

International
Labour
Organization

Results of Focus Group Discussions on Work Permits with Syrian Refugees and Employers in the Agriculture, Construction & Retail Sectors in Jordan



April - 2016

Background

To date, there are around 642,000 registered Syrian refugees in Jordan.¹ Unlike migrant workers of other nationalities, Syrian refugees fleeing conflict in their home country do not enter host countries with the intention to work. Yet, most refugees arrive to their host country with little to no economic resources, and it is therefore inevitable that finding work becomes essential to make ends meet.

With the Syria crisis in its fifth year, humanitarian aid and the absorption capacity of Jordanian communities have become stretched. Many refugees, with limited access to sustainable livelihood options, have now entered a cycle of asset depletion, with savings gradually being exhausted and levels of debt increasing.

The most vulnerable refugees are particularly affected. Many are adopting severe coping strategies, such as reducing food consumption, withdrawing children from school or taking on informal, exploitative or dangerous employment.

According to a recent ILO study, of the Syrian refugees who are employed in Jordan, 99 per cent are working informally and outside Jordan's labour regulation. About 50 per cent of Jordanians work informally.²

Earlier this month, Jordan's Ministry of Labour gave Syrians who are working in the country without permits a three-month grace period to rectify their situation as a step towards legalizing their employment status. This includes issuing work permits free of charge in specific sectors open to non-Jordanian workers.

However, since the grace period began, less than 2,000 Syrian refugees have applied for and obtained work permits, according to government records.

In efforts to understand why the latest government steps have not led to a greater number of registered Syrian workers, the ILO conducted three focus group discussions with Syrian refugees working in the sectors of construction, agriculture and food services and retail (the latter included Syrian restaurants owners).

¹ <http://data.unhcr.org/syrianrefugees/country.php?id=107>

² For more information, see ILO and Fafo Impact of Syrian Refugees on the Jordanian Labour Market available at http://www.ilo.org/beirut/media-centre/news/WCMS_369592/lang--en/index.htm

Findings from the group discussion

Workers' Concerns and Challenges

The meetings with the focus groups included discussions on some of the challenges they face in finding employment in Jordan and obtaining work permits, despite the fact that the government eased some of the procedures in obtaining these permits.

Based on the group discussions, it was evident that, despite the government's scrapping of the permit fee, other fees and costs remained that Syrian refugees found too difficult to meet, such as the social security contribution which could reach as much as 360JD/year. These additional costs may vary from sector to sector.

Another major concern is being linked to an employer, which is a condition when applying for a work permit. While in some cases (such as in construction and agriculture), there is no direct link between employer and workers, workers are forced into paying a 'go-between' or sponsor (kafeel) a sum in order to facilitate the process of obtaining the permit. This is specifically a challenge in the agricultural sector, where workers often have no contact with their employer. Such a practice often forces the workers into debt/ owing the Kafeel money, which can lead to exploitation by the sponsor.



The focus group with the food services and retail sector included young Syrian university students and graduates who complained that their qualifications and professions are in sectors which are not open to non-Jordanians. In some cases, the young graduates can work in the "closed" sector in secondary or subordinate occupations. This means that they will 1. be paid less than they are qualified for 2. not be able to climb the career ladder or advance professionally.

Many of the Syrian workers from the various sectors criticized the work permit for being restricted to one employer only. Many would prefer a "free" work permit valid for a year or two, which would allow them to move and work for a number of employers.



Many complained that despite getting work permits, workers are not allowed to obtain a driving license. This is physically a huge challenge, especially given the poor public transportation in Jordan.

Through the group discussions, it became evident that some misconception and lack of awareness remain concerning rights at work in Jordan. For example, many fear that they would lose their humanitarian and financial aid from international organizations if they were to obtain a work permit, which is not necessarily the case.

Another complex issue concerns re-entry into Jordan. Many Syrians with work permits believe that if they leave the country they will not be allowed re-entry into Jordan (in comparison to other migrants who have the freedom to re-enter with valid work permits). While this is not the case legally, many say they have witnessed Syrian refugees with valid permits being turned back.



Results from Questionnaire

Workers were asked to complete a questionnaire detailing their work status in the country as well as experiences in obtaining a work permit. The summary of results is as follows:

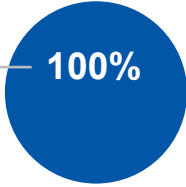
Agriculture sector (20 individuals)

- 90% were Female workers who are under the age of 16
- 90% have Ministry of Interior cards (security cards)
- 95% are registered with UNHCR
- 90% working 7 days/week
- 99% working 8 hours/day
- 100% earning 10JD/8hours
- 100% without work permits
- 90% received SMS from UNHCR on work permits
- 99% never tried to apply for work permit
- 90% heard about the grace-period
- 99% would not try to apply within the grace period
- 45% do not have an employer interested to apply for their work permits
- 50% do not have the money to pay to a Kafeel/sponsor commission to apply for a work permit
- 70% cited the freedom of movement as the main reason for their interest in obtaining a work permit, while 20% said they wanted a work permit out of fear of labour inspections
- 95% said that being able to apply for work permit without the sponsor (Kafeel) is the main action that should be taken by Jordan in order for more Syrian refugees to apply for work permits in agriculture sector
- 70% would pay social security if it is 10% or less of the wage
- 40% experienced inspection visits
- 90% have heard about people sent to Azraq Refugee camp because they have been working without work permits (Syrian workers caught working illegally are arrested and sent to Azraq Refugee camp where they become stuck).

