



Evaluation Summaries

Fundamental Principles and Rights at Work in Jordan

Quick Facts

Countries: *Jordan*

Final Evaluation: *October - November 2010*

Mode of Evaluation: *Independent*

Technical Area: *Fundamental Principles and Rights at Work,*

Evaluation Management: *Regional Programming Service Unit, ILO ROAS*

Evaluation Team: *Gyorgy Simonics*

Project Start: *1 September 2007*

Project End: *31 August 2010*

Project Code: *JOR/07/03 /SPA*

Donor: *Spain (USD1,542,857)*

Keywords: *Labour standards, Social Dialogue, Labour Administration, Labour Inspection, Labour Law, Employers' organisation, Workers' organisation*

Background and Context

Summary: Programme Purpose, Logic and Structure

The Fundamental Principles and Rights at Work (FPRW) project which has been evaluated was launched in a period that witnessed the initial results of Jordan's development efforts to unlocking the growth potential and transforming the country from an economy driven by primary goods into an investment-driven and knowledge-based economy.

The project was promoting adequate mechanisms and institutions for respecting the fundamental principles and for a genuine social dialogue to take place and, in line with the national agenda, organised the participation of workers and employers in defining economic social policies and hence improve social, economic and political stability in order to attract more investment. This work was embedded in three Immediate Objectives: 1) A more effective labour administration enforcement mechanism in place; 2) Sustainable and effective dialogue and dispute settlement mechanism established; 3) Sound employers' and workers' organisations more capable of representing the interests of their constituency. The strategy assumed that if a more effective labour administration enforcement mechanism is in place and sustainable and effective social dialogue and dispute settlement mechanisms are established that benefit from sound employers' and workers' organizations which are more capable of representing the interests of their constituency, then the project will have contributed to bringing about a strengthened labour relations environment that is needed for economic development and social stability in Jordan.

Main means of action being direct support to labour inspectors by in-depth training, promotion of the reform of the labour law to make it compatible with ILO standards; institution building to strengthen the Ministry of Labour; bring about conditions to establish a Jordanian ECOSOC;

encourage social dialogue through Tripartite National Committee on Labour Affairs; strengthen employers' and workers' organisations to be active partners in collective bargaining, and help the government, among others, to ratify Convention No.87 on freedom of association and protection of the right to organize; and build partnership with media to make ILO basic principles and rights at work better known. Project operations covered the Kingdom of Jordan. Key project activities took place in Amman, Aqaba, Irbid and Zarka. During its 36 months duration the project was managed by two CTAs and one National Project Manager. Backstopping was provided by ILO/ROAS and ILO/HQ/Declaration.

Purpose, Scope and Clients of the Evaluation

The evaluation of this project adheres to ILO's policies and procedures on evaluations. It was conducted by an external evaluation consultant and managed by the Regional Monitoring and Evaluation Advisor at the ILO Regional Office for Arab States (ROAS) in Beirut.

The **purpose** of the final evaluation was to determine the extent to which the Project has achieved its stated objectives; met the needs of the stakeholders; the implementation status, the Project management; the achievements and priorities in contributing to DWCP Jordan immediate outcome; synergies in supporting other ILO projects in Jordan; the impact in terms of sustained improvements achieved and long term benefits to target groups; recommendations on how to build on the achievements of the Project and ensure that they are sustained by the relevant stakeholders as well as identify results that could be emulated in other projects; and document lessons learned, success stories, and good practice in order to maximize the experiences gained.

The primary **clients** of the evaluation are the ILO and the donor (AECID) of the project. Additional primary clients will include ILO-ROAS in Beirut, various departments at ILO-HQ Geneva that may

indirectly benefit from the knowledge generated by the evaluation (DECLARATION, SOCIAL DIALOGUE, and EVAL), as well as project beneficiaries and partners.

The **scope** of the evaluation covers all activities implemented from September 2007 to August 2010. In particular, it should examine the impact of project activities on establishing a more effective labour administration mechanism and, establishing a sustainable and effective collective bargaining and social dialogue and dispute settlement mechanism, including: development effectiveness; resource efficiency; impact; relevance; sustainability; partnerships; lessons learned and good practice.

Evaluation Methodology

The methodological approach to this evaluation started with a data collection. The evaluator started by reviewing project-related documentation handed over to him by ILO/ROAS and ILO/HQ/Declaration. It was completed by a six-day mission to Amman with a view to consulting and interviewing the beneficiaries of the project. A total of forty-seven persons were met and their views on the project were sought through dedicated questionnaires and personal interviews. A focus group discussion completed the identification of the impact of the training on the work of labour inspectors. The field mission was completed by a debriefing session addressing the preliminary findings of the evaluation attended by twenty-one persons, representing the stakeholders. The evaluation was constrained by the fact that no project staff was available and the project documentation found was badly organised and incomplete. These lacunae had to be bridged by consulting as many knowledgeable persons as possible.

