



Lessons Learned for the Pay Equity & Child Care Facilities Initiative in Jordan

Final Report

February 28, 2017

Submitted to:
International Labour Organization

Prepared by:
Al Jidara Investment Services



Contents

1	Executive Summary	1
2	Background and national content.....	4
3	Methods and tools	7
4	Description of ILO’s Pay Equity and Childcare Facilities project.....	8
5	What has been achieved to date by NCPE?	14
5.1	Legal measures.....	14
5.1.1	Legal review	14
5.1.2	Collective agreement and standard contract	15
5.2	Research and studies	16
5.2.1	Wage gap study.....	16
5.2.2	Human resource systems in private schools study	17
5.3	Community organization - Stand up with the Teachers campaign	18
5.4	Policy and procedural measures	28
5.4.1	Memorandum of understanding.....	28
5.4.2	Golden list.....	29
6	What has been achieved to date by SADAQA?	30
6.1	Provision of childcare services in the workplace – a business case	30
6.2	Establishment of nurseries at the workplace	30
7	Conclusions, recommendations and future entry points	31
8	References.....	40
9	Annexes.....	42
9.1	Annex 1: list of interviewees and minutes of meetings.....	42
9.2	Annex 2: Standard contract suggested amendments.....	43
9.3	Annex 3: Suggested MOU draft.....	45
9.4	Annex 4: Suggest Golden List criteria.....	46
9.5	Annex 5: Examples of successful models for reducing the pay gap	47



1 Executive Summary

This consultancy is a review of ILO's 'Pay Equity and Childcare Facilities' project which supports two separate but interrelated initiatives: 1) forwarding the cause of pay equity, and eliminating all forms of discrimination in the workplace through the support extended to NCPE, and 2) prompting the proliferation of childcare services and the establishment of childcare facilities at the workplace through the support extended to SADAQA.

The gender wage gap in Jordan continues to persist, with women earning consistently less than men in both the private and public sectors, and particularly in sectors where women are dominant. Cultural norms and deeply embedded social values attribute certain roles for women, and systematically undervalue their work and qualifications in general. These norms and values have also impacted how laws are drafted. Today's laws lack clear articles that prohibit discrimination in employment and occupation. As such, and as a first measure, the National Steering Committee on Pay Equity (NCPE), commissioned a full review of the laws in force to identify all articles that promote gender-based discrimination. This review, in addition to an assessment of the wage gap in the education sector, formed the basis of NCPE's course of work since its formal inception in 2011.

Choosing to focus on the education sector was the natural course of work for NCPE at the outset. Working women in Jordan are mostly concentrated in education, both in the public and private sectors. And this occupational segregation has locked many women in an overcrowded, lower salaried, and slower growing sector. Moreover, the sustained oversupply of teachers, coupled with a weak monitoring, evaluation and compliance system ushered in many forms of violations that are currently taking place in private schools. Teachers are systematically underpaid, and endure many forms of contractual and non-contractual abuses. As such, NCPE supported the formulation and mobilization of the 'Stand up with the Teachers' campaign, working at all levels, including grass root community organization. The campaign succeeded in building consensus among all the relevant stakeholders on pertinent issues needed to curb violations and effectively eliminate the wage gap in education. Impacting change, however, has been very challenging given the host of stereotypes and stigmas that surround this sector.

The other area of focus has been on advancing access to daycare facilities for working parents, through the support extended to SADAQA. Launched in 2011 as an initiative, and later in 2013 registered as a non-profit organization, SADAQA actively advocates for the nationwide compliance with Article 72 of the labor law. The support to SADAQA was critical in promulgating the notion that childcare costs should be borne by society as a whole, and not only by women.

This consultancy focuses on reviewing the work that took place during the first phase of this initiative and presenting the main challenges and lessons learned. Based on this review, opportunities for the future of this project and practical approaches to tackling issues at hand are proposed. The consultancy depended mainly on face-to-face interviews with key stakeholders, interacting with them during workshops, and reviewing salient documents.

With the limited resources available to NCPE, efforts to-date have been substantial and quite far reaching. And this has been the sentiment conveyed by all those who were interviewed during this review process. The initial stage of work kick-started a multi-pronged approach to tackling pay-equity and at the various levels. Foremost, NCPE worked diligently on building consensus among the key stakeholders and drove the momentum for effective change at all levels. This included approaches at the national and grass roots levels designing legislative, advocacy, programmatic, and policy interventions among others. Going forward, however, it is imperative that NCPE's legal



framework is substantiated and is duly empowered and supported with a budget and staff. Being tied administratively to the Women's Work Directorate, NCPE is viewed as a body that champions pay equity only for working females. Violations in pay, however, are taking place not only among working females, but also among males. Widening the scope to focus on fair remuneration, irrespective of gender, is therefore needed to achieve wider and faster traction in the long run.

Focus must also be made on putting processes in place; enforcing some regulations that will ensure prevention and deterrence; leveraging support from other donors and government entities; and instigating civil society to pick up the cause. More specifically, it is recommended to focus on the following during the next phase:

1. Institutionalize administrative and technical support to NCPE and formalize working relations with stakeholders

For Pay Equity to sustain its momentum and effect change, NCPE needs stronger legal legitimacy, and further 'institutionalized' support from within MOL and from its key members.

2. Continue to push for legislative reform

Pay equity legislation is the foremost fundamental step towards reducing the gender pay gap. The ultimate objective is to equalize the wages of men and women across the entire wage scale. As such, efforts must be sustained to ensure that all legal changes are made according to the recommendations put forth by the legal review conducted by NCPE.

3. Maximize resource allocation and utilization

Given the dearth of resources, it is imperative to build a framework for engaging civil society to mobilize on the various issues in an effective, timely and sustained manner. To date, the onus of mobilization has been solely borne by MOL and ILO. Reaching out to donors will be vital as well.

4. Bolster the inspection process of private schools

Deterrence is a key aspect of the formula and must be fortified with capable and competent inspection teams. In order to ensure that schools do not violate the rights of teachers, they must come to the realization that violation leads to penalization or suspension of the license.

5. Protection scheme(s) for teachers

Need to devise a measure that protects teachers who lose their jobs as a result of their active engagement with the Stand up with the Teachers campaign. Without this 'insurance' mechanism, teachers will continue to be risk averse and hesitant to engage in the cause.

6. Finalize the standard contract

Continue to engage relevant stakeholders, particularly MOL, MOE, the Jordanian Teachers Syndicate, the Association for Owners of Private Schools, and the Union of Workers in Private Education. Develop a contract that is transparent, clear, and provides more protection for workers. It is imperative that teachers in the private sector get at least the same privilege as those working in the public sector.

7. Institutionalize the Stand up with the Teachers campaign

Giving the campaign a formal legal and official representation will ensure its sustainability, and will enable it to tap into support and funding from various donors. As a formal entity, it will also have a far stronger bargaining power with the government and other relevant agencies.



8. New sector(s) of focus

Expand focus into other sectors that also have a critical mass of female employees, including pharmaceuticals, ICT, and financial services. We need to achieve quicker successes. The education sector will take a very long time to show results given the wide ranging social and economic stigmas that surround this sector.

9. Sustain awareness efforts

Devise a nationwide campaign, using various media outlets to inform teachers of their legal rights and obligations. Employ various communication tools to reach a wider base of teachers throughout the country. These tools to include social media, radio and television stations, and print media. A nation-wide campaign, through the use of street signs and banners would also be effective in drawing national attention to the issue. Furthermore, legal awareness must be extended to students at universities and community colleges before they graduate

10. Develop a more inclusive approach that engages private schools

Amend regulations and instructions pertaining to private schools in a manner that provides the needed guidelines for instituting HR systems at schools. This includes the integration of basic HR functions and processes such as recruitment, performance evaluation, compliance with labor and employment laws, training and development of staff, compensation and benefits, safety and employee relations.

11. Continue to support efforts to improve access to childcare services

Focus on amending article 72 of the labor law to better support women's participation in the work force; push for branding day care as a public good that generates social and economic returns; and support the establishment of a national umbrella for childcare services.



2 Background and national content

Employed women in Jordan systematically receive less pay for performing the same work as their male counterparts both in the private and public sectors (even in sectors where women are dominant, such as education and healthcare). Men working in Jordan's private sector earn on average 41% more than women. In the public sector, men earn about 28% more. The gender gap also applies to non-wage benefits like paid expenses such as transportation, and health insurance, which many women are not entitled to.¹

But why is there a wage gap?

As documented by a number of ILO reports, the gender pay gap is the outcome of several factors that relate to individual characteristics and the sectors in which individuals work. Individual characteristics, as elaborated by those reports, pertain to the level of education, the area of study, extent of work experience, skills, qualifications, and seniority among others. Sectoral factors include the size of the company and the area of employment. Equally important, however, is the impact of **gender discrimination** on the pay gap, and this takes a number of forms, the most pertinent of which includes:

Occupational segregation

While not unique to Jordan, this factor is very prominent among economically active women in this country. In general, female job seekers navigate towards certain 'suitable' and traditional sectors. As such, we continue to see occupational segregation that locks women in the overcrowded, lower salaried and slower growing sectors of education, health, social services, and public administration. Today, over 40% of women work in education, followed distantly by health, and social work & public administration at 15% and 12% respectively.² While cultural and social norms partly dictate this inclination by women, other opportunities are not presenting themselves clearly to women because of the dearth of information of job market dynamics, in addition to a host of structural challenges including lack of transportation, childcare support, and restricted mobility.

Cultural values and prejudices

Women are bound by social values and cultural norms that hinder reaching a level where traditional gender roles are completely rethought. In fact, empowering women economically, challenges the many forms of patriarchy that are deeply embedded within the Jordanian society. And those deeply rooted perceptions continue to emphasize the primary role of women as homemakers and care givers. Earning income is therefore perceived among men and women alike as a secondary activity for women. It is only favored when the husband is unable to provide financially for his family. Jeopardizing the fulfilment of the primary role of women, by venturing into work, is therefore justified by financial need.³ While such beliefs can be unyielding, they do and have changed over time. However, it is an arduous and cumbersome effort given that it must involve changes on many levels including 'languages and vocabulary, laws and practices, mind-sets of people, justice systems, media and education, in different organizations and public authorities, in enterprises, and in individuals.'⁴

¹ http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_213754/lang--en/index.htm

² Department of Statistics

³ jordan.unwomen.org/~media/field%20office%20jordan/.../ict-study-updatedtxt-4.pdf

⁴ <http://www.unwomen.org/en/news/stories/2011/7/countering-gender-discrimination-and-negative-gender-stereotypes-effective-policy-responses#sthash.KbUPpSzS.dpuf>



Undervaluing jobs and qualifications

Society's perceptions and attitudes have also generated the problem of undervaluing the work women do, and undervaluing their qualifications in general. While Jordanian women have higher educational attainment levels, their average pay remains to be lower than that of men.

Weak representation, unionization and bargaining power

The lack of representation of women in government, professional syndicates, chambers, and decision-making positions weakens their bargaining position, and makes it difficult to change the status-quo. There is not a single woman on the constitutional court. Women also constitute between 11%-15% of the cabinet of minister, 15% of the parliament, 4.3% of chambers of industry, and 0.6% of the chambers of commerce.⁵

The gender pay gap is therefore partly due to the fact that Jordanian laws do not mandate equal remuneration for equal work,⁶ but also to the social and cultural biases against women, and the tradition of undervaluing a woman's work and qualifications.⁷ The large pay gap is also due to occupational gender segregation among others.

The large pay gap between men and women is dangerous as it serves as a disincentive for women to enter the workforce. Women face a trade-off between income from work and the high costs of transportation and childcare, which are usually not subsidized by employers. As the wage levels stand now, many women are not motivated to work unless they are in dire need of extra income. Increasing wages for women would thus increase their labor force participation. One study suggests that if females and males achieved an equal distribution amongst the various occupations, were paid the same wages, and if discrimination against women was eliminated, female wages would increase by 61%.⁸

Notable efforts have been carried out to shrink the gender pay gap. Jordan ratified both the ILO Remuneration Convention, No. 100 and the Discrimination (Employment and Occupation) Convention, No. 111.⁹ More importantly, the National Steering Committee on Pay Equity (NCPE) was established in July 2011, to implement the principal of equal pay for equal work and to enhance the participation of women in the labor market under equitable conditions.¹⁰ Jordan also succeeded in improving its 'wage equality for similar work pay' from a rank of 92/145 in 2015 to 78/144 in 2016.¹¹ However, despite these efforts, the gap still hovers at an average of 30%, and much work needs to be done to eliminate wage discrimination and mainstream pay equity.¹²

Pay equity cannot be addressed in isolation of the host of other issues that sustain discriminatory behaviour against women in the work force. According to a position paper developed by NCPE, the current legislation falls short in a number of areas that prevent women from securing 'equal pay for

⁵ DOS 2014

⁶ <http://wbl.worldbank.org/~media/WBG/WBL/Documents/Reports/2016/Women-Business-and-the-Law-2016.pdf>

⁷ http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_213754/lang--en/index.htm

⁸ Effects of gender inequality in employment and pay in Jordan, Lebanon and the Occupied Palestinian Territory: Three Questions Answered, Zafiris Tzannatos, ILO

⁹ http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_213754/lang--en/index.htm

¹⁰ A study on the gender gap in the private education sector in Jordan, ILO, 2013

¹¹ The Global Gender Gap Report, 2016

¹² http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_213754/lang--en/index.htm



work of equal value'. There continues to be discrimination in employment as there are no clear articles that prohibit discrimination in employment and occupation.¹³

Jordanian women generally prefer to work in the public sector, and particularly in the education sector. It offers shorter working hours, and a safer, more stable, and culturally acceptable working environment. For the majority of women, job stability is far more important than career progression and growth. The public sector also guarantees a spectrum of critical benefits including social security, health insurance, and maternity leave among others. Maternity leave in the public sector is set at 90 days, compared with only 70 days in the private sector as specified by the labor law. This, however, has not been the case in the private sector, and particularly among the smaller establishments, as there are no clear legal references against discrimination in employment and occupation in the labor law that is currently in force. The law also continues to place restrictions on the type of activities women can do, in addition to the time of work. Many violations have been documented, including non-compliance with contractual arrangements and minimum wage payment; the refusal to renew a contract if the woman gets married or if her family obliges certain working hours or certain transportation arrangements. Some have also unlawfully fired a woman upon getting pregnant.

