

# HUMAN RESOURCE MANAGEMENT AND REMUNERATION PRACTICES IN PRIVATE SCHOOLS IN IRBID

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## EXECUTIVE SUMMARY

### 1. BACKGROUND

This baseline study, which was commissioned by the ILO, comes as a result of collaborative efforts undertaken by government agencies, civil society, community-based organizations and donor agencies to address the Gender Pay Gap (GPG) in Jordan. The results of this baseline study will supplement current efforts undertaken by the National Committee for Pay Equity (NCPE) and the “Stand up with Teachers” campaign in negotiating fair remuneration systems and non-discriminatory Human Resources (HR) policies in five selected schools out of the ten surveyed.

The community campaign “Stand up with Teachers for Fair Wages” which was organized in Irbid, exposed disturbing findings that were recorded in a video published by the ILO in October 2015 (ILO, 2015). The video, which represents the voice of the teachers, showed that some teachers are not only underpaid compared to their male co-workers, but their salaries are below minimum wage (JD 190). Some teachers are paid below the wages of drivers; others are not given contracts based on the sector specific collective agreement and the collective contract. The contracts, if signed, are not dated and teachers do not receive a copy of the contract. Furthermore, some teachers have discovered that the schools did not pay their social security contribution. While other teachers were obliged to work overtime and perform additional duties without being financially compensated. Moreover, some teachers did not receive paid sick leaves (ILO, 2015). All the above violations constitute deliberate breach to the labour law, the collective agreement, and the collective contract.

Accordingly, and based on the findings of the “Stand up with Teachers for Fair Wages” this baseline study undertook a field survey of nine private schools located in Qasabet Irbid and Bani Obaid<sup>1</sup> to assess the level of existence and quality of gender sensitive human resource policies. The results of the survey were further supplemented by a benchmark study on HR management practices adopted by a private school in Amman to gauge the disparity in HR management practices in schools in Irbid as opposed to a sample school in Amman.

**The baseline study is divided into four main sections:**

1. **Mapping of Stakeholders:** The mapping of stakeholders portrays the various stakeholders involved in this baseline assessment to include governmental and non-governmental organizations, civil society, worker and employer organizations and associations as well as donor agencies.
2. **Macro Assessment:** provides a bird’s eye view on the overall environment governing education and employment in Jordan. The macro assessment includes:
  - a) A review on education and employment in Jordan to include an assessment of national human resource development and education strategies;
  - b) A brief on Jordan’s macro indicators focusing on population and employment/unemployment by Governorates as well as education in Jordan: number of schools, teachers, and students with a focus on Governorates in Jordan mainly the Governorate of Irbid; and,
  - c) An analysis of laws and regulations governing human resource management practices in private schools in Jordan.

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<sup>1</sup> The majority of schools in these two districts in Irbid are owned by the private sector: (55%) Qasabah Irbid and (62%) Bani Obaid.

3. **Micro Field Assessment:** identifies Human Resources Management (HRM) practices adopted by nine schools in Irbid, the field assessment gathers sufficient data on challenges facing these schools, and consolidates schools' recommendations for addressing these challenges. The field assessment also undertakes a benchmark study on HR management practices adopted by a private school in Amman to gauge the disparity in HR management practices in schools in Irbid as opposed to a sample school in Amman.
4. **Conclusions & Recommendations:** The results from the macro and micro analysis were further synthesized to devise practical recommendations to enhance human resource management practices in private schools in Irbid.

## 2. MACRO ASSESSMENT FINDINGS

The macro assessment aims to establish a better understanding of the environment governing education and employment in Jordan. The assessment is divided into three sections:

### Education and employment in Jordan

- 2.1. **Free access to compulsory primary education and educational reform:** The review of the future vision of education and employment in Jordan demonstrates that Jordan has taken major strides to advance education in the Kingdom by granting Jordanians with constitutional right of free access to compulsory primary education. Jordan also deployed Information and Communications Technology (ICT) as a mean to accelerate educational reform and enhance education delivery. Moreover, it has implemented the Education Reform for Knowledge Economy (ERfKE I & II) and Open EMIS system to further encourage country-level capacity development in educational strategic planning and management.

