

# Policy Brief

## Concerning the Work and Living Conditions of Egyptian Migrant Workers in Jordan\*

### Introduction

Egypt is by far the most populous Arab Country and the largest country of origin for migrant workers in the Arab region. Egypt considerably depends on labor migration to boost its economy. It relieves heavy pressures on its domestic labor market and is a crucial source of foreign exchange. Mass Egyptian labor migration to Arab countries in the Middle East started in the mid-1970s. Article 52 of 1971 constitution was dedicated to migration. It stipulated that “citizens have the right to permanent or temporary migration abroad. The law regulates this right, as well as the procedures and conditions for migration and departure from the country” (Egyptian Const. Art. 52, 1971).

Many Egyptians have chosen Jordan as their country of destination due to its relatively easy entry requirements. Several bilateral agreements between Egypt and Jordan have been signed to encourage the migration of Egyptians, the first agreement dates back to 1985, followed by a Memorandum of Understanding in 2007. It is worth noting that most Egyptian migrant workers in Jordan are only allowed to work in three main sectors according to decrees by the Jordanian Ministry of Labor: services, agriculture and construction.

There is a discrepancy in the statistics and estimates regarding the stock of Egyptian migrants in Jordan. The number of Egyptians in Jordan according to the Jordanian Population Census of 2015 is 636,270. However, according to a 2017 estimate by the Egyptian Ministry of Foreign Affairs, the number of Egyptians in Jordan is 1,150,000 which is nearly double the Jordanian estimate (Ministry of Foreign Affairs, Egypt, 2017).

The Center for Migration and Refugee Studies (CMRS) has conducted a study on the impact of the influx of Syrian refugees on Egyptian migrant workers in Jordan, funded by the Swiss Agency for Development and Cooperation (SDC). The study included the work and living requirements and conditions of Egyptian migrant workers in Jordan (Zohry, Abou Hussein and Hashem, 2020). The findings of that study are the basis of the recommendations in this policy brief, which are aimed at ensuring a decent migration experience for Egyptian migrant workers in Jordan.

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# Methodology

A multi-site, mixed methods study was conducted, comprising primary quantitative research in Jordan and primary qualitative research in both Jordan and Egypt. The quantitative component was carried out in Jordan to include a sample of 501 Egyptian migrants in Jordan who responded to the survey across six Jordanian governorates: Amman, Balqa, Irbid, Karak, Jerash and Zarqa. The field survey has been conducted with participants in coffee shops, streets, workplaces, and houses.

The qualitative component was conducted in the form of in-depth interviews (IDIs) in Jordan and in Egypt, as well as key informant interviews (KIIs) in Jordan. The latter included interviews with government officials, civil society representatives and business owners. The IDIs in Jordan were conducted across three governorates: Amman, Balqa and Irbid. This is to cover the different labor sectors within the different governorates in Jordan. The IDIs in Egypt were conducted in four governorates: Sharkeya, Al Minya, Beni-Sueif and Sohag. Given that the majority of the Egyptian migrant workers are males, all selected research participants were men.

## Findings

This section provides a summary of the main finding of the study (Zohry, Abou Hussein and Hashem, 2020).

### Persons who facilitate migration

Egyptian relatives and friends in Jordan are key players in paving the road for those who wish to migrate. The results of the survey indicate that finding an employment opportunity in Jordan and knowledge about the process to migrate is mostly through Egyptian relatives in Jordan, followed by Egyptian friends in Jordan. This informal migration network is beneficial for migrants; yet, it subjects them to exploitation. According to the result of the KIIs with experts, in some cases migrants' relatives and friends are brokers which means that they make profit out of connecting their relatives and friends in Egypt to employers in Jordan. Moreover, according to some of the interviewed migrants, returnees and experts, many Jordanian employers are engaged in permit trading. They issue permits for more workers than the number which they need, and they let them work irregularly for other employers or as day laborers. The end result is that the Egyptian migrant bears the burden of paying additional expenses to the Egyptian broker and the Jordanian employer. Moreover, since those are informal channels, the information passed on to migrants through them is neither unified nor reliable. Hence, migrants usually travel without knowing their rights and responsibilities in Jordan which could lead them to accept violations of their rights or to infringe Jordanian law without being aware of it.

