



Policy Paper

Challenges Facing Working Mothers in Jordan

June 2022

1. Introduction

This policy paper is part of a larger research project entitled: Understanding Masculinities International Men and Gender Equality Survey (IMAGES) Jordan. The project was recently completed by the Information and Research Center at King Hussein Foundation in collaboration with the University of Jordan's Center for Strategic Studies, with the support of Equimundo (formerly Promundo-US) and UN Women in Jordan.

The project sample included (2,400) Jordanian men and women aged (18 to 50) and over, from (12) governorates across Jordan. In addition, (512) Syrian men and women in the same age range were surveyed in Amman, Zarqa, Irbid, and Mafraq.

This policy paper could be seen as an outcome of the IMAGES project that seeks to explore various attitudes around gender equality. The outlined topics are more specifically linked to the first and the fifth research findings of the project that explore attitudes toward gender, gender equality, masculinities, and gender dynamic in the household respectively. Thus, these two findings are very relevant and significant in addressing the major challenges of working mothers in Jordan.

2. Purpose of the policy

The main purpose of this policy paper is to inform decision makers and employers about the specificity of working mothers in the Jordanian labor market, with the aim of the implementing of the provisions of the law and advocating for a friendly work environment that promotes a larger integration of mothers in the labor force, through distinguishing their needs and challenges

3. Why working mothers?

Working mothers are disproportionately affected in the Jordanian labor market under the current social, cultural, and legal frameworks. Women continue to be perceived as primary caregivers, which limits their opportunities to engage in economic activities. Compared to women with similar characteristics, married women are (12.5) percentage points less likely to be in the labor force than single women and (9.6) points less likely to be employed than single women.¹ Moreover, having children has an adverse impact on women's integration into or presence in the labor force. Women with children five years or younger are (6.6) and (4.6) percentage points less likely than women without children to be in the labor force or employed, respectively.²

1. The World Bank Group: 'Jordan Jobs Diagnostics' (2019)

2. Ibid.

4. Reality of Women’s overall economic participation

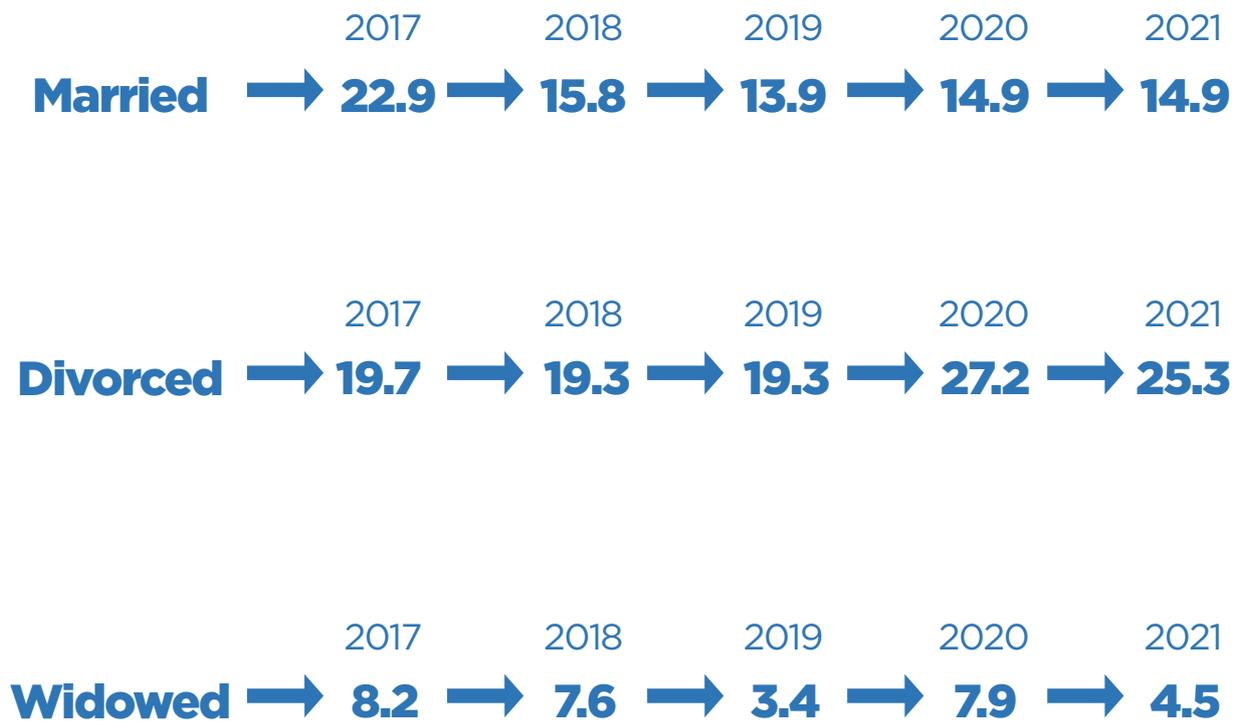
The underlying urgency of this policy brief stems from the low rate of women’s economic participation in the public and private sectors. Recent statistics show that women’s employment rates and economic activities remain below (15%) for the year 2022.³ This percentage is among the lowest on a global scale where Jordan ranks (131) out of (149) countries on the global gender gap index⁴. These disappointing numbers are in contrast with women’s educational attainment which surpasses men at the undergraduate level. Despite the efforts of governments, civil society organizations, and international donors to address the large gender gap in the economic participation, minimal progress towards women’s participation has been documented. Moreover, efforts to address the issue were holistic in nature, by viewing Jordanian women as one monolithic category, thus overlooking the different challenges that various categories of women are having to struggle with. These include and are not limited to disabled women, women with disabled children, women who are sole providers for their households, and most commonly working mothers.

