

**Guidelines for Trade Union Representatives
in the Garment Industry
in Jordan**

2023

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Introduction:

The garment sector in Jordan plays a vital role in the country's economy, providing employment and income for thousands of workers, particularly in the Free Zones and Qualified Industrial Zones (QIZs). Many of these workers are migrant workers from other countries in the region, who may face challenges related to language barriers, cultural differences, and limited knowledge of their rights and entitlements.

Trade unions have an important role to play in representing the interests of these workers and promoting good industrial relations. Pursuant to Article (99) of the Labour Law, the goals of the union include collective bargaining and entering into collective agreements. In light of this, the union has the primary responsibility of monitoring compliance with provisions of the collective bargaining agreement (CBA) on behalf of all workers in the sector.

The purpose of these guidelines is to provide guidance to trade union organizers in the garment sector in Jordan on their rights and responsibilities according to international labour standards and national laws and regulations. These guidelines also aim to promote social dialogue and the conclusion of CBAs that protect the rights of workers and promote fair and just working conditions.

In accordance with Article (99) of the Labour Law, the union has the right to form and join a trade union, participate in the activities of the trade union, engage in collective bargaining and the conclusion of collective agreements, access and use bulletin boards, visit workplaces and ensure compliance with provisions of the CBA, and be protected against discrimination and coercion.

These guidelines apply to all trade union organizers in the garment sector in Jordan, regardless of their nationality or employment status. They are intended to provide a framework for trade union organizers to act in the best interests of the trade union and its members, and to promote good industrial relations between trade unions and employers.

The purpose of these guidelines is to:

The purpose of these guidelines is to provide clear and comprehensive guidance to trade union organizers in the garment sector in Jordan on their rights and responsibilities according to international labour standards and national laws and regulations. These guidelines aim to support trade union organizers in carrying out their duties effectively and ethically, and to promote good industrial relations between trade unions and employers in the sector.

These guidelines cover a range of important issues, including:

- The rights and responsibilities of trade union organizers, as defined by international labour standards and national laws and regulations.
- The role of the union in collective bargaining and the conclusion of collective agreements, and the importance of social dialogue in this process.

- The formation and functions of the Union Labour Committee in every enterprise in the sector, including election requirements, decision making mechanisms, and the documentation of minutes of meetings.
- The responsibilities of employers, labour inspectors, and other stakeholders to protect the rights of trade union organizers and promote good industrial relations.
- The legal and ethical considerations that trade union organizers should take into account in carrying out their duties.

These guidelines are intended to provide a framework for trade union organizers to act in the best interests of the trade union and its members, and to promote fair and just working conditions in the garment sector in Jordan.

Definitions:

As trade union organizers, it is important to have a clear understanding of key terms and concepts related to your work. This section provides definitions of some key terms that may be useful in your role as a trade union organizer. These definitions are based on international labour standards, as outlined by the International Labour Organization (ILO), a United Nations agency that works to promote rights at work, encourage decent employment opportunities, and eliminate child labour.

It is important to note that these definitions are not exhaustive, and that there may be additional terms and concepts that are relevant to your work as a trade union organizer. If you are unsure of the meaning of a term or concept, it is always a good idea to seek clarification and additional information from reliable sources.

Trade union: A trade union is an organization of workers that aims to protect and promote the rights and interests of its members. Trade unions may be focused on a particular sector, such as the garment industry, or may represent workers across a range of industries. Trade unions may engage in a variety of activities, including negotiating collective bargaining agreements, advocating for fair and decent working conditions, and representing workers in disputes with employers.

Trade union organizer: A trade union organizer is a member of a trade union who is responsible for organizing and representing the interests of workers within the union. Trade union organizers may engage in a variety of activities, including recruiting new members, advocating for the rights of workers, and negotiating collective bargaining agreements.

International labour standards: International labour standards are a set of principles and conventions that outline the rights of workers and the responsibilities of employers. These standards are developed by the International Labour Organization (ILO), a United Nations agency that works to promote rights at work, encourage decent employment opportunities, and eliminate child labour. International labour standards include a range of conventions and recommendations that set out the basic rights of workers, including the

right to form and join trade unions, the right to fair and decent working conditions, and the right to be protected from discrimination and exploitation.

