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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON  
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties to the Covenant, in  
accordance with Council resolution 1988 (LX), concerning rights  
covered by articles 6-9

JORDAN

[1 October 1986]

Articles 6-9

Article 6 of the Covenant concerning the right to work

A. Principal laws and regulations

1. Article 23 of the Jordanian Constitution.
2. Act No. 21 of 1960, as amended by Act No. 2 of 1965 and Act No. 5 of 1972.
3. Act No. 35 of 1976, concerning the Vocational Training Authority.

B. Information on the right to work

1. The right to work

Article 23 of the Jordanian Constitution stipulates that all citizens shall enjoy the right to work, that the State shall ensure the exercise of this right by Jordanians through its guidance and development of the national economy, and that the State shall promulgate legislation to protect this right.

Pursuant to article 23 of the Constitution, the right of Jordanians to work has been confirmed in a number of legislative acts, the most recent of which is Act No. 21 of 1960, as amended by Act No. 2 of 1965 and Act No. 25 of 1972.

Several measures have recently been taken to protect this right to work:

In view of the increasing numbers of foreigners working illegally in Jordan (70,000 workers on 17 February 1986), the Provisional Labour Act No. 18 was promulgated in 1984. Article 2 of this Act stipulates that an employer is permitted to recruit a non-Jordanian worker only if he requires experience or expertise that cannot be provided by Jordanian workers or if the available number of suitably qualified Jordanians is insufficient to meet his requirements.

At a meeting held in December 1985, the Jordanian Council of Ministers decided to take measures to protect the labour force in the agricultural sector. In short, this decision called for the liberalization of the market prices of Jordanian agricultural produce which, in accordance with a previous ministerial decision, were subject to price-fixing through the publication of a daily list of prices set by the Agricultural Marketing Board.

In June 1986, the Jordanian Government launched a campaign for the eradication of mendicity through the implementation of rehabilitation, employment and social programmes.

2. Technical and vocational guidance and training programmes, policies and techniques

Jordan has taken a number of measures to develop technical and vocational guidance and training programmes, policies and techniques:

Article 4 of Act No. 35 of 1976, concerning the Vocational Training Authority, stipulates that the Authority shall provide vocational training opportunities with a view to training technical manpower, improving their skills in various fields at all non-academic vocational training levels, and diversifying vocational training by the adoption of methods such as:

Industrial apprenticeship, which enables young persons to receive systematic, long-term training;

On-the-job training to improve the skills of workers;

Rapid and intensive vocational training in various fields.

In 1985, the number of persons enrolled in the Authority's various technical training programmes amounted to 832. Under these programmes, training is provided for a period of two years, followed by a third year during which the trainee gains experience, after which he can be classified as a skilled worker.

The objective of the Ministry of Labour and Development's Five-year Plan for 1986-1990 is to achieve a vertical and horizontal expansion in the scope of vocational training with a view to covering all fields of occupational specialization.

Jordan attaches importance to workers' education. Article 4, paragraph 3, of the Statutes of the Workers' Educational Institutes calls for the organization and conduct of studies and research on labour affairs, the promotion of workers' education and the publication of magazines and bulletins in accordance with the laws and regulations.

The Jordanian Labour Act stipulates that every worker employed by an institution subject to the provisions of the Act is entitled to 10 days' educational leave with pay for the purpose of improving his standard of education.

Article 7 of the Covenant concerning the right of everyone to the enjoyment of just conditions of work

A. Principal laws and regulations

1. Act No. 21 of 1960, as amended by Act No. 2 of 1965 and Act No. 5 of 1972.
2. The Social Security Act promulgated on 26 October 1978.

1. Information concerning the number of working hours

The Jordanian Labour Act stipulates that the number of working hours must not exceed eight hours per day although, due to the nature of their work, persons employed by hotels, restaurants and cinemas may be required to work for nine hours per day, provided that they are granted a rest period. Rest periods are not counted as part of the daily working hours (articles 37-40 of the Labour Act currently in force).

