

Instructions, Terms and Procedures for Licensing Private Offices Working in the Recruitment and Hire of non-Jordanian Home Workers

Issued pursuant to the provisions of Article 9 and Article 15 of the Regulations no 89 of 2009

(Regulations for Organization of Private Offices Working in the Recruitment and Hire of Non-Jordanians Working in the Homes)

Article 1:

These instructions shall be called (Instructions, Terms and Procedures for Licensing Private Offices Working in the Recruitment and Hire of non-Jordanian Home Workers), and shall be valid from the date of their publication in the Official Gazette.

Article 2:

The following words and phrases shall have the meanings allocated below unless the context indicates otherwise:

Regulations: Regulations for Organization of Private Offices Working in the Recruitment and Hire of Non-Jordanians Working in the Homes no 89 of 2009 and any amendments to it or regulations replacing it.

Office: Licensed office working in the recruitment and hire of non-Jordanians for work in the homes.

Home owner: Natural person contracted or desiring to contract with a non-Jordanian worker to work at his home.

Worker: Non-Jordanian worker recruited or hired to work in the home of the home owner.

Article 3:

The office commits in the performance of its duties to the following:

- a) Refraining from recruiting the worker unless through a licensed entity in the sending country, pursuant to an agreement signed with it, regulating the relationship between the office and that entity.
- b) Assuming responsibility towards the home owner for any damages resulting from violations by the sending entity.
- c) Signing an agreement with the home owner pursuant to a form created by the Ministry.
- d) Announcing in a prominent place in the headquarters the details of the procedures concerning the services it offers, the rights and obligations of each party and methods of submitting complaints to the official entities in case of any commitment violation by any party, provided the announcement is approved by the Ministry and

organized pursuant to a model prepared for this purpose, and copies of it are provided to non-Jordanian workers in their natural tongue.

- e) Assuming all responsibilities, expenses and compensations for every damage resulting from its violation of the provisions of the regulations and instructions issued pursuant to it, and the terms and obligations listed in the pledge issued by it and submitted to the Ministry.
- f) The office is obligated to providing the Ministry with full information on its activities and work during the first week of every month.

Article 4:

The Minister shall form a committee of the relevant Ministry employees called “Committee for the Affairs of Private Offices Working in the Recruitment and Hite of Non-Jordanians Working in the Homes”, that assumes the following responsibilities:

- 1) Receiving office licensing and license renewal requests, recording these requests in a special register, verifying the validity of the data and documents submitted and that the required terms and conditions are met, and submitting an appropriate recommendation in their regard to the Minister.
- 2) Considering all affairs related to the offices and taking the appropriate measures in their regard.
- 3) Any other duties as mandated by the Minister.

Article 5:

The office, for the purposes of performing its duties in meeting the demands of home owners, must undertake the following:

- a. Submit a written request to the Ministry containing the recruitment or hire of a non-Jordanian worker on behalf of the home owner, with a written authorization from him, along with the following:
 - 1. Two copies of the work contract signed by the home owner, provided it is signed by the worker upon his arrival in the Kingdom.
 - 2. Written authorization signed by the home owner or his legal representative, for the office he authorizes to conduct the recruitment or hire procedures, pursuant to the model drafted by the Ministry, with the national ID number of the home owner, passport or ID card of the homeowner, or the appearance of the home owner in person provided proof of ID is provided.
 - 3. Written pledge by the home owner in which he pledges to commit to the relevant legislation on hiring the worker, including the provisions of the regulations and these instructions and the decisions issued pursuant to any of them, the payment of the rights of the worker on time, granting him all

rights guaranteed in these legislation, facilitating the procedures of the Ministry and its inspectors to guarantee his commitment to them, refraining from objecting to conducting visits to the house for this purpose, allowing the worker to visit the Ministry or any of its directorates if he so wishes or when summoned to them, and allowing him to contact the hotline at the Ministry if he so requests.

4. Copy of the worker's passport, valid for at least two years.
 5. Any other documents requested by the Ministry or forms to be filled out as the case may be.
- b. The work permit fees are paid for the worker to be recruited before hand, and before his recruitment, provided the work permit is valid from the date of the worker's entry into the country.

Article 6:

- A. Upon the arrival of the worker in the Kingdom, the office is committed to visiting the relevant authorities to complete the procedures for the work permit and obtain the annual residency permit pursuant to the valid laws and regulations, as well as submitted a certificate of being free of diseases for the worker, issued by a medical reference accredited by the Ministry in coordination with the Jordanian Ministry of Health and agreement with the government entities in the sending country, certified by the Jordanian embassy or any other entity representing the Jordanian government in that country. The medical test must be repeated at a Jordanian health center accredited by the Ministry of Health upon the worker's arrival in the Kingdom, with twenty four hours at the most from the date of arrival. The office must also issue a life insurance policy for the worker.
- B. If it is found that the worker is afflicted with an infectious or communicable disease, or any other disease that prevents him from performing the work required of him, makes him a danger to others, or means he is physically or mentally unfit, the office is committed, at his own expense, to return the worker to his original country and provide another worker to the home owner within a period not to exceed one month, without the home owner incurring any financial burdens. In this case the worker is replaced with the same fees paid and the home owner is compensated for the expenses incurred as a result of this. All these procedures shall also take place if the worker is found to be pregnant.
- C. The office, after conducting the medical test referred to in (a) above, and proving the absence of diseases, must take the worker to the home owner immediately, as soon as he enters the country, without keeping him for any reason whatsoever.
- D. In case the worker does not arrive to the Kingdom for any reason, he may be replaced with another worker from outside the Kingdom, for the same fees paid, on

condition proof is provided that the first worker did not enter the Kingdom and his visa was revoked, and on condition the replacement request is submitted within no more than three months from the date the approval was given to recruit the first worker.

