

## Terms of Reference

### Conduct Study to Assess Access to Child Care Services and Facilities for Jordanian and Syrian Garment Workers in Al-Hassan Industrial Estate / Irbid

#### Background and Context

Over the last two decades, Jordan's apparel industry has been steadily growing and is now the leading export sector and manufacturing employer in the country. Like most other apparel exporting countries, Jordan gained entry to the global apparel value chain through international ties to developed markets. This began with preferential trade access to the US market, which led foreign investors producing apparel on behalf of international apparel brands to set up manufacturing facilities in Jordan with mostly migrant workers.

Better Work Jordan (BWJ) is a partnership between the International Labour Organization (ILO) and the International Finance Corporation (IFC). The ILO flagship programme brings together stakeholders from all levels of the global garment manufacturing industry to improve working conditions, enhance respect for labour rights, and boost competitiveness.

The Better Work Jordan programme is mandatory for garment factories that export to the US under the US-Jordan Free Trade Agreement. Better Work Jordan covers an estimated 95 per cent of garment workers in Jordan, as the vast majority of garment-sector employment comes from factories that export to the US.

Within BWJ 86 participating garment factories, there are around 63,000 workers. The largest single factory employs over 3,000 workers, while the smallest employs just 14. The sector is dominated by one major investor who employs over 20,000 workers across 12 main units and seven satellite factories. The majority of workers are women (74 per cent), and the work force is mostly made up of migrants (74 per cent), Jordanian employees make up 24 per cent of the workforce, and they are also majority women at 78 per cent.

As a result of their participation with Better Work, factories have steadily improved compliance with ILO core labour standards and national legislation covering compensation, contracts, occupational safety and health and working time. This has significantly improved working conditions and, at the same time enhanced factories' productivity and profitability.

The Jordanian labour law and the sectoral-wide Collective Bargaining Agreement (CBA) stipulates factories must provide basic welfare facilities to workers, including childcare facilities and eating areas. Childcare facilities and support for working parents is in practice offered to Jordanian workers, while in contrast, adequate eating areas and enough food of decent quality are particularly important for migrant workers as part of their salaries are paid through the "in-kind" benefits of food and accommodation.

BWJ industry and compliance assessments in 2021 showed that 29% of factories were cited as non-compliant for providing adequate childcare facilities for the children of workers.

The Government of Jordan has changed policies around how employers must support childcare several times in the last few years. The first change, in 2019, labour law expanded the requirement for childcare facilities to include men with children and not just women with children. The second change, in February 2021, instructions for childcare facilities increased flexibility for employers by allowing them to pay workers directly if they do not have a childcare facility. The payment for workers is dependent on the base salary, and for workers in the garment sector who typically earn less than 300 JD per month, the payment should be 50 JD per child per month.

Better Work Jordan was approached by stakeholders in the garment sector who stated that the Union of Workers in the Textile, Garment and Clothing Industries (Union) was negotiating with factories to lower the payment per-child to 25 JD. The union and the Ministry of Labor (MoL) announced this new decision with a letter from the MoL stating that the payment for the garment industry would be 25 JD per child. The union's website highlights this agreement as an advancement for workers, when, in reality, the union pushed for a lowering of benefits. During assessments, Better Work Jordan follows the ILO protocol of enforcing national labour legislation, which states a payment of 50 JD. However, by allowing employers increased flexibility, the current legislation make it easier for employers to come into compliance with the proper provision of child-care.

While supporting childcare is a good goal, there have been some unintended consequences from the policy which places the full burden on employers. The child-care requirement is only triggered once enough workers with 15 kids under the age of five are employed by the factory. Better Work Jordan has heard of instances where factories will try not to hire workers with kids if this might require them to provide benefits.

Supporting Jordanian working parents is an important policy goal of the government. Childcare support, whether in designated childcare facilities or informally by family members, is important for consistent attendance and employment. As un-paid care work most often falls on women in Jordan, supporting working parents has a crucial gender component.

### **Objective**

Within its mandate to ensure compliance with ILO core labour standards and national legislation with the aim to improve working conditions, enhance respect for labour rights, and boost competitiveness, the **principal objective** of this assignment is to:

- Assess and identify targeted beneficiaries needs in terms of:

- Preferred option(s) in accessing childcare services.
- Challenges in accessing the different options to childcare services stipulated in the current legislations or any other suggested options.
- Recommendations on best option(s) to access childcare services.

To this end:

- “Access” shall be defined as reasonable affordability and convenience in reaching day care services that support the child’s development and meet the targeted beneficiaries needs.
- “Targeted Beneficiaries” shall refer to Jordanian and Syrian garment workers in Al Hassan Industrial Area/Irbid.

