

THE SOLIDARITY CENTER PODCAST

Jordan Agricultural Workers Win Rights@Work!

Host: Shawna Bader-Blau, Solidarity Center Executive Director

Guest: Hamada Abu Nijmeh, director, Jordan-based Workers' House for Studies

Hamada Abu Nijmeh:

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Shawna Bader-Blau:

Hello sisters and brothers, and welcome to The Solidarity Center Podcast, an interview show that highlights and celebrates the individuals working for labor rights, the freedom to form unions and democracy across the globe. I'm your host, Shawna Bader-Blau. I'm also the executive director of the Solidarity Center in Washington, D.C. We're the largest U.S.-based international worker rights organization. We empower workers to raise their voice for dignity on the job, for justice in their communities, for greater equality in the global economy, and for one just future.

Shawna Bader-Blau:

Agricultural workers, the women and men who harvest our tomatoes, pick our grapes and literally feed the world, often work in harsh conditions. Yet most have few rights on the job, like protection against dangerous pesticides, the right to form unions, or even guaranteed access to clean drinking water. When farm workers join together, though, for their rights, all that can change. In Morocco, more than 1,000 agricultural workers on several large farms won better wages and safer working conditions for the country's first bargaining contract. And recently in Tunisia, workers celebrated as an agricultural worker became the first in the country to sign her union card.

Shawna Bader-Blau:

My guest today, Hamada Abu Nijmeh, will describe how agricultural workers in Jordan recently joined together to collectively campaign for and win a landmark law that will bring them safer jobs over time, and get this: guaranteed 10 weeks' paid maternity leave. This is huge. More than half of agricultural workers in Jordan are women. Hamada Abu Nijmeh is director of the Jordan-based Workers' House for Studies, and with the Agricultural Workers Union, led the campaign for this first ever legislation. We speak to him today with the assistance of our interpreters, Rami and Ayyam. You'll hear both of their voices during the course of today's show.

Shawna Bader-Blau:

Welcome Hamada Abu Nijmeh, director of Workers' House in Jordan. I was so thrilled when I learned about the really important victory that you were a part of helping agriculture workers achieve in Jordan. All around the world, agriculture workers are denied fundamental rights to health and safety, to decent wages, to fair working conditions, and the struggle for rights in the sector is so important. Before we talk more about the law, can you tell us just a little bit about, who are the agriculture workers of Jordan?

Hamada Abu Nijmeh:

The workers in agriculture in Jordan can be divided into two main groups. Half of them are Jordanians and the other half are migrant workers. Of course, the migrant workers are mainly made of two nationalities; Egyptians and Syrians. Syrians because of the Syrian refugee crisis and the abundance of number of Syrian refugees in Jordan. And the great percentage of those workers are female workers.

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Mr. Hamada, I wonder if you could say a little bit more about the types of crops that foreign and Jordanian workers that you have been working with are engaged with. What kinds of crops do people pick that we are talking about?

Hamada Abu Nijmeh:

Mostly, the crops are diverse in nature and simply in Jordan, there is the Jordan Valley area. It's actually quite a warm climate year round, and therefore it can provide for the possibility of growing various types of crops including vegetables like tomatoes, cucumbers. And of course, we have the slightly higher elevated area, which overlooks the Jordan Valley. And there you would find also other diverse crops like wheat, barley, citrus. And of course, we have the herbal or low-lying plants such as peas and the legumes in general. And of course, mind you, this when they grow they stay at a lower level of the land and therefore they need lots of work and effort. And that's why they focus on hiring women agricultural workers, and they do the physical work and this requires a lot of effort under the sun they suffer from, such as back pain, and of course other associated problems with the climate, with the elements and of course, with the insects and the like.

Shawna Bader-Blau:

The Jordan Valley and the Jordan countryside is spectacularly beautiful. And Hamada, you're describing absolute beauty. At the same time, you were starting to describe working conditions. Many agricultural workers are refugees from war. Others are refugees from poverty, perhaps from Egypt. Others are Jordanians who are majority women, as you've described.

Hamada Abu Nijmeh:

Of course, female workers, they have a very tough and complicated problem. Sometimes they're paid less than 50 percent of their male counterparts, although they work for the same working hours, because given the kind of condition and the situation in the Jordan valley, because it is always hot there, they usually work for six to seven hours a day, both male and female workers. So, this is the situation. And of course, it's under the control of the elements, of the climate, and of course the business owners. And another problem is that they suffer from an intermittent recruitment, i.e., the business owner decides whether or not to employ them next time or not. Another problem for them is the issue of transportation. As you know, as it is the case around the globe, always the agricultural areas are vast and remotely located from cities and urban centers, and therefore these female workers, they have to use indecent modes of transportation, unfortunately.