However, despite all these violations, the next best alternative for women, who were unfortunate to land a job in the public sector, has been to work in the private education sector. The education sector today absorbs a whopping 40% of employed females. And as such, a number of downsides are observed. Foremost, wages in this sector are automatically depressed as a result of overcrowding. Moreover, the lack of monitoring and legal enforcement has left many women prey to a variety of contractual violations as mentioned above. There are, however, many upsides. Teaching is highly desirable for women because it 'fits the bill' from all angles. First, it offers a safe, gender segregated working environment, thereby automatically gaining family approval. Second, teaching is a job with relatively 'short' working hours. It is also a job in a place where a mother can be with her child(ren) while she works; its working days coincide with school days, meaning that the mother is off from work when the children are out from school; and it is a decent job that generates some extra income for the family, irrespective of the amount. **For all those reasons, the upside to this job has continued to surmount the downside to it.**

Given the very high concentration of women in this sector, and the rampant violations taking place there, it made complete sense for NCPE to target this sector to 'impact change'. However, it has proven to be very challenging. The base of this sector is very large and very 'sticky', meaning that change is very difficult to achieve in the short term, and needs the concerted efforts of all the relevant stakeholders to achieve tangible results.

During the first phase of the 'Fair wages and childcare facilities in Jordan project', focus was made on building knowledge, by employing a variety of tools such as conducting surveys, research, analysis and reviews. Knowledge-building was critical as it informed NCPE's working agenda at the outset. This effort was also conjoined with extensive and successful consensus-building, which was achieved by initiating and sustaining dialogue between all the relevant stakeholders over issues that needed to be addressed and rectified. These issues ranged from laws and regulations to policies and procedures. Work was carried out at all levels, starting with legal reform and advocacy at the highest levels, working closely with government and parliament, in addition to a slew of professional, business and women organizations among others. And the work went all the way down to initiate extensive mobilization at the grass root level, through training, awareness, and community organization.

¹³ NCPE Equal Pay for Equal Value of Work Position Paper



3 Methods and tools

This consultancy on the *lessons learned from the pay equity and child care facilities initiative in Jordan* focuses on reviewing the work that took place during the first phase of this initiative, and presenting the main challenges and lessons learned. Based on this review, the consultancy will identify opportunities for the future of this project, and propose practical approaches to tackling the issues at hand.

The following summarizes the approach to this review:

- **Kickoff meeting**

A kickoff meeting was held with Ms. Reem Aslan from the ILO office in Amman to learn about the initiative, and the work that has been accomplished to-date. More specifically, the meeting aimed to shed light on the mandate of NCPE, the roles of the various entities involved, and the rationale for their engagement. The meeting also focused on understanding the working dynamic of NCPE, and the challenges that have been faced to-date. During the meeting, suggestions of key persons to interview were also presented and discussed.

- **Desk review**

The desk review entailed a full review of the documents that were shared by Ms. Aslan, including the progress reports submitted by beneficiaries (Ahel and SADAQA), in addition to a variety of technical reports and studies that have been commissioned by NCPE to date. The desk review included a review of additional documents researched by the consultant. *The list of reviewed documents is included in the references section.*

- **Key interviews**

A total of 19 persons representing 15 various entities were interviewed during the review process. The interviews aimed to generate a clear understanding of their roles and responsibilities, in addition to the challenges faced during their engagement with the project. Recommendations for future course of work, roles, responsibilities, and alternative approaches were also discussed. *The list of interviewed persons, in addition to the minutes of meetings are included in Annex 1.*

4. Interactive workshop of stakeholders

The consultant attended a preparatory workshop for the high-level meeting, held on November 29, 2016 to discuss and finalize the drafts of the Memorandum of Understanding (MOU) between regulating bodies, the Collective Contract of private schools teachers, and the Golden List for the private education sector. The workshop provided valuable insights into the positions held by the various stakeholders, the level of consensus reached amongst them on the critical issues, in addition to their depth and breadth of their of engagement with the initiative among others.

5. Stakeholder session

A session was held on February 26, 2017 for key stakeholders, headed by the Secretary General of MOL and the head of the JNCW, to share the finding of the review and discuss the recommendations put forth for the future course of work.

6. Submission of final report

The final report is structured to present a full review of the project, highlight successes and lessons learned, and generate a list of practical recommendations that NCPE can champion or support others to carry out.



4 Description of ILO's Pay Equity and Childcare Facilities project

The project supports two separate but interrelated initiatives: 1) forwarding the cause of pay equity, and eliminating all forms of discrimination in the workplace through the support extended to NCPE, and 2) prompting the proliferation of childcare services and the establishment of childcare facilities at the workplace through the support extended to SADAQA.

Details of NCPE and SADAQA's work will be presented in the next section.

A full review and analysis of Jordan's pertinent legal instruments¹⁴ revealed many inconsistencies, loopholes and contradictions in the legal framework and its application with respect to international labor standards, and particularly vis-à-vis ILO's Equal Remuneration Convention, 1951 (No. 100) and the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which Jordan ratified in the 1960s. As it currently stands, the legislation in force prevents the realization of the right to equal remuneration for work of equal value.¹⁵ Building on this review and the comments made by ILO's Committee of Experts on the Application of Conventions and Recommendations, the government sought ILO's support in helping it comply with the conventions and effectively eliminating the pay gap. Subsequently, NCPE was established in 2011 upon the request of the minister of labor, and with the support of the ILO, in order to implement the principal of equal pay for equal work and to enhance the participation of women in the labor market under equitable conditions. In 2013, the minister of labor issued a decision to give the committee a permanent status with a mandate of combating all forms of gender-based discrimination in the workplace.

NCPE is currently housed by the Ministry of Labor (MOL). It is co-chaired by MOL and the Jordan National Commission for Women (JNCW). The former being the main government entity responsible for regulating the relationship between the workers and employers, in addition to undertaking inspections to ensure that decent working conditions are upheld. The ministry also works on setting and monitoring the minimum wage among other tasks. The latter, JNCW, is the entity entrusted and funded by the government to advance women rights and gender equality in Jordan. Prominent members and stakeholders of NCPE include the Ministry of Education (MOE); the Social Security Corporation (SSC); professional syndicates representing teachers and school owners in both the private and public sectors; and the chambers of industry and commerce among others. Table 1 below presents a list of prominent stakeholders showing the rationale for their inclusion, their main role in advancing the pay equity principle, in addition to their major shortcomings and challenges faced to-date.

¹⁴ These include: the Constitution, the Labour Law (1996 and Interim Act No. 26 of 2010), Personal Status Laws, the Civil Service Regulations (2007), the Temporary Social Security Law (2010), and the Trade Unions' Law.

¹⁵ http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_215608.pdf



Table 1: Main NCPE stakeholders, rationale for inclusion, roles, achievements and shortcomings

Entity	Rationale	Main role	Main tasks achieved to date	Main shortcomings
Ministry of Labor	<p>The government entity responsible for regulating workers, ensuring decent working conditions, and setting and monitoring the minimum wage.</p> <p>Champions labor rights and labor issues. Houses the Women’s Work Directorate, which focuses on the economic empowerment of women, raising awareness, improving access to childcare services and attaining wage equity among others. It also houses the inspection, legal and labor relations directorates which are all critical for NCPE’s work.</p>	<ul style="list-style-type: none"> • Co-chair • Act as the focal point for NCPE • Set working agenda for NCPE • Send invitations for meetings and document minutes of meeting • Inspect private establishments and ensure compliance with labor law • Champion legal reform advocacy efforts • Ensure compliance with the minimum wage and decent working conditions • Improve access to childcare services through compliance with article 72 	<ul style="list-style-type: none"> • The various directorates relevant to NCPE within MOL are fully on board with the initiative and their work somewhat aligned. • Expanded the mandate of the women’s directorate to include the advancement of the pay equity principle, and amended the job description of Ms. Eman Ekour to reflect this inclusion • Decision taken by MOL for NCPE to become a permanent committee • Addressed the inspection aspect of private schools in the pilot area of Irbid. Identified the training needs of their inspectors • Sensitized ministry staff to labor law amendments 	<ul style="list-style-type: none"> • Weak capacity within MOL to enforce compliance with minimum wage as per article 52 of the law due to shortage of inspectors, and weak reporting, evaluation, and documentation processes. • NCPE does not have an allocated budget or a dedicated staff, which stretches the ability to work effectively very thin. • Support to NCPE’s quest is contingent upon the minister and secretary general’s priorities. Currently, the issue of women’s economic participation is not prioritized by the new minister and SG, and as such, work must focus on ensuring that they have full buy-in
JNCW	<p>Entrusted and funded by the government as the entity responsible for advancing women rights and gender equality</p>	<p>Co-chair</p>	<ul style="list-style-type: none"> • Led the legal review study that identified all areas of discrimination against women in the laws • Supported with lobbying efforts, and facilitated the presentation of the suggested amendments to be made to the labor law to the council of ministers 	<ul style="list-style-type: none"> • Does not have the staff or resources to support in a sustainable or meaningful manner • Does not effectively act as an umbrella entity for furthering women’s economic equality and rights
Social Security Corporation	<p>Founded to protect labor and nurture it socially and economically as it represents an umbrella that preserves the social rights of the working class</p>	<ul style="list-style-type: none"> • Provide pertinent information on wages earned by employees, types of jobs, area of work, and level of achievement among others • Provide ‘clearance’ for private schools to enable them to renew 	<ul style="list-style-type: none"> • Ensure summer pay for teachers at private schools • Support the enforcement of private school’s compliance with social security coverage and payment of minimum wage for 12 months 	<ul style="list-style-type: none"> • The SSC law includes provisions that undervalue the work of women including difference in retirement ages between males and females, and the inability of women to pass on social security inheritance to their spouses • Does not have the technical capacity to

Lessons Learned from the Pay Equity and Childcare Facilities Initiative in Jordan



Entity	Rationale	Main role	Main tasks achieved to date	Main shortcomings
		<p>their licenses at MOE as per the minister's announcement in July 2016</p> <ul style="list-style-type: none"> • Receive complaints from employees suffering from contractual and legal violations • Conduct periodic inspections to ensure compliance 	<ul style="list-style-type: none"> • Inspection campaign on 30 schools in Irbid and fining them (one school was fined over 25,000 as a result of NCPE coordinating efforts with SSC) 	<p>conduct periodic pay gap analysis.</p>
Ministry of Education	Government entity responsible for regulating and licensing schools, in addition to approving the hiring of teachers. Introduced as a member at a later stage as focus on the education sector began to take center stage of NCPE's activities, given that the sector is the main employer of females.	<ul style="list-style-type: none"> • Receive complaints from teachers suffering from violations • Curb violations taking place at private schools, primarily through the license registration and renewal process in collaboration with the SSC 	<ul style="list-style-type: none"> • Ensure summer pay for teachers at private schools and compliance with the collective contract • Support the enforcement of private school's compliance with social security coverage and payment of minimum wage for 12 months in collaboration with the SSC 	<ul style="list-style-type: none"> • High bureaucracy and limited resources • Impacted by a strong private schools' owners lobbyists • Accused of not championing teachers' rights to decent work and minimum wage pay • Lenient licensing process of private schools resulting in proliferation of 'low quality' schools
Jordanian Teachers Syndicate	One of its key mandates is to uphold the teaching profession, and protect the rights of teachers	<ul style="list-style-type: none"> • Support with community engagement and mobilization efforts • Initiated drafting of the collective contract 	<ul style="list-style-type: none"> • Support Ahel with the initial teacher mobilization effort • Lobby for the effective implementation of the collective contract 	<ul style="list-style-type: none"> • Weak administrative capacity • Lack of experience in similar interventions • Has limited enforcement mandate by law
Association for Owners of Private Schools	Protects interests of private school owners	Engaged in dialogue concerning the collective contract	Signed collective agreement and collective contract	<ul style="list-style-type: none"> • Weak administrative capacity • Driven by individual effort • Lack of experience in similar interventions • Has no enforcement mandate by law
Workers in Private Schools Union	Protects interests of workers private schools		Signed collective agreement and collective contract	Limited membership that does not exceed 5%
Chamber of Industry	Membership base includes a large segment of Jordan's private sector companies / employers.	Engaged in dialogue concerning suggested legal amendments to the labor law		Opposed some amendments to the labor law suggested by the legal review to protect private enterprises

Lessons Learned from the Pay Equity and Childcare Facilities Initiative in Jordan



