and suggestions through the different uptake channels and document them in the “complaints log”. Complaints are then given a tracking number, date, summary of the complaint is prepared, complainant name, copy of the complaint. The IDEU starts the verification process of the complaint and refer to the relevant persons and departments to determine: the complainant, subject of the complaint, the party causing the complaint, impacted party, departments/ persons relevant to the complaint.

After the verification process, the IDU starts with the preparation of the response to the complaint based on the gathered information and facts. The response memo will be afterwards sent to the Minister/ Secretary General (SG) office to express an opinion. The Head of the IDU might be requested for a meeting by the Minister or the SG for discussing the subject complaint and related response memo. The final response/ resolution will be prepared based on the Minister/ SG recommendations.

Below are the procedures in details:

- Receipt, acknowledgment, and registration
- Grievance verification and assessment
- Response and Feedback including Referring cases to other GRMs
- Track, and evaluate the process and results

1- Receipt, acknowledgment, and registration

As mentioned, the GRM will enable aggrieved employees to communicate their grievances through the above-mentioned channels. The complainants have the option to provide their names or keep it anonymous. However, only a reply contact is required to update the complainants of the status of his grievance.

The following describes the receipt, acknowledgment, and registration process:

- The complainant submits the grievance through one of the dedicated channels indicated above.
- If submitted to the RS director , the director will report it to the IDEU
- Requests for confidentiality will be considered. This option shall be made clear to the complainant in the Grievance template and/or in cases of oral submissions.

- In case of confidentially option request, the complainant chooses to provide contact details or any other suitable means for him/her to be updated on the status of their complaints/grievances.
- All grievances are transferred to the Quality Assurance directorate and registered in the complaints log with all needed details and given a number.
- In all cases, the Quality Assurance department notifies the complainant of the receipt of the complaint.

2- Grievance verification and assessment

- Once the complaint is registered the QA review it and assess all the available information to specify the following
 - The subject of the complaint
 - Who caused the complaint
 - Who is affected by the complaint
 - Recommendations and suggestions
 - The needed corrective action based on the recommendation
 - The recommendation maybe the need for further investigation
- The assessment report then is discussed with the IDU unit head and do the needed revisions
- Once an agreement on the recommendation was reached, the IDU manager present the complaint report to the relative directors to discuss the content and agree on the action to be taken.
- If major corrective action that would affect the Ministry processes is needed, the report is transferred to the SG and/or Minister for approval.

3- Response and Feedback

- **For eligible and straightforward grievances**, QA staff provides a response without further investigation within 10 working days from the initial date of receipt of the grievance, where actions are proposed to resolve the complaint and agreement on the response is sought with the complainant.
- **For eligible grievances that require further assessment**, QA staff will further engage with the complainant via a phone call or a formal meeting in order to collect further information. Based on this, they will provide a response within 15 working days from the initial date of receipt of the grievance, where actions are proposed to resolve the complaint and agreement on the response is sought with the complainant.
- In all the above-mentioned scenarios, the response should include a clear explanation of the proposed response including any alternative options, while clarifying to the extent possible the rights of the complainant.

4- Track, and evaluate the process and results

All received complaints and suggestions are being documented in the “complaints log” at the IDEU and the RS. The log will document the following information: tracking number, date

received, summary of the complaints, complainant entity/ person, a copy of the complaint for archiving purposes.

The workers' grievance mechanism is described in staff induction trainings, which is provided to all project workers. The mechanism is based on the following principles:

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances, and any grievances will be treated confidentially.
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response.

10. CONTRACTOR MANAGEMENT

As indicated above, there are no Contracted Workers (as defined under ESS2) that are expected as part of this project.