2. Safe and healthy working conditions

Jordan has promulgated a number of legislative acts to ensure safe and healthy working conditions:

The Jordanian Labour Act stipulates that employees of institutions subject to the provisions of the Act are entitled to sick leave for a period of two weeks each year, provided that they have worked in the institution for six months and that they submit a certificate from the institution's doctor. The first day of such leave is without pay. (Article 45/4 of the Labour Act).

Under the 1972 amendment to the Labour Act, the minimum amount of compensation for total incapacity resulting from occupational accidents was increased from 400 to 500 dinars and the maximum amount of compensation was increased from 600 to 700 dinars.

Article 3 of the Labour Act No. 21 of 1960, as amended, stipulates that, if the Minister of Labour ascertains that an operation at an institution subject to the provisions of the Act exposes any of its employees to the danger of bodily injury, poisoning or disease, he must officially designate that operation as dangerous and must order the necessary measures to protect workers engaged therein. He may order the suspension of work until the danger is averted, the security authorities being responsible for ensuring compliance with his order.

In article 3 (a) of the Social Security Act promulgated on 26 October 1978, the types of insurance covered by the social insurance scheme were defined as follows: insurance against industrial accidents and occupational diseases; health insurance for workers and beneficiaries; unemployment insurance.

3. Rest and leisure periods

Under article 45/1 of the Jordanian Labour Act, a worker employed by an institution subject to the provisions of the Act is entitled to two weeks' leave with pay after he has worked for the institution for not less than 240 days during a 12-month period.

Article 8 of the Covenant concerning trade union rights and the right to strike

A. Principal laws and regulations

Act No. 21 of 1960, as amended by Act No. 2 of 1965 and Act No. 5 of 1972.

B. Information concerning:

1. The right of employers and workers to form associations

Article 69, paragraph (a), of the Labour Act stipulates that employers and workers have the right to form their own associations to protect their interests and rights. Under article 78, an employer is forbidden to make the employment of any worker conditional on his undertaking not to join a trade union or to renounce his membership of a trade union.

2. The right of trade unions to join international organizations and local federations

Trade unions are entitled to exercise this right in accordance with the following provisions:

Article 70 of the Labour Act stipulates that any registered trade union has the right to join any international organization, subject to approval by the Minister for Social Affairs and Labour.

Under the provisions of article 78, trade unions are entitled to submit an application for registration as members of occupational or general federations.

3. The right to strike

Under article 103, paragraph 1, of the Labour Act, workers have the right to strike provided that they give their employer prior notification not less than 14 days before the date of the strike. In the case of workers employed in a public service institution, such notification must be given at least 28 days beforehand.

Article 9 of the Covenant concerning social security

A. Principal laws and regulations

1. The Social Security Act No. 23 promulgated in 1978.
2. The decision taken by the Council of Ministers in June 1986 to extend the scope of the social security scheme.

B. Information concerning social security

The social security scheme was incorporated in the Jordanian Labour Act under the terms of Act No. 23 of 1978, article 4 of which stipulates that the provisions of the Act shall apply to all workers over 16 years of age, without any discrimination on grounds of nationality, length of service or nature or level of remuneration.

Legislation has also been promulgated in connection with military and civilian pensions. Graded civil servants are entitled to a pension after serving for 20 years or more in the case of males, and 15 years or more in the case of females.

A civil servant who has not completed 20 years of service, or who is ungraded, is entitled to an end-of-service indemnity equivalent to the amount of his basic salary during his final month of service multiplied by the number of years that he has served.

In a judgement delivered on 26 July 1984, the Supreme Court had an opportunity to explain the expression "final basic salary" referred to in the Civilian Pensions Act No. 34 of 1959. The Supreme Court held this expression to mean the basic monthly salary plus one quarter of that salary, in accordance with the definition contained in article 2 of the Act.

In June 1986, the Council of Ministers decided to extend the scope of the social security scheme to cover Jordanian expatriates working abroad by giving them the option to benefit from its old age, disability and life insurance.