Entity	Rationale	Main role	Main tasks achieved to date	Main shortcomings
Chamber Of Commerce	Membership base includes a large segment of Jordan's private sector companies / employers.	Engaged in dialogue concerning suggested legal amendments to the labor law		Opposed some amendments to the labor law suggested by the legal review to protect private enterprises
Department of Statistics	Collects pertinent information relevant to women's economic participation, contribution, and earnings among others.		Provide pertinent information that guided research and studies of NCPE	Lack of in depth data to enable accurate calculation of the pay gap based on individual and sectoral variables.
The Jordanian Women's Union	An organization committed to improving the status of women as one of the most prominent and influential women's organizations in the Arab world. Enjoys strong networks with women's movements, both nationally and internationally	Engaged in dialogue concerning suggested legal amendments to the labor law	Provide meeting space for Stand up with Teachers Campaign	
National Center for Human Rights	Independent entity that practices intellectual, political and humanitarian activities related to human rights	Engaged in dialogue concerning suggested legal amendments to the labor law		
Labor, social development and population Committees (upper and lower houses)	Study the laws, issues and proposals related to employment, labor, vocational training, social security, and social development, in addition to national funds concerned with development and employment; study and review the organization of labor market policies and the recruitment of foreign workers	Recommend to parliament suggested amendments to the labor law as per the legal review	Former committees championing relevant amendments to be made to the labor law to support equal pay for women	Newly elected committees will require advocacy work to be restarted and re intensified by NCPE
Professional Associations	Advocate for the rights of workers in their relevant professions	Engaged in dialogue concerning suggested legal amendments to the labor law	Workshop with judges to ensure the labor law amendments are in line with reality	
Economic and Social Council	Advisory body to government on economic and social policies			
Stand up with the Teachers	Grass root campaign driven by a core of teachers with the main objective of	Drive momentum of change at the grass root level, starting in Irbid	<ul style="list-style-type: none"> Spread awareness among teachers about their legal rights, and terms 	<ul style="list-style-type: none"> The lack of a protection mechanism for teachers involved in the campaign

Lessons Learned from the Pay Equity and Childcare Facilities Initiative in Jordan



Entity	Rationale	Main role	Main tasks achieved to date	Main shortcomings
Campaign	ensuring decent working conditions for private school teachers, and taking concrete measures to abolish all violations at work by enforcing the collective contract.	and expanding eventually into Amman and Zarqa.	<p>of the collective contract</p> <ul style="list-style-type: none"> • Train teachers on community organization methods and advocacy • Build soft skills of recruited teachers particularly in negotiation, listening and communications • Raise nation-wide awareness about violations currently taking place in private schools • Work with MOL to intensify the inspection process in Irbid on a select number of schools • Formulating steps for the inspection process 	<p>scared many away, thereby making the campaign lose momentum and traction</p> <ul style="list-style-type: none"> • The lack of an institutionalized supporting system made the task for the campaign very arduous, this includes very weak teachers' unions • Inconsistencies in the inspection process by MOL, in addition to a very weak M&E, and compliance system, have also played a significant factor in allowing the campaign to build a more significant momentum.
Civil Services Bureau	The government body responsible for governing various aspects of administration and management within Jordan's Civil Service, including state recruitment and staffing	Provided data and information on the rights granted to civil servants including wages and benefits		



The recent focus of NCPE has been two pronged. Foremost, focus continues to be made on sustaining efforts to bring about legal changes to ensure that all forms of discrimination and gender-biases in the labor law are amended. While the re-election of parliament is considered as a setback, given that advocacy efforts with concerned parliamentarians has to start all over again. Nonetheless, NCPE understands that this effort is the foundation upon which all other work is built. Without legislation free of discrimination and biases, the pay equity principle cannot be achieved.

The second area of work is focused on advancing ‘fair’ pay and decent working conditions for female teachers in the private education sector has taken center stage, captivating a significant portion of NCPE’s efforts and resources. Work in this regard, has been very intensive and at many levels, starting from instigating community engagement and mobilization at the grass root level, all the way up to instituting a regulatory and deterrent mechanism for violations taking place against women in this sector. It was the natural focus, given that over 40% of working women are employed by this over-crowded, under-regulated, and underpaid sector, where rampant violations and all forms of abuses are taking place against women. Also, not to mention that this percentage is even much higher if we include the many other women who work in this sector in an informal capacity.

NCPE **succeeded** in building consensus among all the relevant stakeholders on the vitality of achieving parity in pay for equal value of work among males and females.

NCPE meets every six months to discuss an agenda that is set collaboratively between MOL represented by Ms. Eman Ekour, and the ILO represented by Ms. Emanuela Pozzan from the Beirut office and Ms. Reem Aslan from the Amman office. The agenda for the meetings is set based on evolving issues at hand.¹⁶

Members are generally tasked with specific assignments to implement. However, those tasks are not plugged into the action plans and agendas of those stakeholders. And as such, enforcement and accountability has been challenging to uphold. Moreover, and primarily due to NCPE’s meagre resources, coordination among the various stakeholders has been fragmented and sustained on an ad hoc basis. The SSC has recently been very cooperative and proactive. It is seen as being a fundamental partner with a critical role. The SSC is the sole entity in Jordan that has the ability to monitor if social security contributions are being made by employers, and if there are any interruptions in payments as has been the case in the private education sector. MOE was recently engaged, given the focus of NCPE on the education sector. It is seen to be a heavy bureaucracy where decision-making is cumbersome and arduous. The plan is to connect MOL, MOE and SSC electronically to enable the exchange of information and institute an effective enforcement mechanism. JNCW is another important member. However, it suffers from lack of resources and sufficient staff that can support NCPE’s programmatic efforts.¹⁷

‘JNCW raised the amendments to the law to the cabinet. This was important.’ Reem Aslan – ILO consultant

To-date, the thrust of the effort has been based on the individual efforts of Ms. Reem Aslan, and Ms. Eman Ekour. And those efforts, thrust, and energy have succeeded in reaping significant results including achieving consensus on the critical issues among many stakeholders; initiating a wide movement at the national and grass root levels; and raising awareness about the need for reform.

¹⁶ Interview with Ms. Eman Ekour

¹⁷ Ibid.



Given NCPE's meagre resources, the effort to date has depended on bringing on board people with passion about the cause.

'We are always trying to find people within the various entities that have passion for this cause. This is very important to get the work moving.' Reem Aslan - ILO

5 What has been achieved to date by NCPE?

5.1 Legal measures

5.1.1 Legal review

After NCPE was established, a rigorous analytical review of all the national legislation, and their applications that pertain to anti-discrimination and the principle of equal pay for equal value of work was conducted by JNCW in collaboration with MOL and the Jordan Bar Association. This formed the basis of NCPE's quest, given that anti-discrimination and pay equity legislation is one of the foremost and fundamental steps towards achieving pay equity. This review revealed all the gaps in the legislative framework that hinder the effective implementation of the 'equal pay for equal value of work' principle. Building on these findings, NCPE put forth a host of amendments to be made to eleven articles in the labor law in order to ensure that this principle is duly met. The changes aim to remove any form of discrimination that is based on gender or other affiliations; protect women from job termination as a result of pregnancy, and at any stage of it; promote the concept that both men and women are responsible for childrearing by linking the provision of childcare services to all workers and not just to females; adding a clear reference to abidance by equal pay for equal value of work; and adding a clear definition for sexual harassment on the job among others.¹⁸

After the legal review was completed, and the issues were identified, NCPE instigated a process of national dialogue through a series of workshops that took place throughout the country during 2014. The dialogue engaged all stakeholders from the government, private sector, parliamentarians, workers' unions and civil society organizations among others. The objective was to build momentum for an advocacy campaign to champion the needed legislative changes. At the same time, it sought to build ownership and consensus among the various stakeholders on the prominence of instituting the equal pay principle and effectively eliminating the wage gap. Those efforts were successful, as relevant entities endorsed their support on most of the issues that were raised. Moreover, this effort succeeded in gaining traction within parliament, through the formation of a special committee of parliamentarians on pay equity.¹⁹

As matters currently stand, there remains to be a number of challenges. Foremost, the version of the labor law that includes the 11 amendments needs to be presented again to be ratified by the newly elected parliament. However, the predicament is that the government is currently contemplating further amendments that could touch on over 50 articles of the current law. As such, the inclination by MOL is to re-write an entirely new labor law that will encompass all the amendments needed, including the 11 articles championed by NCPE. The main concern, however, is that this process might take another 2 to 3 years to materialize. It will need significant political will, and at the highest levels, to pass a new labor law into force. Therefore, working on the legal front will continue to take much time and effort, and will carry on well into the foreseeable future.

¹⁸ NCPE Position Paper on Equal Pay for Equal Value of Work

¹⁹ Interviews with Ms. Reem Aslan and Ms. Eman Ekour



Secondly, NCPE's initial efforts were supported by MOL minister who is no longer in this position. The presiding minister and secretary general of MOL do not currently prioritize the issue of women's economic participation, under which pay equity falls.²⁰ While this management change of MOL does not expunge the previous efforts and accomplishments of NCPE, it does not, however, give its quest similar prominence. Thirdly, while most of the suggested legal amendments did receive overwhelming consensus among the vital stakeholders, some remain hesitant to a few changes as revealed by NCPE's Equal Pay for Equal Value of Work position paper.

→ *NCPE needs to sustain active lobbying efforts with parliament, in addition to the chambers and other entities that opposed to some of the suggested legal amendments.*

5.1.2 Collective agreement and standard contract

The collective agreement and standard contract began as an initiative by the Jordanian Teachers Syndicate and involved three other stakeholders namely: the Union of Workers in Private Schools, MOL, and MOE. The first draft of the contract went into effect in 2012, and an amendment was made in 2014. The Jordanian Teachers Syndicate and the Union of Workers in Private Schools continue to engage in discussions pertaining to further amendments that need to take place, and particularly with the Association for Owners of Private Schools.

'The standard contract represented a quantum leap, even though in its current format it still does not fulfill our ambitions.' Dr. Ahmad Shawabkeh – Union of Workers in Private Education

It was important to have the contract so as to protect teachers from being subjected to all forms of legal violations and indecent working conditions. While it is true that the laws in force *do* provide the legal rights and legal protection to safeguard teachers from those violations, these laws did not, however, deter the significant number of violations from taking place. Teachers, coming mostly from marginalized segments of society, do not generally pursue legal action against their employees.²¹

'The standard contract is a guarantee and safety mechanism for 80% of private school teachers.' Abeer Al Akhras – Jordanian Teachers Syndicate

'Many teachers work under gruesome conditions; so if we can redraft the standard contract to ensure that decent conditions are enforced, it will be a great accomplishment.' Dr. Ahmad Shawabkeh – Union of Workers in Private Education

The standard contract provides teachers with an additional cushion of protection. It reinforces critical elements including social security coverage, summer pay, the transfer of salaries to a bank account to ensure on-time and 'correct' payment, in addition to annual raises among others. Nonetheless, many teachers remain to be oblivious of its clauses and incapacitated to take any form of action in case of any contractual breach.

'Teachers do not read the contract before signing it. They are to take part of the blame.' Wafa Al Sayyed – MOE, during workshop discussions

²⁰ Interview with Ms. Randa Naffa

²¹ Interview with Ms. Abeer Al Akhras



NCPE is now championing the adherence to the standard contract, in addition to additional amendments that need to be made in order to better protect teachers and ensure that their rights as workers are duly met and preserved. (See Annex 2 for salient recommended changes to the contract). Some of these changes, however, are met with resistance from owners of private schools, who regard some of these changes as far reaching. Many of the smaller schools suffer from payment collection, and are therefore only able to pay the teachers when cash becomes available. Moreover, these schools need to be able to subject a teacher to a probation period, which the standard contract does not provide. As such, dialogue needs to be sustained in order for all parties to reach an agreeable compromise. NCPE will continue to facilitate further discussions and workshops with all the relevant stakeholders to reach consensus on additional amendments.

‘You have to help me resolve problems faced by private schools so I can help you resolve teachers’ issues.’ Munther AlSourani – Association for Owners of Private Schools, during workshop discussions

5.2 Research and studies

5.2.1 Wage gap study

In 2015, NCPE began to focus on the education sector because this sector is by far the largest employer of women. Many female employees have been victims of unlawful practices including suspension of pay and social security contributions during the summer vacation; paying below the minimum wage; non-compliance with the standard contract; and paying wages below what is stated in the contract among others.

As such, NCPE commissioned a study to assess the wage gap in the private education sector, which concluded that the gap hovers around 42%. Working in the education sector ‘agrees’ with the deeply embedded social and religious values of Jordanian men and women. These values re-enforce the desire for gender segregation at the work place, and the need for women to engage in ‘suitable’ professions such as teaching. Women in this sector remain to be largely unaware of their legal rights. They also lack the needed social and institutional support to engage in individual or collective bargaining to ensure that those rights are upheld. Women in these occupations also tend to undervalue their work and their contribution to society and the economy as a whole.²²

‘The wage gap study was very valuable. Although it resulted in lowering Jordan’s gender ranking, it nonetheless helped reflect the status quo, and brought the government on board to take measures to rectify the gap. Having MOL on board was very important to give the issue legitimacy.’ H.E. Hala Bseiso Lattouf – Senator

NCPE **succeeded** through documented research in alerting the government and key stakeholders to the pay gap and pay violations taking place in the private education sector.

The findings of this study, in addition to the legal review (mentioned above) set the stage for NCPE’s working agenda at its inception. The work of the NCPE is therefore primarily focused on ensuring that the amendments to the labor law take place, and that the wage gap in the private education sector is rectified.²³

²² Interview with Ms. Eman Ekour

²³ Ibid.



