

# **The Good, the Bad and the Ugly**

## **An Update:**

### **Human Trafficking, Involuntary Servitude and Worker Rights Conditions**

#### **Under the U.S.-Jordan Free Trade Agreement**



June 13, 2006

**United Steelworkers**  
Five Gateway Center  
Pittsburgh, PA 15222  
Tel: 412-562-2300

**National Labor Committee**  
540 W. 48<sup>th</sup> Street, 3<sup>rd</sup> Fl.  
New York, NY 10036  
Tel: 212-242-3002

June 13, 2006

# **The Good, the Bad and the Ugly**

*An Update:*

## *Human Trafficking, Involuntary Servitude and Worker Rights Conditions under the U.S.-Jordan Free Trade Agreement*

---

### **I. Introduction**

Undeniably, there have been recent, concrete improvements at many factories in Jordan, and the Ministry of Labor is set to unveil a complete make-over regarding how human rights standards will be promoted, monitored and enforced going into the future. There are many good stories here, which we will relate.

However, the situation still appears dire at many of the 55 smaller subcontract factories (which make up 48 percent of the total), which are operating under the radar screen and apparently remain out of control. There are continuing horror stories in these factories, which we will also relate.

Based on the findings of our delegation's visit to Jordan, May 16 through 20, we will make a limited number of important recommendations to the Government of Jordan which, if enacted, will go a long way to bringing worker rights conditions in Jordan in line with Jordanian law, international standards and commitments under the U.S.-Jordan FTA.

The U.S. delegation to Jordan was made up of Charles Kernaghan, Director, National Labor Committee; Tim Waters, Director of Rapid Response, United Steelworkers of America; Holly Hart, Assistant Legislative Director, United Steelworkers of America; Christine Clarke, China Program Coordinator, National Labor Committee, and Anuradha Hashemi, National Labor Committee intern, English-Bengali translator and a student at Mount Holyoke College.

The delegation was provided unprecedented access to nine industrial estates, where we were free to visit any factories we chose and to speak with any workers we wished. We also had the opportunity to visit workers' dormitories, all of which were over-crowded, and some of which were newly painted.

Several major impressions emerged from these visits. First, it was immediately clear that inside the factories the workers were too frightened to speak with us. At one plant, Taiyar in the Al Tajamouat Industrial City, when Christine Clarke tried to speak with a young woman worker from China, the girl froze and blurted out that they worked eight hours a day, five days a week. She then started to visibly shake and was on the point of crying. Meanwhile, literally ten steps away, the plant's production

manager was telling the members of the delegation that they worked 12 hours a day, six days a week. During every factory visit, management trailed our every step. If our delegation split up, so did the management staff. It was very intimidating to the workers. At the Needle Craft factory in the Ad Dulayl Industrial Estate, when Anuradha Hashemi approached one of the Bangladeshi workers, she was too frightened to speak. At that point, the supervisor started yelling loudly at the worker that she should answer the questions.

Also, despite numerous assurances from Jordanian Government officials and local private-sector leaders that there would be no reprisals against the workers who met with us, there were. Two workers from the Saidan factory, where clothing is being sewn for L.L. Bean, were beaten and forcibly deported at gunpoint, sent back to Bangladesh without their back wages.

Our delegation also had very frank and productive meetings with the Minister of Labor; the Minister of Industry and Trade; representatives of the Jordanian Garments, Accessories and Textile Exporters' Association (JGATE); plant managers from 15 different factories; the owners of two of Jordan's major industrial parks; the vice-president of the General Trade Union of Workers in Textile, Garment and Clothing Industry, and with U.S. Embassy officials.

Our overall impression is that the Jordanian Government is very serious about ending human trafficking and involuntary servitude, and restoring the rule of law in Jordan's export factories. In our last meeting with the Minister of Industry and Trade, Mr. Sharif All' Zu' Bi, he told us that if it came to that, he was prepared to close down half of Jordan's export factories rather than allow the violations and abuse to continue.

Also, with unprecedented frankness, Labor Minister Basseon Salem criticized his own Ministry for focusing too much on issuing foreign guest work permits and too little on enforcing wage and hour laws, imposing sanctions or bringing criminal charges against continuing violators. The Ministry has only 88 labor inspectors, many of whom are inadequately trained and under-paid, to oversee 95,000 operating businesses. The Minister acknowledged what few others have had the honesty to, that in their investigation following the release of the National Labor Committee report, they could not trust the information gained from their worker interviews, since the factory workers were clearly too intimidated to speak the truth. (*“Representatives of the Embassies were asked to choose workers at random from factories for face-to-face interviews outside the workplace. Ministry of Labor officials, with translation from Embassy staff, interviewed the workers. **It was felt however that workers did not divulge much information as the atmosphere must have been intimidating.**”* (Ministry of Labor Report on the Status of Migrant Workers in the Qualified Industrial Zones, May 2006, Amman, page 11)

It is our feeling that the positive dialogue with the Jordanian Government and other stakeholders should go forward, especially given the considerable opposition they will likely encounter from many factories used to operating with complete impunity. Ending the violation of foreign guest workers' rights in Jordan will not be a walk in the park.