Construction sector (25 individuals)

- 100% were males between 18 and 45 years of age
- 70% have Ministry of Interior cards (security cards)
- 80% are registered with UNHCR
- 90% working 6 days/week
- 99% working 8 hours/day
- 100% earning 20JD/8h
- 85% without work permits
- 90% received SMS from UNHCR on work permits
- 40% never tried to apply for work permit
- 90% heard about the grace period
- 50% have not attempted to apply for a work permit within the grace period
- 20% do not have an employer interested to apply for their work permits
- 70% do not have the money to pay the sponsor for one year of social security contribution. Sometimes Syrian refugee workers are forced to pay additional social security contribution for Jordanians in order to meet the quota for the Jordanians in the sector.
- 70% cited the fear of inspection as a reason to want to obtain a work permit. 20% cited freedom of movement as the main reason for their interest to apply for work permit
- 95% said that being able to apply for work permit without the sponsor (Kafeel) is the main action that should be taken by Jordan in order for more Syrian refugees to apply for work permits in construction sector
- 90% agree to pay social security contribution
- 80% experienced inspection visits
- 95% have heard about people sent to Azraq camp because they have been working without work permits.

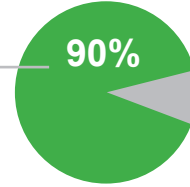
Construction sector



● were **Males** between 18 and 45 years of age

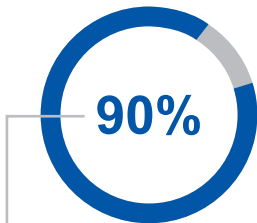


Agriculture sector



● were **Female** workers who are under the age of 16.

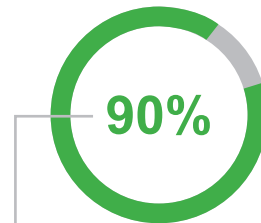
Construction sector



Working 6 days/week



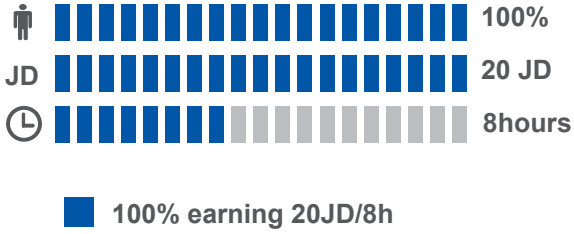
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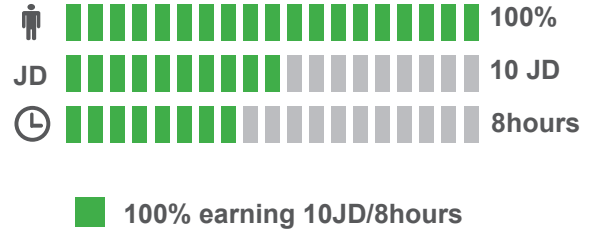
Working 7 days/week



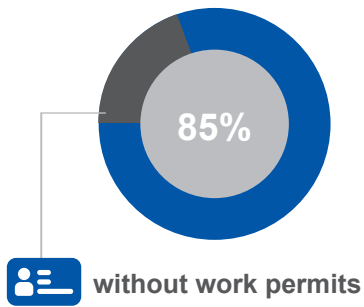
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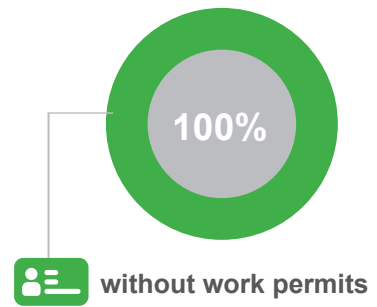
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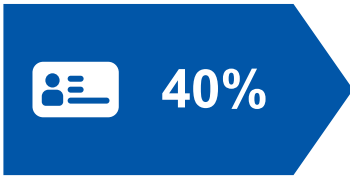
Construction sector