Social dialogue:

Social dialogue refers to the exchange of views and the negotiation of agreements between employers, workers, and their representatives. Social dialogue can take many forms, including negotiations between unions and employers, consultations between workers and management, and other forms of dialogue and cooperation. Social dialogue can be an important tool for resolving disputes and promoting cooperation between workers and employers, and is recognized as a key element of good industrial relations.

Collective bargaining:

Collective bargaining refers to the negotiation of terms and conditions of employment between employers and workers, typically through their representative organizations such as unions. Collective bargaining agreements set out the rights and responsibilities of both parties, and can cover a wide range of issues such as wages, working hours, benefits, and other working conditions. Collective bargaining agreements are an important tool for promoting fair and decent working conditions, and are recognized as a key element of good industrial relations.

Collective bargaining agreement (CBA):

Is a legally binding contract between an employer and a trade union that represents the workers at the workplace. The CBA sets out the terms and conditions of employment for the workers covered by the agreement, including wages, hours of work, benefits, and other working conditions.

Workers' management committee:

A workers' management committee is a group of workers who are elected or appointed to represent the interests of their fellow workers in discussions and negotiations with management. Workers' management committees may be formed in a variety of settings, including in unions, workplaces, or industry-wide organizations. The role of a workers' management committee may vary depending on the specific context, but may include participating in decision-making processes, representing the views of workers to management, and advocating for the rights and interests of workers. The establishment and functioning of workers' management committees are often regulated by law, and may be guided by international labour standards and other principles of good industrial relations.

Scope and Applicability:

These guidelines apply to all trade union organizers in the garment sector in Jordan, regardless of their nationality or employment status. They are intended to provide guidance on the rights and responsibilities of trade union organizers according to international labour standards and national laws and regulations, and to promote good industrial relations between trade unions and employers in the sector.

The guidelines cover a range of issues relevant to trade union organizers, including:

- The rights and responsibilities of trade union organizers, as defined by international labour standards and national laws and regulations.
- The role of the union in collective bargaining and the conclusion of collective agreements, and the importance of social dialogue in this process.
- The formation and functions of the Union Labour Committee in every enterprise in the sector, including election requirements, decision-making mechanisms, and the documentation of minutes of meetings.
- The responsibilities of employers, labour inspectors, and other stakeholders to protect the rights of trade union organizers and promote good industrial relations.
- The legal and ethical considerations that trade union organizers should take into account in carrying out their duties.

These guidelines are intended to provide a framework for trade union organizers to act in the best interests of the trade union and its members, and to promote fair and just working conditions in the garment sector in Jordan.

Legal references:

The guidelines contained in this document are intended to provide trade union organizers with information and guidance on their rights and responsibilities, as well as the responsibilities of employers and labour inspectors, according to international labour standards and Jordanian labour law. These standards are legally binding agreements that have been adopted by the International Labour Organization (ILO) and are ratified by member states.

The legal references for these guidelines include the following ILO conventions and Jordanian labour law:

- The ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- The ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- The ILO Workers' Representatives Convention, 1971 (No. 135)
- The ILO Collective Bargaining Convention, 1981 (No. 154)
- Jordanian labour law No. 8 of 1996
- The new collective bargaining agreement (CBA) 2022

Collective bargaining agreement 2022 CBA:

Pursuant to Article (99) of the Labour Law, the goals of the Union include collective bargaining and entering into collective agreements. In light of this, the Two Parties (Trade Union and J-GATE) acknowledge and recognize the Union's right to collective bargaining and to enter into collective agreements on behalf of workers in the sector on 1 st of November 2022.

According to this CBA, The Union has the right to:

1. Monitoring compliance with the provisions of the collective agreement.
2. Notifying employers of authorised representatives on matters related to the enforcement and implementation of the agreement.
3. Accessing and using bulletin boards in workplaces included in the agreement, in coordination with employer-level managements.
4. Visiting workplaces of employers during business hours to ensure compliance with the provisions of the agreement, in coordination with managements.

Overall, the responsibilities of trade union representatives are focused on representing the interests of their members and ensuring that the provisions of the collective agreement are followed. This includes negotiating and entering into collective agreements, monitoring compliance with the agreement, and advocating for the rights and interests of their members.