**More Positive News:** Late yesterday afternoon, June 12, a very positive discussion took place by phone with a government representative in Jordan who is now actively considering closing down some of the most abusive and violent subcontract factories, and with an important agreement that their workers would be relocated to one of Jordan's very best factories.

*The next two sections of this report are based on our observations during our trip to Jordan and on statements from workers in Jordan and Bangladesh which were received by the National Labor Committee following our return. We strongly recommend that the government follow up by investigating all of them.*

## **II. The Good**

### **1.) United Garments Manufacturing, Al Tajamouat Industrial City**

#### ***Recent Positive improvements at United Garments:***

- **Passports have been returned to workers, who now also have their important residency permits**, allowing them to walk freely outside the factory without fear of being stopped or detained.
- **Working hours** have been reduced, with the factory regularly shutting down at 8:30 or 9:00 p.m.
- The monthly wage was raised from 86 Jordanian Dinar (\$121.55) to the **legal minimum of 95 JD (\$134.28)**. (Yet, this still appears to be based on an illegal “regular” workweek of 60 hours.)
- Relatively speaking, the workers report that their treatment is better now than in the past, and not as abusive.

#### ***Continuing Violations at United Garment:***

- ***Paid below the legal minimum wage, since regular working hours defined as 60 hours per week, rather than the legal 48 hours.***
- Scarcity of running water remains a serious problem at the worker dorms.
- Factory bathrooms remain filthy and company food lacks taste.
- Working a 13 ½ hour shift from 7:30 a.m. to 9:00 p.m. with just one or two Fridays off a month, ***without overtime pay.***
- Workers forced to sign fake wage and hour sheets stating that they work eight regular hours and two overtime hours a day and receive 95 JD (\$134.28) a month for the regular 48 hours and 120 to 150 JD (\$196.61 - \$212.00) including overtime. Workers who refuse to sign the fake wage and hour records will have their wages cut and are threatened with forcible deportation.
- Workers shortchanged of up to half the wages legally owed them, earning just \$28.05 for a 78-hour workweek, when they should have earned at least \$55.18.
- In advance of the arrival of the U.S. delegation, the United Garments workers were instructed to lie regarding actual working conditions or face deportation.

### **2.) Pacific Garments Factory, Al Tajamouat Industrial City**

On May 24, after a three-day work action/slow down, the workers at Pacific Garments won:

1. ***Payment of the legal minimum wage of 95 JD (\$134.28) a month, and 64 ½ cents an hour.***
2. ***A regular workday of eight hours and a 48-hour workweek;***

3. An overtime premium of 0.5 JD (or 72 cents) an hour for regular overtime and 0.65 JD (92 cents) an hour for weekend overtime—which still would appear to be a little below the legal overtime premiums of 81 to 97 cents an hour, and;
4. **A back-wage settlement of 30 JD (\$42.40).** (The workers' demands were very modest given that on the minimum wage alone, not counting unpaid overtime, they were owed at least \$113 for the eight-month period Pacific violated the legal minimum wage.)
5. **The Pacific factory now shuts down at 8:30 each night**, after a 12 ½ hour shift, rather than at 10:30 or 11:30 p.m. as it routinely did in the past.
6. Workers report that in comparison to the past, *their treatment is relatively better now*. However, there is still too much shouting and pressure to reach excessive production goals.
7. Workers have been promised that they will soon have continual access to running water at their dorm.

However, more progress needs to be made. *Pacific workers still have not received their passports or their residency permits*. The workers appear to be receiving just two days off a month, and factory bathrooms remain dirty. The workers continue to complain of tasteless and poorly prepared food.

3.) At the **Al Kawkab** factory in Al Tajamouat Industrial City, *workers passports have been returned and all outstanding residency permits have been supplied*. Workers feel empowered to speak out about their legal rights, though some fear still persists.

4.) **Hi-Tech** factory workers in the Ad Dulayl Industrial Park have been told that *all workers will receive their residency permits* and that *they will now be paid the legal minimum wage of 95 JD (\$134.28) a month. Hi-Tech workers have also been promised payment of back wages due them*. These remain just promises, but many workers feel that the Ministry of Labor is acting much more seriously in pressuring the factories to adhere to Jordan's labor laws.

5.) **Ivory, Paramount and Prestige**, all factories in Al Tajamouat all appear to be closing earlier now, at 8:30 or 9:00 p.m. In the **Atlanta** factory, some shifts are just eight hours a day and the workers have been told that next month they will receive the legal minimum monthly wage of 95 JD (\$134.28).

6.) Workers at the **Southern** factory in the Al Tajamouat Industrial City have been told that *they will receive a wage increase to 110 JD (\$155.48) a month, which would raise their hourly wage to 75 cents*. (If carried out, this would bring their wage in line with the national minimum, which was raised to 110 JD a month in May 2006. However, the export garment industry was exempted from this new minimum wage.)

