



اللجنة الوطنية الأردنية لشؤون المرأة
The Jordanian National Commission for Women



International
Labour
Organization

Policy Roundtable on Pay Equity in Jordan Report



BETTER QUALITY AT THE HEART OF BETTER WORK



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Policy Roundtable on Pay Equity in Jordan - Report -^{*}

**11 March, 2010
Amman, Jordan**

^{*} Compiled by Thoraya El-Rayyes, International Labour Office – Regional Office for Arab States

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The signatories to this report participated in the *ILO/JNCW Policy Roundtable on Pay Equity in Jordan* on behalf of their respective institutions. The affiliation of each signatory is listed.

The views expressed in this report reflect the proceedings of the meeting and should not be interpreted as representing the views of these individuals or their institutions.

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Introduction

Jordan has a longstanding commitment to achieving pay equity, having ratified the key international conventions on this issue. The Equal Remuneration Convention was ratified by Jordan in 1966, and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) in 1963. In 1992, Jordan also ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which asserts the right to equal remuneration for work of equal value. However, despite the normative action taken and Jordan's policy pronouncements, the application of comprehensive measures to ensure pay equity for women remains challenged by significant obstacles.

This report reflects the collaborative effort of the International Labour Office (ILO) and the Jordanian National Commission for Women (JNCW) towards formulating a tripartite-plus[‡] national strategy for promoting pay equity in Jordan.

This collaborative effort began in late 2007, through the joint preparation of a *Background Paper on Pay Equity in Jordan* which is being developed and updated into a *Policy Brief on Pay Equity in Jordan*. The policy brief is being refined over several phases of consultation with the Jordanian social partners, in addition to relevant civil society organizations. The penultimate draft was presented for discussion at the *ILO/JNCW Policy Roundtable on Pay Equity in Jordan*.

The objective of this policy roundtable was to present the draft policy brief for final discussion by key stakeholders, in order to finalize the brief and particularly the recommendations therein. The draft was presented by the ILO and JNCW, with discussants representing each of the social partners presenting their position on this issue. The full agenda of the meeting is available in Annex 1.

[‡] The term *tripartite-plus* refers to the process of social dialogue between government, workers' organizations and employers' organizations, in addition to civil society organizations.

Participating Institutions (in alphabetical order)

- Business and Professional Women's Association- Jordan
- Civil Service Bureau
- Department of Statistics
- Economic and Social Council
- General Federation of Jordanian Trade Unions
- General Trade Union for Workers in Education
- General Trade Union for Workers in Health Services
- General Trade Union for Workers in Textile, Garment and Clothing Industries
- International Labour Office
- Jordan Chamber of Commerce
- Jordan Chamber of Industry
- Jordan Forum for Professional and Business Women
- Jordanian National Commission for Women
- Ministry of Finance
- Ministry of Labour
- National Center for Human Rights
- Social Security Corporation
- UNIFEM
- USAID Jordan Economic Development Program (SABEQ)

See Annex 2 for full participant list

Overview of Proceedings and Recommendations

Opening Remarks

Opening remarks on behalf of JNCW were made by HE Ms. Asma Khader, Secretary-General of JNCW. In her speech, Ms. Khader stressed the importance of promoting equitable working conditions for Jordanian women. She asserted that equitable working conditions for women are important both from a rights-based perspective as well as to encourage higher levels of female participation in the labour market. Ms. Khader stressed that low levels of labour market participation among Jordanian women are a major development challenge for the Kingdom. She suggested that working to eliminate pay discrimination should be an important element of any strategy to improve working conditions for Jordanian women and increase their labour market participation, thus improving the livelihoods of Jordanian men and women alike.

Opening remarks on behalf of ILO were made by Dr. Simel Esim, Senior Regional Gender Specialist at the ILO Regional Office for Arab States. Dr. Esim spoke of the high level of engagement with the issue of pay equity among ILO constituents in Jordan. She pointed to the fact that Jordan is emerging as a pioneer in the Arab world with respect to this issue and that the ILO looks forward to collaborating with the Jordanian social partners to promote pay equity in the Kingdom. Dr. Esim concluded by welcoming participants to the policy roundtable, an event which she hoped would provide a launchpad for high-level tripartite dialogue on pay equity in Jordan.