### Brief on Jordan's macro indicators focusing on population and employment/unemployment by Governorates as well as education in figures: number of schools, teachers, and students with a focus on Governorates in Jordan, mainly the Governorate of Irbid

- 2.2. **Steep decline in performance in Math and Science:** the educational output of Jordanian students measured under "Trends in Mathematics and Scientific Studies (TIMSS)<sup>2</sup> for 8<sup>th</sup> grade Jordanian students in Math and Science for the year 2015 show a steep decline in performance compared to previous years. In Science, Jordan's score dropped by (56) points to reach (386) points, and in Math the score dropped by (41) points to reach (426) points compared to 2007.
- 2.3. **Some areas require further emphasis under national educational and employment strategies:** Jordan devised national strategies to advance Human Resource Development and education in the Kingdom, namely, The Jordan Vision (2015-2025), the National Strategy for Human Resource Development (2016-2025), and the National Employment Strategy (NES) (2011-2020), require emphasis on:
  - i. **Participation in international standard tests:** The continuous monitoring and evaluation of education performance by participating in international standardized tests such as TIMSS for students and TALIS for assessing the teaching and learning environment for schools will provide the yard-stick needed to evaluate the comparative performance and advancement of the education system in Jordan.
  - ii. **Recognition of workers' unions, employers' organizations and professional associations as important partners in education reform:** Although the strategies have referenced civil society as

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<sup>2</sup> TIMSS is an international educational assessment survey implemented by the National Center for Human Resource Development with the supervision of the International Association for the Evaluation of Educational Achievement (IEA).

important partners in enhancing the education system in Jordan, they failed to emphasize the important role that other actors such as workers' unions, employers' organizations and professional associations can play in this area.

- iii. **Recognition of the role of private schools in advancing education in Jordan:** The strategies failed to recognize the important role that is played by private schools in advancing education in Jordan, which account for nearly 42% of schools in Jordan, and educate around a quarter of school student population (25.3%) in the country.

2.4. **Increased unemployment:** Recent publications by the Department of Statistics (DOS) indicate that unemployment rate in Jordan for the 3<sup>rd</sup> quarter of 2016 has reached an alarming 15.8%.<sup>3</sup> Amman has the highest unemployment rate (32.1%), followed by Irbid (21.8%) and Zarqa (13.5%). Female unemployment is highest in Amman (31.2%), Irbid (25.7%) and Zarqa (11.3%).

2.5. **Growth of Ministry of Education (MoE) expenditure in education:** Macro indicators governing education in Jordan shows that MoE expenditure for the period 2010-2015 are mostly current (92.5%), while capital expenditures represent only 7.5% of the total. MoE expenditure as a percent of GDP has remained in the range of 3.2% – 3.6% of GDP for the period 2010-2015.

2.6. **Growth of number of schools:** the total schools in Jordan for the scholastic year 2014-2015 have reached 6,802 schools with an average annual growth rate of 1.4% for the period of 2004-2015. In scholastic year 2014-2015 around 54% of schools were MoE schools, while 42% were private sector schools and the rest were UNRWA schools. More than 68% of these schools are coeducation schools.

2.7. **Higher percentage of female teachers in both public and private schools:** the total teachers in schools in Jordan reached 116,742 for the scholastic year 2014-2015; around 68% of teachers in schools in Jordan are females; female teachers represent (89%) of total teachers in private schools and 62% of total teachers in public schools.

2.8. **Similar percentage of female students:** the total students in schools in Jordan for the scholastic year 2014-2015 reached 1,876,816 million of which male students represent 50.5% of total. More than 67% of students are educated in MoE schools.

#### [Analysis of laws and regulations governing human resource management practices in private schools in Jordan](#)

2.9. **None of the laws regulating organizational structure and education practice license<sup>4</sup> require the establishment of HRM in private schools** despite the fact that teachers who benefit from equitable, enlightened human resource management and policies deliver better education and stay in the profession longer, reducing staff turnover and the associated costs and problems for education managers (ILO 2012).