Hamada Abu Nijmeh:

Mainly pickups, which are not designed as passenger cars but rather for loading and unloading of crops and vegetables, etc. And therefore, they suffer from many road accidents that could happen because they are jammed and packed in those vehicles. They simply could actually fall off the road, and many accidents of the like have happened. Also, there is another problem. Since they are cramped into those vehicles that are not regular passenger vehicles, they have another issue related to harassment, and many actually indicated the issue of harassment as female workers during their transportation to the workplace.

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You've described really difficult working conditions for the men and women who work in this sector in Jordan, and I want to ask you some more specific questions about that. But first, can you tell me a little bit about where these crops are sold? Are these mostly for Jordanian markets or are these crops also, that the workers you're talking about, exported to foreign markets?

Hamada Abu Nijmeh:

So both, to answer your question. Jordan has become almost self-sufficient in terms of the crops that it grows, so we fill our needs in terms of vegetables, fruits and legumes. So, many of these products of these farms are sold in the local markets but they're also exported, so we have large farms that export vegetables to Europe and to various Gulf countries. But these are mostly the large farms, the organized ones with better legal arrangements, that are obviously limited in number and limited in the number of their workers. And then we have the smaller farms that export, that get together and they export through mediators.

Shawna Bader-Blau:

After the break, we will hear about what it took for agricultural workers to win sweeping new laws in Jordan that offer them and their families a chance at a future with rights and respect on the job. Hi, there, it's Shawna again. I just wanted to take a minute to invite you to check out RadioLabour, the international labor movement's radio service. RadioLabour produces daily newscasts about union events and issues, and it also produces special programs to support labor campaigns around the world. Check out RadioLabour at R-A-D-I-O-L-A-B-O-U-R.net, and find out more about worker rights struggles around the world and how the movement is supporting their efforts for decent wages, fair treatment and strong communities. Follow and subscribe at radiolabour.net.

Shawna Bader-Blau:

So, if I'm imagining the beautiful Jordan Valley and countryside, small farms and large farms providing food for the tables of Jordanians and exporting the bounty abroad, at the same time workers that are providing that food for all of our tables across the Gulf and Europe are working under incredibly difficult conditions. I know that you have dedicated a long time as a leader in the struggle for labor rights in Jordan to address and improve working conditions, and I know that recently there was a landmark legislation that is set to improve the lives of these workers that are feeding all of us. And I wonder if you could tell us a little bit about that work. What does this new law do?

Hamada Abu Nijmeh:

So, I can proudly say that it is through the efforts of many that we have been able to achieve this landmark achievement. I can say without a doubt that this is a historic achievement because since Jordan was founded, agricultural workers have not been included in the labor law until now. Only now through the regulations have they been included in the labor law, so it is after a lot of effort, a lot of pressure that was put on the government. And we must also recognize that the pandemic played a very important role in this because it reduced the severity of rejecting this proposal. At one point, decision-makers realized that agriculture is a vital sector and it is very important for achieving food security in Jordan, and so we took advantage of this. We also took advantage of the fact that His Majesty, the King, directed the government to improve the situation of the agricultural workers, and we went into an arguments and discussions with the government and with the private sector and we told them that this can only be achieved by improving the circumstances of other workers, otherwise there would be no

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achievement that can be done, especially since agricultural workers are the main elements of production for this sector.

Hamada Abu Nijmeh:

Okay. So, it is important to say or to mention here that the employers at the beginning refused to add or to recognize many of the rights, and obviously, this is expected of the private sector. There were attempts to limit the number of rights that were granted to the agricultural workers, and we were vested in the fact that the regulations must include the workers in all of their provisions, the agricultural workers, with no exceptions that were provided in the law. And so, we rejected the draft that the government offered in place of the draft that we offered to them. The government's draft allowed them, for example, the workers, some of the more simple worker rights, including wages and working hours. They didn't grant them the right to vacations as we wanted. Even the rights of the social security were limited, not as they should have, and they were not absolute rights as we wanted them, as we achieved them, in fact.

Hamada Abu Nijmeh:

So, we considered that the weak draft of the government was not accepted. Their objective obviously from their draft was to reject our demands, but indirectly we used the media and we also... in addition to the multiple tracks of dialogue, we used the media. And we received support, in fact, from the media and from social media, which also supported us and placed additional pressure on the government that to insist on these rights that are non-negotiable, that's our international standards. And so, our first achievement was to be able to reinstate our version, to be discussed by the committee.