Figure (1): Refined Economic Activity Rate for married or ever-married Jordanian women aged 15+⁵



³. Department of Statistics (2022)
⁴. World Economic Forum (2021)
⁵. Department of Statistics, Jordan (2022)

Figure (2): Unemployment Rate for married or ever-married Jordanian women aged 15+⁶



5. Covid-19 pandemic and the precarious conditions of working mothers

Contrary to the masculine nature of Jordanian society and the unequal division of labor that persists, women were the underground un-proclaimed heroes bearing the burden of household chores, homeschooling their children, caring for the elderly and the ill, and having attended their family's needs during the Covid-19 pandemic.⁷

On April 30, 2020, in the Jordanian government's bid to alleviate lockdown policies and reduce its measures, it was announced that the public sector would resume its work with a limited human capacity. However, the issue of working mothers with children was somewhat neglected and not raised as a priority. Only until civil society organizations began to address this issue on social media platforms that public debate on childcare and obstacles facing working mothers that it began to surface.⁸

6. Ibid.

7. UN Women. March (2020). Covid-19 and gender: immediate recommendations for planning and response in Jordan; Khamis, S., & Campbell, E. (2020). Info-deficiency in an infodemic: the gender digital gap, Arab women, and the Covid-19 pandemic. Arab Media and Society, 1-12.

8. Sadaqa (2020). They successfully launched a social media campaign that they called "Electronic storm: the voice of female workers" and met with senior governmental officials, thus placing the issue of childcare at the forefront of public media debate.

The pandemic and its economic repercussions are counterproductive to global gender equality. Women's jobs are (1.8) times more vulnerable to this crisis than men's jobs. Women comprise (39%) of global employment but represent (54%) of total job losses.⁹ One of the reasons for this greater impact on women is that the pandemic dramatically increases the burden of unpaid care, which women disproportionately bear. This means, among other factors, that women's employment rate is declining faster than average, even though women and men work in different sectors. From all these statistics, it is clear that working mothers remain the most vulnerable in times of crisis. It is unfortunate that despite all serious economic, social, and health challenges during the global pandemic, low attention was geared towards their valid concerns.