## **Irregularity**

The study revealed several violations that are all considered forms of irregular migration. Those are: (1) to work in a place other than the particular place specified in the permit, (2) with an employer other than the officially designated one (3) within a different work sector and (4) without issuing or renewing the work permit. This irregularity subjects them to violations and puts them in a vulnerable position. For example, irregular migrants are not eligible for social security and thus, they do not receive any social security benefit at their final return. Furthermore, irregular migrants are less likely than regular migrants to report violations committed against them out of fear of being fined or deported. It is evident that the irregular status of migrants denies them rights which are guaranteed to regular migrants and puts them in a vulnerable position when it comes to reporting violations.

## **Exposure to violations at the workplace**

It can be inferred from the results of the study that violations of rights provided for in the Jordanian law are sometimes committed against Egyptian migrant workers in Jordan, especially among those who stay irregularly. Working conditions of irregular migrants are seen to be worse than those of migrants working regularly in Jordan. It has been explained by business owners as well as civil society representatives that irregular workers are more vulnerable since the work conditions provided by the labor law are viewed as non-binding for their employers. Furthermore, exploitation by employers in the form of unpaid work or coerced overtime is more prevalent among irregular migrants since they cannot report violations. A few accounts of migrants being exposed to physical violence by their employers were reported. However, due to their irregular status, they avoid any contact with Jordanian authorities out of fear of being caught, fined, and deported. As for formal migrant workers, it has been highlighted by civil society representatives that many of them are not fully aware of their right to social security and in consequence they do not claim the benefits they are entitled to before their final return to Egypt. Moreover, the interviews with the migrants and returnees, revealed that most of them pay the fees of issuing and renewing their permits which is considered a violation of the Jordanian Labor Law which indicates that the permit issuance and renewal fees are the responsibility of the employer (Jordanian Labor Law, Article 12, 1996).

## **Health and safety hazards**

Despite the fact that a large portion of Egyptian migrant workers in Jordan are exposed to health and safety hazards at the workplace, they are expected to pay the expenses of medical investigations and care in case they get sick or injured. It has been revealed by returnees and migrants working in the construction and agriculture sectors that they themselves or their friends have experienced work injuries and had to rely on financial support from friends and relatives to cover the expenses of their health care or to return to Egypt. Although all migrants and returnees have asserted that they do not get medical coverage from their employers, several of them have mentioned that in some cases the employer would cover the expenses of a worker who has been injured in the work place.

*“ I’ll take you now to our accommodation. There is an injured guy and he has been like that for seven months. He fell off at work and now he has plate and nail implants. He doesn’t have anyone to cover his expenses. We (his friends) are covering his medical expenses. We paid 3000 JD for his operation, whereas the guy he used to work for, denied any responsibility. We Egyptians have each other’s backs. We support each other in emergencies/ difficult situations. We don’t have anyone else to go to, so we all chipped in and covered the cost of his operation”*

*(Egyptian migrant working in Amman).*

## **Flexible permits**

To reduce irregularity among migrant workers, the Government of Jordan (GoJ) has developed a new type of permit called the flexible work permit. Previously migrants with a permit in agriculture, construction or services were limited to working in the governorate that is indicated on their permit and for the employer who has issued their work permit. This has changed with the introduction of the flexible agriculture and construction work permits. Those permits allow migrant workers to work for different employers in any governorate in Jordan; yet they are restricted to one sector of work. The flexible work permit is a big step towards more freedom of mobility and flexible employment for migrants in Jordan, and it is worth mentioning and commending the GoJ for the immense effort it is doing to ensure the success of this system. In the beginning, when the Government has announced the system of flexible work permits, the permit issuance fees were 2000 JD for the construction permit and 1500 for the agriculture permit, which were according to the interviewed experts, unreasonably high in proportion to the incomes of migrants. For this reason and as a result of the low turnout on this type of permits, the Government decided to reduce the fees to be 900 JD for the construction permit and 700 JD for the agriculture permit which is considered a positive step to encourage migrant workers to reap the benefits of this system. There is however one challenge which this system faces, namely the mechanism of collecting the social security contributions from the different employers. Currently, workers with flexible work permits are not enrolled in social security since they can change employers often which makes it difficult to collect the social security contributions from the different employers.

## **Seasonal work**

It has been revealed by several participants in the study including migrants, returnees and experts that work in the agriculture sector slows down in winter as a result of the harsh weather conditions. In consequence, many of the workers in this sector work temporarily in the construction sector in the winter season or return to Egypt until work in the agriculture sector picks up again. In that period, those working in the construction sector with an agriculture permit are considered irregular since they work for a different employer and in a different sector than the one indicated in their permit.

