

Guideline for Employers in the Private Sector

(For Promoting a Safe Work Environment for Women's
Participation in the Labor Market)

The Objective of the Guide

This guide aims to motivate employers to increase the participation of women in labor institutions as a result of discrimination against women in the labor market, and the fact - according to many experiences and studies - is that pushing women into the labor market achieves economic growth that raises Jordan to a high level of sustainable development.

The Real Status of Working Women in the Labor Market

- **Low economic participation of women, and loss of social protection by 14% and 13%:**

Economic participation rates of Jordanian women in the Jordanian labor market have not changed for several years, and when comparing this percentage with the economic participation rate of males, we notice a large gap in favor of males.

- **Gender pay gap.**

- **Burdens faced by working women in complex roles:**

Although men share roles in society with women in the economic fields, traditional and caring roles are still among the duties of women, in the framework of child care. In sum, working women face complex roles and additional burdens, such as economic burdens and outside-home work.

- **Discrimination in the work environment:**

Although legislative texts and international conventions ratified by Jordan ensure the removal of distortions related to discrimination within the work environment, there are some practices related to the delay in women's access to leadership and decision-making positions within the work environment.

Legislative Framework to Promote a Safe Working Environment for Women's Participation in the Private Labor Market:

- The Jordanian Constitution guarantees the right of women to work, considers it a fundamental and inherent right, and explicitly stipulates the need to take the necessary measures and procedures in order to empower women economically, due to the weak economic participation of women in various countries, as statistics show that the high levels of violence are mainly related to the high levels of poverty among women, in addition to the widening gender gaps in various fields, including economic participation.

The First Axis: Economic Empowerment of Women in National Legislation (The Jordanian Constitution and Local Laws):

First: Women’s Right to Work in the Jordanian Constitution:

Article 23/1 of the Jordanian Constitution guarantees the right of citizens, both men and women, to work and the obligations arising from it. It states that **“Work is the right of every citizen, and the State shall provide opportunities for work to all citizens by directing the national economy and raising its standards.”**

Second: the right to women’s economic empowerment in the constitution:

The new constitutional amendments in 2022 were introduced in favor of Jordanian women, particularly concerning the right of women to support and empowerment. Article 6/6 stipulates the following: **“The state shall guarantee the empowerment and support of women to play an active role in building society in a way that guarantees equal opportunities on the basis of justice and equity and protects them from all forms of violence and discrimination.”**

-The right of working women/men to care for their children in a suitable place provided by the employer:

Article 72/A of the Labor Law states: **“An employer with a number of female employees, with no less than 15 children under the age of 5 should provide suitable childcare in the workplace, given the fact that multiple employers could collaborate to establish a shared daycare in their geographical area.”** Furthermore, the Nursery Regulations/System No. (77) of 2018, issued in accordance with Article (4) of the Ministry of Social Development and Labor Law No. (14) of 1956 in Article 3/b/1, stipulates that **“nurseries provide care for children from one day to four years old.”**

-The right of working women to maternity leave and working men to paternity leave:

The Jordanian Labor Law stipulates that pregnant working women have the right to maternity leave for a period of (10) fully paid weeks. This is outlined in Article (70) of the Jordanian Labor Law, which states: **“Women workers shall be entitled to maternity leave with full pay for ten weeks before and after delivery. Leave after delivery shall be no less than six weeks long and employment before the expiry expiration of such a period shall be prohibited.”**

The Jordanian Labor Law also addresses paternity leave in the context of family and child welfare. Article (66/j) states that **"a worker has the right to three days of paid paternity leave."**

-The right of working women to paid breastfeeding breaks for one year:

The Jordanian Labor Law ensures various rights to create a decent and safe working environment for working women and girls, including the right of a working woman to have one year of paid breastfeeding breaks starting from the date of childbirth. Article 71 of the Jordanian Labor Law states: **"After the expiry of the maternity leave stipulated in article (70) of this law, the working woman shall be entitled to take paid intermittent period(s) for nursing her newborn baby during a year since the delivery date, the total of this period shall not exceed an hour per day."**

- Prohibition of the dismissal of pregnant women or notifying them:

Article 27 stipulates that it is not permissible to terminate a pregnant woman's employment or notify her of termination by her employer during her maternity, annual, or sick leave. In the case that she is pregnant, her employment or notification of termination is prohibited, except with the approval of the competent authority.

-The right of working women to take one full year off for child-rearing:

Article 67 of the Labor Law states: **"Every woman worker in an establishment employing ten or more workers shall be entitled to a maximum of one year unpaid leave to bring up her children. She shall have the right to be reinstated at the end of her leave, but shall lose that right if she was engaged in gainful employment during that period."**

-The right to take leave to accompany one's spouse to work outside the governorate or the country:

Article 68 stipulates that **"Every worker, male or female, shall have the right to take unpaid leave once for a maximum period of two years to accompany his or her spouse if the latter is moved to a work place in a province other than the one in which he or she normally works or abroad."**

-The right to non-discrimination in wages between genders:

Article 53 of the Labor Law states: "An employer, or person acting on his behalf, who has paid a worker less than the minimum rate of remuneration shall be punishable by a fine of no less than five hundred twenty dinars and no more than one thousand dinars in respect of each offense, and shall also be ordered to pay the worker the difference. The penalty shall be doubled every time the offense is repeated."