Union Labour Committee:

As a trade union representative, it is your responsibility to establish the Union Labour Committee in every enterprise in the sector. The committee should be composed of elected members from workers in every workplace, ensuring proportional representation of different nationalities. To establish the committee, you should follow the procedures set out in the agreement and in accordance with the laws, regulations, and practices of the country in which you are employed. This may involve identifying workers who are interested in serving on the committee, holding elections to select committee members, and providing training and support to committee members to ensure that they are able to effectively advocate for the rights of their fellow workers.

The Union is responsible for regulating all matters related to the formation and functions of the Union Labour Committee, including election requirements, number of committee members, voting, quorum, decision-making mechanism, and documentation of meeting minutes. The Union also sets the date of Union Labour Committee elections in coordination with the employer.

It is important to note that the rights and responsibilities of the Union and employers with regard to the Union Labour Committee are subject to the laws, regulations, and practices of the country in which you are employed. If you have any questions or concerns about the Union Labour Committee or the rights and responsibilities of committee members, you should seek guidance from your trade union or legal expert. Being aware of your rights and the provisions of this agreement can help you to advocate effectively for the rights of your fellow workers and to promote good industrial relations in your organization.

There are several steps that trade union representatives can follow to establish workers' committees:

1. Identify workers who are interested in serving on the committee: This may involve reaching out to workers in the workplace to gauge their interest in serving on the committee and explaining the purpose and responsibilities of the committee.

2. Hold elections to select committee members: Once you have identified interested workers, you can hold elections to select the members of the committee. It is important to ensure that the elections are fair and transparent, and that they follow the procedures set out in the collective agreement and in accordance with the laws, regulations, and practices of the country in which you are employed.
3. Provide training and support to committee members: Once the committee has been established, it is important to provide training and support to the committee members to ensure that they are able to effectively advocate for the rights of their fellow workers. This may include training on the provisions of the collective agreement, communication skills, and other relevant topics.
4. Communicate with the employer: Once the committee has been established, it is important to communicate with the employer about the committee's role and responsibilities, and to work with the employer to ensure that the committee is able to effectively represent the interests of the workers.
5. Monitor compliance with the collective agreement: As a trade union representative, it is also your responsibility to monitor compliance with the provisions of the collective agreement and to advocate for the rights of your fellow workers. This may involve working with the committee to identify any issues or concerns and working with the employer to address them.

Overall, establishing a workers' committee requires careful planning, communication, and collaboration with the employer. By following these steps and working closely with the committee members, trade union representatives can help to ensure that the committee is able to effectively represent the interests of the workers and promote good industrial relations in the workplace.

Trade Union Representatives' rights:

As trade union organizers, it is important that you are aware of your rights as workers, and that you are able to assert and defend those rights. The following section provides an overview of the rights of trade union organizers, as outlined in international labour standards.

It is important to note that these rights are not just theoretical principles, but are legally binding obligations for countries that have ratified the relevant ILO conventions. As such, it is the responsibility of governments to protect and promote these rights, and to ensure that they are respected in practice. Trade union organizers have a role to play in advocating for the enforcement of these rights, and in holding governments accountable for their obligations.

1. **The right to form and join trade unions:** Trade union organizers have the right to form and join trade unions, as outlined in the International Labour Organization (ILO) Freedom of Association and Protection of the Right to Organize Convention (No. 87). This includes the right to organize and participate in union activities, and to be a member of a union without interference or discrimination from employers or other authorities.

2. **The right to engage in union activities without interference:** Trade union organizers have the right to engage in union activities without interference or discrimination from employers or other authorities, as outlined in the ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87). This includes the right to participate in union meetings, events, and campaigns, and to communicate with union members and leadership without fear of reprisal.
3. **The right to be protected from retaliation or discrimination:** Trade union organizers have the right to be protected from any form of retaliation or discrimination for participating in union activities, as outlined in the ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87). This includes the right to be free from reprisals such as dismissal, demotion, or other forms of discrimination based on their union activities.
4. **The right to fair and decent working conditions:** Trade union organizers have the right to fair and decent working conditions, including the right to a safe and healthy work environment, as outlined in the ILO Declaration on Fundamental Principles and Rights at Work. This includes the right to fair wages, regular working hours, and appropriate working conditions, as well as the right to be protected from harassment, abuse, and discrimination in the workplace.

