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**Submitted by:** Al Nahda Association for Physically Challenged People, Jordan, and the Information and Research Center - King Hussein Foundation (A Joint Submission)

**Organization website:** [https://www.facebook.com/AlnahdaIRBID/?locale=ar\\_AR](https://www.facebook.com/AlnahdaIRBID/?locale=ar_AR) , <https://irckhf.org/>

**Al Nahda Association for Mobility Challenges:**

It was established in the city of Irbid (northern Jordan) in 1991, to serve persons with disabilities in the governorate of Irbid and the north of the Kingdom. It is a non-governmental civil organization that aims to integrate people with disabilities into society by empowering them, creating social, psychological and rehabilitation conditions for them, and promoting their rights in society.

**The Information and Research Center – King Hussein Foundation:**

The Information and Research Center – King Hussein Foundation was established in 1996 as part of the National Task Force for Childhood. Today, the center works to activate knowledge for positive social change and the welfare of children, youth, women, families, communities, and vulnerable groups by providing objective, impartial, and multidisciplinary research and analysis to decision-makers in Jordan and the Middle East region, which shall enable more effective socio-economic planning and decision-making<sup>1</sup>.

## Challenges Faced by Women with Mobility Disabilities in Irbid Governorate

Al Nahda Association for Mobility Challenges, with the support and partnership of the Arab Women Association in Jordan, prepared a field study in 2022 entitled "Challenges Faced by Women with Mobility Disabilities in Irbid Governorate<sup>2</sup>", which aims to identify obstacles preventing the participation of women with mobility disabilities in private sector institutions in Irbid governorate. [The study] targeted approximately 101 women and girls with mobility disabilities who are working in the private sector in Irbid governorate or looking for work (over 18 years old); and 4 in-depth interviews were conducted with women and girls with mobility disabilities who are engaged in the labor market (on duty) in the private sector. The findings of this research are the basis of this UPR submission.

### 1. Introduction:

1.1 In 2008, Jordan ratified the Convention on the Rights of Persons with Disabilities and then, Law No. 20 of 2017 on the Rights of Persons with Disabilities was enacted to ensure that persons with disabilities enjoy their full rights in accordance with the international standards.

1.2 Article 25 of Law No. 20 of 2017 on the Rights of Persons with Disabilities states: No person shall be excluded from work or training based on, or because of, disability, and disability by itself shall not be considered an impediment to retaining any of them. Governmental and non-governmental bodies must provide a reasonable accommodation that allows persons with disabilities to perform their job or work duties, continue in their positions, and get promoted.

1.3 Also, Article 25 of Law No. 20 of 2017 on the Rights of Persons with Disabilities obliges public and private sector entities with a number of employees not less than 25 and not more than 50 employees to employ at least one person with a disability. If the number of employees in an entity exceeds 50, then 4% of the vacancies should be allocated for persons with disabilities.

1.4 In the Concluding Observations of the Committee on the Rights of Persons with Disabilities to Jordan at the 17<sup>th</sup> session of 2017<sup>3</sup>, Recommendation No. 11/a: The Committee recommends amending legislation to explicitly prohibit the denial of reasonable accommodation as discrimination against persons with disabilities in all areas, and to impose sanctions on those who do not comply.

1.5 Recommendation No. 50/b: recommends raising awareness among employers and the general public on the right of persons with disabilities to work. Recommendation No. 50/c recommends promoting the



employment of persons with disabilities in the private and public sectors, including through affirmative action and the adoption of regulations governing reasonable accommodation.

1.6 According to the latest surveys of the General Population and Housing Census in Jordan for the year 2015, the percentage of persons with disabilities aged five years and over was 11.2%,<sup>4</sup> while only 10.2% of persons with disabilities are employed, and 10% are seeking jobs; the rest are unemployed and are not seeking jobs.<sup>5</sup>

## **2. Legislation on Persons with Disabilities Pertaining to Work and Employment:**

2.1 Article 13 of the Jordanian Labor Law No. (8) of 1996 states: The employer shall employ persons with disabilities at the percentage specified in the Law on the Rights of Persons with Disabilities and in accordance with the provisions stipulated therein and shall send to the Ministry [of Labor] a statement specifying the positions held by the persons with disabilities.

