

EMBARGOED UNTIL 9:00 AM THURSDAY, SEPTEMBER 21, 2006

AFL-CIO and National Textile Association Complaint under the U.S.-Jordan FTA Labor Chapter: Executive Summary

On September 21, 2006, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), the largest labor federation in the United States, representing more than 10 million workers, and the National Textile Association (NTA), an industry association of weavers, knitters, and fabric finishing companies in the U.S. and fiber, yarn, and other suppliers, joined together to file a complaint under the labor chapter of the U.S.-Jordan Free Trade Agreement (FTA).

The complaint alleged that the government of Jordan is in violation of its commitment under the FTA to “respect, promote, and realize” the core labor standards embodied in the International Labor Organization’s (ILO) Declaration on Fundamental Principles and Rights at Work (as required in paragraph 1 of Article 6 of the FTA), as well as its commitment to effectively enforce its own labor laws (Paragraph 4(a) of Article 6).

The AFL-CIO and the NTA call on the U.S. government to initiate dispute settlement proceedings under the FTA, and to pursue its rights under the FTA until the violations detailed in the complaint are remedied. The first step in invoking dispute resolution is to request formal consultations. Only if those consultations are not successful in addressing the problem will additional measures be sought.

The complaint details numerous areas in which Jordan’s labor laws do not comply with ILO standards, as well as serious problems in enforcement. Jordan’s labor laws fall short of international standards in the following areas:

- The labor code restricts union membership to Jordanian nationals. This leaves the 36,000 foreign workers in the Qualified Industrial Zones and the almost 200,000 foreign workers in other sectors without any possibility of freedom of association or union representation. This lack of union representation certainly contributes to the vulnerability of foreign workers in Jordan and to the potential for employer abuses.
- The labor code denies union membership to groups of workers by occupation, age, and criminal background.
- The government designates the industries in which workers may form unions, leaving workers in other industries without the right to unionization.

- The government compromises union independence by requiring that unions consult with the Minister of Labor in developing their statutes and by-laws.
- The government restricts the right to strike and severely limit the right to free speech and assembly.

In addition to the problems with the labor laws, the Jordanian government has spectacularly failed to enforce the labor laws on the books, especially those establishing maximum hours of work, overtime pay, minimum wage, and health and safety regulations. The labor inspection system is woefully inadequate, and has been subject to corruption. Employers have interfered with union organizing and have engaged in discriminatory acts against workers who try to form a union or stand up for their rights at work. The government has failed to fine or otherwise deter this behavior, creating a huge obstacle for workers attempting to organize and bargain collectively.

Abuses in the zones continue, despite some important steps taken by the Jordanian government to address these concerns. Interviews conducted in the QIZs this summer confirm that forced overtime occurs regularly, as does non-payment of wages, sometimes for many months at a time. 100-hour weeks and 24-hour shifts were reported by several workers. Employers continue to confiscate workers' passports, against their will, contrary to the Jordanian government's claim that employers hold passports at the request of workers, for security reasons. Serious health and safety problems are still reported, including failure to provide protective masks for workers in dusty occupations. Living conditions in many cases are overcrowded, dirty, and without access to water. Medical care continues to be inadequate, and companies sometimes refuse to cover the costs of treating work-related injuries.

Several workers reported being beaten regularly by management, and others were threatened with beatings, deportation, and jail if they complained or approached the union.

The AFL-CIO and the NTA recognize and welcome the important steps taken by the Jordanian government in response to the allegations of worker rights violations. The Jordanian government has closed at least seven factories where abuses were occurring and has taken steps to improve the labor inspection regime.

However, much more action is needed, including deep reform of the labor laws, as outlined above and in the complaint, and a thorough overhaul of the inspection and enforcement system. Fines need to be at a level that companies take seriously, and the government needs to ensure that companies cannot evade such fines easily by declaring bankruptcy, leaving the country, or simply changing their corporate name.

The purpose of filing the complaint is to provide a constructive and clear set of benchmarks for both the U.S. government and the Jordanian government, in order to thoroughly address the extremely serious challenges faced by Jordanian and non-Jordanian workers today.