

## Regulation No. (35) of 2021

### Regulation of Employment of Persons with Disabilities

Issued pursuant to Articles (13) and (140) of the Labor Law No. (8) of 1996

**Article (1):** This regulation shall be called "Regulation of Employment of Persons with Disabilities for the year 2021" (hereinafter referred to as "Regulation") and shall come into force thirty days after the date of its publication in the Official Gazette.

**Article (2) (A):** The following words and expressions shall have the meanings assigned to them hereunder unless otherwise provided by context:

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| <b>The Law:</b>               | The Labor Law  |
| <b>Ministry:</b>              | Ministry of Labor  |
| <b>Minister:</b>              | Minister of Labor  |
| <b>Person with disability</b> | Every individual who has a long-term deficiency in physical, sensory, mental, psychological, or neurological functions, resulting in interference with physical obstacles and behavioral barriers, preventing them from carrying out one of the main activities of life or exercising one of the rights or one of the fundamental freedoms independently. A long-term deficiency is considered one that is not expected to disappear within a period of at |

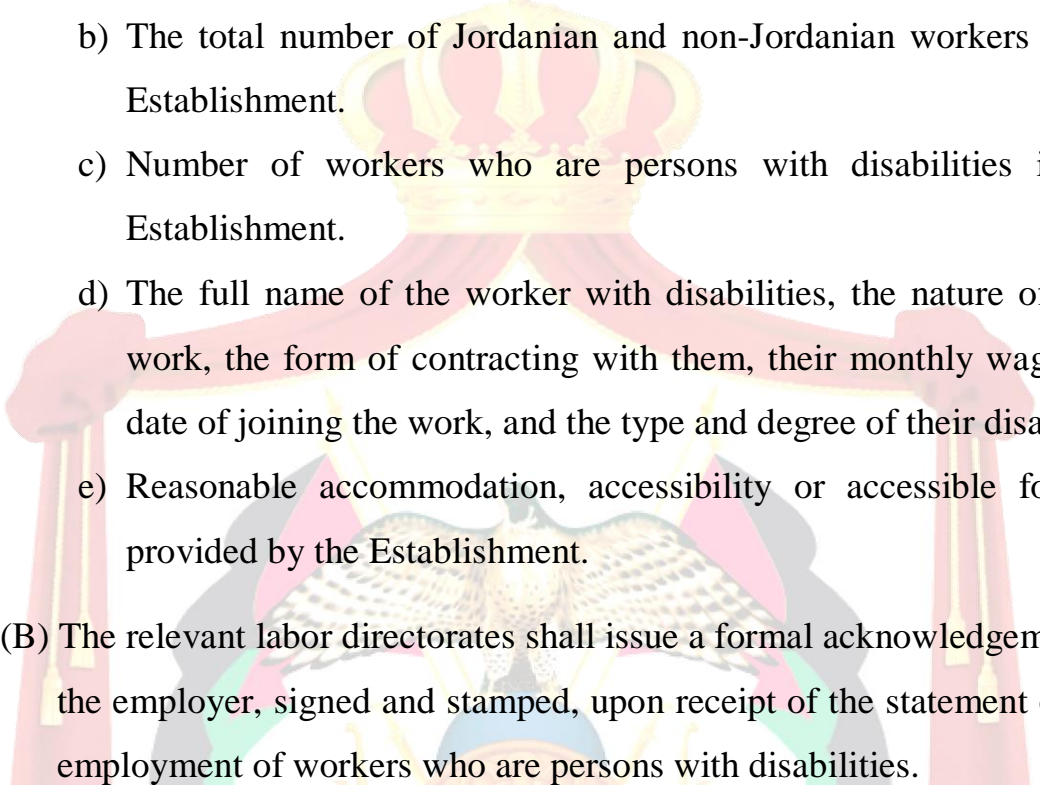
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|                                 | least 24 months from the start of treatment or rehabilitation.  |
| <b>Reasonable accommodation</b> | Reasonable accommodation refers to making adjustments to environmental conditions in terms of time and place to enable a person with disabilities to exercise a right or freedom or access a service on a basis of equality with others.  |
| <b>Accessible formats</b>       | Accessible formats refer to converting information, data, pictures, drawings, and other works into Braille, printing them in large print, converting them into electronic or audio formats, translating them into sign language, drafting them in simplified language, or clarifying them in any other way without altering their essence to enable persons with disabilities to access and comprehend the content. |
| <b>Accessibility</b>            | Preparing buildings, roads, facilities and other public and private places available to the public and adapting them in accordance with the quality of construction requirements for persons with disabilities issued under the provisions of the Jordanian National Building Law or any special standards issued or adopted by the Supreme Council for the Rights of Persons with Disabilities.                    |
| <b>Inclusive design</b>         | Harmonization of services and goods in their design, production and provision stages to allow them to be used in a manner that is accessible to all.  |
| <b>Flexible work contract</b>   | A flexible work contract is a written agreement whereby a worker commits to   |

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|  | work for an employer under their supervision and management in exchange for a wage. The contract duration may be fixed or indefinite, or specify a specific or unspecified scope of work, in accordance with the forms of flexible work outlined in the Regulation of Flexible Work.              |
| <b>Disability-based discrimination</b> | Disability-based discrimination refers to any limitation, restriction, exclusion, nullification, or denial, whether direct or indirect, of any of the rights or freedoms established in the legislation, including the failure to provide reasonable accommodation, due to a person's disability. |

(B) The definitions contained in the Law and the Law on the Rights of Persons with Disabilities shall be adopted wherever they are stipulated in these Instructions unless the context indicates otherwise.