Shawna Bader-Blau:

I can't underscore how incredibly important the achievement has been for the Jordanian agricultural workers that we've been describing, how rare around the world that agricultural workers are covered by social security, are recognized in the labor law. How rare and uncommon it is that workers get paid vacation leave.

Hamada Abu Nijmeh:

After the promulgation of this regulation or law, of course we did have sessions and meetings at the various areas with the workers, and we did explain to them the pros and cons, the positive and the negative points therein. And of course, the negative aspects of therein are still pending further consideration, as we explained them. For instance, employers who employ less than three workers, these were excluded from the coverage in the social security and the paid leaves, but all in all, yes, they are happy. But more importantly, they are still wondering about enforcement. And this reflects a higher level of awareness among those workers, because rather than being over jubilant with just talking about the privileges and benefits in the law, they're talking about the accurate enforcement of the provisions of the law that is really important for them.

Hamada Abu Nijmeh:

Requirements for the effective enforcement would entail the following. We are working, and I am actually personally involved in helping the Ministry of Labor in Jordan, on qualifying and training their staff on labor inspection in this sector. Also, there is a group of decisions and ministerial decrees that have to be issued by the minister himself on labor, on the places where the workers can stay, the dorms,

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the transportation, the difficult working conditions given the elements and the hot and harsher climate, with regarding to reducing the working hours during the hot weather. And we are lobbying and pressing the government also to issue a regulation for labor inspection in the agricultural sector. We have drafted this effect and we have helped the government in this regard because of the particularity of labor inspection in the agriculture sector. We are also lobbying and pressing the government for the ratification of key related conventions, international ILO conventions, including C190 and C87. And finally, of course, we are trying to push hard for the issue of unionization because the workers in this sector are disenfranchised and denied this privilege of organizing themselves in unions or joining them.

Shawna Bader-Blau:

You hit on such an important point here, which is the unfinished business that I'm still hearing you talk about in terms of the rights that are still outstanding for Jordanian workers in this sector. You mentioned ILO Convention 87, and there's also 98 that established the rights of workers to have unions and have collective bargaining. These rights are still not present for agricultural workers in Jordan. Independent unions aren't strong in the sector, and we don't have a ton of collective bargaining. I wonder if you could tell us a little bit more about why agriculture workers have been not allowed to form unions historically, and what are some of the current impediments, beyond the law, to workers having and forming independent unions?

Hamada Abu Nijmeh:

Of course, the issue is the issue of freedom of association and the unionizing is of a very limited nature, across the sectors, not only the agriculture sectors, because we have a specific number of sectors that can unionize and namely, there are 17 of them. And of course, they have only one General Federation of Trade Unions. And of course, the government is dominating all of them; the unions and the federation. And in an amendment to the Labor Code back in 2019, there were added provisions that would even introduce further restrictions to the right to unionize. The law now provided for the government that it has the right to dissolve and disband any board of any trade union however it likes. And of course, it also stipulates... I mean, the 2019 Labor Code's amendments, it's also stipulates that the government needs to approve and ratify the bylaws of any trade union.

Hamada Abu Nijmeh:

And of course, this is by international standards and even logically something that is not acceptable, and also they keep insisting on restricting the sectors that are allowed to unionize. International organizations, including the ILO, they criticize this setback. And that's why the workers in the agriculture sectors, domestic workers, also among the workers who are denied the right to unionize, in this case.

Shawna Bader-Blau:

You're describing an incredibly difficult situation for freedom of association and direct government interference and intervention in the rights of workers to form unions across Jordan. And I'm thinking about your earlier comments about agriculture workers being considered essential workers, providing bounty and food security to the nation, themselves being treated as a security threat when they try to form unions, and the government rollback on the right of workers to form unions in recent years. But I know that organizations like yours are pushing back and fighting to expand the rights of workers to form unions. Can you tell us a little bit more about that work? How do you work in coalition with independent unions, with other organizations, to try to expand the right of workers to have unions in Jordan?

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Hamada Abu Nijmeh:

I do anticipate and expect that the government and the 17 so-called cartoon or fake trade unions would also try to form their own agricultural trade union. And therefore, the government will try to do that very soon. And I'm afraid that then this new agricultural trade workers' trade union will not have a true, genuine representation of the workers in the sectors, because the issue is that most of the workers do not have tenure. They are not full-time. They're either contracted on a daily basis, or seasonal or casual workers, and more often than not they work for more than one employer or leave this employer this day and they go to the other one the other day. And therefore, it's very hard to gather them around one unified, consolidated word or idea. Now, with regards to your question, yes, we are now keen on raising awareness among workers about the right or to the freedom of association. And actually, a satisfactory percentage of workers do know their rights to association. And we will continue to work with the government in the future.