Promoting Pay Equity: the ILO approach

Ms. Lisa Wong, Expert on the Elimination of Discrimination in Respect of Employment and Occupation at the International Labour Office, provided participants with an overview of the ILO approach to promoting pay equity.

She noted that the notion of pay equity – the concept of equal pay for equal value of work – is perhaps one of the least understood concepts in the ILO's core labour standards. Ms. Wong pointed out that the concept of 'equal pay for equal work' has been outdated since WWII because few people perform the same work. In particular, men and women usually perform different types of work. Pay equity is about redressing the undervaluation of jobs typically performed by women. Thus, there is a need to find a method by which to compare the value of different types of work.

Ms. Wong gave a brief overview of JEM (Job Evaluation Method), a methodology developed by the ILO to measure the value of work, informing participants that the Arabic translation of the methodology would be available shortly. She also noted that although job evaluation methods free from gender bias are beneficial in tackling pay discrimination, they do not always correct pay gaps because the complexity of analytical job evaluation remains a challenge. Other measures which have proved successful include addressing pay equity issues through collective agreements, although relying solely on collective agreements may contribute to making pay equity secondary to other concerns.

On the international level, Ms. Wong noted that the ILO follows a three-pronged approach to promoting pay equity which hinges on: generating knowledge; networking and cooperating with global union federations; and providing technical assistance at the country level. She pointed out that Jordan has been identified by the ILO as a target country for receiving technical assistance on this issue and noted that national stakeholders' engagement with this issue is a promising basis upon which to build future cooperation. In concluding her speech, Ms. Wong told participants that this policy roundtable presents an opportunity to identify measurable steps which the national stakeholders can take to work towards achieving pay equity.

Presentation of draft ILO/JNCW Policy Brief “Pay Equity in Jordan”

The main findings of ILO/JNCW *Policy Brief on Pay Equity in Jordan* were presented by Ms. Thoraya El-Rayyes, Jordan Project Officer for the ‘Gender Equality and Decent Work Project’ at ILO Regional Office for Arab States. The key points were as follows:

- Jordan has a **longstanding legal commitment to pay equity**, having ratified the Equal Remuneration Convention in 1966, and the Discrimination (Employment and Occupation) Convention (No. 111) in 1963. In 1992, Jordan also ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which asserts the right to equal remuneration for work of equal value. However, the application of comprehensive measures to ensure pay equity for women remains challenged by significant obstacles.
- Although Article 23(ii)(a) of the Jordanian Constitution specifies that all workers shall receive wages appropriate to the quantity and quality of the work achieved, **Jordanian law does not explicitly prohibit pay discrimination that occurs in situations where men and women perform different work that is of equal value**. There are no provisions in Jordan’s Labour Law stating the principle of equal pay for equal value of work.
- Official Jordanian statistics show that women employees in Jordan are paid less than men in the same skill category. **There is a considerable Gender Pay Gap (GPG) for employees at all skill levels**. Importantly, almost half of employed women in Jordan are professionals and earn considerably less than men professionals. The average hourly wage for women professionals is 31 per cent less than men professionals. A further 32 per cent of women employees fall under “skill level 2” and earn 15 per cent less than men in the same category.
- Although there is a GPG in both the public and private sectors in Jordan, the GPG in the private sector appears to be significantly larger. Despite this, it is important to note that **there is gender-based discrimination in the wage structure of the public sector**. Under the Jordanian Civil Service Regulations (No. 30 of 2007), a man employee is automatically entitled to a family allowance if he is married. However, a woman employee only under restricted circumstances.
- **A high proportion of Jordanian women are employed in education, manufacturing and health and social work sectors which exhibit high GPGs**. Thus, these sectors are strategically important for tackling pay discrimination in Jordan.