The workers have also been told that the factory will be closed every Friday and that the new daily shift will be 11 hours, from 8:00 a.m. to 7:00 p.m. rather than 10:00 or 11:00 p.m. (In preparation for the U.S. delegation's arrival, Southern workers were prepared on what to say should they be questioned. We were to be told that they work a regular eight-hour shift and earn a total of 120 JD (\$169.62) a month including overtime, they never worked past 7:00 p.m., and received every Friday off. –We hope this does become the reality.)

7.) When the U.S. delegation visited the **Al-Hassan Industrial Estate** in Irbid on Friday, May 19, *every factory was closed for the weekly holiday*. In a chance encounter with a group of foreign guest workers who said they worked at the **United** factory, we were told that *there had been a major turnaround in their factory within the last week or ten days*. Prior to this, the factory continually violated their contract. They even went on strike in an attempt to win the legal minimum wage, but to no avail. *Now, they told us, things are improving and their contract is being honored*.

8.) By late May, workers reported that the *vast majority of factories in the Al-Hassan Industrial Estate were now shutting down no later than 9:00 p.m.* They also report that worker treatment in the plants, though far from perfect, is relatively better than in the past. Conditions in the Irbid area appear to be improving as factory managers are much more concerned with compliance issues.

9.) The **Central Clothing Company** in Al Tajamouat Industrial City is also moving in the right direction, though there are several serious issues that still need to be addressed. The daily shift at the Central Clothing Company is now 13 hours a day, from 7:30 a.m. to 8:30 p.m., with all Friday's off. The workers describe their wages as better than average, since they can earn 120 JD, or \$169.61, a month including overtime. But even this wage falls more than 20 percent short of what the workers are legally owed. For the 75-hour workweek, they should be earning \$52.76 rather than the \$39.14 they are currently being paid. Still, in comparison to other factories, their wages are, as they say, better than average. Nor do the workers view their hours as excessive. The foreign guest workers came to Jordan to earn money, and as long as the overtime is voluntary, paid correctly and they receive at least one day a week off, they are ready and willing to work hard.

On the down-side, workers have not yet had their passports returned, and many workers still lack their necessary residency permits. Their production goals are set excessively high, according to the workers, which leads to *de facto* pay cuts, for failing to reach the goal, and to threats of deportation. The workers dorm often lacks running water, and everyone complains that the company food is terrible.

The Central Clothing Company is moving in the right direction, but much still needs to be done before the factory is in full compliance with Jordanian law.

These are, of course, just preliminary findings, and we intend to continue gathering information documenting further factory improvements. In this investigation, we are open to and welcome input from all sources with evidence of improving conditions. However, even at this early stage, it is clear that at least some of Jordan's guest workers are experiencing improving working conditions and respect for their legal rights. A good beginning. But, as we will see in the next section, there is still a long way to go.

### **300,000 Guest Workers in Jordan**

There are nine industrial parks--free trade zones--in Jordan, housing 114 factories which in 2005 produced \$1.2 billion in duty-free goods for export to the U.S. Fifty-nine of these factories have official export licenses and direct contract relationships with U.S. companies. The remaining 55 plants, or 48 percent of the total, are subcontract factories, which often operate below the radar and are responsible for the worst worker rights violations. Of the total factory workforce of 54,077, 67 percent (36,149) are foreign guest workers. There are 13,267 guest workers from Bangladesh, 9,872 from China, 9,071 from Sri Lanka and 3,527 from India. There are 17,928 workers from Jordan.

Over all, the government estimates that there are 300,000 foreign guest workers in Jordan. Besides the factory workers, there are an estimated 60,000 foreign domestic workers in Jordanian homes—who are mostly young women from the Philippines, Sri Lanka and Indonesia. Many of these women also report extreme violations, including seven-day workweeks, beatings and sexual harassment. The remaining foreign guest workers are employed in construction and agriculture and are mainly from Egypt.

### III. The Bad and the Ugly

#### 1.) Al Nahat: A Disaster Ready to Explode!

**Al Nahat Apparels, Ltd.**  
**Al Tajamouat Industrial City**

**Urgent** – The Ministry of Labor should immediately post a full-time inspector at the Al Nahat factory and dorms until management’s continuing threats of violence, further beatings and forcible deportations cease. The Minister of Labor may also want to ask for police intervention.