-The right to annual leave not counted as official holidays:

Article 61/A of the Jordanian Labor Law stipulates that "Every worker shall be entitled to annual leave with full pay for a period of fourteen days for every year of employment, unless a longer period is agreed. Annual leave shall be extended to twenty one days where the worker has been in the employment of the same employer for five consecutive years. Official and religious holidays and weekly rest days shall not be counted as part of a worker's annual leave unless they fall in its course."

-The right of the worker to sick leave for (14) days per year based on a medical report:

Article 65 states that "Every worker shall be entitled to fourteen days a year of sick leave with full pay on the basis of a report by the medical practitioner approved by the establishment. Sick leave may be extended to a further fourteen days with full pay if the worker is hospitalized and with half pay if the worker is not hospitalized but provides a report from a medical commission approved by the establishment."

-The right of the worker to leave the job while retaining their legal rights in case the employer breaches the contract.

-The right of the worker to work in an ethically safe work environment.

-The right of the worker to protection and the implementation of necessary measures.

-The right of the worker to benefit from the provisions of flexible work for pregnant women, caregivers for children, and the elderly due to disability or illness.

-The right of the surrogate mother to receive financial support under the Maternity Insurance System for the year 2020, established by the Social Security Corporation.
Compliance with the rights of female workers means avoiding fines and penalties:

- A. An employer or institution manager shall be punished with a fine of not less than 300 (three hundred) dinars and not more than 500 (five hundred) dinars for any violation.
- B. The employer shall be punished for any violation committed using any worker by force, threat, fraud, or coercion, including withholding their travel documents, with a fine of not less than 500 (five hundred) dinars and not more than 1,000 (one thousand) dinars.
- C. Fines shall be doubled in case of repeated violations, as per Article 77 of the Labor Law.

- Fine for Reducing Wages:

The employer shall be punished with a fine of not less than 500 (five hundred) dinars and not more than 1,000 (one thousand) dinars for each instance in which they pay a worker a wage lower than the minimum wage or engage in gender-based wage discrimination for work of equal value. Additionally, the worker shall be entitled to receive the wage difference, and the penalty shall be doubled for each repeated violation, as per Article 53 of the Labor Law.

- Ministerial Closure of the Employer's Institution:

If the employer violates the provisions of this law, the minister has the authority to close the workplace in full or in part, or to stop any machine therein if the violation poses a risk to the workers. Workers have the right to receive their full wages for the duration of the suspension or closure. The minister also has the authority to refer the violator to the competent court, and in this case, the violator shall be punished with a fine of not less than 100 (one hundred) dinars and not more than 500 (five hundred) dinars. The fine shall be doubled in case of repetition, and it is not permissible to reduce the fine below its minimum limit for any reason, as per Article 84 of the Labor Law.

Guidelines for Employers that Contribute to Promoting a Safe Work Environment for Women in the Private Sector

Here are the key demands, based on the principles outlined in the initial guide of the fund, aimed at promoting inclusivity and increasing women's participation in the labor market:

1. Gender Equality and Gender Integration:

A. Implement legislation and regulations governing social protection and career development, focusing on:

- Pay equity.
- Inclusion of female workers in social security.
- Empowering female workers with access to healthcare services.
- Application of incentives, bonuses, and overtime pay.
- Granting female workers annual and sick leave.
- Enforcing specified working hours and flexible working arrangements.
- Providing maternity leave and breastfeeding hours, and ensuring that working women have maternity coverage.

B. Providing training and professional development opportunities for women with the aim of obtaining managerial and leadership positions.

C. Enhancing the professional competence of female employees, along with offering incentives and promotions.

D. Ensuring equal representation of females alongside males within the work environment, without favoring males over females.

2. Gender-Sensitive Work Environment:

Creating a gender-sensitive work environment requires providing incentives for women to engage in and persist in the labor market, including:

- Providing childcare facilities for the care of employees' children.
- Providing safe transportation for female employees. Providing a fair and non-discriminatory code of ethics.
- Implementing procedural measures to combat violence against women in the workplace.

- Ensuring women's right to complain about any wrongful behavior while preserving their privacy.
- Raising awareness and promoting a culture of protection and its procedures, as well as empowering women.
- Treating women fairly and justly without discrimination, following the principle of equality in all matters related to career advancement based on merit.
- Fostering a supportive environment to enhance women's competence through training in various skills and improving their performance at work.
- Providing a work environment that promotes mutual respect and participation.
- Ensuring the foundations of safety and health for women in the workplace



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