Comments on Policy Brief from ILO constituents

Ms. Haya Zayadin

Manager of Women’s Work Directorate, Ministry of Labour

- **The Ministry of Labour (MoL) is committed to ensuring that women and men receive equal remuneration for work of equal value.**
- **Moving forward to on this issue requires an appropriate legal framework.** MoL has previously presented a recommendation to the Council of Ministers’ Legal Committee to incorporate a clause in the Labour Law guaranteeing the right to pay equity. However, the recommendation was not passed. There is a need for greater awareness of pay equity issues among decision makers, including employers, if such a clause is to be introduced in the Labour Law.
- MoL recognizes that **the enforcement of a pay equity clause would not be easy** and would hope to benefit from international best practice in the enforcement of such a clause. Ms. Zayadin hoped that the ILO would have an important role to play in helping MoL to benefit from the experiences of other countries.

- **Public awareness of the concept of pay equity will be key in achieving progress on this issue.** In 2008, MoL initiated an awareness raising campaign on this issue in the national newspapers. Ms. Zayadin noted that this is something the Women's Work Directorate hopes to build upon in the future.

Dr. Zaki Al-Ayoubi

Director-General/Board Member, Jordan Chamber of Industry

- Due to the scarcity of natural resources in Jordan, human resources are the core resources and must be utilized to their maximum potential. However, **the human resources of women are currently under-utilized**. Thus, the framework of the future of the Jordanian economy is strongly linked to the issue of encouraging women to enter the labour force.
- There has not been a major increase in women's labour force participation over the past twenty-five years despite advances in female educational attainment in the country. This suggests **there are structural barriers to women's entry to the labour market**.
- This policy roundtable addresses the issue of pay equity; but what about equity with regards to other basic rights such as discrimination in hiring? It is very difficult to achieve equity by taking a segmented, rather than holistic approach. Jordanian employers' organizations believe that it is important to have **a comprehensive programme to increase women's participation in the world of work**.
- **Another crucial issue is family responsibilities.** This is a major responsibility for women which cannot be avoided and coincides with a woman's prime productive age. Society as a whole needs to find an equation to balance work and family responsibilities for women. One solution to this is to make employment more flexible in terms of both working hours and location (i.e. working from home).

Ms. Manal Dabbas

Board Member, General Trade Union for Workers in Education (GTUWE)

Chair of Women's Committee, General Federation of Jordanian Trade Unions (GFJTU)

- **Pay inequity is very clear in the education sector and improving wages in the sector is a primary goal for GTUWE.** Because men workers are rare in the sector, they receive higher wages than women workers, even when women have the same qualifications and more experience. Employers are able to take advantage of the fact that women teachers will accept lower wages than men teachers.
- **A tripartite body for the monitoring of wages could play an important role in promoting pay equity.** Such a body should focus on the sectors in which there is a high representation of women. Education is foremost among these, but nursing and the textile sector are also important.
- **Improving labour inspection is also important** for addressing pay equity in the private educational sector, as many private schools do not comply with the minimum wage. Labour inspectors rarely inspect private schools.

Inputs from ILO constituents towards building a national action plan on pay equity

Inputs gathered from ILO constituents towards building a national action plan on pay equity over a series of stakeholder meetings were presented for discussion by Dr. Muna Mutaman, Assistant Secretary-General and Strategic Planning Consultant for JNCW. Recommendations presented are listed below:

Outcome	Output/Activity
1. Create a strong institutional framework for action on pay equity	Formation of specialized committees to address pay equity issues, as follows: • A national committee to formulate a national strategy and action plan • Technical committees to support implementation of the national strategy and action plan
	Strengthening the capacity of government and social partners to work on pay equity issues, and in particular: • GFJTU Women's Committee • Labour inspectors • MoL Women's Work Department • Human resources professionals
	Inclusion of pay equity in the JNCW four year strategy for 2011-2015
	Strengthening and operationalizing a national Labour Market Information System (LMIS)
2. Facilitate evidence-based policies and action	Conduct studies and surveys on pay discrimination, especially in strategically selected sectors (education; health services)
	Finalize and elaborate on MoL study on the role of women in trade unions
3. Raise awareness of pay equity issues	Raising awareness of pay equity as a core labour right among ILO constituents and the general public
	Raising awareness of the need for a pay equity article in the Labour Law among government officials (particularly Parliamentarians) and employers
	Raising awareness of the business case for pay equity
4. Enact legislation to support pay equity	Introducing a pay equity article in the Labour Law
5. Address pay equity issues through collective bargaining	Capacity building on "Social Dialogue and Gender Equality"
	Implementation of collective bargaining agreements to address pay equity issues
6. Ensure all women workers receive the minimum wage	Designing and implementing a strategy on compliance with minimum wage