*“In winter, there are days where we do not work at all as the cold weather slows down agriculture. Some people take that time off and return to Egypt since there isn’t much work”*

*(Egyptian agriculture worker in Balqa).*

# Implications for Policy, Practice and Research

To conclude, a set of recommendations are formulated to inform policies, programs and research at both the governmental and civil society levels in Egypt and Jordan to ultimately improve the migration experience and status of Egyptian migrants in Jordan, based on the results of this study.

## Policy Implications

### **Introduce electronic payment systems for migrant workers**

Employers of migrant workers should be required by the Ministry of Labor to use electronic payment systems. Those are systems where employers transfer wages to employees' bank accounts or money transfer companies. The purpose of that would be to ensure that wages correspond to the minimum wage in Jordan and that they are paid on time. Moreover, since it is more efficient to monitor wages transferred through banks or money transfer companies, labor inspectors will, thus, be exerting less effort on monitoring wages with migrants and would be able to focus more on work conditions such as working hours, benefits and treatment of workers. This system has been implemented in the education sector in Jordan; however, it would be useful to extend it as well to the sectors where migrant workers are employed as they are subject to more violations (ILO, 2017).

### **Develop a social security system for flexible work permits**

As mentioned earlier, the flexible work permit is in principle a positive development towards flexible employment and freedom of mobility for migrant workers; however, there is a challenge that needs to be overcome first in order to improve the migration experience. The flexible work permit system does not include a mechanism for collecting social security contributions from the different employers. As a result of that, the migrant either pays the full monthly amount of social security or they opt out of the social security system. This puts them at a clear disadvantage compared to workers with regular permits. In order to encourage migrants to opt for flexible work permits and in order to protect their right to social security, a mechanism should be developed for the collection of social security contributions from employers.

### **Introduce seasonal work permits**

It is suggested to develop a system of seasonal work permits to achieve more flexibility for workers and employers. This would allow migrant workers to move across sectors based on supply and demand in the labor market. In winter, when the demand for labor is low in the agriculture sector, workers in this sector could shift to work temporarily in the construction sector within a formal framework. This system could potentially reduce the violations that result from shifting of workers to work temporarily in a sector different from the sector indicated in their permit. An advantage of this system is that it would not be difficult to collect social security contributions from employers as is the case for the flexible work permits since the worker stays

with the same employer for several months. In addition to that, this system allows the Jordanian economy to benefit from labor migrants all year round and offers flexibility in the regulation of the labor market.

## **Ensure that migrants are not penalized for violations which their employers have committed regarding social security**

Often employers fail to pay their monthly contribution for their workers' social security. In consequence, the workers are denied social security when they are leaving Jordan. In such cases, employees should not be penalized as they have not committed any sort of violation and their rights need to be redeemed especially that some migrant workers return to their home country with limited or no savings. In addition, such violations should be detected early on through regular and thorough inspection by the Ministry of Labor. In light of the introduction of the flexible work permits, social security, as mentioned earlier, would remain to be a problem. The mandatory registration of migrant workers in the social security scheme and the monthly payment of contributions by the employers should be enforced.

## **Develop and ratify a bilateral social security agreement**

It is advisable that the Government of Egypt and the Government of Jordan develop and ratify a bilateral social security agreement. This would regulate the accumulation of periods of contribution and the portability of social security entitlements. According to the ILO (2017) the portability of social security entitlements is understood as the migrant's ability to "preserve, maintain, and transfer benefits from a social security program of one country to another and between localities in a country (special portability), between jobs, and between members within a household (social portability)" (p. 37). It is noteworthy that Egypt has ratified social security agreements with Tunisia and Morocco, and not with Jordan which is currently hosting the second-highest number of Egyptian migrants. To regulate the social security contributions and benefits of the large number of Egyptian migrant workers in Jordan, it is recommended that the two governments develop and ratify a bilateral social security agreement.

## **Programmatic Implications**

### **Eradicate the role of brokers**

The meetings with the Ministry of Manpower in Egypt revealed that it has sought to eradicate the role of intermediaries and brokers in collaboration with the Ministry of Labor in Jordan through the development of an electronic portal which connects employers in Jordan and prospective Egyptian migrants. In spite of that, the findings of the study show that intermediaries and brokers still play a role in the migration process. Therefore, it would be of much benefit that the Ministry of Manpower starts working on a broader scale and with a greater capacity in all Egyptian governorates to completely eradicate the role of brokers.