- E. The home owner must notify the Ministry and the police center in writing of the escape of the worker working for him within no more than 48 hours from his escape, in addition to the office that recruited him. The office must notify the Ministry of any case where the worker does not go to the home owner or leaves work for any reason, or escapes, and fill out the special form and hand it over to the Ministry within no more than twenty four hours from the date it is notified by the home owner. IN all cases, the office or anyone else may not take the worker to reside in a location other than the home of the home owner who recruited him without the written consent of the homeowner containing his lack of desire to hire the worker, after obtaining permission from the Ministry based on a new request outlining the reasons for this, the location where he will stay and the duration of stay.

Article 7:

The Minister shall issue a decision outlining the principles on classifying the offices based on their commitment to their legal duties.

Article 8:

- A. The office shall collect from the home owner fees representing 10% of the total value of wages in the contract, not to exceed the wages of twelve months, provided these fees are only collected after completing the procedures to issue the work permit and annual residency permit for the worker. If the office conducts the procedures for renewing the work permit for the second year, it shall charge 2% of the total wages of the worker for that year.
- B. The office is obligated to announce in a prominent and clear place at its headquarters the amounts charged from the home owners in return for the services it offers to them and the costs of recruiting the worker.
- C. The fees stipulated in this article shall be considered inclusive of all the fees of the office for the work it conducted to recruit and hire non-Jordanian workers for the homes, and the office may not charge any additional amount other than that mentioned.
- D. The office may not charge the worker any amount in any form whatsoever.
- E. The office must give the home owner a receipt with the name of the office and signed by its representative for any amount taken from the home owner. The receipt should include the name of the office, its registration number and its address.

Article 9:

- a) Non-Jordanian workers may not be recruited or hired in homes except through the offices licensed for this purpose.
- b) The single family may not have more than one worker, except in special cases approved by the Minister or his delegate.

Article 10:

The home owner must meet the following terms and conditions:

- a) Must be a Jordanian citizen. The minister or his delegate may allow non-Jordanians to recruit workers in the homes pursuant to the conditions he decides for this purpose, through submitted a bank guarantee in the value of two thousand JD to guarantee the worker's rights.
- b) Must be a head of household or a disabled person.
- c) Must be without convictions or referrals to the court for cases of assault on a worker. To prove this, the home owner must present a written statement to that effect accompanied by a copy of his passport.
- d) Must have the financial means to fulfill his obligations towards the worker.

Article 11:

The Ministry shall form a committee to resolve any problems related to the recruitment of non-Jordanian workers in the homes, consisting of representatives of the Ministries of Labor and Interior, Department of Residency and Borders at the Public Security Directorate, and with the participation of the Association of Home Workers Recruitment and Hire Offices, the relevant embassy, and any other relevant entities, provided its authorities and duties are outlined in the decision to form it.

Article 12:

The Minister or his delegate may refuse to grant a work permit or renew it if the home owner is found to have violating the rights of any worker, assaulted to him, caused him harm or mistreatment him in any way, provided the worker in this case is given the opportunity to obtain a new work permit to work for another home owner.

Article 13:

No worker may be taken from a home owner to another except through the Ministry and on condition of its prior approval. The transfer process must take place according to a form created by the Ministry for this purpose. The home owner and office must complete the procedures to issue a work permit in the name of the new home owner according to the procedures and terms required for this.

Article 14:

The office must fulfill the following terms and conditions:

1. Its area must be no less than 90 square meters.

2. An electronic database with the data on the workers and the home owners dealing with it according to what the Minister decides.
3. Sufficient means of communication: phones, faxes and email.
4. Separate room for meetings.
5. The office is not used under any circumstances for overnight stays or residence, or be attached to any place for residence, housing or food preparation.

Article 15:

- a. The number of workers in the office should be no less than 5 workers in the following specializations:
 1. Office manager on full time basis with a first university degree.
 2. Qualified accountant on full time or part time basis.
 3. Data entry employee.
 4. Support and information employee, one or more, with a degree in a social science requiring two years of studies at least who handles providing information to the workers recruited through the office, especially in the area of their legal rights and the prevalent customs and traditions in the Kingdom, in addition to offering any social assistance needed by the worker. This employee must also develop and improve the relationship between the worker and the home owner, and must be fluent in the language of the workers if their percentage exceeds 30% of the workers recruited by the office.
 5. An administrative employee, or more, with an high school certificate at least, to follow up the office's paperwork with the competent authorities pursuant to a notarized authorization issued by the office and adopted by the Minister. The authorized person may not be a representative of another office. The Ministry must also issue a special ID for this person in his capacity to be renewed annually in return for ten JD for issuing or renewing it.
- b. If the office owner practices any of the duties above, he must have the same qualifications necessary for each specialization pursuant to paragraph A of this Article.
- c. All the office workers must be of Jordanian nationality, with the exception of the professions where no Jordanian alternative is available pursuant to the valid terms of hiring. They must all be without convictions of misdemeanors or crimes related to honor or public morals. The office must submit to the Ministry a certificate of non-conviction for all its staff and partners that is not older than one month, to be renewed once every six months.

- d. The office shall commit to include all its workers, upon their appointment, including the manager, in training courses to raise their awareness and introduce the provisions of the legislation relevant to the office's work, role, duties, rights of the parties and their duties, convened by the Ministry or any other entity it accredits.

Article 16:

The Instructions on Terms and Procedures of Private Offices Working in the Recruitment and Hire of non-Jordanians working in the Homes, published in the Office Gazette issue no 4761, dated 1/6/2006, and any amendments made to it shall be cancelled.

Minister of Labor
Dr. Ibrahim Al Omoush