Dr. Mutaman's presentation was followed by an engaged debate on these recommendations. Participants' comments and suggestions can be categorized under five themes as follows:

- **The importance of establishing a legal framework to ensure pay equity**
ILO Conventions No. 100 and 111 do not enshrine specific rights for workers with regards to pay equity, and are therefore not judiciable. Rather, these conventions put the onus on ratifying states to implement their own laws and policies on pay equity. Thus, establishing a legal framework for pay equity requires amending the Labour Law to incorporate a directly worded clause on pay equity.
- **The importance of awareness raising**
Awareness-raising should be targeted at various different groups including: governmental decision makers, employers, workers, labour inspectors, judges and lawyers.
- **The importance of gender-neutral job evaluation**
Establishing the value of work is a key challenge in attempting to promote pay equity. To this end, the ILO's JEM methodology could be adapted for use in Jordan. This would require the ILO to train national stakeholders in the use of this methodology.
- **The importance of equipping judges and lawyers to enforce prospective legislation related to pay equity**
Pay equity legislation would be insufficient on its own. It is necessary to build the capacity of judges and lawyers to help enforce prospective pay equity legislation.
- **The importance of ensuring the implementation of existing regulations on wages, in addition to prospective legislation on pay equity**
Labour inspectors have an important role to play in enforcing existing minimum wage legislation, in addition to enforcing prospective pay equity legislation.

Conclusions and Next Steps

This policy roundtable represents the culmination of the stakeholder consultation on the ILO/JNCW *Policy Brief on Pay Equity in Jordan*. Following the finalization of the policy brief, the recommendations therein will be used to form the building blocks of a national action plan on pay equity.

In accordance with the feedback received from stakeholders, JNCW used this event as a platform to announce the formation of a tripartite plus *National Committee on Pay Equity* to follow up on this issue, to be co-chaired by JNCW and MoL. This is the first step towards creating a strong institutional framework for action on pay equity in Jordan. It is hoped that the formation of this committee will be the starting point in furthering the collaborative efforts of the ILO, JNCW and Jordanian social partners on promoting pay equity in Jordan.

Annex 1

Decent Work and Gender Equality Project for Lebanon, Jordan and Syria

Policy Roundtable on Pay Equity in Jordan

Agenda

11 March 2010 – Sheraton Hotel – Amman

10:00 – 10:15	Registration of participants
CHAired BY: Mr. Sameh Ajlouni Economic and Policy Advisor, ILO/Ministry of Labour	
10:15 – 10:45	Opening remarks HE Ms. Asma Khader Secretary-General, Jordanian National Commission for Women Dr. Simel Esim Senior Regional Gender Specialist, ILO Regional Office for Arab States
10:45 – 11:00	Promoting pay equity: the ILO approach Ms. Lisa Wong Expert on the elimination of discrimination in respect of employment and occupation, ILO-Geneva
11:00 – 11:15	Presentation of ILO/JNCW Draft Policy Brief “Pay Equity in Jordan” Ms. Thoraya El-Rayyes Jordan Project Officer, Gender Equality and Decent Work Project, ILO Regional Office for Arab States
11:15 – 11:30	Comments on Policy Brief from ILO constituents Ms. Haya Zayadin Manager of Women’s Work Directorate, Ministry of Labour Dr. Zaki Al-Ayoubi Director-General / Board Member, Jordan Chamber of Industry Ms. Manal Dabbas Board Member, General Trade Union for Workers in Education Chair of Women’s Committee, General Federation of Jordanian Trade Unions
11:30 – 11:45	Coffee break
11:45 – 13:00	Inputs from ILO constituents towards building a national action plan on pay equity Dr. Muna Mutaman Assistant Secretary-General / Strategic Planning Consultant, Jordanian National Commission for Women
13:00	Lunch