'The working fundamentals of NCPE have been identified at the outset, and every year we basically expand our engagement according to those fundamentals. We take into account current developments, and plan ahead accordingly. This is basically how NCPE's agenda is set.' Ms. Eman Ekour - MOL

5.2.2 Human resource systems in private schools study

The main objective of this study, conducted in 2016, was to assess the HR systems in 10 schools in Irbid, and particularly in Qasabet Irbid, Bani Obeid and Huson. The selected schools were chosen from a list of 30 schools that were provided to the consultants by the Stand up with the Teachers campaign. Schools were a mixture of Islamic, Christian, co-educational, and schools segregated by gender. The schools were also a mix of private schools with owned or rented properties. All 30 schools were invited by MOE, MOL, ILO and the Stand with the Teachers campaign to attend an introductory meeting to inform them about the study. Only 16 schools attended, and 9 ended up taking part in the study.

A questionnaire was designed to collect the following information:

- **School's profile:** ownership, level of education of staff, sources of funding, membership in associations, role in society, role of parents, etc.
- **Owner's profile:** level and type of engagement at school, ownership share, engagement of other family members, etc.
- **Principal's profile:** educational attainment, previous experience, etc.
- **Teachers' profile:** educational attainment, previous experience, etc.
- **School's plans and objective for the future**

Part of the exercise that the consultants undertook was to review the legal framework that governs the schools' work, which included those of MOE, MOL, and SSC. This review enabled the consultants to identify shortfalls in HR practices at schools.

The assessment showed serious gaps in monitoring and evaluation (M&E), and enforcement by government bodies that regulate this sector, and primarily by MOE. It concluded that it is not sufficient to have the right legal framework in place. It must be reinforced with a strong compliance, monitoring and evaluation system. Moreover, teachers have the right to training, voicing their opinion and complaining among others. And as such, these rights need to be reflected in a transparent manner in the instructions of article 55 of the labor law. This is important given that most schools do not have an HR system in place. It is believed that the more developed the school's administrative system is, the more perks teachers receive. The study concluded that legal regulations and instructions have to cover for the weaknesses in the HR systems. If these are in place, then they automatically create clear guidelines for instituting an HR system at schools that lack it.

The study also revealed that the language used in the standard contract is complicated and the rights of teachers are not clear to many 'average' readers. It is therefore recommended that a review of the contract be conducted, and feedback from users to be collected in order to make the contract more user friendly. NCPE is also currently looking into having Edrak add an online course on teachers' labor rights that can be access by all.²⁴

During the course of the assessment, teachers were found to be perceived as 'abandoned and neglected' by MOE. Teachers generally view the ministry as a body that collects fines, and not as a

²⁴ Edrak is an Arabic electronic platform that offers courses from reputable open sources.



body that regulates and protects their rights. Teachers direly need a ‘safe’ communication mode with MOE. This can be partly achieved by hiring additional female inspectors at MOL, where teachers can feel comfortable conversing freely with.

When addressing the pay gap, and violations in pay, the study asserts that it is imperative to understand where schools come from in order to be fair and objective in the approach to pay equity. The study found that many school owners and operators are unaware of alternative paths they can pursue to generate profits and continue teaching at the same time. These schools, according to the assessment, genuinely care about education, and do not wish to abuse the teachers. It is therefore necessary to work not only with the teachers, but also with a select group of schools.

‘It is very dangerous to instigate ‘teacher revolt’ without addressing the issues from all angles. We do not want to start fires. We need to put them out.’ Raghda Qanddour – freelance consultant

The study also found that schools need to be supported to help them meet their needs and become effective. At the same time, teachers need to be empowered by letting them know their rights given that people are empowered through information. Ultimately, both sides have legitimate claims and needs, and both need to be addressed. Interventions must not instigate one side to revolt against the other. The approach to this issue has to come with the attitude and the mindset that we want to fix a broken system from all its angles. The approach has to stop the blame and not instigate it. Schools need to be supported to become more viable. By granting licenses to many schools, MOE intensified competition among schools, thereby adversely impacting their ability to generate decent profits. In light of this reality, schools resort to cutting costs, including teachers’ pay in order to remain profitable.

Moreover, and given the weak M&E role of MOE and MOL, many schools are not being inspected. The issue is further exacerbated by the weak administrative and HR systems that schools currently suffer from, mainly because they lack the knowhow. This can be resolved by developing regulations and instructions that provide the needed guidelines for instituting such systems. Compliance with those regulations will automatically provide clear guidelines for instituting more advance d HR systems. As such, monitoring and evaluating the schools’ administrative functions becomes fair and less cumbersome.

5.3 Community organization - Stand up with the Teachers campaign

The campaign was launched soon after the wage gap study in the education sector was concluded and showed a significant pay gap between men and women.²⁵ Moreover, an estimated one-third of private schools practice an array of violations that transcend non-compliance with minimum wage payment. Teachers today are subjected to verbal and physical abuse; their work is not sufficiently valued, as teachers are required to carry out a host of other tasks that are not related to teaching, including cleaning. The working environment in many schools is also dire, with some schools even not providing chairs for teachers to rest on during breaks.²⁶

‘Teachers are insulted daily and humiliated. Schools are sucking the life out of them.’ Abeer Al Akhras – Jordanian Teachers Syndicate

²⁵ Interview with Ms. Reem Aslan

²⁶ Interview with Ms. Abeer Al Akhras



The objective was therefore to instigate change at the grass root level, led by the teachers themselves. The project worked on raising awareness at the community level, with focus on the Irbid governorate as a pilot.

'The campaign started in Irbid because the governorate has many private schools, and many of those schools were violating the rights of teachers. It was therefore an excellent pilot area for the campaign.' Abeer Al Akhras – Jordanian Teachers Syndicate

NCPE, with the support of the ILO, commissioned Ahel ('people' in Arabic) to design and guide the campaign. Ahel is an organization that supports special campaigns, and people who have a specific cause. They use a particular 'community organization' methodology that guides their work with the various communities. This methodology focuses on working with 'people with a cause' to develop a strategy with specific objectives, and provide the needed training and support during the advocacy process.

NCPE **succeeded** in turning the attention of the Jordanian Teachers Syndicate to the dire quest of female teachers in private schools. The association had no previous knowledge of the gravity of the situation.

Ahel became involved with NCPE after the gender wage gap study in the education sector was released. At the onset, their engagement with teachers in Irbid was focused on raising the minimum wage in the sector. However, during the course of their work, they found out that many violations were taking place at private schools and many teachers were paid well below the minimum wage. As such, the cause shifted to focusing on ensuring that teachers are paid the minimum wage.

The main counterpart at the initial stages was the Jordanian Teachers Syndicate. It was the natural choice because the syndicate was believed to have a database of teachers, and to have the ability to reach out to teachers and group them when needed.²⁷ Initially, the syndicate's council was opposed to the idea of taking part in the campaign. It was under the pretext that teachers in the private sector had better privileges than those in the public sector. However, as the syndicate got more involved with the campaign, it became very alarmed by the intensity of violations that were taking place in private schools.²⁸

'The central council of the Jordanian Teachers Syndicate was initially opposed to our engagement with the campaign. They had no idea about the severity of the situation . . . This campaign, in fact, marked a turning point for the syndicate. It alerted us of the gravity of the situation and the extent of violations taking place in the private education sector.' Abeer Al Akhras – Jordanian Teachers Syndicate.

However, the Jordanian Teachers Syndicate had no database, no previous experience in such affairs, and had very weak administrative capacity to support Ahel's efforts. The syndicate managed to gather a group of teachers who were not interested in being part of the campaign. An additional hiccup with the syndicate was its resistance to Ahel's methodology of community organization. The working style that underlines this methodology was difficult for the syndicate to adapt to. It required the sharing of leadership roles, in addition to committing to the norms and culture of group work. This was very challenging for it. And for all the aforementioned reasons, Ahel decided to lead the effort, but keep the syndicate involved as much as possible.

²⁷ Interview with Ms. Reem Manna

²⁸ Interview with Ms. Abeer Al Akhras



The other relevant body was the Union of Workers in Private Education. However, their membership base is very limited, not exceeding 5%. Moreover, the union lacks the resources to provide tangible support.

'We would have loved to support the campaign financially, technically, and administratively, but unfortunately we do not have the means to provide any of this support.' Dr. Ahmad Shawabkeh – Union of Workers in Private Education

As such, Ahel, and with the extensive support of Ms. Eman Okour from MOL began its effort to recruit teachers. They were looking for teachers with leadership traits, and with passion for the cause. Many one-on-one meetings took place with teachers in Irbid until three teachers were recruited to help Ahel bring others on board. This effort succeeded in gathering a total of 26 teachers. Soon after, Ahel organized a number of workshops for the teachers to explain the labor and social security laws, in addition to training them on Ahel's community engagement methodology. Following this extensive effort, only five teachers remained committed to the cause and to working with Ahel on advocating for paying the minimum wage to teachers in private schools. The core team of five teachers was also joined by one representative from MOL, and two from the Jordanian Teachers Syndicate.

Strategizing

One of Ahel's most important aspects of its engagement was supporting this core group formulate a name, brand, an initial (and later a more focused) strategy for the campaign. The initial strategy aimed to document an overview of the issues at hand, present the core group of teachers behind this initiative, and identify the main objectives of the campaign among others. The core group identified itself as the driving force behind the initiative, and as a core group of teachers who passionately believe in effecting radical change that includes the application of laws and regulations to preserve the dignity and rights of teachers. Each one of those teachers had previously suffered either from contractual violations or from oppressiveness at the workplace inflicted upon them by their male superiors both in the public and private sectors.

'The core founding team of the campaign works very coherently together and this was very important. All of us are very passionate about the cause because each one of us was subjected to violations at the workplace. I personally still have a number of cases that I am pursuing in the courts of law.' Najah Al Natour – founding member of the Stand up with the Teachers campaign

The second, and more focused strategy, sought to intensify MOL's inspection process on a select number of schools. While the approach focused on insuring that schools comply with the law, it also sought to provide an incentive for those schools to do so. This incentive included a widely publicized recognition of the complying schools, and granting them a golden award. Some of the targeted schools had a record of minor violations, making it easier for them to comply with the law. The publicity of the golden award contest was believed to entice more schools to emulate. The campaign also realized the importance of instituting a protection mechanism for teachers who jeopardize losing their jobs as a result of their engagement with the campaign. Building soft skills of teachers was also seen as critical, particularly in negotiation, listening, and communications.

NCPE **succeeded** in branding the cause, devising a course of action and instigating publicity and traction at the grass root level.



The strategy formulated clear steps for the inspection process, with instructions for documentation and holding periodic meetings with inspectors for follow up, review and reformulation if needed. It also focused on the need to have liaison officers at MOL offices in the governorates whose main duty is to follow up on the inspection process and look into its outcomes. In addition to instituting a protection mechanism, it reiterated the need to have a reliable and effective hotline where teachers can call in at any time to file their complaints by staff that is not well trained to receive complaints, file them, and direct them to the concert authority. Instituting a 'safe' communication mechanism is seen as a critical part of the process, as it encourages more teachers to come out and file complaints against violating schools. The campaign will look into the possibility of hiring teachers who lost their jobs as a result of being active in the campaign to either man the hotline, or become inspectors for MOL after receiving the proper training.

The summary of the two strategies are found in the minutes of meeting with Ms. Reem Manna in Annex 1.

Inspection plan and training of inspectors

An inspection plan was developed as part of this effort. It simply outlined the steps to be taken when a complaint is filed either through the hotline or in person. The instructions stipulate that within three days of receiving the complaint, an inspection must take place, and a report is then sent to MOL for evaluation and further follow up. MOE is then notified of the schools that are found to be in clear violation of the law. Successively, MOE would refrain from renewing the license of those schools until violations are rectified. If schools fail to rectify, then the license is revoked by MOE. On the other hand, schools that comply and rectify, are recognized as compliant schools and are granted the 'golden award'.

Inspectors were trained in August 2016 based on a request made by MOL's Inspectors Directorate in Irbid. The focus of the training workshop was to bring together and build the capacities of inspectors from MOL and SSC, and representatives from MOE on wage discrimination practices taking place in private schools, and on measures to thwart those violations through the inspection process. More specifically, the objective was to improve the effectiveness of the inspection process, raise their understanding of fair remuneration legislation and the vitality of enforcing the standard contract, and ensure that complaints received from teachers receive high priority.

Inspectors felt the training to be highly beneficial, as it equipped them with the technical and soft skills needed to complete the inspection process. The trainees, coming from three different entities, also benefited from being trained together, as the training facilitated knowledge sharing. The training was also attended by teachers from the Stand up with the Teachers campaign.²⁹

'Inspectors were brought in to MOL from other government institutions (MOE, parliament). They had no previous training and were not qualified for the job. The ministry assigned them to its various directorates. They went to the field to inspect without proper training and as such were not able to do the job properly.' Reem Aslan – ILO consultant

Additional in depth training is scheduled to take place, based on the request of the inspectors. Future training will focus on technical inspection, reporting and documentation.

²⁹ Interview with Ms. Munira Falaha



Challenges

During the course of the Stand up with the Teachers campaign, a number of critical challenges surfaced, the most pertinent of which include:

1. Characteristics of teachers and the ‘fear factor’

Working with teachers was very challenging. While their selection process focused on recruiting teachers who had strong leadership skills, and were passionate about the cause, those teachers were nonetheless infused with the ‘fear factor’. They were simply afraid to lose their jobs because there was no mechanism to protect them or compensate them if they actually lost their jobs as a result of their activism and engagement with the cause. Word of teachers’ engagement spread very quickly, and many employers threatened to fire them if they continued with the campaign. Eventually, three teachers lost their jobs, and until today, two remain unemployed.