### Duties and responsibilities

The Consultant(s) is expected to carry out the following tasks and responsibilities:

- 1) Conduct desk review of the legal framework governing access to childcare services in Jordan (legislation including laws, regulations, instructions and CBAs).
- 2) Review survey data and results from Better Work Jordan annual worker surveys to learn about target population.
- 3) Gather relevant information about childcare services available in and within targeted beneficiaries reach in Al Hassan Industrial Area such as: number, services offered, accessibility and geographical distribution of childcare facilities and affordability, availability of reliable transportation, and alignment of work hours with hours of childcare facility.
- 4) Determine the best sampling methodology and select sample.
- 5) Design data collection instrument (surveys, guiding questions for Listening Group Sessions (LGS) and Key Informant Interviews (KII))
- 6) Based on objectives of this study and the sample size, identify the structure of the listening sessions (number of sessions, number of participants in each session and the duration of each session) in addition to the appropriate instruments.
- 7) Conduct listening sessions with targeted beneficiaries; during such sessions the consultant is expected to tackle the following items/ issues:
  - a. Worker’s rights per legislative framework.
  - b. Workers’/employers’ preference of childcare services model(s)
  - c. Workers’/employers’ concerns and challenges in accessing childcare services alternatives.
- 8) Document and report on the main findings and recommendation to employers highlighting preferred childcare arrangements, challenges, and recommendations towards each of the identified arrangements.

### Methodology

The consultant/consulting firm will need to articulate a detailed methodology and approach to undertaking this assessment in their proposal.

### Deliverables and Timeline

The consultant is requested to deliver the following reports:

Deliverable 1.1: Inception report with proposed methodology/approach, sampling method, work plan and report outline. The consultant is also expected to attach copies of the surveys, questionnaires, and guiding questions to be used during this assignment.

Deliverable 1.2: Initial report with the main findings/ results of surveys, questionnaires and listening sessions.

Deliverable 1.3: Final report including main findings and recommendation to employers highlighting preferred childcare arrangements, challenges, and recommendations towards each of the identified arrangements.

<b>Deliverables</b>	<b># of Working Days</b>
<u>Deliverable 1.1:</u> Inception report with proposed methodology/approach, sampling method, work plan and report outline. The consultant is also expected to attach copies of the surveys, questionnaires, and guiding questions to be used during this assignment (tasks 1-5).	10
<u>Deliverable 1.2:</u> Initial report with the findings/ results of surveys, questionnaires and listening sessions (Task 6).	To be agreed on with the consultant depending on the sample size and number of listening sessions
<u>Deliverable 1.3:</u> Final report including main findings and recommendation to employers highlighting preferred childcare arrangements, challenges, and recommendations towards each of the identified arrangements (Task 7).	7

The consultancy activities are expected to start no later than 29<sup>th</sup> May 2022 and shall be concluded no later than 11<sup>th</sup> August 2022.

### Supervision

The consultant will report to the BWJ National Project Coordinator - Employer's Relations under the BWJ program manager's overall guidance and work closely with the BWJ team. The National Project Coordinator - Employer's Relations should approve all deliverables.

### Payment Schedule

According to the market rate, the External Collaboration will be paid according to expertise and is asked to submit a financial offer detailing the daily rate. The consultant will only be paid upon satisfactory completion and approval of deliverables and upon receipt of signed invoices.

Payment	Deliverable
<b>First Payment</b> Representing 30% of the total contract value	Inception report with proposed methodology/approach, sampling method, work plan and report outline.
<b>Second Payment</b> Representing 50% of the total contract value	Initial report with the findings/ results of surveys, questionnaires and listening sessions
<b>Final Payment</b> Representing 20% of the total contract value	Final report including main findings and recommendation to employers highlighting preferred childcare arrangements, challenges, and recommendations towards each of the identified arrangements

### Responsibility of Data Collection

Collection of data / information required is the responsibility of the consultant, however, BWJ in cooperation with The Jordan Garments, Accessories & Textiles Exporter's Association (JGATE) will facilitate the organization of the listening sessions with factories in Al Hassan Industrial Area.

### Confidentially

The External Collaboration will sign a contract with International Labor Organization that contains clauses on confidentiality and non-disclosure

### Candidates' Profiles

- Education: Post graduate studies in psychology, behavioural science, social work or related field

- Experience in child welfare/protection and/or educational programming with an emphasis on childcare services
- Substantive experience and skills in the area of gender equality and diversity.
- Familiar with legislation relative maternity and paternity protection including childcare facilities (i.e. labour law, social security law, social development law, etc)
- Ability to work independently, high flexibility and adaptation capacities to the contexts and environment, solution oriented.
- Demonstrated strong coordination, facilitation and engagement skills with strong interpersonal communication ability to initiate discussions among different participants.
- Proven research and analytical work with demonstrated ability to prepare and present comprehensive reports.

### How to apply

Interested applicants wishing to apply to this assignment must send an email to [aldabbas@ilo.org](mailto:aldabbas@ilo.org) with the subject (**BWJ\_Daycare\_2022**).

The email shall include the following:

- 1- Technical Offer
  - Consultant Curriculum Vitae (CV) or company profile containing CVs of the project leader as well as team members that includes project portfolio.
  - Summarised description and examples of work on the previous specific and similar assignments.
  - A proposal which at least consists of proposed approach and methodology, team member composition (if there is any), work plan and timeframe.
- 2- Financial Offer
  - The financial offer should demonstrate the needed budget for implementation, including detailed fee breakdown by each activity.

The deadline for receiving applications is 26<sup>th</sup> May 2022 COB. Only applications that fulfil the requirements indicated above will be considered.