6. Impact of Negative Gender Stereotypes on Working Mothers

A gender stereotype is a generalized view that is controlled or unified for women and men through customary or traditional beliefs and practices with regard to roles and responsibilities. Gender stereotypes can be both positive and negative for example, mentioning phrases such as "women are nurturing" or "women are weak"¹⁰ in a generalized sense when referring to women. This also means, the presence of an overview or preconceived ideas about certain responsibilities and roles that should be performed by women and men for example ideas as "women are not fit to hold a judicial position" or "men are not fit to be elementary school teachers"¹¹ are perceived as stereotype phrases.

The danger of these stereotypes lies in the fact that they constitute restrictions on the abilities of females and males to develop their personal capabilities, pursue their careers, and make decisions about their career path or even their enjoyment of rights, freedoms and services provided¹².

Studies have proven that there is often an informal culture in the work environment linked to negative stereotypes. Such culture enforces gender roles, consequently, creating different workplace expectations for men and women. In Jordan, men are typified as primary income providers allowing men to increased access to a potential leadership positions and decision-making processes. Inversely, women are characterized as homemakers rather than breadwinners. These stereotypes are enforced through legislation, restrict women's access to leadership, promotions, and benefits¹³.

The Committee on the Elimination of Discrimination against Women expressed its concerns in its concluding observations on the sixth periodic report of Jordan regarding about the persistence of deep-rooted discriminatory stereotypes concerning the roles and responsibilities of women and men in the family as well in society as a whole, which overemphasizes the traditional role of women as mothers and wives, thereby undermining women's social status, autonomy, educational opportunities and professional careers¹⁴.

9. Mahajan, D., White, O., Madgavkar, A., & Krishnan, M. (2020). Do not let the pandemic set back gender equality. Harvard Business Review, 16.

10. Office of High Commissioner for Human Rights, Gender stereotypes and Stereotyping and women's rights, Sep 2014.

11. Women in Legal Drafting, Jordanian Legislation and Opinion Bureau and Arab Women Legal Network, 2021, p 6.

12. Rebecca J. Cook and Simone Cusack (2010), Gender Stereotyping: Transnational Legal Perspectives, University of Pennsylvania Press, p 9

13. See for example Gender Audits of Selected Public Organizations in the Public Sector in Jordan, IREX, 2019, p8 GENDER AUDITS OF SELECTED PUBLIC ORGANIZATIONS IN THE PUBLIC SECTOR

14. Committee on the Elimination of Discrimination against Women (2017), Concluding observations on the sixth periodic report of Jordan, CEDAW/C/JOR/CO/6, paragraph 29.

A specialized study on the analysis of 4th to 6th grade in the two subjects of Arabic Language and Social and Civic Education Jordanian student textbooks, reports that women are constantly depicted as absent, marginalized or passive – at best with restricted roles in society – whereas men are portrayed with full ownership of resources and spaces. Moreover, male characters are depicted in a holistic and diversified framework -- positioning themselves in all spheres, spaces, status, professions, and roles. The male is an active and progressive figure capable of taking on a number of roles and professions in society¹⁵ taking into account that national strategies and policies did not give the topic negative stereotyping the attention needed.

Human Rights conventions oblige state parties to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women¹⁶

Challenges facing working Jordanian mothers in the labor market include social, cultural, and legislative ones. Stereotypical images of women as caregivers mainly confined to the domestic sphere remain dominant¹⁷. In a patriarchal society, childcare remains the primary duty of mothers with minimal support from fathers¹⁸. Despite the harsh economic conditions, men continue to be perceived as breadwinners relegating women's work as secondary. Childcare has been noted as one of the primary obstacles facing working mothers.¹⁹

Attitudes about gender roles and childcare responsibilities that were extracted from the large sample of the IMAGES project vary.²⁰ (87%) of men and (52%) of women reported that a woman's most important role is to take care of the home and cook for the family. Furthermore, 84% of women believed that women should have the same right as men to work outside the home, while only 50% of men affirmed the same. (Figure 1) shows the percentage of men who helped with childcare.