#### *Continuing extreme violations at Al Nahat / No improvements (Update June 11)*

- ♦ *Continued human trafficking and involuntary servitude—passports still have not been returned to the workers, nor have the workers received their necessary residency permits.*
- ♦ *Today, Sunday June 11, two workers were threatened with a pistol and beaten by the factory owner.*
- ♦ *Paid below the legal minimum wage and cheated of over 60 percent of the overtime pay due them.*
- Al Nahat workers continue to earn just 80 JD (\$113.03) a month for a “regular” workweek of 60 hours, which amounts to just \$26.09 a week and 43 cents an hour. This is 33 percent below the legal minimum wage of 64 ½ cents an hour, \$30.99 for the regular 48-hour hour workweek and \$134.28 a month. Workers are paid at most 35 cents an hour for overtime work, when the legal overtime rate should be 81 cents an hour for regular overtime hours and 97 cents an hour for work on Fridays and national holidays.
- Workers are routinely forced to work 14 ½ or more hours a day, from 7:30 a.m. to 10:00 or 11:00 p.m. or 1:00 a.m., seven days a week. On Friday, June 9, the Al Nahat factory was again working. At most workers receive just one day off a month.
- Today, Sunday, June 11, 25 Al Nahat workers filed a complaint with the local Labor Court seeking payment of their legal minimum and overtime wage. *In retaliation—in addition to beating two workers—the owner has stopped providing food and has cut off water to the workers’ dorm.* The workers are now being threatened with forcible deportation if they dare return to the Labor Court for justice. The owner went berserk, shouting at the workers that he will never pay the benefits described in the few flyers the U.S. delegation was able to distribute. (The flyer listed Jordanian labor laws and informed the workers that it was illegal for management to confiscate their passports.) The owner warned the workers that he will run his factory “just as he pleases,” and that he is “not obligated to respect any Jordanian laws.”
- *The atmosphere is extremely tense, and violence could break out at any moment. The Al Nahat workers are deeply afraid. The owner has threatened that if any worker seeks outside help again, they will be in “serious trouble.”*

*Al Nahat is currently sewing garments under subcontract from the Hi-Tech factory in the Ad Dulayl Industrial Park.*

#### *Continuing violations at the Al Nahat factory as of May 18:*

- Forced to work routine 14 ½ to 15 ½ hour shifts, from 7:30 a.m. to 10:00 or 11:00 p.m., seven days a week, with at least one shift each week stretching 17 ½ hours, from 7:30 a.m. to 1:00 a.m. In April there was no day off.
- Workers are at the factory 107 ½ hours a week, while routinely working 100 hours. By law, the workers should be earning at least \$75.35 for the hundred hours of work, but instead are paid just \$30.99 at most. Each week the Al Nahat workers are being cheated of 60 percent of the wages due them, or \$44.36.
- In April, 10 workers had a gun held to their heads after asking for the legal wages due them. Some workers were also beaten. All of the workers were threatened with deportation.
- Workers have to sign fake wage and hour records.
- Workers had to report to Ministry of Labor investigators that they were paid the correct legal minimum wage and that they had voluntarily surrendered their passports to management. Any worker refusing to lie could be beaten and deported. The workers are frequently threatened at gunpoint.
- Any worker taking a sick day will be docked two days' wages.
- Some Al Nahat workers have not been paid for the last three months.

## **2. Saidan Factory: Human Trafficking and Involuntary Servitude Continue**

### **Saidan Garments Limited Al Tajamouat Industrial City**

*We are requesting that the Jordanian Ministry of Labor put the Saidan factory under high alert, with a full-time Ministry inspector present until the rule of law can be re-established at the plant and the safety of the workers guaranteed.*

### **Two Saidan Workers Beaten and Forcibly Deported at Gunpoint on May 20 in Retaliation for Meeting with a Visiting U.S. Delegation**

\* **Mr. Abdul Kader** (entered Jordan, November 11, 2005)

\* **Mr. Badal** (entered Jordan, October 29, 2005)

Both are sewing machine operators, who each paid 140,000 taka (\$2,059 U.S.) to a recruitment agency in Bangladesh to purchase their three-year contracts to work at the Saidan factory. They had to borrow this money in the informal market at exorbitant interest rates of five to ten percent per month.

On the night of Thursday, May 18, 2006, Mr. Abdul Kader and Mr. Badal attended a meeting in Sahab with a U.S. delegation from the National Labor Committee and the United Steelworkers Union. The U.S. delegation had received numerous assurances both from Jordanian Government officials and private sector leaders that no worker would suffer any retaliation, and certainly would not be forcibly deported.

However, following our meeting, Mr. Saidan showed up at the workers' dormitory on Saturday night, May 20, and confronted Mr. Kader and Mr. Badal, shouting and yelling at them for attending the meeting with the U.S. delegation, and threatening that he would not keep them and that they would soon be sent back to Bangladesh. Then, at 3:00 p.m. on May 23, under the pretext that the workers were to be paid back wages owed them, Mr. Kader and Mr. Badal were asked to step outside the factory. Two

drivers and a relative of the factory's general manager were waiting for them with a van. The workers were beaten, and with a pistol held to Mr. Kader's stomach, they were forced into the van. The workers were driven directly to the airport and forcibly deported. They were not permitted to stop at their dormitory to pick up their belongings. They were returned to Bangladesh without two months' back wages owed them, in addition to the Social Security deductions taken from their wages each month, which are legally to be returned when a foreign guest worker leaves the country.

Mr. Kader and Mr. Badal are now back in Bangladesh, penniless, with no money to feed their families, and facing a growing debt incurred to purchase their work contract in Jordan, which is increasing at 10 percent a month.

Both Mr. Kader and Mr. Badal are anxious to return to Jordan, since this is their only hope of paying off their loans.