2.2 While Article (25/e) of Law No. 20 of 2017 on the Rights of Persons with Disabilities states: Without prejudice to the scientific or professional qualifications required by work or job, governmental and non-governmental bodies whose number of employees is not less than (25) and not more than (50) shall employ at least one person with disabilities, and should the number of employees in the entity exceeds (50) persons, a percentage of up to 4% of the vacancies must be allocated to persons with disabilities.

2.3 Considering the percentage of people with disabilities engaged in work in the public and private sectors, it is very low. Records of the Civil Service Bureau - Employment Portal, show that the number of people with disabilities appointed in public sector institutions did not exceed 2% for the years 2016-2017,<sup>6</sup> and official reports indicate that approximately 84% of persons with disabilities who are of working age do not work<sup>7</sup>.

2.4 The aforementioned legislation on the mandatory employment of persons with disabilities does not include or contain mechanisms to ensure that both the public and private sectors employ persons with disabilities within the percentages specified under Article (25) of the Law on the Rights of Persons with Disabilities while Article (48/b) of the Law on the Rights of Persons with Disabilities is still unenforced and no penalties have been imposed on each entity or institution that has not committed to employing persons with disabilities according to the percentages specified in the law.

2.5 The Jordanian Labor Law No. (8) of 1996 obliges employers to submit reports to the Ministry of Labor clarifying the work positions held by persons with disabilities, the number of workers and employees with disabilities and their wages. However, the number of private sector institutions is large compared to the

number of inspectors at the Ministry of Labor. During 2018, the Ministry of Labor carried out (183) inspection visits to private sector institutions. The findings of these visits reflected the commitment of 28 institutions, compared to 13 violating institutions, while the number of institutions to which the requirements do not apply was 142 institutions.<sup>8</sup>

2.6 The existence of periodic monitoring on labor sector institutions and the Ministry's participation in reports on the work positions occupied by people with disabilities may reduce labor violations against them and ensure their access to job privileges similar to people without disabilities. Findings of the quantitative study showed that some employers exploited the fact that women with disabilities are in need, and did not include them in social security benefits, at a percentage that amounted to (21%) of female workers, and in health insurance, at a percentage amounted to (16%) of female workers.

### **3. Accessibility of Persons with Disabilities to Work Environment:**

3.1 Official reports indicate that there is no clear number of private sector institutions that are prepared to receive persons with disabilities, noting that the number of institutions and non-governmental companies registered on the national system for electronic employment reached 6305 out of 189772 institutions registered in the Kingdom. While the number of inspectors at the Ministry of Labor is 198, which is a very small number of inspectors to verify the provision of accommodation in private sector institutions.<sup>9</sup>