15. Gender Role Assessment in School Textbooks, A Case for Content, Context and Environment Review, USAID, 2017.

16. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), article 5/a.

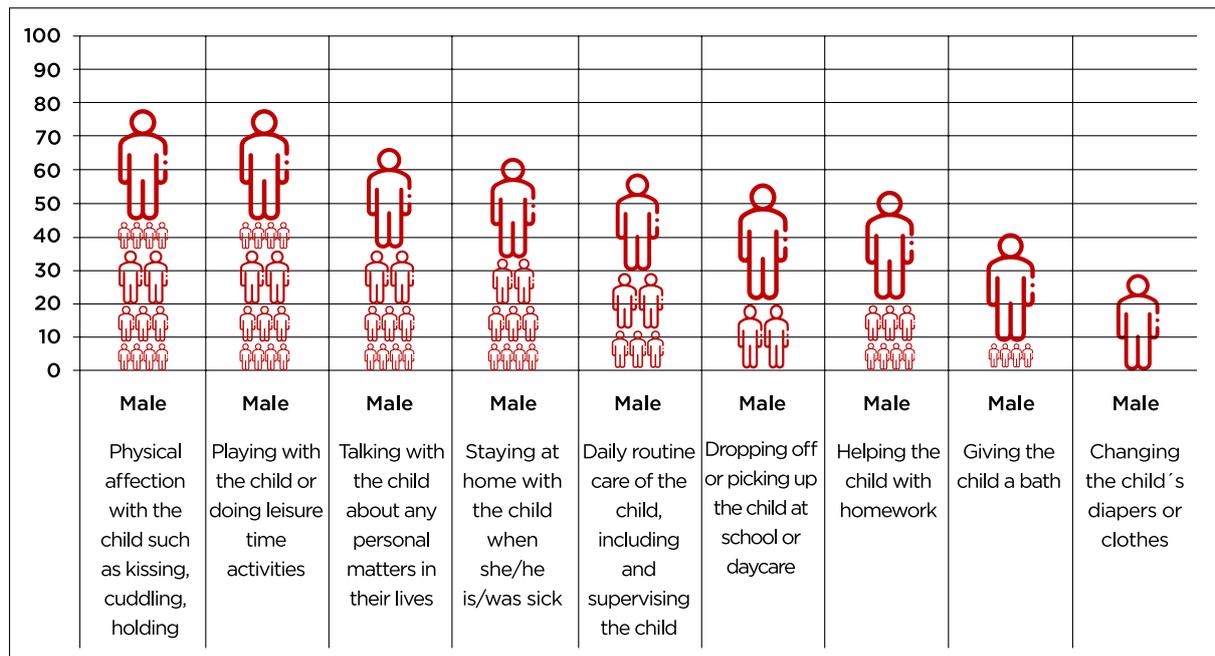
17. United Nations (2020). Meta-analysis on Women's Participation in the Labour Force in Jordan.

18. REACH and UN Women (2016). Working: Jordanian and Syrian Refugee Women's Labour Force Participation and Attitudes Towards Employment.

19. World Bank Group (2019). A Decade of Reform.

20. IMAGES MENA Jordan 2021

Figure (3): Percentage of ever-married men who performed childcare tasks related to their youngest child (under the age of 18)²¹



According to IMAGES Jordan, more than half of men surveyed did not take time off work (from their annual leave) within the first six months after the birth of their youngest child to help with childcare. Additionally, (64%) of men and (71%) of women were in favor of giving the father paid time off work after the birth of their children. As to the expected duration of the parental leave, (52%) of men and (49%) of women reported that the duration of parental leave should be one or two weeks.