Teachers in general are marginalized. They are subjected to authority from home, work, community, etc. These women were brought up to take orders from the male members of their families and society at large, and were, as such, conditioned to be submissive, subservient, and pleasing. These women simply do not know how to voice an opinion or have a stance on any issue. They are also very easily swayed, as they lack the ability to form an opinion and the skills to negotiate. Additionally, these women are mostly not inclined to have professional aspirations, and as such lack the culture of, and commitment to work. When in groups, they gossip about one another, and do not adhere to high professional standards. It was also noted that many teachers do not have a university degree.³⁰

Teachers take on these jobs primarily because of financial necessity. As such, they are willing to accept any amount that is offered to them. They are not willing to jeopardize losing their job because it will be very difficult for them to find another ‘suitable’ one in an economy that suffers from low job generation rates in general.³¹

*‘Teachers accept harsh working conditions because they need whatever extra income they can earn.’
Abeer Al Akhras – Jordanian Teachers Syndicate*

2. Protection of teachers

As mentioned in the point above, three teachers who were engaged in the campaign ended up losing their jobs. These women were not supported and did not receive any form of protection or compensation. As such, other teachers became reluctant to sustain their engagement out of fear of losing their jobs. NCPE is currently contemplating how this protection can be best institutionalized. An insurance scheme, similar to what the maternity fund is providing through the SSC, is currently being envisioned.³² While the real solution lies in them being protected by either the Jordanian Teachers Syndicate or the Union of Workers in Private Education, both unions lack the capacity, capability, and resources to provide this support.

The lack of a protection mechanism was a major drawback for the campaign. After it gained traction, and the three pioneer teachers lost their jobs, many teachers became fearful of sustaining their

³⁰ Interview with Ms. Reem Manna

³¹ Interview with Ms. Siham Mazahreh

³² Interview with Ms. Eman Ekour



engagement with the campaign. Even though prominent stakeholders and decision makers got involved, none was able to stop the schools from firing those teachers.³³

'No one was able to protect them. Those teachers helped spread awareness, but even if others knew about the issue, it was not sufficient because no protection mechanism was put in place.' Abeer Al Akhras – Jordanian Teachers Syndicate

3. Rampant violations

According to the interview with MOE, it is estimated that around 40% of the current staff at private schools are informally hired. This entails that the teachers do not sign contracts, and do not receive any on-the-job benefits such as social security coverage. They are also paid below the minimum wage, and are required to do additional tasks including accompanying children on buses, and cleaning.

The major issue that propels and sustains these violations is that the overwhelming majority of teachers are simply unaware of their duties and legal rights. And school owners take full advantage of this weakness. As such, it is imperative that teachers be informed of what is rightfully theirs.

'Awareness is equally important as inspection.' Dr. Ahmad Shawabkeh – Union of Workers in Private Education

According to MOE, the unions need to play a pivotal role in spreading awareness and advocating for teachers' rights. Various communication tools, including radio stations, TV, and social media need to be employed in an intensive manner in order to spread awareness among teachers nationwide.

Violations are particularly rampant in the kindergarten years. It is estimated that over 70% of kindergarten teachers are paid below the minimum wage. It is also more difficult for MOE to regulate their work because during these early learning years, the school is not obligated to report student grades to MOE.

'The violations we hear about that take place in private schools are not to be believed. No one expects such incidents to take place in educational institutions.' Wafa Al Sayyed - MOE

MOE is currently working on curbing violations taking place at private schools through the following measures:

- Requiring private schools to register all teachers on their payrolls with the ministry on annual basis.
- Collaborating with the SSC to verify that private schools are complying with the terms of the 'standard contract' and that they are making social security payments on time, and throughout the 12-month period if contracts are renewed. The instruction will require schools to be approved by the SSC before their licenses are renewed. Failure to obtain this 'clearance' from SSC will result in revoking the schools' licenses.
- Undergoing an organizational restructuring process, including hiring additional staff for the inspection process. This is not a concrete plan though and might not materialize.
- Requiring schools to transfer salaries of teachers to their bank accounts.

³³ Interview with Ms. Abeer Al Akhras



'While the above might not be comprehensive, every action helps rectify one area.' Siham Mazahreh
- MOE

4. Weak inspection and compliance

There are currently many violations taking place in the education sector, and both MOL and MOE do not have the needed staff to ensure compliance with the laws and regulations in force. The number of inspectors is insufficient, and they are also not properly trained to carry out inspection missions in a systematic manner. With over 600 schools in Amman alone, MOE is unable to ensure compliance without having on board a sufficient cadre of qualified inspectors. Inspection takes place when a complaint is filed by a parent, teacher, etc. The complaint is usually sent through official mail or by email to MOE. Upon receiving the complaint, a 3-person committee is formed, and the inspection is done without notifying the school's administration. During inspection, the committee looks for any possible contractual violation by examining paperwork, and questioning the staff, students and parents if possible. If a school receives three warnings, it is automatically shut down. According to MOE, this action has been taken several times.

As for MOL, Ahel indicated that the ministry is neither strict nor consistent with their inspection and compliance process. As such, an important aspect of the equation is missing – deterrence. The number of inspection visits is limited, and repeated school visits are basically non-existent. Moreover, MOL does not have a documented standardized operating procedure for the inspection process, thereby leaving the process at the discretion of the inspector. Inspectors are also not very knowledgeable about the laws in force, and as such, are not fully capable of identifying the full spectrum of violations.

'Once I checked the inspection report of an MOL inspector. I noticed that one school had 5 documented violations, but was only penalized for 3. When I enquired why not all 5 violations were accounted for, the inspector responded that she did not want to burden the school with a heavy fine. Inspectors give penalties based on their own intuition and not on anything that is documented.'
Reem Manaa – Ahel

The inspectors also reside in the same area that they inspect. As such, the likelihood of the school owner being a relative, neighbor or friend is high. This makes it very difficult for the inspectors to carry out their jobs appropriately. Additionally, MOL's directorate in Irbid has only two cars, making inspectors' mobility difficult and hinders their ability to be responsive to complaints in a timely manner. Finally, inspectors do not enjoy additional financial incentives when they inspect schools as they do when they inspect businesses that hire illegal workers. Therefore, inspectors prefer to carry out the latter as it pays more.³⁴

'When teachers see how weak the inspection process is, they do not feel safe to 'revolt' against their employers, even if they have been the victims of injustice.' Reem Manaa - Ahel

Moreover, the hotline that is run by MOL is described as 'useless'. It is manned from Amman, and only takes action when calls originate from Amman. The hotline might process a call from another location, but it is not certain if the complaint gets channeled properly to the concerned authorities. And if it is channeled, it is not certain if action will be taken. Teachers in general do not consider the hotline to be an effective tool for reporting a violation.³⁵

³⁴ Interview with Ms. Munira Falaha

³⁵ Interview with Ms. Reem Manaa



5. Licensing and registration process

The registration and licensing process, while cumbersome, allowed for schools to be cluttered in one geographical location, and did not set clear criteria to ensure that quality education is offered. However, MOE is now being more stringent about licensing newer schools.

'MOE has curbed back significantly on granting licenses, following a time when licenses were liberally issued, which resulted in the proliferation of poor quality schools.' Mousa Sbeiha - SSC

The annual license renewal process is cumbersome and time consuming. The requirements are very lengthy, and necessitate the approval of many entities. There is also no regulatory stability, making the education business climate very volatile.

6. Administrative and HR capacity of private schools

Working with the administration and management of private schools has also been challenging. The majority of private schools lack an HR function, as it is generally viewed by the schools as an added and unnecessary expense.³⁶

7. Regulation of private educational institutions

The current regulation addresses mainly issues of registration and licensing. It does not tackle aspects related to the working environment, rights of teachers, selection criteria of the principal, nor does it identify an entity specialized in resolving any disputes that might arise between the school and the teachers. It also does not address classification of schools. There was significant pressure and lobbying from private school owners not to touch the regulation.

'If we work to change the regulation of private educational institutions to address the working environment, we will solve the problem. The current regulation is devoid from the essence of teaching. The regulation in place is focused on the hardware and not the software.' Abeer Al Akhras – Jordanian Teachers Syndicate

It is currently believed that the main obstacle to curbing rampant violations at schools is the current regulation that governs private educational institutions. The regulation is believed to be outdated and needs to be updated to include clauses that ensure private schools comply with minimum wage payment and social security inclusion. The standard contract alone is not sufficient to achieve this. Private school owners are people of strong influence, and have a stake in sustaining the status quo.³⁷

'Amending the regulation that governs private schools is very important on the way to compliance and adherence with the laws in force.' Najah Al Natour – Founding member of the Stand up with the Teachers campaign

8. Powerful private school lobby

Moreover, the owners of private schools in Jordan are a force not to be reckoned with. As a lobbying group, they are infiltrated within the bureaucratic system of MOE and will do whatever it takes to

³⁶ Interview with Ms. Eman Ekour

³⁷ Interview with Mr. Mousa Sbeiha



maintain the status quo. Their main drive is to keep costs at a minimum so as to sustain higher profits.

'There are many 'forces' working against any change that might take place in the education sector. Private school owners are very difficult to work with.' Eman Okour - MOL

'Private school owners are a 'reverse force'. They are fighting any change that might impact the status quo.' Najah Al Natour – Founding member of the Stand up with the Teachers campaign

Next phase of the campaign

This initiative has gained notable traction, and many successes can be celebrated.

'While traction has been slow, we have succeeded in spreading awareness all over the country. The number of complaints received from teachers has skyrocketed since we first started.' Najah Al Natour – founding member of the Stand up with the Teachers campaign

The education sector will continue to be the prime sector of focus given that many women are employed by the sector, and a substantive segment of them are marginalized and are victims of many legal and contractual violations.

As a next stage, the campaign will expand to include Amman and Zarqa. Effort will be focused on creating more leaders through various awareness raising schemes. The ultimate objective will be to form a large group of 'core teachers' who have solid leadership skills, and a strong passion for the cause. The larger the core group, the stronger and the more sustainable the momentum will be.

'Focus is now being made on recruiting teachers who have strong personalities and exhibit strong leadership skills.' Najah Al Natour – Founding member of the Stand up with the Teachers campaign

Moreover, teachers feel much safer if they work in large groups, and effectively build solid friendships and bonds. Having the support of their families is also critical for the teachers. As such, the campaign will continue to reach out to parents and husbands to seek their support for the cause. Engaging male family members in the past was not very effective because men in general are not accustomed to working collaboratively with their female family members. The natural relationship between them is unequal with males being the authoritative figures. Male members also have an element of fear, as they have shared their concerns about their daughters/wives losing their jobs as a result of their engagement with the campaign.

Ahel's work with the core group will focus on raising awareness about legal rights, in addition to building negotiation and community organization skills. Focus will also be made on stimulating this group to meet periodically, even if not over the issue of minimum wage. The objective will be to increase the frequency of their meetings, and to get the core team to bond, practice discussing issues, and voice an opinion over any matter. **It is also imperative, going forward, for an established entity to adopt this campaign and sustain the momentum that Ahel will be working on building.** This support needs to be maintained for at least three years, and until the core group is empowered to effect the needed change. JNCW would be a natural incubator for it, but to-date, their engagement has been very limited although they showed keenness to support. The core team of the campaign sought legal counsel, and is currently contemplating various legal forms for the campaign. The inclination, however, is to establish a not-for-profit company that is registered with the chambers and the ministry of industry and trade. It is believed that this form of legal entity will give



it more ‘teeth’ and bargaining power than establishing it as a non-profit organization. Ahel is currently conducting an assessment on how the campaign can be transformed into an independent body to ensure its sustainability. The ILO is funding this assessment.

‘We have accomplished a significant amount of work. We managed to spread nation-wide awareness about the violations taking place in private schools throughout the country. The main objective now, going forward, is to work on institutionalizing the campaign. This will be very critical to sustain the momentum, and give it formal stature. Being formalized will enable us to open direct channels of communications with all relevant entities, including the government and parliament.’ Najah Al Natour – Founding member of the Stand up with the Teachers campaign

Table 2: Main milestones of Ahel’s engagement with the Stand up with the Teachers campaign

Year	Main milestones
2014	<ul style="list-style-type: none"> - Kick off meeting with NCPE and official engagement of Ahel - Adoption of community organization as a methodology for change at the grass root level - Initial meeting with mobilized teachers in Irbid. Did not gain much traction as a first attempt
2015	<ul style="list-style-type: none"> - Additional attempts to mobilize more teachers - First official meeting of teachers - Formation of first core mobilization team comprised of 5 teachers and one inspector from MOL - Formulation of mobilization strategy - Launch of Facebook page, with membership base ultimately reaching close to 5,000 teachers - First community organization workshop - Selection of campaign name and logo - A number of awareness sessions, publicized by communiques. Teachers were trained to write communiques and press releases in a systematic manner. - Use of street signs and billboards in Irbid to promote cause of campaign - Publication of 3 success stories of teachers that won legal cases raised against employers - Clear resistance of teachers to appear publically in media outlets. - Rising tensions with the Jordanian Teachers Syndicate due to lack of clear roles and responsibilities, and weak organizational capacity of the association. - MOE formally alerts private schools to comply with the collective contract - Two active teachers lost their jobs as a result of their involvement in the campaign - MOL agrees to inspect 30 private schools based on recommendation of teachers - MOL is notified of the weak inspection process, and the ineffectiveness of the dedicated hotline
2016	<ul style="list-style-type: none"> - Publishing newspaper articles highlighting methods private school owners use to deceive teachers - Holding legal and communication workshops. Second legal workshop was delivered by the teachers - Wider use of social media outlets that have a large audience, such as Aramram - Inclusion of MOE in NCPE - Publication of the legal guide, and distribution of 500 copies - Releasing a series of legal awareness videos on social media - Meetings held with the Social Security Corporation and the Private Schools Workers Union to bring them on board. Teachers enabled to present the case to both



Year	Main milestones
	<ul style="list-style-type: none"> - Engagement of parliament - One teacher loses her job as a result of her engagement with the campaign - Review of MOL’s private schools’ inspection - Facebook page members reach 6,000 - Joint MOE and SSC decision of private schools’ compliance of paying teachers 12 months per year - Training of inspectors

Source: Ahel

5.4 Policy and procedural measures

A number of policy and procedural measures surfaced as a bi-product of NCPE’s legislative and programmatic efforts.