2.10. **Social Security Corporation (SSC) law is clear:** in the review undertaken on HRM processes regulated by the Ministry of Labour (MoL), MoE, and the SSC the findings show that the SSC law is clear and has good enforcement of penalty provisions whereas the labour law and the laws and regulations pertaining to education contain discrepancies detailed in the report.

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<sup>3</sup><http://web.dos.gov.jo/15-8-%D9%85%D8%B9%D8%AF%D9%84-%D8%A7%D9%84%D8%A8%D8%B7%D8%A7%D9%84%D8%A9-%D8%AE%D9%84%D8%A7%D9%84-%D8%A7%D9%84%D8%B1%D8%A8%D8%B9-%D8%A7%D9%84%D8%AB%D8%A7%D9%84%D8%AB-%D9%85%D9%86-%D8%B9%D8%A7%D9%85-2/?lang=en>

<sup>4</sup>Ministry of Labor law No (8) for the year 1996 and the Ministry of Education law No (3) for the year 1994.

### 3. MICRO FIELD ASSESSMENT

The conclusions and recommendations are drawn from the findings of the field survey results, and harmonized with the findings of the macro assessment (education and employment in Jordan and national human resource development and education strategies). They respond to the objectives of summarizing the existing school practices and challenges relevant to teacher's labour rights, of understanding end users opinion of collective agreement (3.1 and 3.2), of identifying challenges and potential improvements in national legislations, monitoring, HR policies (3.3, 3.4, 3.5 and 3.6), of identifying indicators for measuring school excellence and reward benchmarks (3.7), and identifying types of violence (3.8).

**3.1. Role of Workers' Unions and Regulators (MoE, MoL and SSC):** In general, there is friction in the relationship between workers' unions and the MoE and mistrust by teachers in workers' and employers' associations as per the feedback received from sample schools. Moreover there is weak representation of unions at Governorate level. Sample schools request the decentralization of Unions. They also request unions to play an active role in providing teachers with capacity building, and understanding of their rights and entitlements. Moreover field survey results show that Unions are addressing challenges faced by private schools in an old fashioned way and they are also misrepresenting the role of private schools in advancing education in the Kingdom. In relation to union organization and transparency some schools voiced their concern over union elections and the finalization of the voters' list. Other schools believe that unions do not want to increase union membership so as not to tip voting results.

**3.2. Collective Contract:** The field survey results demonstrate lack of enforcement of the collective contract. The collective contract does not seem to be enforced in the school sample. Teachers are not receiving a copy of the contract, and the contract does not include the 3% annual raise when a copy is provided. All teachers interviewed confirmed receiving a 12 month salary but teachers also confirmed that in other schools, teachers receive a salary less than what is stated in the contract. Moreover, most schools agreed that the collective contract contradicts with the labour law on issues related to annual holiday and leave. Furthermore, schools complained about the high cost of the collective contract which costs JOD 1 and should be in signed in 4 original copies per teacher. The collective contract also does not have a penalty and dispute settlement clause.

**3.3. MoL Governance:** All sample interviewed 27/27 acknowledge the presence of labour rights violations in other schools. They also agree that MoL inspection visits come as a result of complaints. All teachers interviewed did not have contact with MoL inspection staff. Some schools questioned why only some specific schools remain under the MoL inspection radar. **The MoE's internal bylaw** is well respected by schools; however, none of the teachers interviewed received a copy of the bylaw though it is made available at the teachers' resting room in some schools. Moreover, the internal bylaw does not include standards for contract termination or mechanisms for processing employee complaints.

**3.4. MoE Governance:** MoE governance received many complaints from the sample schools and teachers. The legal review of MoE laws and regulations also demonstrates lack of clarity in the MoE law and regulations. There seems to be a serious lack of coordination and partnership between MoE and private schools; nearly all schools complained of MoE neglect of private schools. Most school also complained about MoE monitoring and the sudden change of regulations that do not give sufficient time for schools to adjust. The fast pace of changing laws and regulations at the beginning of an academic year is also affecting the performance of MoE staff in Governorates since they are giving conflicting statements to private schools. These sudden changes in laws and regulations are also negatively affecting parents and students. There is also weak coordination between MoE headquarters and MoE directorates in Governorates, as well as lack of coordination between MoE and Municipalities. **Moreover MoE is not providing training to teachers; this is a major concern that was also emphasized in national strategies.** Private schools also would like to provide vocational education to their students, currently vocational education is only provided by government schools.