7. Legal Framework and Gender Stereotypes

Legislation is allegedly gender sensitive, and unestablished traditional stereotypes regarding the roles of women and men, appearing seemingly either directly or indirectly in the legislation, as the law assumes that certain tasks fall on the shoulders of men or certain roles must be performed by women. Article 72 of Labor Law No. 8 of 1998 poses as a clear example of the assumption of the care of children is limited to the working mother, as stipulated “the employer who employs at least twenty female married workers must prepare a suitable place in the custody of a qualified caretaker to take care of the children of female workers provided children are less than four and the number of children is not less than ten.” However, this initial article was further amended in 2019 to become “The employer who employs a number of workers in one place and they have at least fifteen children is obligated to provide childcare or childcare alternative, meaning the amended article did not differentiate between male and female workers in this regard, and this approach must be followed in Jordanian legislation, especially since some studies indicate that Article 72 Before the amendment, was a major reason for the employers’ reluctance to hire women so that they would not bear the responsibility of taking care of children, while the aim of this article is to enhance the economic participation of women in Jordan”²²

21. IMAGES MENA Jordan 2021

22. Ayman Halaseh & Hamdi Alqubelat (2019), Equal Sharing of Domestic Responsibilities as A Mean of Enhancing Woman’s Economic Participation in Jordan, Journal of Law, Policy and Globalization, Vol. 86, p 159.

Correspondently, article 111/A/3 of Civil Service Law No. 55 of 2002 stipulates that a female employee shall be granted leave without pay and allowances given the family circumstances acquire that she devotes herself to taking care of her infant child, any of her children, her husband, or one of her parents if any of them is ill and their health conditions acquiring, as the text assumes that the wife/mother is the one who provides care, but the Civil Service Law No. 9 of 2020 granted this right to male and female employees through Article 109/A/4 without discrimination based on sex or gender.

However, several texts still establish certain roles for women, as stated in article 67 of the Labor Law: "A woman who works in an institution that employs ten or more workers has the right to take an unpaid leave for a period not exceeding one year to devote herself to education. her children...". In other words, the previous text assumed that the care of children is limited to the working mother and not the working father, and therefore the employer may hesitate to appoint women for the fear of her right to exercise her right explained in this article, while if the text was formulated with philosophy that was used in article 72, this right would be granted for the working father or mother, breaking out of stereotypes and diminishing cases of discrimination against women.

Despite the adoption of the flexible work in the public and private sectors, hypothetically to increase the participation of working mothers, there are many aspects of flexible work that are not clear in the practical application, such as subscription to social security, no guarantees to protect the worker from discrimination in terms of promotion, access to leadership positions, training, scholarships, and other work privileges.

It is also worth noting the amendment of Article 6 of the Constitution in 2022 proceeding addition of the sixth paragraph in which it stated, "The state guarantees the empowerment and support of women to play an active role in building society in a way that guarantees equal opportunities on the basis of justice and equity and protects them from all forms of violence and discrimination." The principle of equal opportunities aims to achieve actual equality through the necessity of treating some groups differently to reach a balance due to differences and different situations, by taking legal measures in favor of groups that suffer from discrimination or are difficult for them to benefit from the principle of legal equality because of social, cultural, economic, or other factors.

The Convention on the Elimination of All Forms of Discrimination against Women used the term "temporary special measures" in Article 4 with the aim of accelerating de facto equality between men and women, whereas practice has proven that stating equality in legal texts is not sufficient to achieve de facto equality between men and women, so women must be given a head start enabling them to achieve equality on the ground. The pursuit of actual equality calls for the development of effective measures and strategies aimed at overcoming the weak representation of women²³. The application of these measures is not an exception to the principle of non-discrimination, it is obliged to guarantee the principle of equal opportunities stipulated in the Jordanian Constitution.

²³. UN Committee on the Elimination of Discrimination Against Women (CEDAW), General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures, paragraph 8.

At the moment in time, Jordan's acquired temporary measures are being applied in legislation related to elected councils, by allocating specific seats for women in these councils most commonly are known as the "Quota System". However, in the context of the challenges facing women regarding economic participation in general and working mothers in particular, this requires serious consideration of expanding the use of temporary special measures, to be used in all areas where women are underrepresented or inadequate, such consideration necessarily includes women's economic participation.