5.4.1 Memorandum of understanding

As a result of NCPE’s advocacy efforts, MOE issued a letter on July 10, 2016 to the Private Learning Directorate at MOE instructing them to inform private schools that they need obtain clearance from the SSC prior to submitting their annual license renewal application. Making the SSC approval a pre-requisite to the license renewal process aims to curb violations committed by private schools, given that many of them fail to make social security contributions in a timely manner and especially during summer time when schools are out. The circular also stressed that the license may effectively be revoked permanently.

The SSC became engaged with NCPE two months ago, however, the corporation has been involved in the ‘pay equity cause’ for over two years now. The SSC began its own campaign in 2014 to ensure that business owners are complying with paying the minimum wage. Compliance, of course, is critical for the SSC, because it impacts its revenue streams.

NCPE **succeeded** in bringing the three critical parties relevant to the compliance process of private schools to discuss formulating a working mechanism for this process. Two of these parties (MOE and SSC) will sign an MOU soon.

Violations are detected through frequent SSC inspections, and by receiving complaints from employees. SSC’s inspectors are well trained to detect these violations, and conduct a rigorous inspection when on site by reviewing the pay slips and attendance lists. They mainly verify if the contractual wage is paid, and that all employees are covered by social security. Complaints are received through the following channels: 12-hour hotline that is operational even during public holidays; emails; and complaint boxes that are available in every branch throughout the country. SSC noted that teachers are very ‘scared’ to file a complaint.³⁸

NCPE is therefore currently working on instituting a working mechanism between MOL, MOE and SSC to intensify the pressure on private schools to comply with the payment of the minimum (or contractual) wage, and ensure that the full spectrum of benefits, as per the laws in force, are granted to teachers. This working mechanism will be formulated by an MOU that will be signed soon by MOE and SSC. MOL is currently inclined to sign an MOU that pertains to information sharing only.

³⁸ Interview with Mr. Mousa Sbeih



During the workshop deliberations, one of the suggested pillars of the MOU was to include aspects related to the inspection process. It was proposed to establish a one-stop-shop at MOL for receiving and processing complaints from private school teachers, and to set-up a dedicated hotline for this purpose. Moreover, the inspection process that is carried out by each entity will need to be modified to include a 'checklist' that will enable an inspector from one entity to identify any violations relevant to the other entities. This in part will help resolve the shortage in inspectors in all three entities. So for example, while the SSC's main concern is to verify during the inspection process that all employees are paid the 'real' wage and are covered by social security insurance, its inspectors will now verify whether or not the school is using the collective contract and inform MOE and MOL respectively.

The other suggested pillar of the MOU will be to ultimately create a data base that can be shared and accessed by the three entities. The data is proposed to be populated and updated by the SSC, which then alerts both MOL and MOE if any violations are taking place such as the suspension of social security payments during the summer months. Subsequently, both MOE and MOL can take corrective measures that include the non-renewal of the school license until matters with the teachers are rectified. Civil society must also be a party to this arrangement in order to sustain the pressure on all three entities and ensure its effective implementation.

'Civil society must be party to the MOU, and should play an active role in the oversight and evaluation process.' Abeer Al Akhras – Jordanian Teachers Syndicate

(See Annex 3 for the suggested draft MOU)

5.4.2 Golden list

The idea of developing a *golden list* is to publically recognize and reward private schools that are in compliance with the law and provide a slew of additional benefits to their teachers. While efforts will be intensified to penalize schools that do not adhere to the law, the direction is to reward schools that do more than is required of them. The objective is to incentivize schools to improve the working conditions of teachers, and elevate the status of teaching into a viable profession. The qualification criteria for the list are currently under development. The inclination is to develop varying sets of criteria depending on the school size, and the set of benefits each can provide to its cadre of teachers.

'Schools value MOE privileges more than MOL's.' Nour Emam – Lawyer

Suggested incentives include simplifying social security and ministry of labor procedures, and most importantly ministry of education instructions with regards to teacher appointments.

'If a school has 50 teachers, and 10 resign, the school has to re-register the new and the old teachers again with the ministry. This is very cumbersome.' Munther Al Sourani – Association for Owners of Private Schools

Other incentives suggested by the Association for Owners of Private Schools include the issuance of gratitude letters; granting the school public recognition; giving plaques with inscriptions awarded by MOE; in addition to possible visits by the minister.

(See Annex 4 for the current suggested draft of the Golden List criteria).



6 What has been achieved to date by SADAQA?

6.1 Provision of childcare services in the workplace – a business case

SADAQA, with the support of the ILO, developed a business case for the benefit of establishing daycare facilities in the workplace. The objective was to document the business case and promote it among legislators and employers.

Developing the business case was important for three reasons. First, it provided an important advocacy tool with which SADAQA is now better able to promote the importance of providing childcare services both to the private and public sectors. Second, the business case validated SADAQA's cause and what the team was advocating for. It basically endorsed the need to advocate for changes in article 72 of the labor law. Third, it presented a number of recommendations and actionable items, which SADAQA will use to build on their future work.

Using the results of the business case, SADAQA will work on developing models, outside what is mandated by article 72, to ensure the adequate and viable provision of childcare support by both the private and public sectors. SADAQA will also develop a white paper on how tax exemptions can be used as an incentive and a reward to the private sector for providing childcare services. Tax exemption was suggested as a way for government to pay and take responsibility for providing this critical service to enable women's economic participation.

6.2 Establishment of nurseries at the workplace

SADAQA, with the support of the ILO, worked on promoting article 72 of the labor law with 3 private educational institutions. As such, SADAQA succeeded in establishing nurseries at two schools (Al Qadah Al Duwalieh, and Al Samiya), in addition to one university (Zaytouneh). SADAQA also succeeded in reaching out to other educational institutions, and provided technical support. Working with the education sector is much easier as educational institutions have the needed infrastructure and resources to support the provision of childcare services. This is much more difficult in other sectors. The garments sector, for example, is very challenging because women are transported to industrial locations far from where they reside. It is therefore difficult to subject children to long commutes. Moreover, industrial zones are not viewed as ideal areas for children to be present in. SADAQA's experience with the banking sector was also challenging. Banks, as is the case with most other businesses, prefer not to host a daycare facility within their premises. Foremost, extending this service requires a sizeable investment in terms of equipping a suitable space, and hiring staff to run it. Second, operating a daycare facility requires expertise that these companies do not have and do not wish to venture into.

SADAQA has come to the realization that businesses need to be presented with more options. These include enabling companies, among others, to outsource this service to a nearby childcare facility; compensate eligible female employees; or develop a voucher system whereby eligible female employees can use them in a daycare facility of their choice. Some traction is taking place with the Al Etihad bank where SADAQA is helping them reach an agreement with a nearby children's club, which will provide this service to the bank's employees.³⁹

³⁹ Interview with Ms. Randa Naffa



7 Conclusions, recommendations and future entry points

With the limited resources available to NCPE, efforts to-date have been substantial and quite far reaching. And this has been the sentiment conveyed from all those who were interviewed during this review process. The initial stage of work kick-started a multi-pronged approach to tackling pay-equity and at the various levels. Foremost, NCPE worked diligently on building consensus among the key stakeholders and drove the momentum for effective change at all levels. This included approaches at the national and grass roots levels designing legislative, advocacy, programmatic, and policy interventions among others. Going forward, it is imperative that NCPE is duly empowered and support within MOL. Additional focus must be made on putting processes in place; enforcing some regulations that will ensure prevention and deterrence; leveraging support from other donors, government entities, and stakeholders, and instigating civil society to pick up the cause.

There are many successful models around the world for reducing the pay gap that could be emulated. (see Annex 5 for a brief summary of three examples of successful models adopted for reducing the pay gap). And the government must take serious action to rectify the gap within civil service, and must also put in place a mechanism that enforces it. However, building similar approaches is a far-fetched cry given the incompetencies in place, the lack of systems, the biased legal structure, and meagre resources, in addition to the weak culture of compliance, monitoring and evaluation.

Serious and concrete actions must also be taken to ensure that more and more parents are provided with accessible and affordable childcare services in order to improve participation in the work force, and especially among women.

As such, the following ‘practical’ recommendations are proposed for the next stage of work:

1. Institutionalize administrative and technical support to NCPE and formalize working relations with stakeholders

For Pay Equity to sustain its momentum and effect change, NCPE needs stronger legal legitimacy, and further ‘institutionalized’ support from within MOL. NCPE was formed based on a request made by the minister, and subsequently established as a permanent committee, by a ministerial decision. It is administratively linked to the secretary general of MOL, and technically to the Economic Empowerment Unit within the Women’s Work Directorate. It is managed by Ms. Okour and Ms. Aslan, and the momentum is sustained solely by their individual efforts and drive.

Short-term (next 6-12 months):

- The current legal status of NCPE is the weakest form in government as its legal framework is based on a ministerial decision. As such, it does not have the weight and pull it requires outside the ministry, especially if the minister of labor does not prioritize NCPE’s quest. While NCPE works closely with a number of critical directorates within MOL, such as the Inspection Directorate, it also works with a wide array of stakeholders from the government, private sector, and civil society organizations outside the ministry to achieve its objectives. As such, and to give it prominence and national legitimacy, NCPE must be established by a decision from the prime minister. This will transform NCPE into becoming a ‘national project’, and will command the respect and cooperation of all those engaged. This legal framework will give NPCE stronger legal prominence and will sustain the momentum of its work.



- The administrative regulation measures and organizational structure for MOL were recently amended and approved. As such, it will be difficult to instigate further change. The current regulation, however, stipulates that a unit must be staffed with three persons. The Economic Empowerment unit currently has only one person (Ms. Ekour). As such, MOL can simply file a request to the Civil Service Bureau to fill the two vacancies to support NCPE's work from within the unit. In turn, clear job descriptions need to be formulated.
- The working dynamic between the relevant members of NCPE must be formalized and substantiated with clearly documented processes that govern the work of each member. Clear roles and responsibilities must also be communicated and documented. Effort must also be made to incorporate some elements of NCPE's work plan into those of its various members.
- The current MOU that is being developed to be signed by SSC, MOL and MOE must be bolstered with specific instructions and standard operating procedures. This will be important in clarifying roles and responsibilities at every juncture to ensure that members are held accountable should there be any delay in the process. Similar arrangements between other relevant stakeholders need to be made when new sectors are tackled.

Longer-term:

- Being linked to the Women's Work Directorate naturally makes NCPE's work a gender issue. In the long-run, however, the mandate of NCPE must become gender neutral because pay violations are taking place across sectors and among working males as well. The recommendation is therefore to set up a national independent commission in the long run, and allocate a budget for it and staff to run it in a professional and systematic manner. This will also be important to ensure that the government continues to lead and oversee the process of implementing the principle of equal pay for equal value of work for all workers, irrespective of gender. Going forward, and with a gender neutral mandate, NCPE will gain faster and wider traction.
- NCPE must effectively become entrusted with a high-level and strategic mandate, where it devises policies and programs that need to be adopted and implemented by others. These programs will have to be effectively plugged into the work plans of NCPE's stakeholders to ensure implementation and sustainability.
- It is also important for civil society to adopt the pay equity cause, in order to act as a watchdog, and keep the pressure on the government to sustain the momentum of change and reform. It will be important to have both as part of the equation in order to sustain progress. Subsequently, the Stand up with the Teachers campaign needs to be institutionalized to sustain momentum and pressure for change. Pay equity, as a general principle should also be championed by a well-established entity. SADAQA is well positioned to undertake this role.



2. Continue to push for legislative reform

Pay equity legislation is the foremost fundamental step towards reducing the gender pay gap. The ultimate objective is to equalize the wages of men and women across the entire wage scale. As such, efforts must be sustained to ensure that all legal changes are made according to the recommendations put forth by the legal review conducted by NCPE.

Therefore, it is imperative to intensify and sustain all advocacy measures to ensure that all the laws in force support the pay equity principle and are void from all discriminatory measures. NCPE should continue working closely with parliament and other relevant stakeholders to sustain the momentum, given that this change is anticipated to take some time.

In the long run, NCPE must expand its efforts to include the removal of all forms of discrimination in all labor related legislation. Given that SSC is an important partner, biases in the SSC law also need to be removed. The law currently reinforces the notion that the male is the sole breadwinner. The legal review study that was conducted by the ILO in 2013, reaffirmed the need to equalize the retirement age for both men and women to narrow the wage gap between them. As such, rectifying biases in the social security law will be an important cornerstone for attaining pay equity, and reinforcing the notion that women's work is as valuable as that of men's.