**Article (3) (A):** The employer shall comply with the following:

- 1- Provide reasonable accommodation, accessible formats, accessibility and inclusive design for persons with disabilities.
- 2- Ensure that the internal system of the Establishment and the work contract for workers with disabilities include accessible forms, and that these forms are accessible and understandable to them, and that they are informed about them and understand their content.
- 3- Send a notice to the Ministry or any of its directorates in the work area containing data on workers with disabilities in the first month of each year in accordance with a form approved by the Ministry for this purpose, provided that it includes the following data:

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- a) Registration or licensing data of the Establishment.
  - b) The total number of Jordanian and non-Jordanian workers in the Establishment.
  - c) Number of workers who are persons with disabilities in the Establishment.
  - d) The full name of the worker with disabilities, the nature of their work, the form of contracting with them, their monthly wage, the date of joining the work, and the type and degree of their disability.
  - e) Reasonable accommodation, accessibility or accessible formats provided by the Establishment.
- (B) The relevant labor directorates shall issue a formal acknowledgement to the employer, signed and stamped, upon receipt of the statement on the employment of workers who are persons with disabilities.

**Article (4) (A):** For the purposes of this Regulation, labour inspectors shall verify the following:

- 1- One person with disabilities is employed if the number of employees in the Establishment is more than (25) and less than (50) workers.
- 2- (4%) of persons with disabilities are employed if the number of employees in the Establishment is more than (50) workers.
- 3- There is no form of discrimination on the basis of disability in the Establishment.
- 4- The extent of the Establishment's commitment to providing reasonable accommodation, accessibility or accessible formats for workers with disabilities at no financial cost to them.
- 5- the Establishment receives a formal acknowledgement, bearing the signature and official stamp of the relevant labour directorates,



confirming receipt of the statement on the employment of persons with disabilities.

(B) Labor inspectors shall exercise the powers stipulated in the Law when the employer violates any of the provisions of this Regulation.

**Article (5)** (A): When employing a worker who is a person with disabilities, the employer shall take into account their educational qualifications and practical experience. The employer shall also determine the wage allocated for this work without any discrimination on the basis of disability.

(B) In all job postings or recruitment materials, employers shall refrain from including any language that implies or suggests that a worker is required to be free from disability.

**Article (6)** (A): Until achieving the target employment rate for persons with disabilities in the Establishment, the employer may request the relevant labour directorate in the work area to provide a list of job seekers who are persons with disabilities and have registered with the Ministry.

(B) The procedure outlined in Paragraph (A) of this Article shall not relieve the Establishment of its obligation to actively seek and employ job seekers, including those with disabilities, by all available means, until the employment rate for persons with disabilities reaches the percentage specified in the Law on the Rights of Persons with Disabilities and this Law.

(C) If the employer is unable to find job seekers who are persons with disabilities in accordance with the provisions of Paragraphs (A) and (B) of

this Article, the employer shall notify the Ministry and the Supreme Council for the Rights of Persons with Disabilities of this.

**Article (7)** The Ministry, in coordination with the Supreme Council for the Rights of Persons with Disabilities, shall prepare or adopt training programs that enable persons with disabilities to carry out their functional or practical tasks, in accordance with instructions issued by the Minister for this purpose in coordination with the Supreme Council for the Rights of Persons with Disabilities.

**Article (8)** The worker with disabilities may object to any disciplinary action taken against them with the competent inspection directorate within a week from the date of notification of the action in accessible forms.

**Article (9)** The Vocational Training Corporation, in coordination with the Ministry, shall:

- (A) Prepare vocational training centers and providing reasonable accommodations in them to include trainees who are persons with disabilities in their training programs.
- (B) Continuously coordinate with the Ministry to develop training programs for persons with disabilities in the vocational training centers managed by the Vocational Training Corporation, focusing on skills that align with the needs of the labour market.
- (C) Provide the Ministry periodically with lists of graduates who are persons with disabilities, provided that they include the graduate's full name, national number, telephone number, specialization, and area of residence to link them to available job opportunities.

**Article (10) (A):** Subject to Paragraph (C) of Article (6) of this Law, whoever violates the provisions of Clauses (1), (2) and (3) of Paragraph (A) of Article (4) of this Law shall be punished with the penalties stipulated in Paragraph (B) of Article (48) of the Law on the Rights of Persons with Disabilities.

(B) Subject to the provisions of Paragraph (A) of this Article, whoever violates the provisions of this Law shall be punished with the penalties stipulated in the Law.

**Article (11):** The Minister shall issue the necessary instructions for implementing the provisions of this Regulation.

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