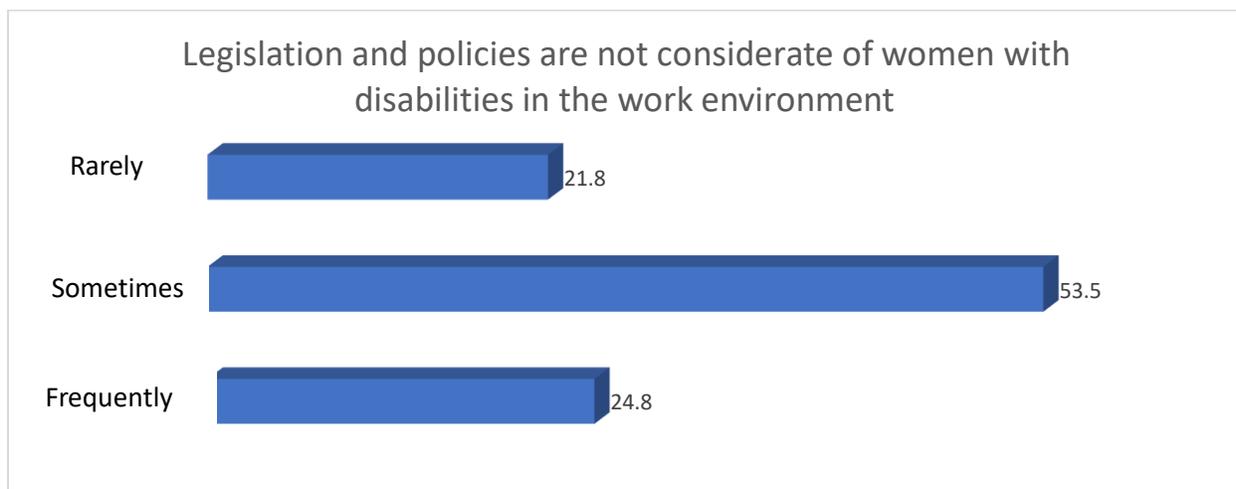
3.2 Based on the results of the quantitative study in Irbid governorate, the internal work environment of the private sector is often not prepared for the movement of women with mobility disabilities within its facilities at a percentage of 42%, and that 51% face difficulty in using restroom facilities in the work environment, while 39% face difficulty in moving between offices and departments at work, which often leads, in the future, to their failure to obtain job privileges or receive promotion and development similar to other male and female workers.

3.3 Whereas the National Building Law No. (7) of 1993<sup>10</sup> was enacted, by virtue of which the National Building Council was established, the council aims to lay the foundations and principles for the Jordanian National Building "Code" and determine the scope of each. Article (13) of the said law stipulates a penalty of a fine of not less than 100 dinars and not more than 3,000 dinars on entities that do not comply with the standards of building "codes" issued under the law. Although the building "code" was issued pursuant to a law, which means it became binding as soon as it was published in the Official Gazette, many public and private sector institutions did not comply with implementing the requirements of the National Building Code.

3.4 Women with mobility disabilities often face difficulties in accessing the workplace; these difficulties stand as a major obstacle to their involvement and continuation in work and pose a great challenge for them to perform their job duties to the fullest; approximately 73% of them face difficulty in using public transport.

#### 4. Violence and Sexual Harassment Against Women with Disabilities in Work Environment:

4.1 The findings of the quantitative study showed that women with mobility disabilities in Irbid governorate lack instructions and policies within the work environment that promote and protect their employment and labor rights, as illustrated in Figure No. (1). While approximately 44% of working women with mobility disabilities subject to the study reported that they do not have the ability to enroll in training courses. 21% of them indicated that employers would often have doubts about the ability of women with mobility disabilities to perform job duties, 46% of women reported that this happens, but sometimes.



4.2 Women among the study sample confirm that there are various forms of violence in the work environment that sometimes lead to their reluctance to work or to continue to work, and they are often unable to confront violence due to the lack of clarity of systems for protection from violence or resorting to reliable bodies through which they can file a complaint, and that is for 22% of the women, while 40.6% of the women are not aware of the existence of such systems.

4.3 The Law on the Rights of Persons with Disabilities punishes with imprisonment for a period not exceeding one year or a fine not exceeding one thousand dinars, or both, whoever commits violence that deprives a person with a disability of a right or freedom or restricts his exercise of either of them, or inflicts physical, mental or psychological harm on him on the basis of, or because of, a disability.

4.4 It was found that 61% of the women and girls with mobility disabilities subject to the study in Irbid governorate are not aware of the existence of national institutions or entities that provide support, counselling, and assistance in the event of being subjected to violence.