3. Maximize resource allocation and utilization

Given the dearth of resources, it is imperative to build a framework for engaging civil society to mobilize on the various issues in an effective, timely and sustained manner. To date, the onus of mobilization has been solely borne by MOL and ILO.

While JNCW is stretched out thin in terms of human resource capabilities. It has recently begun to focus on the women economic empowerment issue, and as such, does not have the staff needed to provide meaningful support to NCPE's quest at the time being. However, it will be important to engage JNCW in a more meaningful way, going forward, by involving the relevant staff at key junctures of the work.

NCPE could also broaden the scope of SSC's involvement to provide pertinent data on wages in a systematic manner. SSC can be the entity entrusted with carrying out periodic reviews of wages, and alerting of any possible pay gaps. This of course will need to be followed through with specific, and in depth sector analysis.

NCPE should also coordinate closely with other donors, to maximize impact, and offset the dearth in staff and resources. Main donors include USAID, the EU and GIZ. ILO's support must focus on 'institutionalizing' NCPE and bolstering its legal framework, while at the same time collaborating with other donors to boost the following:

- Enable expansive mobilization at the national and grass root levels. The grass root movement must eventually be sustained through civil society organizations.
- Raise the capacities of relevant associations in order to improve their offering to their members. Building the capacity of relevant associations to champion the cause and sustain the effort in the long run is important. Capacity building needs to focus on community engagement, community outreach, and advocacy among others.



- Build stronger and more effective monitoring, enforcement, compliance and evaluation systems and mechanisms within MOE, MOL and maybe SSC. Other entities can be brought in as NCPE expands its work into other sectors.
- Ensure the effective implementation of JNCW's pay equity, and childcare related plans. NCPE has plugged in some of its action plans into JNCW's.
- Support the SSC to develop technical capabilities to carry out periodic analysis of pay gaps across the various sectors.

NCPE must arrange to meet with those donors, and brief them about its mandate and work achieved to date. Gender empowerment, and women's economic participation ranks high on donor's agendas and they have the 'leverage' to push the Jordanian government to put in place the needed systems and schemes to help NCPE with its work. The ultimate objective would be for NCPE to get the donors to champion pay equity and childcare services as part of their country strategy for Jordan over the next few years. The other route would be to approach the various on-going donor-funded programs and explore ways to get support (ex. training and capacity building, or communication and outreach).

Pay equity is part of a larger reality that is reinforced by biases in social values and cultural norms. Therefore, it must be addressed as such. Key influencers from media, education, law and justice, among others from the private and public sectors, in addition to civil society should engage as active ambassadors to NCPE.

4. Bolster the inspection process of private schools

Deterrence is a key aspect of the formula and must be fortified with capable and competent inspection teams. In order to ensure that schools do not violate the rights of teachers, they must come to the realization that violation leads to penalization or suspension of the license. This requires building a vibrant system for monitoring and evaluation, enabled by clear and documented processes, and carried out by competent inspectors. This should also be augmented with a random audit process on inspections conducted within a period of time to ensure that inspectors are complying with the documented procedures.

The inspection process needs to be formalized to tackle both the individual inspection needs of an entity, in addition to a collective measure that enables an inspector from one entity to alert others if violations that concern them are taking place. This will bolster the inspection process.

Ensuring that inspectors are fully trained to identify violations and report them in a systematic manner is key. Inspectors must also be provided with the needed resources to enable them to carry out their duties in a timely and effective manner. As such, additional cars must be allocated to inspectors to ensure that they are able to inspect when needed. Additionally, inspectors must not be allowed to inspect in areas where they reside to prevent favoritism and leniency in penalization.

NCPE could also explore the possibility of transferring redundant staff from within the public sector to work as inspectors at MOL. A clear selection criteria must be developed to screen the most suitable candidates for the job. Potential candidates must also undergo rigorous training to ensure that they carry out their tasks in an effective manner. The process of inspection must be documented with clear procedures and assessment criteria. It must also include corrective and preventive actions.



The hotline that is housed and managed by MOL must have dedicated, and trained persons to operate it and channel complaints based on documented processes and procedures.

5. Protection scheme(s) for teachers

Need to devise a measure that protects teachers who lose their jobs as a result of their active engagement with the Stand up with the Teachers campaign. Without this ‘insurance’ mechanism, teachers will continue to be risk averse and hesitant to engage in the cause. Instilling a sense of confidence is important to recruit a critical mass of teachers that can achieve the needed change. Some suggestions include:

- **Develop a black list of schools** that severely violate teachers’ rights. Use this list to prevent teachers from applying to those schools. This list can be developed and championed by the campaign.
- **Add a provision to the current regulation governing private schools to obligate and mandate any private school wishing to end the employment of a teacher in an abrupt manner to provide concrete reasons for dismissal to MOE.** The objective is to further regulate the hiring and firing process and minimize unlawful firing practices. Given that the process of hiring teachers is already a process that needs the approval of MOE, so must their abrupt dismissal. This does not include cases of contract non-renewal at the end of its term. While the law in force protects teachers against unlawful dismissal, most teachers refrain from pursuing this matter legally. Dismissal must be based on clear criteria specified by the regulation. It should also be done after the teacher has received a number of warnings. As such, dismissal must be a gradual process and not an abrupt one that is done at the whim of the employer as is currently practiced.
- **Engage parents of the students** in the process, as they can play a role in pressuring schools not to dismiss qualified teachers.
- **Institute a safe and effective mechanism for receiving complaints** from teachers about incidences of violations at the workplace, and ensure that verifications and responses are done in a timely manner.
- **Focus on recruiting female inspectors** at MOL so that teachers can easily converse with and voice their concerns about any violations that may be taking place. MOE also needs to institute a ‘safe’ communication mode with female teachers, and make them feel protected by this institution.
- **Encourage the reporting of complaints to be done in groups** to enhance the bargaining power of teachers, and reduce incidences of dismissals.

6. Finalize the standard contract

Continue to engage relevant stakeholders, particularly MOL, MOE, the Jordanian Teachers Syndicate, the Association for Owners of Private Schools, and the Union of Workers in Private Education. Develop a contract that is transparent, clear, and provides more protection for workers. It is imperative that teachers in the private sector get at least the same privilege as those working in the public sector.



NCPE should continue to engage relevant stakeholders and sustain the momentum until consensus is attained. It should also explore the possibility of simplifying the language of the standard contract to enable teachers to fully understand their rights. Alternatively, an explanatory sheet summarizing legal rights covered by the contract can be attached to it as an annex.

7. Institutionalize the Stand up with the Teachers campaign

Giving the campaign a formal legal and official representation will ensure its sustainability, and will enable it to tap into support and funding from various donors. As a formal entity, it will also have a far stronger bargaining power with the government and other relevant agencies. It will also relieve NCPE from some of the time consuming logistical and administrative work, and allow it to focus on other pertinent issues.

Moreover, the possibility of recruiting retired female teachers to form part of the core team that leads the Stand up with the Teachers campaign should be explored. These teachers have no jobs to lose, and could provide support to younger teachers seeking solace. Retired teachers can also take part in a TOT program where they can be trained to train new recruits on a wide array of issues including legal awareness, community organization, and soft skill development including leadership and negotiation skills. Parents and family members should also be engaged in a systematic manner as their support is paramount.

8. Introduce new sector(s) of focus

The gap in pay equity needs to be assessed in other, non-‘sticky’ sectors, where the employment of professional and highly skilled women is prominent. The calculation of the gap must account for various variables including educational attainment levels, skills, work experience, seniority, and sector of work among others.

Expand focus into other sectors that have a critical mass of female employees, including pharmaceuticals, ICT, and financial services. NCPE needs to achieve quicker successes. The education sector will take a very long time to show results given the wide ranging social and economic stigmas that surround this sector.

It will also be important to engage the relevant ministries, and particularly MOICT, and sector business associations to help champion and sustain the process.

9. Sustain awareness efforts

Devise a nationwide campaign, using various media outlets to inform teachers of their legal rights and obligations. Employ various communication tools to reach a wider base of teachers throughout the country. These tools to include social media, radio and television stations, and print media. A nation-wide campaign, through the use of street signs and banners would also be effective in drawing national attention to the issue.

Teachers are mostly from marginalized segments of society who are more likely to appease rather than stand up for their rights. Continue with training and awareness efforts to build confidence and



knowledge. Equip them with the needed skills to voice an opinion and negotiate. Instill a sense of value of one's worth and contribution to society as a whole.

While teachers need to be made fully aware of their legal rights, private school owners must also be made fully aware of the consequences of any legal violations they might be committing. This must be documented as part of the legal instructions that govern the work of private schools, and must also be echoed during the license issuance and renewal processes at MOE. The Association for Owners of Private Schools and the Jordanian Teachers Syndicate must play a role in spreading awareness in this regard as well.

Furthermore, legal awareness must be extended to students at universities and community colleges before they graduate as it is documented that fresh graduates suffer the most from contractual violations.

10. Develop a more inclusive approach that engages private schools

Amend regulations and instructions pertaining to private schools in a manner that provides the needed guidelines for instituting HR systems at schools. This includes the integration of basic HR functions and processes such as recruitment, performance evaluation, compliance with labor and employment laws, training and development of staff, compensation and benefits, safety and employee relations.

The approach to rectifying violations in pay must be addressed in a holistic manner. Schools need to be supported to help meet their needs. Foremost, they need to be supported to generate profits, while at the same time meet all legal and operational requirements. Therefore, extend a 'helping hand' to schools wishing to improve their practices, by building their administrative and financial management capacities. Work with a number of pilot schools in Amman, Zarqa and Irbid. Select schools whose principals are supportive of the campaign, and wish to advance the educational offering of their schools. Also work with MOE to provide participating schools with longer deadlines to rectify their violations. Continue to engage the Association for Owners of Private Schools in the process to ensure their support. Its capacity to provide similar services to other schools can be developed in the process.

Spread awareness among school principals on the importance of compliance with the laws in force, and curbing all forms of violations against teachers. Awareness must aim to raise their understanding of the benefits of improving the working environment for teachers, as this reflects on improved business performance and profitability. When teachers are well taken care of, and they enjoy an array of benefits, then their performance improves, which in turn enhances the educational offering of the school. Teachers must also be made aware that an improvement in their working conditions is in fact a win-win situation for both the teachers and the schools. As such, by enabling teachers to convey this information to their administrators also improves their bargaining position with the school. Documenting this in a brochure will also help in disseminating the information to other schools.



11. Continue to support efforts to improve access to childcare services

Amend Article 72 of the labor law

The current wording of the article does not support women's participation in the workforce, and does not support changing perceptions about women's role in society. Specifying the number of female workers to 20 also excludes 98% of companies in the country from complying with the article. It is therefore recommended to **amend the article to make compliance linked to the number of working employees (both men and women) and not only to the number of female workers at each company**. This serves two objectives. Foremost, it removes the disincentive companies currently have from employing women. Secondly, it enforces the principle that men and women are equally responsible for childcare. The amendment is also recommended to **include alternative options for the organization, other than directly providing childcare services on premises** as this has proven to be logistically difficult for most. These alternatives could include paying a monthly allowance to cover the cost of childcare; or enabling companies within close proximity to pool resources to establish a day care facility that is nearby to all.⁴⁰

Brand day care as a public good

The government and the private sector must view childcare services as a **public good** that generates social and economic returns. It fundamentally supports efforts to improve women's economic participation in economic life, and therefore generates significant economic gains. It also re-enforces gender equality in the economy as a national requirement. As in the case with any public good, providing it necessitates that both the private and public sectors share the financial burden of providing it. The brunt of childcare service provision should not be solely borne by the private sector. The provision of childcare services by the private sector is purely a financial decision. As such, **the government must provide financial incentives for companies that comply with article 72 of the labor law**, in order to lower the costs of setting up and running childcare facilities on their premises. **Incentives could be in the form of tax breaks.**⁴¹

Support the establishment of a national umbrella for childcare services

Establishing a non-profit company or an NGO at the national level will be needed to facilitate the systematic proliferation of childcare services throughout the country. The concept is to have a national entity with the following mandate:

- Ensure that all working parents have access to safe and affordable childcare services.
- Establish nurseries close to residences of working families, and particularly in geographic areas where the employment of women is low. Ideally there should be a national plan based on population density of each geographical area.
- Develop a set of quality and operational standards with which nurseries must comply.
- Build a franchising scheme to ensure that collaborating nurseries (franchisees) are replicating the same operational model which ensures the provision of quality, safe and affordable childcare services.
- Collaborate with CBOs and municipalities throughout the country to provide adequate spaces where childcare facilities can be established.
- Support companies that are mandated to establish day care services on their premises with technical and operational expertise. Monitor adherence to quality and safety regulations.

⁴⁰ Value of Daycare Services at the Workplace – case study on the telecom sector. SADAQA, September 2016.

⁴¹ Ibid.



- Provide companies that cannot logistically or operationally run a day care facility on their premises with other viable alternatives. This includes finding nearby nurseries that the companies can outsource this service to, or developing a voucher system whereby employees can use those vouchers to redeem day care services at any nursery of their choice (ex. near residence and not work)
- Work closely with the Ministry of Social Development to ensure the efficient and effective registration and licensing of nurseries wherever and whenever needed.
- Develop an efficient and effective monitoring and evaluation system of nurseries.
- Publicize stories and successful models of companies that have established day care facilities.
- Conduct research and publish periodic studies on the socioeconomic value and impact of providing childcare services. Publish information generated from the monitoring and evaluation process to inform policy and decision making.
- Raise awareness about the importance of women's economic participation.

