

Regulation No. 90 of 2009 (Regulation of Domestic Workers, Chefs, Gardeners and the Like for the Year 2009) and its Amendments

### **Article (1)**

This Regulation shall be called (the Regulation of Domestic Workers, Chefs, Gardeners and the Like for the Year 2009) and shall come into force from the date of its publication in the Official Gazette.

### **Article (2)**

The following words and expressions shall have the meanings assigned to them hereunder unless otherwise provided by context:

Ministry:	Ministry of Labor
Minister:	Minister of Labor
Office:	The establishment or company licensed in accordance with the provisions of the Regulation of Offices Operating in the Recruitment of Non-Jordanian Domestic Workers.
Homeowner:	Every normal person who uses a worker in their home.
Worker:	Domestic worker, cook, gardener, patient companion, or the like, who works in the service of the homeowner on an ongoing basis.
Domestic Work:	Work related to household tasks such as cleaning, cooking, ironing clothes, preparing food, caring for family members, buying home needs, accompanying the sick, people with disabilities, gardening and the like.

### **Article (3)**

The employment contract shall be drafted in a format approved by the Ministry, and shall be written in the Arabic language and one additional language that the worker understands. Four copies of the contract shall be prepared, with each of the homeowner, the worker, the Ministry, and the office retaining a copy thereof.

### **Article (4)**

The homeowner shall comply with the following:

- a) Pay the costs of obtaining a residence permit and work permit for a non-Jordanian worker annually.
- b) Pay the monthly wage to the worker within a period not exceeding seven days from the date of entitlement in Jordanian Dinars or its equivalent in foreign currencies by the means and methods specified by the Minister for this purpose, provided that the homeowner and the worker keep a document proving the payment of the monthly wage to the worker.
- c) Employ the worker at the homeowner's place of habitual or temporary residence, where they reside with their family. Only the homeowner and their immediate family members have the authority to issue work orders to the worker.

- d) Treat the worker with respect, provide all the requirements and conditions of decent work, and secure all their needs of clothing, food, drink, a well-lit and ventilated room, sleep and rest means, and their right to privacy.
- e) Enable the worker to call their family abroad by phone and at the expense of the homeowner once a month. The worker shall have the right to additional calls at their own expense, as well as the right to contact them in writing.
- f) Avoid taking the worker when the homeowner and his and family move to another country for temporary residence except with the consent of the worker and after informing the embassy of the workers' country if the worker is not Jordanian.
- g) Arrange and pay for a ticket for the non-Jordanian worker from their home country to Jordan, and also for a return ticket to their home country, provided that at least two years have elapsed since the worker's employment with the homeowner.
- h) Provide health care for the worker.
- i) Allow the worker to practice their religious rituals in a manner that does not conflict with public order and morals.

#### **Article (5)**

- a) The worker shall comply with the following:
  - 1- Do domestic work with all honesty.
  - 2- Respect the privacy of the house in which they work and preserve the property of the owner of the house and the contents of the house.
  - 3- Not disclose the secrets that they are privy to.
  - 4- Respect the prevailing customs and traditions of society.
  - 5- Notify the homeowner before leaving or being absent from the house.
- b) In the event that it is proven that the worker has caused the loss or damage to tools, machines, or products owned or possessed by the homeowner, or those in the worker's custody, and this is due to the worker's error or failure to follow the homeowner's instructions, the homeowner may deduct from the worker's wages the value of the lost or damaged items or the cost of repairing them. However, the amount deducted shall not exceed the worker's wage for five days per month. Furthermore, the homeowner has the right to seek compensation for the damages caused by the worker through the competent regular courts.
- c) The worker shall be responsible for all financial obligations under the employment contract and the cost of their return to their home country in the event of their unauthorized departure from the homeowner's residence, without the homeowner's consent or cause.

#### **Article (6)**

- a) The worker's total working hours shall be a maximum of eight hours per day, calculated only from the time they actually perform domestic work, excluding any periods of time spent without work, rest, or eating.
- b) The homeowner may organize the times of performance of the work assigned to the worker during one day according to the nature of the work and the need of the house.
- c) The homeowner shall grant the worker a sufficient period of sleep during one day of not less than eight hours per day.

### **Article (7)**

- a) The worker shall be entitled to a weekly holiday to be mutually agreed upon between the worker and the homeowner. In the event that the homeowner requires the worker to work on their designated weekly holiday, the homeowner shall compensate the worker with an additional day off, to be mutually agreed upon between them
- b) The worker shall be entitled to an annual paid leave of fourteen days, as mutually agreed upon with the homeowner. The worker may, with the homeowner's agreement, postpone this leave to the end of their contract.
- c) The worker shall be entitled to fourteen days paid sick leave during the year.

### **Article (8)**

The homeowner and the worker shall, upon the expiry of the term of the contract or the term of employment, conduct a clearance of labor rights between the two parties signed before the Ministry. Each party shall keep a copy thereof. This shall be performed before the worker leaves the country if the worker is non-Jordanian.

### **Article (9)**

- a) A committee called the "Non-Jordanian Domestic Workers Affairs Committee" shall be formed in the Ministry by a decision of the Minister. Its membership shall include representatives of:
  - 1- The Ministry.
  - 2- Syndicate of owners of recruitment and employment offices for non-Jordanian domestic workers.
  - 3- Directorate of Public Security/ Directorate of Residency, Borders and Foreigners Affairs.
- b) The tasks of the Committee shall be determined by the decision of its formation, and it shall have the right to invite any person to attend its meetings to seek their opinion on the matters before it.

### **Article (10)**

The Ministry shall provide guidance, support, and monitoring to foster a positive working relationship between the homeowner and the worker. This shall be achieved through regular meetings between the Ministry's representatives and homeowners and workers, either at the Ministry, in the workers' residences, or at the workers' workplaces.

### **Article (11)**

In the event of receiving any complaint or information related to the violation of the rights of the worker or the obligations of any of the homeowner and the worker, the Ministry shall take the following measures:

- a) Invite both the homeowner and the worker to the Ministry to resolve the complaint amicably, provided that the worker is heard separately from the homeowner and in a manner that takes into account the confidentiality of the meeting.
- b) In the event of a complaint regarding the worker's place of residence, a joint inspection (one male inspector and one female inspector) shall be conducted,

with the consent of the homeowner, to ensure compliance with the provisions of this Regulation.

- c) In the event that the homeowner refuses to allow the inspection as referred to in Paragraph (b) of this Article, the Minister may take necessary measures, including, where necessary, asking the competent judicial authorities to conduct a swift and urgent inspection in serious cases that may constitute an offense under the applicable legislation, in accordance with the provisions of the Code of Criminal Procedure.
- d) In the event that a violation of the Labor Law or its regulations is found to have been committed by the homeowner, the homeowner will be notified and given a one-week period to rectify the situation. Failure to comply will result in the homeowner being prohibited from hiring or transferring a worker for a period specified by the Minister. The necessary measures will be taken as stipulated in the Labor Law in force.
- e) If the violation committed by the homeowner constitutes a sexual or physical assault on the worker or a serious violation of any of their fundamental rights, the worker shall have the right to leave work directly and claim their rights.
- f) A false report by the homeowner that the worker has left their employment is considered a violation of the provisions of this Regulation.
- g) It is prohibited, under penalty of legal responsibility, for any person to provide shelter to a worker who has left the service of a homeowner or has economically exploited this work.

#### **Article (12)**

The Minister shall issue the necessary instructions for the implementation of the provisions of this Regulation, including the terms and conditions contained in the employment contract form.

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