### **Saidan owner accuses deported workers of “rioting” and “beating a supervisor”**

On June 10, we were able to speak by phone with the two forcibly deported workers, Mr. Kader and Mr. Badal, who were returned to Bangladesh. We have also been in direct contact with workers still at the Saidan factory. According to every worker we spoke with, no such incident ever occurred. There was no “rioting” and no fight took place with any supervisor. The allegations of violence were fabricated by Saidan's manager in an attempt to justify the illegal deportations and human trafficking of foreign guest workers.

### **Serious violations continue:**

- Workers' passports continue to be confiscated and withheld;
- Two months' wages, for April and May, have yet to be paid. When workers ask for their back wages, Mr. Saidan responds telling them to “*Go to the Labor Court and they will pay your salary.*” And in the next breath he threatens the workers that anyone even approaching the Labor Court “*will be immediately deported, just like Kader and Badal were.*”
- ***The situation at the Saidan factory remains tense and threatening. The workers believe that Mr. Saidan cannot be trusted. An atmosphere of fear prevails and the workers are asking for immediate help.***
- Forced to work 16 to 17 ½ hours a day, from 7:30 a.m. to 11:30 p.m. or to 1:00 a.m., seven days a week;
- On average, workers receive one Friday off every other month;
- Workers dragged from their dorms and beaten for refusing to work on the May Day national holiday;
- Routinely at the factory 118 hours a week;
- Paid below the legal minimum wage and—despite being forced to work at least 56 hours of overtime each week—receive no overtime pay;
- Workers are cheated of 60 percent of the wages legally due them;
- Paid just two cents or less for every L.L. Bean t-shirt they sew;
- Housed in primitive dorms, which often lack access to running water four days a week;
- Workers report that the food provided by the factory often makes them sick; and,
- Workers are routinely threatened with beatings and forcible deportation for questioning the long hours and lack of pay, or even for commenting on the food. Workers have also been deported for being sick and for asking that the excessive production goals be lowered.

### **As of June 11, three positive steps have been taken at the Saidan Factory:**

- Workers received a rare weekly day off. On Friday, June 9, the Saidan factory was closed and the workers enjoyed a rare weekly holiday.
- Working hours reduced. In just the past few days, the Saidan factory has been shutting down at 8:00 p.m., which is notable given that up to that point, the standard shift has been 16 to 17 ½ hours a day, from 7:30 a.m. to 11:30 p.m. or 1:00 a.m. seven days a week. Now it appears that the daily shift is being lowered to 12 ½ hours, from 7:30 a.m. to 8:00 p.m. (*Good news short-lived: On Monday, June 11, Saidan was back to working until 11:30 p.m.*)
- Workers receive identification cards. Saidan workers are now receiving their residency permits (*akamas*), which allow them to leave their factory without fear of being detained by the police for lack of required papers.

The workers say that nothing else has changed.

(The full report on the Saidan factory and a transcript of an interview with the forcibly deported workers follows at the end of this report.)

### **3.) Golden Finger Factory: Some Improvements, though Serious Violations Continue**

#### **Golden Finger**

#### **Al Tajamouat Industrial City**

Up to a few days ago, the routine shift at the Golden Finger factory in Al Tajamouat had always been 16 ½ hours a day, from 7:30 a.m. to 12:00 midnight, seven days a week. Except for an hour off for lunch, the workers received no breaks, and were only able to take their supper when they returned home at 12:30 a.m. or later. Under this schedule, the workers were at the factory 115 ½ hours a week, while actually working 108 ½ hours. They never earned more than 90 JD (\$127.21) a month, which amounts to \$29.36 a week and just 27 cents an hour, for the 108 ½ hour workweek. Illegally, the workers are not only paid below the minimum wage, but also receive no overtime pay despite being routinely forced to work 60 ½ hours of overtime each week. Under Jordanian law, these workers should have earned \$81.94 a week—\$30.99 for the regular 48 hours of work, \$36.28 for the 45 hours of normal overtime and \$15.00 for the 15 ½ hours of overtime on Friday, the weekly holiday, at a 50 percent premium. Golden Finger workers are being cheated of \$52.58—64 percent of the wages legally due them each week. Also, two months' wages are always withheld by management. When the workers ask for their proper wages, they are threatened with deportation.

Nor do the workers receive national statutory holidays. Golden Finger's owner tells the workers that he "*goes by his own laws, not Jordan's laws,*" and "*if they don't like it, he can send them back to Bangladesh.*"

In anticipation of the U.S. delegation's visit to the Al Tajamouat Industrial City on Thursday, May 18, the Golden Finger factory was shut down. However, the day before, the workers were kept for a 21-hour shift from 7:30 a.m. on Wednesday morning straight through to 4:30 a.m. the following day. Just in case the workers were questioned by the U.S. delegation, they were instructed to lie, saying that they worked eight hours a day, earned the legal 95 JD monthly wage and had free medical care.

Factory bathrooms remain filthy and lack toilet paper and soap. The workers still face a scarcity of water at their dorm, where there is only irregular access to running water.