4.5 Few women with disabilities confront sexual harassment in the work environment, whether it is verbal or physical harassment, especially in the absence of regulations in the work environment of the private sector that provide for clear mechanisms for accountability and punishment. It is known that violence leading to harassment in the work environment is very sensitive towards women in general and women with disabilities in particular, while legislation still falls short of addressing the issue of harassment comprehensively and finding clear mechanisms to protect harassed women, whether it is committed by co-workers, managers or others.

4.6 Therefore, the Jordanian Labor Law has limited the right of the male or female worker who is subjected to harassment to obtain compensation in the event the assault was committed by the employer or his representative, but it does not include the assault that occurs from co-workers. Despite the efforts of the Ministry of Labor to oblige the private sector to develop a policy to prevent harassment in the work environment through internal regulations, these efforts are limited and do not cover employers who employ fewer than 10 workers.

## 5. Recommendations:

5.1 Private sector entities in the governorate of Irbid should comply with the national building "code" and related regulations. In addition, rehabilitate existing private sector entities to make them accessible to disabled male and female employees.

5.2 Private sector entities in the governorate of Irbid should comply with the provisions of the Labor Law and the Law of 2017 on the Rights of Persons with Disabilities to employ persons with disabilities in accordance with the percentage specified in Article (25) of the Law of 2017 on the Rights of Persons with Disabilities.

5.3 To enforce Article (48/b) of the Law of 2017 on the Rights of Persons with Disabilities, which imposes penalties on any entity or institution that does not comply with the employment of persons with disabilities according to the percentages specified in the law.

5.4 To activate the supervisory role of the Directorate of Labor in the governorate of Irbid over owners of private entities to ensure implementation of the law and to ensure that people with disabilities have access to their right to work under Article 13 of the Jordanian Labor Law, which requires employers to

provide the Ministry of Labor with a statement detailing the work positions occupied by people with disabilities and their wages.

5.5 In order to effectively inform women with mobility disabilities in Irbid governorate about their fundamental right to file complaints in cases of discrimination, grievances, or violence in the work environment, it is imperative for civil society organizations within the governorate to undertake specific measures.

5.6 Coordinate with the Higher Council for the Rights of Persons with Disabilities and the Ministry of Labor to pressure private sector employers in the Irbid governorate to include the rights of persons with disabilities in workplace regulations, instructions, and internal bulletins and to ensure their implementation.

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<sup>1</sup> Official website of the Information and Research Center: <https://irckhf.org/>

<sup>2</sup> It is worthwhile to note that Irbid governorate is located in the northwestern part of the Hashemite Kingdom of Jordan and includes (9) counties and (18) municipalities. The population of the governorate until 2019 is estimated at approximately (1,957,000) people, which amounts to approximately (18.57%) of the population rate of the Kingdom. It is the second largest governorate after the capital, Amman.

<sup>3</sup> Concluding observations on the initial report of Jordan, by the Committee on the Rights of Persons with Disabilities, at its 17th session (20 March-12 April 2017).

<sup>4</sup> Report: The main results of the General Population and Housing Census of 2015, published on the official website of the Department of Statistics on: <http://dosweb.dos.gov.jo/>

<sup>5</sup> National Policy on the protection of rights of persons with disabilities in the Hashemite Kingdom of Jordan 2020-2030 on: <https://bit.ly/3Ge7Q4a>

<sup>6</sup> Official website of the Civil Service Bureau of Jordan, on <http://www.csb.gov.jo/web/index.php?lang=ar>

<sup>7</sup> Position paper on employment of persons with disabilities – The Jordanian Workers’ House for Studies 2022.

<sup>8</sup> First annual report on monitoring the conditions and rights of persons with disabilities 2018, <https://bit.ly/3rGycUM>.

<sup>9</sup> First annual report on monitoring the conditions and rights of persons with disabilities 2018, <https://bit.ly/3rGycUM>.

<sup>10</sup> The National Building Law No. (7) of 1993, published in the Official Gazette issue no. 3888 on 1/4/1993