Main Findings and Conclusions

The following statement made in the independent evaluation of the social dialogue project also applies to the FPRW project that

is **“the project has produced substantial and important benefits for project beneficiaries.”**

Activities related to capacity building to the MoL gained top priority in the FPRW project. This component constituted a massive and in-depth training of labour inspectors. In some two years the project trained all the inspectors and delivered a labour inspection capacity that could be considered as an example to be followed by neighboring countries. These activities were carried out in close collaboration with the MoL and the social partners and fit perfectly in the MoL's Strategic Plan. However, the project terminated before it could organize a planned Forum that could have demonstrated the project's results to experts inside and outside Jordan.

Activities focusing on strengthening social dialogue and dispute settlement aimed at the establishment of two important institutions, i.e. the Economic and Social Council (ESC) and the National Tripartite Advisory Committee on Labour Affairs (NTC). In this regard to project continued the work initiated by the previous SD project. Regarding the ESC the project focused on convincing the national partners to officially establish the Council and organized a study tour to enable its members to gain experience with other ECOSOC bodies in developed countries. The outcome of the project's years' work on the ESC materialized in August 2009 when the Council held its first session, and by now it has a staff of 20 people, and 44 members representing the government, the social partners and the civil society, it has its own budget, reporting system, and regulations.

Progress was achieved also on the National Tripartite Advisory Committee on Labour Affairs that was expected to be the second major entity providing for regular dialogue among the tripartite partners. The NTC was officially approved and announced on 27/5/2007, the 18 members of the Committee were nominated and approved by the Cabinet on 18/9/2007; a first meeting took place

between the NTC and the Minister of Labour in January 2008 its structure was adopted and a bylaw was issued, still waiting for the Cabinet's approval. In July 2010 the approval of the NTC was included in the labour law and the regulation on its organization and functioning was approved. The first regular meeting was scheduled to October 2010 but postponed because of the national elections. Most probably the NTC has to wait until the new parliament and the new government are set up. Although all this required permanent efforts by the project but it is fair to point out that most of the work was done by the previous project. Within available time the project has achieved what it could. In case of an extension of the project, however, in collaboration with the social partners, work should continue to ensure the regular functioning of the NTC.

In September 2009 the reformed Labour Code was sent to the Parliament for adoption. The amendments submitted by the MoL also include some of the items proposed by the project. Nevertheless, further work would be needed to make the Labour Code fully compatible with relevant ILO standards.

Another positive outcome materialized in July 2010 when the MoL announced collective bargaining as an organizing principle of the labour market. This decision would give a lot to do for the eventually extended project, which has already shown its potentials by developing a model collective agreement for the electricity sector. Progress was also made for collective agreement in the food industry and port in Aqaba. The work on sectoral collective agreements could not be finished because the project was terminated.

The project was deemed by all the stakeholders as a most successful one, which not only helped the government to have an improved labour inspectorate, but ensured that the social partners have modalities to communicate and dialogue with one another. Last but not least it has achieved that not only organizations close to labour matters became familiar with ILO principles

and standards but also the wider public. Many of the results have the tendency to sustain while others may fade away due to lack of local resources or expertise.

External factors e.g. the government's own priorities, the relative weakness of the social partners and the frequent change in project management, as well as the time foreseen that turned out to be too short for the accomplishment of every element of the work plan, all have contributed to a performance deficit. Indeed it could not be foreseen and reduced to nil by even the best contingency plan. The project has made significant progress towards its objectives but did not fully achieve them. The full achievement was beyond the project's control. In summary, the project has produced substantial and important benefits for project beneficiaries.

Recommendations and Lessons Learned

Main Recommendations and Follow-Ups

As mentioned in the main findings and conclusion section "the project has produced substantial and important benefits for project beneficiaries." However, the important benefits are still vulnerable and in need for consolidation and there is an urgent need to take advantages of the momentum and fully meet the needs identified by the project. The evaluation recommends the development of a new project document, which would take some time and it is not probable that it could take off before June 2011. However, a part of the outstanding activities, e.g. Forum for Labour Inspections, study tours for the members of ESC, for instance, could be financed as bridging measures from the savings achieved on the FPRW project and implemented until the new project kicks off.

Recommendations regarding a new project

- Regarding the rest of the activities to be completed as well as new ones to meet the additional needs of the MoL and those of the social partners, it is recommended that **a new**

project be developed capitalizing on the achievements of the FPRW project thereby de facto constituting its extension. Therefore, every effort should be made to identify additional sources of funding in order to allow the new project to operate for at least 24 months.