3.5. **SSC monitoring:** The SSC received the least complaints from the sample; all schools gave positive feedback on the SSC inspection. Only two recommendations arose in relation to SSC performance from the field survey: 1) Create further awareness on SSC services using flyers or pamphlets or booklets distributed to schools, and 2) SSC inspectors should increase one-to-one interviews with teachers. The legal review on SSC law and regulations also demonstrates clarity in the law.

3.6. **HRM Regulated under the law:** The field survey results do not show major violations of HRM standards as regulated under the MoL and MoE in the sample schools. However, all sample schools confirmed that other schools do have major labour violations. Moreover, the MoE's new HRM standards issued for the school year 2016-2017 must be revisited, since they imposed new costs on private schools at a very short notice and at the beginning of a new academic year thereby not giving sufficient adjustment time for schools to cope with the new added expenses.

- **Minimum Wage as opposed to professional wage:** All samples interviewed confirm that teachers' minimum is too low. Some school interviewed pay wages higher than the minimum wage JD 250 & JD 230.
- **Paid vs. unpaid summer holiday:** Only one teacher confirmed that it was a challenge for her to receive the month of August salary. Moreover some schools discount 2 days' pay for each day away from work during August. While teachers confirmed that, in other schools, some teachers are not paid for the summer holiday.
- **Annual Raise:** Nearly all teachers interviewed do not receive a fixed annual raise as stipulated under the collective contract. Two schools provide annual raise based on school annual revenue.
- **Trial Period and internship:** Nearly all teachers interviewed confirmed receipt of minimum wage during the trial period. One school advised that the SSC law does not provide flexibility to hire fresh graduate teachers/interns.
- **Overtime:** Only one school pays overtime higher than MoL standards, and most of the schools pay overtime based on MoL standards.
- **Maternity leave:** All schools in the sample had experience with maternity leave. All teachers confirmed that their schools abide by MoL maternity leave regulations. Only 3/17 teachers stated that they have received SSC benefits for maternity leave<sup>5</sup>.
- **Nursery:** Only one school has a nursery and one has a nursery in proximity to the school.
- **Continuing Education and Unpaid Leave:** All schools are aware of the right of teachers to unpaid leave according to article (66) of the labour law. None of the teachers interviewed have used the unpaid leave.
- **Notice Period and Contract termination:** Only one school terminated a contract with 2 teachers. Schools in the sample recommend linking the notice period to a school calendar year (semester) rather than (1 month) notice.
- **Teacher Practice License:** All schools are aware that they need to hire teachers who have obtained a teachers' practice license; however all school agree that MoE requirements for granting a teacher's practice license are minimal compared to requirements of international programs. Moreover, increasing teachers in the market renders teachers as the weak party to negotiate their rights; the supply of teachers should be controlled.
- **Hiring Standard:** MoE issued new regulation that forbids schools from hiring teachers who do not carry a Jordanian National Number. MoE also issued new regulations that forbid teachers from

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<sup>5</sup> Teacher sample shows that not all 17 teachers had experience receiving their maternity leave rights (single teachers, or married with no children, or children born before joining this school).

teaching more than one subject. The School Appointment System *التشكيلات المدرسية* imposes new positions on schools and this adds new staff to schools at a short notice at the beginning of a new scholastic year. Moreover, the schools interviewed had a student/teacher ratio of (19: 1), (11: 1), (13:1), (17: 1), (13: 1), (20:1), (14: 1). MoE regulates student ratio to be 15:1 per branch *شعبة* which is lower than international standards. OECD countries for example have a 24:1 student/teacher ratio.