8. Maternity Protection

Pregnancy and motherhood for working women lead to unsuitable or precarious situations. International standards emphasize the provision of special protection in the workplace for pregnant and breastfeeding working mothers to prevent any harm to their health or the health of their children, and further require protection to ensure job security that prevents layoffs due to pregnancy or maternity²⁴.

Although the labor laws and social security and the Civil Service Regulation provide some forms of maternity protection to a degree, such as full salary during maternity leave, the protection of the pregnant worker from termination of services starting from the sixth month of pregnancy, and the allocation of an hour for breastfeeding, there are still some further missing elements such as health protection in the mother's workplace. Needless to mention a discrepancy in maternity leave between the public (90 days) and the private sectors (70 days), presumably in all cases, it did not meet the requirements of international standards, which is no short of 14 weeks or 98 days.

Based on that it can be concluded that the current relevant legislation clearly is far from meeting international standards, this legislation may even be a reason for discrimination against working mothers in some cases. For example, in order for women working in the private sector receive her full salary during maternity leave, she required to register with the social security cooperation within the last six months at the very least²⁵, otherwise it is the employer's responsibility to cover the salary during the leave, and therefore if a woman is pregnant in the fourth or fifth month, the employer will avoid hiring her to avoid covering her salary during maternity leave.

It should be noted that Jordan did not ratify Maternity Protection Convention (No. 183). Nevertheless, the 2011 constitutional amendments included a new provision to ensure maternity protection under the law²⁶. The Constitutional Court has previously cited international conventions to explain the terms used in the constitution, although Jordan has not ratified these agreements. These conventions include the International Labor Organization Conventions No. (C087 and CO89) when interpreting articles related to freedom of association²⁷.

24. C183 - Maternity Protection Convention, 2000

25. Social Security Law 1/2014, article 44.

26. Jordanian Constitution, article 6/5.

27. Jordanian Constitutional Court, Explanatory Decision No. 6/2013.

9. Recommendations

9.1 Strategic and Policy Recommendations

Reviewing existing policies and strategies, to include changing negative stereotypes related to women as a priority. These efforts should be done in cooperation with non-governmental agencies, the media, and religious leaders, and emphasizing the realization of equality between men and women in all aspects of life.

Developing appropriate measures to eliminate stereotypes in the field of education and encourage girls to engage in non-traditional fields of study and professions, usually dominated by males, in line with the needs of the labor market.

9.2 Legislation Recommendations

Reconsider the legislation related to women in the public and private sectors, to include the following:

Adopt legal provision to reach actual equality with men in the field of economic participation and other areas in which women's representation is inappropriate in support of the principle of equal opportunities as stipulated in the Jordanian constitution.

Raising maternity leave to no less than 14 weeks and unifying it in the public and private sectors.

Include the basic elements of maternity protection in related legislations to include, the right of the working mother to cash benefits during her absence for maternity, health care related to pregnancy, childbirth and postpartum care, and health protection in the workplace for the working mother, whether she is pregnant or breastfeeding, and that there is no discrimination against working mother for maternity reasons, and implement effective arrangements to assist female workers to breastfeed.

Reconsidering the legislation related to flexible work, to ensure that workers with family responsibilities are not subjected to any form of discrimination in employment and occupation, including benefiting from social security, and obtaining equal opportunities for promotion and training.

Increasing the duration of paternity leave to ensure childcare is the common responsibility of men and women.

Continuing the current legislative approach of avoiding stereotypes and amending existing ones that reinforce negative stereotypes.

9.3 Recommendations for Employers and Stakeholders

Enhancing appropriate working conditions for working mothers.

Establishing cooperation relations between the main governmental bodies (Ministry of Labor) and public and private institutions to promote a favorable working environment for working mothers.

Spreading awareness that family responsibilities are not exclusive to the working mother, and do not constitute an obstacle to her career advancement.

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