*Some recent improvements at the Golden Finger factory:*

- For the last few days, the Golden Finger factory has been shutting down at 9:00 or 9:30 p.m., meaning that the routine 16 ½ hour shift has been reduced to 13 ½ to 14 hours a day.
- The monthly wage has been raised to 95 JD (\$134.28) which would be the legal minimum wage for the regular 48-hour workweek. However, the Golden Finger workers still receive no overtime pay.
- This last Friday, June 9, was a day off, and it appears the workers will now receive two Fridays off a month, though the legal norm requires at least one day off each week. Still, this is better than having no day off at all.
- Most workers have now received their important residency permits, but the workers' passports still have not been returned.

#### **4.) Smart Needle Factory**

The Smart Needle Factory is another small subcontract plant located in the Al-Tajamouat Industrial City, where the foreign guest workers are forced to work extraordinarily long hours. The routine shift is from 7:30 a.m. to 12:00 midnight or even 3:00 a.m., 16 ½ to 19 ½ hours a day, seven days a week. At the very low range, the Smart Needle workers are at the factory 115 ½ hours a week, while working 108 ½ hours. There are also some 48-hour shifts, when rush orders must be completed. When they work all night, the manager places curtains over the factory windows so no one can see in.

Many workers report being sick and disoriented from the exhausting hours, lack of sleep and the poor living and working conditions. The workers' dorm is filthy. Grown men have been reduced to crying.

For all the hours worked, the workers are never paid more than 85 JD a month, or \$120.14, and 25 ½ cents an hour, for 108 ½ hours of work. The Smart Needle workers are earning less than the legal minimum wage and are not receiving even one cent in overtime pay despite being routinely required to work over 60 overtime hours each week. These workers should be earning at least \$82.28 a week. They are being cheated of \$55, or 67 percent of the wages legally due them each week.

The Smart Needle workers who met with us said they were taking a huge risk and if management found out, they would be beaten and forcibly deported. Workers have been beaten and recently two workers were imprisoned for asking for their wages. Two workers were also forcibly deported before the arrival of our delegation.

#### **5.) Silver Plant Apparel**

Silver Plant Apparel is another small subcontract plant located in the Al Tajamouat Industrial City. Here the standard shift is 15 ½ hours a day, from 8:00 a.m. to 11:30 p.m., seven days a week. There are no Fridays off and the workers are at the factory 108 ½ hours a week. At most, they are paid 110 JD a month, or \$155.48, and \$35.88 a week, for the 98 hours of work. This is just about half of what they are legally owed. They should be earning at least \$73.60 a week, including the 50 hours of mandatory overtime.

Workers who are sick are dragged from their beds and brought to the factory.

Here too, the workers were very frightened that if they owner found out they had met with us, they would immediately be forcibly deported back to Bangladesh.

## 6.) Fashion Craft

Fashion Craft is a small Indian-owned subcontract plant in the Al Tajamouat Industrial City that produces the “No Boundaries” label for Wal-Mart. Here the “regular” workday is 10 hours and 60 hours a week, not the legal eight hours and 48 hours as required by law. Paid below the legal minimum wage, Fashion Craft workers earn just 85 JD a month, \$120.14, and \$27.72 a week, which comes to just 46 cents an hour, for the 60 hours of “regular” time, well below the legal minimum wage of 64 ½ cents an hour. Also the workers are paid for just one hour of overtime each day, despite regularly working 14 hours a day including five to six hours of overtime.

The workers report constant pressure and lots of screaming to reach excessively high production goals. Workers are forced to sign fake wage and hour sheets, saying they work just eight hours a day. Here too, workers raising questions regarding their hours and wages are routinely threatened with deportation.

There is one possible improvement at Fashion Craft. Following the U.S. delegation’s visit, the owner informed the workers that they will be receiving an increase in their salaries to 95 JD, \$134.28, a month, which would be the legal minimum wage for 48 hours of work, though not 60 hours common at Fashion Craft.

## 7.) Panorama Quality Ace Garments: Workers trafficked to Jordan, exploited and abandoned

The workers came to Jordan through the Meridian Manpower recruitment agency in Bangladesh, which also has an office in or near the Ad Dulayl Industrial Park. The workers were assigned to the Panorama Quality Ace Garments factory in the Ad Dulayl park where they were stripped of their passports and denied their critical residency permits.

They were forced to work 16 ½ and 17 ½ hours a day, from 7:30 a.m. to 12:00 midnight or 1:00 a.m., seven days a week. They had no Fridays off. They were routinely at the factory 119 hours a week while working 112 hours. Typically they were paid just 80 JD a month, or \$113.07, which was below the legal minimum wage, and they received no overtime pay, despite being forced to work 64 hours of overtime a week. The workers were being paid just 23 cents an hour, and \$26.09 a week. Legally, they should have been earning \$85.09 a week, meaning that the workers were receiving less than a third of the wages legally due them.

It got even worse since the Panorama workers often went for months without being paid. In a nine-month period, one worker was paid just three months’ wages.