Today, SADAQA is best positioned to assume this role especially that they are assuming many of the roles mentioned above.



8 References

Ahel. (2016). *Final progress report, Stand up with the Teachers, Phase III Irbid*.

Al Jidara Consulting Services. (2014). *Decent Work Country Program – mid-term review*.

Al Jidara Consulting Services. (2014). *Jordanian Women in the ICT Sector*. Retrieved from UN Women's website: <http://jordan.unwomen.org/en/digital-library/publications/2014/6/jordanian-women-in-the-ict-space>

Chicha, M. (2006). *A comparative analysis of promoting pay equity: models and impacts*. Retrieved from ILO's website: http://www.ilo.int/wcmsp5/groups/public/--ed_norm/--declaration/documents/publication/wcms_decl_wp_27_en.pdf

Dajani Consulting. (2013). *A study on the gender gap in the private education sector in Jordan*. Retrieved from ILO's website: http://www.ilo.org/wcmsp5/groups/public/--arabstates/--ro-beirut/documents/publication/wcms_230673.pdf

International Labor Organization. (2013). *Gender Pay Discrimination in Jordan: A Call for Change*. Retrieved from ILO's website: http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_213754/lang--en/index.htm

International Labor Organization Regional Office for Arab States. (2013). *Towards Pay Equity: A Review of Jordanian National Legislation*. Retrieved from ILO's website: http://www.ilo.org/wcmsp5/groups/public/--arabstates/--ro-beirut/documents/publication/wcms_215608.pdf.

Lahey, K. (2016). *Equal Worth: Designing Effective Pay Equity Laws for Alberta*. Retrieved from the website of Parkland Institute: http://www.parklandinstitute.ca/equal_worth

National Steering Committee for Pay Equity. *Frequently Asked Questions on Pay Equity in Jordan*. Retrieved from ILO's website: http://www.ilo.org/wcmsp5/groups/public/--arabstates/--ro-beirut/documents/publication/wcms_220576.pdf

National Steering Committee for Pay Equity. *NCPE Equal Pay for Equal Value of Work Position Paper*. SADAQA. (2016). *Fair wages and child care: promoting dignity and equality by empowering workers in the private sector in Jordan –technical report*.

Shomali. Y. (2016). *Value of day care services at the workplace – case study on the telecommunications sector*. SADAQA

Stand up with the Teachers campaign. *Initial and updated strategies*.

Tzannatos, Z. (2016). *Effects of gender inequality in employment and pay in Jordan, Lebanon and the Occupied Palestinian Territory: Three Questions Answered*. ILO

UN Women. (2011). *Countering Gender Discrimination and Negative Gender Stereotypes: Effective Policy Responses*. Retrieved from UN Women's website: <http://www.unwomen.org/en/news/stories/2011/7/countering-gender-discrimination-and-negative-gender-stereotypes-effective-policy-responses#sthash.KbUPpSzS.ZoUCUzQb.dpuf>



World Bank. (2016). *Women, Business, and the Law: Getting to Equal*. Retrieved from the World Bank website: <http://wbl.worldbank.org/~media/WBG/WBL/Documents/Reports/2016/Women-Business-and-the-Law-2016.pdf>

World Economic Forum. (2016). *The Global Gender Gap Report*. Retrieved from the World Economic Forum Website: http://www3.weforum.org/docs/GGGR16/WEF_GGGR16_Full_Report.pdf



9 Annexes

9.1 Annex 1: list of interviewees and minutes of meetings

Interviewee	Position	Interview Date
1. Eman Ekour	Coordinator of the Pay Equity Project Head of Economic Empowerment Department / Women's Directorate Ministry of Labor	November 17, 2016
2. Reem Aslan	ILO consultant	November 20, 2016
3. Siham Mazahreh	Directorate of Private Schools Ministry of Education	November 20, 2016
4. Wafa Al Sayyed	Directorate of Private Schools Ministry of Education	November 20, 2016
5. Musa Sbeihi	Director of Media (spokesperson) Social Security Corporation	November 21, 2016
6. Lina Kubartay	Head of Insurance Awareness Section Social Security Corporation	November 21, 2016
7. Janet Al Rayeb	Research and Studies Section Social Security Corporation	November 21, 2016
8. Raghda Qandour	Freelance consultant	November 21, 2016
9. Salma Nims	Secretary General JNCW	November 22, 2016
10. Reem Manaa	Ahel	November 23, 2016
11. Munther Al Sourani	Association for Owners of Private Schools	December 1, 2016
12. Abeer Al Akhras	Jordanian Teachers Syndicate	December 5, 2016
13. Randa Naffa	SADAQA co-founder	December 5, 2016
14. Munira Falaha	MOL Inspector - Irbid	December 7, 2016
15. Najah Al Natour	Founding member of Stand up with the Teachers campaign	December 27, 2016
16. Dr. Ahmad Shawabkeh	Union of Workers in Private Education	December 27, 2016
17. H.E. Ms. Hala Bseiso	Senator	December 29, 2016
18. Dr. Abdullah Al Qudah	Secretary General, Ministry of Public Sector Development	January 11, 2017
19. Siham Khawaldeh	Director of Restructuring, Ministry of Public Sector Development	January 16, 2017



9.2 Annex 2: Standard contract suggested amendments

1. Duration of contract

The duration of the first school year as stipulated by the contract is now 10 months and the beginning and end dates are left blank for the employer to fill out. It is recommended to change the duration of the first year to twelve months, instead of ten, as per the circular issued by the minister of education in July 2016, and to specify that the contract becomes effective once the school year starts and in accordance with MOE's calendar. This change was requested because many employers suspended the contract after ten months to avoid paying during summer, and avoid making social security contributions. This change was contested by the Association for Owners of Private Schools on the grounds that obliging the employer to commit to hiring a teacher for 12 months, without allowing for a probation period during the first year is prejudicial against employers and places undue financial burdens on them. This condition would be acceptable if the employer is granted the right to dismiss a teacher during a probation period if this teacher is seen to be unfit for the job. Alternatively, the ten-month first year duration is left unchanged, with the stipulation that if the teacher is retained for a second year, then the contract is renewed from the date when the ten months ended. Moreover, some schools might need a teacher for a short period of time, six months for example. As such, the contract should leave the period of employment open to the employer. It should be noted that current legislation provides a probation period only for open ended contracts, and not for those with a specified period of employment such as the common contract. More dialogue must take place with the Association for Owners of Private Schools to resolve this issue. The SSC should intensify efforts to detect such violations if they occur.

2. Annual raise

Change the current annual raise percentage from no less than 3% to no less than 5% to be more in line with cost of living expenses.

3. Internal regulations

It is currently stipulated that private schools *ought to* have internal regulations approved by MOL, and that teachers must abide by those regulations. However, many employers do not find this article binding, and dismiss the need to have regulations in place. Moreover, many teachers are not made aware of those regulations, if they are in place, and as such, fall prey to possible violations. As such, it is recommended to obligate private schools to putting in place internal regulations, also approved by MOL, and to obligate teachers to comply with those regulations after they have reviewed them.

There is currently a conflict between MOE and MOL in this regard. The former obliges all institutions to have internal regulations in place as per the common contract, irrespective of size, whereas the latter obliges only institutions with ten employees or more to do so. As such, when MOL inspects a private school that has less than ten employees and has no internal regulations, it does not consider the school to be in violation of the law, although the school is violating article 2 of the common contract. Therefore, MOE and MOL need to resolve this issue.

4. Special leave

According to the collective contract, teachers are allowed to take sick, maternity, annual and breast feeding leave as per the labor law. However, it is not specified that teachers can take other leave during the school year, when they encounter special circumstances such as family death or illness of a child. It is therefore recommended to add a clause for *special leave*, given that it is substantiated with documentation.



5. Social security coverage

The current contract does not oblige the employer to include teachers in social security. As such, the recommendation is to add this obligation as it is illegal for an institution not to do so. It should also clearly specify that both the employer and the teacher make the contribution as has been noted that in many cases, employers deduct payments to be made by them from the teachers.

6. Bank transfer

The current contract states that an employer must transfer the salary of the teacher to his/her bank account, if he/she *wishes to*. Given the leeway given by teachers' choice of whether the salary is transferred or not, many employers refrain from doing so under the pretext that teachers do not wish to, which in many cases might not be true. The recommendation is to remove this option from the contract, and oblige employers to transfer salaries to the bank accounts of teachers. This is important as it allows the regulator to monitor what the amounts that are being paid to the teachers.

This has been contested by the Association for Owners of Private Schools on the grounds that smaller schools suffer from cash flow difficulties as they collect tuition fees from parents in stages and installments. As such, these schools do not have bank accounts and are only able to compensate teachers once cash becomes available. These schools do not have the capacity to pay teachers in systematic manner through bank transfers. In general, teachers working in such schools are in need of any financial earnings, and as such, are willing to settle for lower salaries, and whenever they are paid.

7. Number of original copies of contract

The contract stipulates that the employer is obliged to issue 4 original copies that are approved by the concerned authorities and entities. This, however, has burdened schools and teachers with additional costs as each contract costs JD4. The recommendation is therefore to obligate the employer to issue one original contract and three certified copies, which are assumed to be a fraction of the cost.



9.3 Annex 3: Suggested MOU draft

First Party: Ministry of Labor

Second Party: Ministry of Education

Third Party: Social Security Corporation

Supporting parties: Jordanian Teachers Syndicate

Main pillars:

1. Inspection

- a. Establishment of a 'one-stop-shop' at MOL for receiving and processing complaints of private school teachers, and dedicating a hotline for this purpose.
- b. Complaints to be monitored by processes by all relevant parties
- c. All parties pledge to announce the availability of a hotline that is dedicated for receiving complaints from teachers at private schools, whose legal rights are being violated.
- d. All parties to commit to channeling all teacher labor rights violations to MOL
- e. Development of one checklist that can be used by the inspectors and investigators of all parties during the inspection process to order to alert other parties of relevant violations taking place.
- f. Work on resolving complaints or channeling them to the relevant parties during an agreed period of time.
- g. Each party commits to assigning a liaison officer to guarantee the implementation of this MOU.
- h. All parties commit to ensuring that all private schools are using the common contract

2. Electronic Connectivity

All parties to the MOU to be connected electronically through a shared system to ensure that each relevant party is able to access complaints relevant to it in a timely manner.

3. Golden List

Issuance of a golden list by the minister of education based on clear criteria developed and agreed upon by all parties, according to which schools enjoy certain privileges.



9.4 Annex 4: Suggest Golden List criteria

School categorization:

The golden list will be open to schools of all sizes. However, the criteria for selection will differ by size or number of teaching staff given that larger schools have more resources, and as such, can provide a better offering to the teachers. Three categories are suggested:

- Schools with staff that is less than 20
- Schools with staff that is between 20 and 50
- Schools with staff that is over 50

Selection criteria:

For any school to qualify for the golden list, it must be in full adherence and compliance with the laws and regulations in force, and particularly with the labor law, social security law, the common contract, and internal instructions. Failure to do so automatically disqualifies the school.

Additional points are granted if the school offers any or all of the below. Depending on the points gathered, the school is either categorized as part of the golden or silver list. The objective is to provide an additional incentive for schools to improve to be enlisted on the golden list where more incentives are provided.

1. **Health care:** schools that offer partial or full medical insurance schemes to teachers, or if they have a doctor or nurse as part of their staff.
2. **Equal opportunity:** percent of female teachers in leadership positions; percent of females teaching subjects sought after by schools (ex. Physics, Arabic, social studies, PE, etc.); and the application of equal pay for equal value of work.
3. **Capacity building of teachers:** technical and professional training; worker rights awareness; certification and accreditation.
4. **HR system:** a clear system that includes payroll, job descriptions, and job stability measures (retention and turnover rates; years of employment at school of each teacher).
5. **International accreditations**
6. **Additional perks for teachers:** transport services; discounts for children attending school; performance rewards and bonuses (both financial and non-financial)
7. **Role of school in community:** role within community, and with parents; role of PTA.
8. **Engagement with Stand up with Teachers campaign (for schools where the campaign is currently present), and membership of staff in relevant associations.**



9.5 Annex 5: Examples of successful models for reducing the pay gap

Three main models:⁴²

1. Sweden and Quebec (Canada) - Correct discriminatory pay practices and eliminate the discriminatory pay gap

This model is a proactive model for ensuring pay equity. Companies are required to conduct an internal review to detect any pay gap, and then they are required by law to rectify any imbalances in pay. Companies are also provided with the needed technical support to carry out this review. Administrative bodies are also established to ensure compliance given that that legal provisions alone are not enough to ensure pay equity. There must be a specialized body that receives feedback from employees, and dually ensures compliance.

2. United Kingdom and the Netherlands – seeking to correct discriminatory pay practices

This model focuses on establishing non-discriminatory pay practices, and on promoting equal opportunities for males and females. It does not focus on actions aimed at eliminating the gap. The UK has a Code of Practice on Equal Pay, which serves as a guide for applying pay equity.

3. Switzerland and France – seeking to correct certain discriminatory practices and eliminate the overall pay gap

This includes measures such as verifying pay equity as part of the public procurement process.

The models vary significantly. Some work sequentially to identify and then rectify pay gaps in a very precise and structured manner. Others offer greater flexibility to organizations, and leave it at their discretion to rectify.

⁴² A comparative analysis of promoting pay equity: models and impacts. ILO 2006.