**3.7. Unregulated HRM and benchmark results:** The synthesis of results showed a clear distinction between regulated and unregulated human resource practices; regulated human resource practices are shared by all private schools, thus the standards do not differ between the benchmark school and the schools interviewed in Irbid. Unregulated human practices, as the findings in this section will show, are mostly human resource management processes that are recommended to be added to the school's internal bylaw. **The results of the benchmark undertaken on unregulated HRM processes study show that the schools in Irbid, in general, adopt similar HRM processes compared to the benchmark school in Amman; the difference is in adopting a standardized process** as explained here below:

- **Hiring Process: Schools in Irbid** hold 1-2 interviews with teachers prior to hire, teachers are also exposed to class simulation and are provided with training. **The benchmark school in Amman** has a clear hiring process: HR Manager and the head teacher hold the interview with teacher, training is planned for teachers upon hire based on their qualification, teachers are exposed to class simulation and are provided with standard manuals such as teaching manual, employment manual, school complaint policy and procedures manual as well as employment contract and school's internal bylaw and job description.
- **Financial Compensation: Teachers in Irbid** receive a salary according to the collective contract (10 or 12 month salary). Pay scale is based on minimum wage in most schools and includes: technical raise, specialty raise, overtime and benefits. Not all teachers interviewed are aware of the school's pay scale. Teachers also receive overtime according to the collective contract (time spent by teachers working outside school working hours) and teacher workload is according to MoE standards. Annual raise, when provided, is according to collective contract (3%). **The benchmark school in Amman provides** 12 month salary; the salary is responsive to teachers' experience, scarcity of specialty and previous training. Overtime is calculated based on MoE standards and any extra duties are paid as overtime (they do not necessarily need to take place outside school working hours). Annual raise is based on the collective contract. Annual raise is also linked to teacher performance evaluation which is conducted regularly and is transparent to teachers. Teachers are aware of the school's salary scale.
- **Performance Evaluation:** This process is evident in some schools in Irbid, but teachers stated that the performance evaluation is subjective and is not shared with teachers. **The benchmark school in Amman** has a performance evaluation system that is conducted regularly and is transparent to teachers. Moreover, teachers' annual raise is linked to the results of the performance evaluation.
- **Job Description: Not all schools in Irbid** provided teachers with a written job description. **The benchmark school in Amman** provides teachers with a written job description upon hire.
- **Complaints: Nearly all schools in Irbid** do not have a system for processing complaints in the schools. Majority of complaints in schools in Irbid are related to workload. **The benchmark school in Amman** provides teachers with the school complaint policy and procedure upon hire.
- **HR Policy: Most of teachers in Irbid** seem to be concerned about teachers' employment close to retirement. It is clear that teachers who have served more than 10 years in the school are not necessarily kept in the school until they complete their retirement. **The benchmark school in Amman** has a clear policy not to fire teachers. If however they are forced to terminate a contract,

they adopt a clear procedure for terminating teachers' contracts. Career development and retaining qualified teachers is an important HR policy for the benchmark school in Amman.

- **Benefits: Some schools in Irbid** offer teachers with benefits such as tuition discount and saving fund and in-house training. **The benchmark school in Amman** offers health insurance, tuition discount, in-house training, and international training in the United States of America (USA) for head teachers.
- **Union Membership:** Schools in Irbid used to facilitate payment of union membership for teachers but not anymore. **The benchmark school in Amman** pays the membership of teachers in the Jordanian Teachers' Syndicate.
- **Career Development: Only two schools in Irbid offered career development to their teachers.** Four employees reported having career development path at the school; 2/4 had family/personal links with school owners and 2/4 were in civil society/religious schools. **The benchmark school in Amman** has a clear policy in relation to career development; career development is linked to the teacher's performance evaluation; a very important human resource development tool which serves the interest of school and teacher. Benchmark school views teachers as an asset and seek to identify, develop and promote teachers who have potential.
- **Support & Administrative Staff:** Private schools in Irbid do not have teachers' support staff or strong administrative staff since the MoE does not regulate these positions. The benchmark school in Amman has strong administrative support staff and teaching support staff.