Then in December 2005 or January 2006, the Panorama factory temporarily closed. For two months there was no work, no pay, and often no food. Two hundred people were fired for asking for their wages.

Panorama then reopened under a different name, this time called **Gonesh**, still in the Ad Dulayl area. One hundred of the fired workers were taken back, but 100 workers are still out in the street, desperate, with no money and no residency permits, which might allow them to find other work. The Gonesh workers still toil from 7:30 a.m. until 10:00 p.m. or 12:00 midnight, 14 ½ to 16 ½ hours a day, seven days a week. The workers have not been paid for the last three months. No one has their necessary residency permits and their passports remain confiscated and in the hands of management.

Workers report still being beaten and threatened with deportation if they insist on being paid.

There have been no improvements in the factory and the workers are begging for help.

**8.) Factory closures leave more than 1,000 foreign guest workers, and perhaps many times more than that, out on the street, owed back wages, deeply in debt, without residency permits and therefore with no hope of employment, and nowhere to turn for help. These guest workers have been abandoned, becoming people without a country.**

Only recently have we begun receiving a stream of appeals from desperate foreign guest workers across Jordan who have lost their jobs due to factory closings. We have already seen that 100 workers lost their jobs at the **Panorama** factory after asking for their wages. When the Topaz factory in Irbid closed in April 2006, approximately 600 workers lost their jobs. Many of these workers are still owed at least four months' back wages. They also report that several young women at the Topaz factory suffered sexual harassment and some were raped. Like other Bangladeshi guest workers, many Topaz workers had to pay 180,000 taka (\$2,647), —which they had to borrow at exorbitant interest rates—to purchase their three-year contract to work in Jordan. Now it is impossible for them to return to Bangladesh until they can pay off these debts.

We are hearing reports that as many as 20 garment factories in Jordan may have closed over the last few years, leaving thousands of workers stranded.

One worker who lost his job wrote us:

*When we came here we had to pay 180,000 taka (\$2,647) and now we are in trouble. We can't walk outside in the street because we don't have any legal papers with us. When we ask a company to give us our papers [residency permit without which you cannot work], they say we have to pay 1,000 JD (\$1,413), but where will we get that money? We don't have any work now; we are helpless and homeless. What should we do now?*

*If you can't help us, then there will be no choice but to die.*

A serious investigation into these very disturbing allegations must be launched. These guest workers came to Jordan in good faith, paying—what is for them—a large sum of money to purchase their work contracts. They were willing to work 12 or more hours a day, six and seven days a week. They should not be abandoned and a way must be found to make them whole again.

## IV. Recommendations to the Government of Jordan—based on findings of the recent U.S. delegation’s trip

**1.) Return of Passports:** We want to strongly commend the Government of Jordan for its decision to begin returning passports to the estimated 300,000 foreign guest workers in Jordan. We had the opportunity to discuss this with many guest factory workers, who told us that in most cases, there was already sufficient security available in their dorms for the workers to safely keep their passports. In dorms where this is not the case, installing secure lockers would be a quick and easy solution. We were also cautioned regarding workers who supposedly “want to” voluntarily surrender their passports, that this may be a remnant of past coercion and fear. Indeed, we did not meet a single worker who did not want his or her passport returned.

**2.) Portability:** Here too, we want to acknowledge that the Jordanian Government is taking some positive steps in this direction. *Along with return of passports, the right to portability, that is the freedom of workers to move to better factories, is the surest way to end abusive factory conditions.* Workers would have the right to vote with their feet, isolating abusive factories, while rewarding the good factories that do respect Jordanian law.

The crucial role of portability in ending abuse has been recognized by other countries that use foreign guest workers, including Israel. On March 30, 2006, Israeli Supreme Court Judge M. Cheshin issued the following decision (Case No. 4542/02):

*Indeed, one must conclude—painfully and shamefully—that the migrant worker became the employer’s serf; ... that **binding workers to employers created a form of modern slavery.** In this binding arrangement the state ... shackled the workers’ hands and feet to the employer who “imported” them—nothing less. The migrant worker turned from a subject of law—a person who has rights and obligations under the law—into an object of law, as if he were a piece of property. This arrangement infringed on the autonomy of workers, and practically denied them their liberty. According to the binding arrangement the workers became machines...slaves of olden days, like the people who built the pyramids or rowed Roman ships into war.*

**3.) Payment of Back Wages:** For the guest workers, the most serious and immediate issue is the payment and recovery of the back wages legally due them. These guest workers came to Jordan in good faith, and have worked very hard and long hours, only to be routinely shortchanged of one third and over half of the wages legally owed them. These workers need to be made whole again.

This is especially true of the workers in the smaller subcontract factories, which routinely pay below the legal minimum wage while demanding long overtime hours without pay. However, many—if not the majority—of larger direct contract plants are also guilty of wage violations, though most not as extreme as the subcontract plants.