- It is recommended that the project partners officially request the extension of the project (or a new project), submitting such a request to the ILO. This proposal is in line with 96% of the stakeholders met which agreed that there should be another phase of the project to consolidate the results. In accordance with their views the extension phase should focus on helping the process of collective bargaining, further capacity building to the MoL, and the ESC, keep an operational NTC and the labour law reform on the agenda and continue to strengthen the employers and workers organizations which are the front fighters in pressing the government to ratify ILO Convention No. 87. ILO/HQ and ILO/ROAS should be able to assist in the development of such a project. The design of the new project should reflect the established ILO project design format and give consideration to the following recommendations, as appropriate.
- Both the project design and its management and execution should provide for gender mainstreaming in all project operations, including those on sectoral collective agreements, with a view to ensuring that women share equal opportunities and treatment.
- It is recommended that the project change its priorities and focus, in harmony with the MoL's decision on the promotion of sector-based collective bargaining. This would significantly help the organisation of the labour market to negotiate collective agreements. In doing so the project should not lose sight of the fact that most collective

agreements have been concluded at the enterprise level.

Recommendations regarding the MoL

- The project should continue to assist the MoL and refine the labour inspectorate's capacity by:
 - organising the planned Forum, (if it is not done in the transitional period)
 - developing a national labour inspection strategy;
 - develop practical inspection guides for the different sectors, including those covering forced labour, child labour, domestic and agricultural workers, occupational safety and health, dispute settlement including choices; how to promote collective bargaining; how to get prepared to potential industrial conflicts. Remark: These activities would be put on a more solid basis, if the MoL completes the long-awaited database on labour inspections.
 - Provide continuous assistance in enabling the GoJ to bring its national labour legislation in harmony with the international standards, particularly with ILO Convention No. 87, as suggested by the ILO legal experts.

Recommendations regarding the entities providing for social and tripartite dialogue:

- The project should assist the ESC to become a truly tripartite plus forum, including the provision of opportunities to build contacts with other countries' ECOSOC bodies; (if the latter is not done in the transitional period);
- Promote the NTC to help it become a valued advisory body;

Recommendations regarding the social partners and civil society:

- The project should continue to strengthen the employers' and workers' organisations to become true partners in collective bargaining (through training, guidance, meetings, etc) and enable them to give more help to the government to ratify ILO Conventions No. 87 and No. 154 on collective bargaining.

- Further develop a strong media component to finish the anticipated radio and TV programmes;
- Enlarge the target group to include parliamentarians, judges, lawyers, and journalists to promote the rule of law, fundamental rights and the culture of dialogue.

Recommendations regarding management of technical assistance

- The ILO/HQ and ILO/ROAS should work out an organized, transparent and accountable support strategy to projects/programmes that integrate the collaboration of more than one unit.
- ILO/ROAS should examine current rules and operational modalities with a view to arriving at appropriate conclusions and striking a balance between adherence to the application of general administrative and financial rules and effective and efficient project operations.

Important Lessons Learned

1. In an environment that is ignorant regarding FPRW and social dialogue, the international labour standards and collective bargaining, freedom of association, the media may come in as an important transmission belt in reaching out for many more people that any project can do. A media component appears to be a must for all the projects of this type.
2. Projects may achieve considerable multiplier effects if capacity building activities focus on institutions, such as labour inspectorate.
3. The regular involvement of project partners in planning and implementation of jointly devised activities secures the development of national ownership of project activities and facilitates the sustainability of the results and outcome.
4. In countries that have not ratified core ILO conventions the project may count upon a strong support of the trade unions. In case of new ratification of ILO conventions there may be a need for training the recipients in the implementation of the ratified conventions.
5. The effectiveness of collective agreements depends on the availability of national experts

on human capital management, productivity and health and safety.

6. The project succeeded in spreading the concept of social dialogue throughout the society because it targeted and closely collaborated with the three social partners, the government, employers and workers, as well as involved the media, the academics, university students, lawyers, judges and other NGOs representatives.
7. Technical assistance offered in the field of social dialogue and FPRW should be planned for a longer period of time, possibly in the form of a programme rather than projects, to allow for the generation of lasting results and impact.
8. The establishment of tripartite bodies and institutions for social dialogue in an environment where all these modalities are unknown requires careful preparation and a lot of patience and a permanent involvement of the stakeholders in project planning and execution.
9. When it comes to ignorance to be turned into knowledge and changing attitudes and values, project staff speaking the language of the beneficiaries stands a better chance to succeed.
10. Project management fully conversant with and abiding to established ILO administrative rules and financial procedures can secure prompt backstopping and thereby increase productivity and efficiency.