Agriculture sector

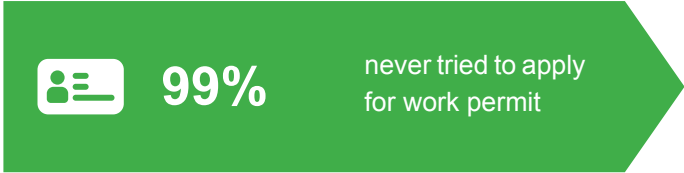


Construction sector



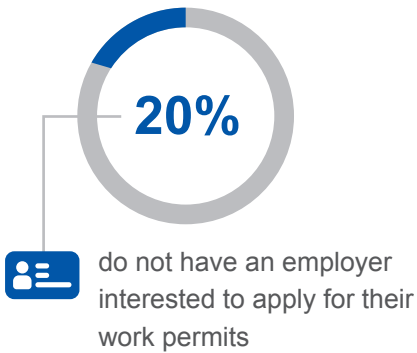
never tried to apply for work permit

Agriculture sector



never tried to apply for work permit

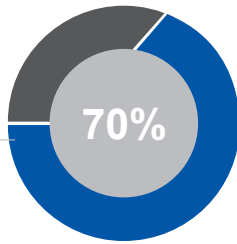
Construction sector



Agriculture sector



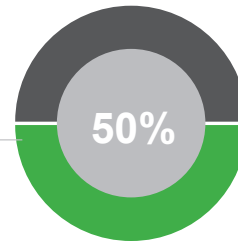
Construction sector



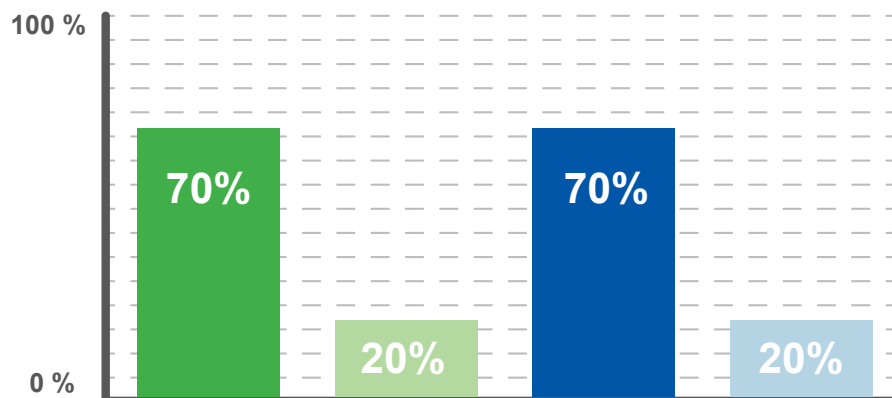
- do not have the money to pay the sponsor for one year of social security contribution.



Agriculture sector



- do not have the money to pay to a Kafeel/sponsor commission to apply for a work permit.



Agriculture sector

- Cited the freedom of movement as the main reason for their interest in obtaining a work permit.
- Said they wanted a work permit out of fear of labour inspections

Construction sector

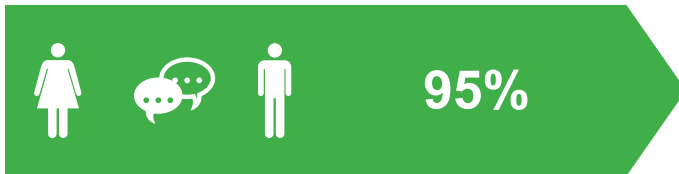
- Cited the fear of inspection as a reason to want to obtain a work permit
- Cited freedom of movement as the main reason for their interest to apply for work permit

Construction sector



said that being able to apply for work permit without the sponsor (Kafeel) is the main action that should be taken by Jordan in order for more Syrian refugees to apply for work permits in agriculture sector.

Agriculture sector



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Employers' Concerns and Challenges

The employers that were present in the group discussion of the food and retail sector were all Syrian restaurant and retail shop owners.

The Ministry of Labour agreed with UNHCR to recognize the medical certificates issued to refugees upon registration with the Ministry of Interior (to obtain the security/ MOI cards). However, when applying for a work permit, the labour directorate (in Irbid in particular) does not recognize these medical certificates and requires workers to re-do the medical test and issue new medical certificates. While the new requirements for work permits do not include a valid passport (only MOI card), doing a medical check-up and obtaining a medical certificate requires a valid passport.

Another issue was related to the quota of non-Jordanian workers in specific “open” sectors. This was a major issue voiced by employers who said that they struggle to meet the Jordanian quota in specific jobs which are in general not attractive to Jordanians.

In order to meet the quota, many employers register “fictitious” Jordanian workers as a way to bypass the legal requirements. Employers must register all workers in social security, including the “fictitious” Jordanian workers.

Preliminary Conclusions and Recommendations

The preliminary findings of these focus group discussions need to be further ascertained with a wider survey, but they already point at interesting conclusions and tentative recommendations.

1. The high incidence of child labourers among respondents in the agriculture sector points at the importance of increasing the outreach of the existing national referral framework with a sector based approach and integrated services (encompassing education/ livelihoods/ protection), in efforts to help children who have been pulled out of child labour to return to education or vocational training programmes, as well as provide financial support to vulnerable families.
2. The work permit administrative processes and costs act as a disincentive for Syrians to access them. There is a need to revisit options, in particular in terms of (a) delinking work permits from employers in agriculture and construction sectors, (b) making the cost of the social security scheme and work permit commensurable with actual payments to workers and free for seasonal work in agriculture, (c) easing the quota system to avoid double payment of social security by Syrians, (d) allowing a share of qualified Syrians into the closed occupations, especially in retail, (e) accepting the health certificate issued for the purpose of MOI cards.
3. Transport plays a major role in allowing Syrian refugees to access employment. Consideration should be given to allow Syrian refugees to obtain driving licenses and purchase cars in Jordan.



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