## **Ensure that all migrant workers are covered medically and informed of that**

Migrant workers rarely have medical insurance although those working in the construction sector are often subject to work injuries and those working in agriculture live in inadequate accommodation leading to their frequent illness in winter. To ensure a dignified migration experience for Egyptian migrants in Jordan, whether their status is regular or irregular, the Egyptian and the Jordanian government should cooperate to provide appropriate health care for migrants in general and in exceptional cases such as Covid-19. The migrant workers would need to be notified of such regulations to know their rights and reclaim them.

## **Raise the awareness of migrant workers on social security**

Migrant workers are often unaware that they are enrolled in social security and thus, they return to Egypt without claiming the benefits to which they may be entitled. Workers need to be informed about their right to social security and the process of claiming the benefits. This could be achieved through awareness-raising campaigns that would be implemented by the Social Security Corporation and the civil society in Jordan.

## **Activating the role of labor inspectors and employees in the local labor offices**

Employers may at times violate migrant workers' rights. Wages may be unpaid, cost of work permits incurred by workers may not be reimbursed, passports may be confiscated, and workers may not be enrolled in social security. Moreover, the accommodation that is offered to them is usually of low standard. To guarantee decent work and living conditions for migrants, regular inspection on workplaces and places of accommodation should take place, particularly in the agricultural sector.

The role of local labor offices in receiving complaints and addressing the reported conflict or violation should be activated, whether the status of the migrant is regular or irregular. In order to achieve that, capacity building programs focused on enhancing the capacities of labor office employees should be implemented in collaboration with civil society organizations in Jordan. Those programs should ensure that employees in the local labor offices have the knowledge and skills to take the needed action in cases of violations whether in the form of guidance, protection or legal action.

In addition, it is advisable to increase the number of labor inspectors so as to ensure the effectiveness of labor inspection. In the validation workshop of the base study, held in Jordan, it has been pointed out by one of the stakeholders that the number of labor inspectors covering all governorates of Jordan is 130 which is considered insufficient. Moreover, it has been highlighted that inspection is particularly weak in the agriculture sector. In order to ensure thorough labor inspection in Jordan, distributing the load currently placed on labor inspectors on a larger number of inspectors may be considered.

Labor inspectors should equally focus on ensuring decent work conditions as checking migrant workers' work permits. According to the ILO (2017), labor inspectors are more occupied trying to identify irregular migrant workers rather than checking on employers' violations and ensuring decent work conditions; they

should pay more attention to identifying violations committed against migrant workers and to ensuring decent work conditions for workers from all nationalities whether their status is regular or irregular. To this end, the capacities of labor inspectors should be reinforced, and their number increased. A larger number of well-trained labor inspectors would allow them to cover more workplaces and to conduct thorough inspection which would in turn enable them to identify work violations and to take the needed action to ensure decent work conditions for national and migrant labor.

## **Provide pre-departure and post-arrival orientation sessions to migrants**

Migrants are often unaware of the rules and regulations of residing and working in Jordan, hence their unintended violation of the law. Furthermore, they do not report violations that are committed against them due to their unawareness of their rights. In order to prevent Egyptian migrants from committing violations or accepting violations being committed against them out of lack of awareness, pre-departure and post-arrival orientation sessions should be offered to migrants. It is suggested that the Egyptian government carries out pre-departure sessions as part of the procedures of obtaining the work permit in Egypt. Also, post-arrival sessions are advised to be integrated within the work permit process from the Jordanian side. The civil society could contribute to such sessions raising the awareness of migrants of their rights and duties.

## **Launch campaigns to regularize status of migrants on a regular basis**

Although the objective of the study was to evaluate the impact of Syrian refugees in Jordan on Egyptian migrant workers, the findings of the study revealed the vital role of intermediaries and brokers in the migration of Egyptians to Jordan as well as the exploitation that Egyptian migrants could be subjected to. Therefore, it would be of much benefit that the Egyptian Government commissions research institutions or independent academics to conduct further research on the subject.

## **Implications for Research**

### **Conduct research that would further unpack the role of intermediaries and brokers**

Although the objective of the study was to evaluate the impact of Syrian refugees in Jordan on Egyptian migrant workers, the findings of the study revealed the vital role of intermediaries and brokers in the migration of Egyptians to Jordan as well as the exploitation that Egyptian migrants could be subjected to. Therefore, it would be of much benefit that the Egyptian Government commissions research institutions or independent academics to conduct further research on the subject.

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