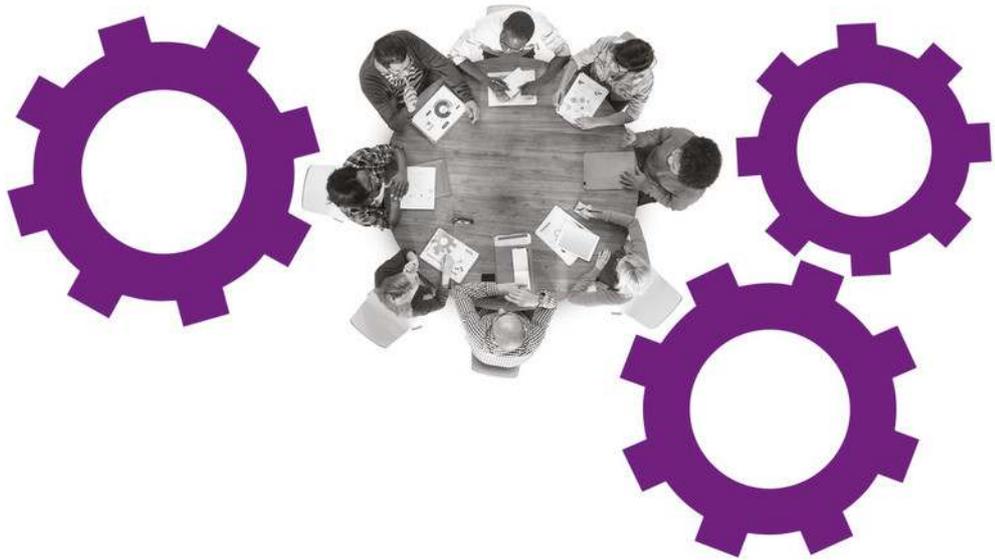


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Defence Order No. 6 stipulating
labour rights in Jordan



Defence Order No. 6 for the year 2020 issued pursuant to Defence Law No. 13 of 1992

	Institutions & Establishments permitted to operate either in whole or in part	Institutions & Establishments operating remotely	Institutions & Establishments which are not permitted to operate
1. Companies permitted to operate	<ul style="list-style-type: none"> - Companies that are allowed to work out of the company's premises in whole or in part, upon obtaining the collective approval of the Minister of Industry, Trade & Supply, the Minister of Labour, the Minister of Health, and the relevant Minister - The Minister of Industry, Trade & Supply, along with the Minister of Labour, and the Minister of Health, shall determine the basis, procedures and conditions for obtaining approvals according to instructions issued for this purpose - If a company operates without a permit, the establishment will be closed for a period of sixty days 	<ul style="list-style-type: none"> - Companies that are allowed to operate remotely, in whole or in part, without specific approval - The Minister of Labour is mandated to take the necessary measures to regulate remote flexible working 	Companies that are not allowed to operate if permission to operate out of the company's premises is not granted.
2. Employee salaries for the period of 18 March to 31 March 2020	The establishment must pay full salaries for that period. In the event that an employee had worked additional hours, the employee shall be entitled to overtime payment, which shall be calculated as overtime on a normal work day, as opposed to an official holiday.		
3. March salaries not paid	According to the Q&A Guide issued by the Ministry of Labour concerning Defence Order No 6, the employer must pay any unpaid salaries within one week as of 9 April 2020.		
4. Termination of employment during the period between 18 March 2020 and the issuance of the Defence Order No 6	According to the Q&A Guide issued by the Ministry of Labour concerning Defence Order No 6, the employee, whose services were terminated during that period must be returned to work within one week as of 9 April 2020, and the employee's salary for that period must be fully paid.		