At the initiative of the Jordanian Government, a special fund should be created containing a sufficient pool of money to reimburse guest workers for all back wages owed them in accordance with Jordanian law, and in cases of extraordinary abuses—such as sexual assault, beatings or being forced to work months without wages—for hardship. We are prepared to consult with you concerning ways of arriving at an appropriate level of funding. The fund should be directed and administered by a distinguished and independent third party who has credibility with the global

labor and human rights community. The fund should be sufficient to cover administrative fees without detracting from the back wages and hardship owed the guest worker victims. It would be up to the Jordanian Government to decide who else should contribute to the fund, including local factory owners and U.S. retailers and manufacturers sourcing production in Jordan.

**4.) The Right to Freedom of Association:** The Jordanian Government has also acted wisely and quickly in urging the General Trade Union of Workers in Textile, Garment and Clothing Industries to amend their by-laws so that foreign guest workers can now become members of the union. The rights of guest workers to freely associate, to organize a union and bargain collectively are guaranteed by core International Labor Organization standards.

However, we must caution that—even if membership is open to the guest workers—the union will not be able to help these workers without sufficient resources. As it is, union leaders told us that they are prohibited from entering the factories. Without adequately paid staff who possess the language skills to reach the predominantly Bangladeshi, Chinese, Sri Lankan and Indian guest factory workers, there is no way the union will even be able to speak with the workers, let alone represent them. Increased resources and training must be provided the General Trade Union of Workers in Textile, Garment and Clothing Industries.

**4.) Contracts and Pay Stubs:** There is a certain confusion regarding guest worker contracts that may have been signed in Bangladesh, China, Sri Lanka, India and elsewhere. Yet once the guest workers enter the sovereign territory of Jordan, Jordanian law takes precedence. Not only should the contract the worker signs be translated into the native language of the worker and a signed copy remain with the worker—the guest workers should also receive pay stubs which clearly state the number of regular hours worked along with the number of overtime hours and what minimum wage and overtime premiums were paid. The workers will then clearly know if their hours are being under-reported.

**5.) Special attention must be paid to subcontract plants, and prosecutions initiated against the worst offenders:** As has already been mentioned, many of the 55 smaller subcontract plants in Jordan still appear to be operating under the radar, and are out of control. At some subcontract factories—such as Al Nahat and Saidan—the violations are so extreme and violent that these factories should be closed down and their owners prosecuted for human trafficking and holding guest workers under conditions of involuntary servitude. Of course, the workers at the Al Nahat and Saidan factories should not have to endure further suffering. They should be given the option of immediately relocating to one of Jordan’s better factories. Immediately, we urge the Ministry of Labor to post full-time inspectors at the Al Nahat and Saidan factories and dorms to prevent further abuse, threats, beatings and forcible deportations.

Prosecutions of the worst offenders are critical if the message is to be sent out widely and clearly across Jordan that the gross violation of Jordanian law and extreme human and worker rights abuses will never again be tolerated.

We also urge the U.S. companies to do more to crack down on the widespread practice of illegal subcontracting. It should not be such a mystery. These subcontract factories have proliferated as satellite plants to service the larger direct-contract plants, providing them with a source of disposable, temporary labor, where illegal conditions also act to hold down costs.

**6.) Independent Workers’ Hotline:** The National Labor Committee (NLC) and the United Steelworkers Union (USW) are ready to set up an independent workers hotline, where guest

workers in Jordan can call a toll-free number to speak with human, women's, worker rights and union organizations in their native countries to report serious violations. It has long been our experience in many countries across the world that factory workers often cannot risk speaking openly with corporate auditors or government inspectors. This concern is, of course, even more acute in the case of Jordan, where the majority of factory employees are foreign guest workers who cannot speak Arabic. However, these workers will always speak openly and truthfully to human rights, women's rights and labor rights organizations they know and trust from their home countries, especially since their conversations will remain strictly confidential.

We have already had some preliminary discussions regarding this approach with several U.S. companies that source production to Jordan, and the response has been positive.

A truly independent workers' hotline would actually help the U.S. companies and the Ministry of Labor in Jordan, as they would be receiving very accurate information regarding violations in specific factories. Such reliable information may even help factory owners who may be unaware of the abusive practices of certain supervisors.

The details of such an independent workers' hotline would have to be worked out jointly with all the stakeholders involved, including the workers, U.S. companies, Jordan's Ministry of Labor and the factories.

Once the hotline is set up, no further cases of alleged violations will be made public. The Ministry of Labor and the companies would have a sufficient period to investigate and correct any abuses. It is only in the case that no sufficient actions are taken that those cases would be made public.

We are anxious to discuss setting up an independent workers' hotline as soon as possible with the Ministry of Labor and the U.S. companies. Of course, this hotline will not replace, but rather, augment, ongoing monitoring efforts of the Ministry of Labor and the companies.

**7) An Emergency – People without a country:** The fact that upwards of 1,000 foreign guest workers, and potentially many times that number, are stranded in Jordan due to factory closures, lacking residency permits, still owed back wages, and unable to return home due to their unpaid debts, is a serious crisis that must be immediately investigated and humanely dealt with.