Annex 2

Name	Organization	Position
Rania Al-Jaabari	Al-Arab Al-Yawm Newspaper	Journalist
Rania Al-Sarayrah	Al-Ghad Newspaper	Journalist
Maisa Al-Bataineh	Business and Professional Women Association- Jordan	President
Nidal Abu Ahmadeh	Civil Service Bureau	Manager of Planning and Management Development Directorate
Reem Hosseh	Civil Service Bureau	Manager of Performance Development Directorate
Mohammed Al-Khraisha	Department of Statistics	Head of Labour Statistics Department
Musa Shteivi	Economic and Social Council	Chair of Social Policy Committee
Reham Al-Momani	General Federation of Jordanian Trade Unions	Member of Women's Committee
Manal Dabbas	General Trade Union for Workers in Education/ General Federation of Jordanian Trade Unions	Board Member, General Trade Union for Workers in Education/ Chair of Women's Committee, General Federation of Jordanian Trade Unions
Mohammed Ghanem	General Trade Union for Workers in Health Services	President
Fathallah Al-Omrani	General Trade Union for Workers in Textile, Garment and Clothing Industries	President
Lisa Wong	International Labour Office	Expert on the elimination of discrimination in respect of employment and occupation
Mansour Omeira	International Labour Office	Research and Knowledge Sharing Officer for Decent Work and Gender Equality in Lebanon, Jordan and Syria Project
Phil Fishman	International Labour Office	Project Manager of Better Work Jordan
Sanaa Abou Sleiman	International Labour Office	Project Assistant for Decent Work and Gender Equality in Lebanon, Jordan and Syria Project
Simel Esim	International Labour Office	Senior Regional Specialist on Gender and Women Workers, Regional Office for Arab States
Thoraya El-Rayyes	International Labour Office	Jordan Project Officer for Decent Work and Gender Equality in Lebanon, Jordan and Syria Project
Sameh Ajlouni	International Labour Office/ Ministry of Labour	Economic and Policy Advisor
Reem Badran	Jordan Chamber of Commerce	Deputy Vice-President
Issa Murad	Jordan Chamber of Commerce	Vice-President
Nada Al-Waked	Jordan Chamber of Industry	Manager of International Relations Department
Samar Taha	Jordan Chamber of Industry	Assistant to the Manager of the
Zaki Ayoubi	Jordan Chamber of Industry	Director-General/ Board Member
Noor Al-Imam	Jordan Forum for Professional and Business Women	Deputy Vice-President
Istijan Al-Anatreh	Jordanian National Commission for Women	Website Editor
Amal Haddadin	Jordanian National Commission for Women	Member of Legal Committee

Asma Khader	Jordanian National Commission for Women	Secretary-General
Diana Al-Shalabi	Jordanian National Commission for Women	Project Manager
Juliana Tarjan	Jordanian National Commission for Women	Counselor
Muna Mutaman	Jordanian National Commission for Women	Deputy Secretary-General/ Strategic Planning Consultant
Rima Al-Khatib	Jordanian National Commission for Women	Administrative Officer
Mohammed Al-Akeeli	Ministry of Finance	Budget Analyst, Public Budgets Department
Amani Freihat	Ministry of Labour	Head of Human Resources Department
Asma Abu Asbeh	Ministry of Labour	Officer, Women's Work Directorate
Eman Akor	Ministry of Labour	Officer, Women's Work Directorate
Fayez Al-Jbour	Ministry of Labour	Head of Legislation and Conventions Department
Haya Zayadin	Ministry of Labour	Manager of Women's Work Directorate
Jawaher Al-Tawara	Ministry of Labour	Head of Occupational Safety Department
Laila Shobaki	Ministry of Labour	Head of International Relations Department
Atef Al-Majali	National Center for Human Rights	Focal Point for Labour Issues
Nadia Al-Awamleh	Social Security Corporation	Manager of International Relations Department/ Gender Focal Point
Basheer Abu Jamoos	UNIFEM	Jordan Program Coordinator
Rania Tarazi	UNIFEM	Assistant to the Regional Director
Noor Moghrabi	USAID Jordan Economic Development Program (SABEQ)	Gender Integration, Workforce and Youth Development Specialist
Etaf Halasseh		Former Manager of MoL Women's Work Directorate