3.8. **Violence:** overt/direct and sexual violence, cultural violence, structural violence and neglect were studied, identifying the last three as prevalent as a result of the field work.

- **Overt/direct violence & Sexual violence:** There is no evidence or reason to suspect the presence of overt conflict.
- **Cultural violence:** It is estimated that female teachers' sense of weakness is a result of cultural violence. It is estimated that women, demoted their own value in the professional sphere "my salary is extra income to the family". This demotion of professional self-worth is rooted in prevailing attitudes and beliefs that justify and legitimize gender based violence (professional rights are abused, and women accept this abuse) - a result and one of the manifestations of cultural violence.
- **Structural violence** It is evident through conflict style analysis of school that it is "engagement" & "assertive" when school conflict is with a weaker party (employee). While school conflict style is "accommodation" & "communication", when they have conflict with a stronger party (MoL, MoE, SSC).
- **Neglect:** Schools & Teachers stated their dismay of MoE neglect of their need for professional training. Teachers complained from their own teacher associations' "neglect" of their right to health insurance and equal services as provided to teachers in public sector. Schools "neglect" to provide teachers their copy of contract, or a copy of the internal school regulations. It is a cycle of "neglect" which occurs when someone has the responsibility to provide care or assistance but does not.

## 4. Recommendations

The following table represents a summary of recommendations resulting from the benchmark study on unregulated HRM practices. These processes should also be included in the MoL internal bylaw template.

Process	Recommendations
Hiring Policy	<ul style="list-style-type: none"> <li>Establish a clear hiring policy for schools in Irbid.</li> </ul>
Financial Compensation	<ul style="list-style-type: none"> <li>Establish a clear pay scale system for schools in Irbid.</li> <li>Establish clear criteria for calculating annual raise.</li> <li>Establish clear criteria for calculating workload and overtime.</li> <li>Teachers' unions should establish guidance for teacher pay scale in private schools. The pay scale should be based on the ILO Convention No. 100 on "Equal pay for work of equal value", and take into consideration time and effort dedicated by teachers towards teaching specific school levels, or specific teaching topic.</li> </ul>
Performance Evaluation	<ul style="list-style-type: none"> <li>Establish a clear performance evaluation system for schools in Irbid.</li> </ul>
Job Description	<ul style="list-style-type: none"> <li>Establish a clear job description for teachers in schools in Irbid. A template can be developed for guidance by unions.</li> </ul>
Complaints	<ul style="list-style-type: none"> <li>Develop a system that allows employees/teachers to express their grievances in private schools in Irbid.</li> </ul>
HR Policy	<ul style="list-style-type: none"> <li>Termination of contract, hiring/firing policies are already included in the MoE internal bylaw, but hiring policy should also state the type of documents the school will provide to teachers upon hire: job description, contract, internal bylaw, payment standards (salary slip/bank transfer, etc.).</li> <li>School HR Policy should be clear about retaining staff when they are close to retirement. Though this should not be regulated, but schools need to establish an ethical policy in this regard.</li> </ul>
Maternity and health benefits	<ul style="list-style-type: none"> <li>Health benefits should be considered by schools in Irbid.</li> <li>Women shall have access to the maternity fund.</li> </ul>
Union Membership	<ul style="list-style-type: none"> <li>Union membership should be added as an item in the internal bylaw thereby helping schools to establish a clear policy on unionization.</li> </ul>
Career Development	<ul style="list-style-type: none"> <li>It is recommended that schools establish a career path for their teachers.</li> <li>Performance evaluation system should allow employees to express their interest in developing their career in the school thereby indicate where they see themselves in the near future.</li> </ul>
Support & Administrative staff	<ul style="list-style-type: none"> <li>The MoE is recommended to add a new practice license for HR Managers in schools employing 10 persons or more under the Educational Practice License.</li> <li>MoE should enforce the already existing School Management Practice license to enable school principals to better manage and administer school operation and profitability.</li> </ul>

**Recommendations for further study:** Teacher workload is a very important right and a very important human resource management criterion. It is recommended to undertake further study on teachers' workload in private schools since it constitutes a major conflict issues between schools and teachers.