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<p>5. Employee salaries as of 1 April 2020</p>	<p>Employees working on premises are entitled to their full salaries, however, the employer may agree with the employee to a maximum of 30% salary reduction, provided that such reductions are also applied to the salaries of senior management.</p>	<ul style="list-style-type: none"> - Employees working full time remotely, are entitled to their full salaries - Employees working part-time remotely, are entitled to the higher of: <ul style="list-style-type: none"> - payment for actual hours worked, provided that the hourly rate is not less than the minimum hourly rate and - a minimum of 50% of the employee's salary of, provided it is not less than the minimum wage 	<ul style="list-style-type: none"> - Employees working full time remotely are entitled to their full salaries - Employees working part-time remotely and partially are entitled to the higher of: <ul style="list-style-type: none"> - payment for actual hours worked, provided that the hourly rate is not less than the minimum hourly rate and - a minimum of 50% of the employee's salary, provided it is not less than the minimum wage
<p>6. Request to pay a minimum of 50% of employee salaries</p>	<p>If an institution or an establishment is granted a permit to partially operate, it is entitled to submit an application to the Minister of Labour requesting permission to pay a minimum of 50% of the regular salary for non-working employees, provided it is not less than the minimum wage, and subject to certain checks and balances set out in instructions to be issued by the Minister of Labour.</p>		<p>Such institution or establishment is entitled to submit an application to the Minister of Labour requesting permission to pay a minimum of 50% of the regular salary for non-working employees, provided it is not less than the minimum wage, and subject to certain checks and balances set out in instructions to be issued by the Minister of Labour.</p>
<p>7. Overtime payments</p>	<p>An employee working full time is entitled to overtime payment for any additional hours to be calculated as overtime on a normal work day, as opposed to an official holiday.</p>	<p>An employee working full time is entitled to overtime payment for any additional hours to be calculated as overtime on a normal work day, as opposed to an official holiday.</p>	<p>An employee working full time is entitled to overtime payment for any additional hours to be calculated as overtime on a normal work day, as opposed to an official holiday.</p>

8. Employer unable to pay salaries	<p>An employer, who is unable to pay salaries may submit a request to the committee comprised of the Minister of Industry, Trade & Supply and The Minister of Labour, requesting that they completely suspend all activities on temporary basis, enclosing a list including the names of all the employees, their respective salaries, the nature of their contracts and the term thereof and the applicable working hours. Consequently:</p> <ul style="list-style-type: none"> – the employer may not perform any work or undertake any activity during the suspension period – the contractual relationship between the employer and the employee continues but the employer will not be under an obligation to pay the employee's salaries during the suspension period – the suspension period shall not be considered part of the employment contract duration – except for salary payment, all the employer's financial and contractual obligations remain valid during the suspension period – private sector employers shall not benefit from any Economic Protection Programs for the private sector as of the date of suspension – pursuant to a decision by the committee mentioned in the first point above, a no disposal order will be placed on all movable and immovable assets of the establishment for the duration of the suspension period
9. Economic Protection Program	<p>Private sector institutions and establishments permitted to work may benefit from the Economic Protection Program, unless it opts to suspend operations. Private sector institutions and establishments included in the government decision to suspend operations shall be entitled to benefit from the Program even if operations are suspended.</p>
10. Other incentives	<p>Any establishment that pays the full salaries for all employees from when the Defence Law was put into effect until it is suspended, is entitled to benefit from other incentives in addition to the Economic Protection Program.</p>
11. Termination of employment	<p>An Employer may not force an employee to resign, and may not terminate an employee's services or dismiss an employee, except in the following cases:</p> <ul style="list-style-type: none"> – if the employee is deceased, or is unable to work due to illness or disability as documented in a medical report issued by a valid medical reference – if the employee has reached the retirement age specified in the Social Security Law – if the employee impersonated another person's identity or presented false certificates or documentation with the intent of gaining self-benefit or harming others – if the employee is convicted pursuant to a final court judgement of a felony or misdemeanour that violates honour and public morals – if, while working, the employee is found in a state of drunkenness or under the influence of alcohol or other substance and committed an act that contravenes with public order and morals in the workplace – if the employee physically assaults or disparages the employer, the relevant line manager, a superior, or any other employee, or person during the work or because of it – if the employee was absent for 20 interrupted days or ten continuous days without a valid reason, subject to following the procedures to be issued in a decision by the Minister of Labour <p>Noting that such restrictions apply as of 18 March 2020.</p>
12. Termination of employment or dismissal in other cases	<p>If an employer has terminated the services of an employee due to reasons other than what is stated above, the employer must allow the employee to return to work by 16 April 2020 at the latest. Any undertaking, agreement or document in which the employee agreed to forego any such rights or that undermines the</p>

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employee's rights as of 18 March 2020 is considered null and void, and the employer must take the necessary measures to reverse any actions taken pursuant to such document by 16 April 2020 at the latest.

<p>13. Day labourers</p>	<p>The Government is aiming to secure basic life essentials for Jordanian day labourers, who are not included in the social security system, provided that they subscribe to social security in accordance with a mechanism to be announced in due course.</p>
<p>14. Penalties</p>	<p>Violating the requirements to obtain permission to operate shall be penalized by closing the establishment for 60 days. Violating any other provision of the Defence Order and the communications issued by the Prime Minister or the mandated Ministers, shall be punished with imprisonment for a period of up to three years and a fine in the amount of 3,000 Jordanian Dinars. Employees shall have the right to file a claim pursuant to the Employment Law.</p>



For more information



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