Hamada Abu Nijmeh:

And probably you heard about another issue, another problem related to the agricultural trade union and the agriculture sector, is that the case at court whereas the trade union of agricultural workers tried to register, and of course they've been denied and they took it to court. And now they're trying to and the government refused, and they're trying to challenge that decision before the court. I do not anticipate that our case will be successful before the court, for legal and other reasons besides the legal ones. And of course, the best way to protect the agriculture sector and any future trade union in the agriculture sector is to fix the problem with the entire system-wide the trade union in Jordan.

Shawna Bader-Blau:

Could you just tell us maybe a little bit in a few sentences about the important work of the Workers' House?

Hamada Abu Nijmeh:

So, the Worker's House is a think tank. It's a research center. It was established in 2017. So, it's in a sense center. It targets conducting studies on the labor market, all issues relevant to the labor market. And the Workers' House also has a training center for occupational safety and health to train workers in various sectors, especially construction workers. And maybe one day we will be training agricultural workers, because this is an objective that we aspire to achieve one day.

Shawna Bader-Blau:

I can hear your passion and concern for the rights and the livelihoods of all Jordanian workers in your story you just told. I wonder if you could tell me a little bit more about in your work right now, in coalitions with many different kinds of organizations in Jordan who are trying to expand the rights for workers, what is your vision for the workforce of Jordan and this sector, in particular? What does success look like to you?

Hamada Abu Nijmeh:

So, Shawna, your question was big, because I have multiple aspirations with many dimensions. Since I'm a lawyer and I work in the law, this is always my first step for success. If you raise awareness on their rights in the law, and this is what happened with the agricultural sector. If we didn't have the laws, then rights will not be respected. The greater ambition for me, of course is, in addition to the legal dimension,

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is to have worker policies that respect the humanity of the workers, whether they are national or whether they are guests. There are migrant workers who suffer from discrimination because of the culture, both at work and in all of the other aspects of life. Many of them suffer from very difficult practices, especially in the garment sector. There are factories that we have in Jordan that export abroad. They have thousands of workers. I would estimate maybe over 150,000 workers in this sector. The majority of them are migrant workers.

Hamada Abu Nijmeh:

I believe that respecting rights, if we don't succeed through raising awareness then the parties must be mandated through a strict and binding legal provisions with the tools that would ensure their enforcement to respect them. And Jordan obviously is mandated to respect this according to both the conventions that it has ratified and those that it hasn't, because this is the constitution of the ILO. And also, it is in our national interest. We must know that just like the agricultural sector, respecting worker rights is in the interest of the economy. They might think that in the short term, reducing some of their rights, shortchanging them, would help them, but ultimately it is in the interest of the national economy to respect the rights to ensure an effective and just process.

Shawna Bader-Blau:

Government and the private sector often put their priorities of short-term gain over the long-term interests of our nations and our peoples. Jordan is not at all unique in suppressing the economic and political rights of workers. Around the world, workers are facing exactly that same struggle, not just in agriculture but across so many sectors. And your vision and your work towards that vision in Jordan is a model, not just for a better future in Jordan but for all the countries around the world facing that same struggle. I really want to thank you so much to my brother, Hamada Abu Nijmeh, the leader of Workers' House in Jordan, for your incredible work and for this tremendous interview. Thank you so much.

Shawna Bader-Blau:

As we have been reminded so often during the COVID-19 crisis, we depend on essential workers, but for how many of us does that phrase bring to mind the image of a woman picking oranges in a grove under the hot sun, as millions of men and women all over the world do each day, doing the hard work in farms and fields to bring food to our tables? Through Jordan's house for worker studies, Hamada, in partnership with the Agricultural Workers Union, have both helped to ensure these workers are no longer invisible and that they have rights all workers deserve; a right to safe jobs, a right to decent working conditions, a right to paid leave, a right to form a union, and that these rights also extend to migrant workers. Thanks again to our interpreters, Rami and Ayyam, and of course, to brother Hamada for his work on behalf of workers in Jordan. And congratulations to all our sisters and brothers working in agriculture on this amazing achievement.

Shawna Bader-Blau:

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assisted with this podcast. In more than 60 countries around the world, we work to ensure a righteous future for workers; dignity, freedom, equality and justice.

For the Solidarity Center Podcast, I'm Shawna Bader-Blau. Thanks for listening.