Article 111 from the Jordanian Labour Law stipulates that:

An Employee in any Union, or any member thereof, shall not be punished and no legal or judicial actions may be taken against him/her, due to an agreement concluded between the members of the Union with respect to any objective of the legitimate objectives of the Unions, provided that the agreement does not infringe the Laws and regulations in force.

In the event of a violation of rights:

If a trade union organizer believes that their rights have been violated, they should follow the following steps:

1. **Seek legal advice:** Trade union organizers should seek legal advice to understand their rights and options for seeking recourse. This may include consulting with a lawyer, trade union legal department, or other legal expert. In some cases, it may be necessary to seek legal representation in order to assert and defend your rights.
2. **File a complaint:** Trade union organizers should consider filing a complaint with the appropriate authorities, such as the labour inspectorate or other government agency responsible for enforcing labour standards. In some cases, it may be necessary to file a complaint with multiple authorities in order to ensure that the issue is properly addressed.
3. **Escalate the issue:** If the issue is not resolved at the local level, trade union organizers should consider escalating the issue to national or international bodies, such as the ILO or other international human rights organizations. These organizations may be able to provide additional support and assistance in seeking recourse for a violation of rights.

4. **Protect themselves:** Trade union organizers should take steps to protect themselves and their families from reprisals or other forms of retaliation for speaking out about violations of their rights. This may include seeking support from other union organizers, human rights groups, or other allies. In some cases, it may be necessary to seek protection from reprisals or other forms of retaliation before speaking out, in order to ensure the safety and well-being of the trade union organizer and their family.

It is important to note that trade union organizers have the right to be protected from retaliation or discrimination for exercising their rights, as outlined in the ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87). This includes the right to be free from reprisals such as dismissal, demotion, or other forms of discrimination based on their union activities. Trade union organizers should be aware of this right, and should seek legal advice and other forms of support if they believe that their rights have been violated.

Trade Union Representatives' responsibilities:

In addition to their rights, trade union organizers also have certain responsibilities in their role as advocates for workers' rights and promoters of fair and decent working conditions. The following section provides an overview of the responsibilities of trade union organizers, based on international labour standards.

It is important to note that these responsibilities are not just theoretical principles, but are legally binding obligations for countries that have ratified the relevant ILO conventions. As such, it is the responsibility of trade union organizers to uphold these standards, and to ensure that they are respected in practice. Trade union organizers have a role to play in advocating for the enforcement of these standards, and in holding governments and employers accountable for their obligations.

1. **To respect the rights of all workers to form and join a union:** Trade union organizers have a responsibility to respect the rights of all workers to form and join a union, and to support the efforts of workers to do so. This includes ensuring that all workers, regardless of their race, gender, religion, sexual orientation, or nationality, have the opportunity to join the union and participate in its activities.
2. **To work with union leadership and staff to develop and implement strategies to recruit and engage workers:** Trade union organizers have a responsibility to work with union leadership and staff to develop and implement strategies to recruit and engage workers, such as membership drives and informational events. This includes conducting one-on-one meetings with potential members, organizing and promoting union events, and providing information and support to workers interested in joining the union.
3. **To provide ongoing support and representation to union members:** Trade union organizers have a responsibility to provide ongoing support and representation to union members, including answering questions and addressing concerns, and working with union leadership to negotiate collective bargaining agreements. This includes

providing guidance and support to union members on issues related to their rights and working conditions, and advocating for fair treatment and improved working conditions on behalf of union members.

4. **To promote the rights of workers and advocate for fair treatment and working conditions:** Trade union organizers have a responsibility to promote the rights of workers and advocate for fair treatment and working conditions, in accordance with the ILO's Declaration on Fundamental Principles and Rights at Work. This includes working with union leadership to identify and prioritize issues facing garment workers in Jordan, and developing and implementing campaigns and actions to address those issues.
5. **To encourage workers to participate in union activities and decision-making processes:** Trade union organizers have a responsibility to encourage workers to participate in union activities and decision-making processes, and to ensure that their voices are heard and their needs are addressed.

Employers' responsibilities toward trade union organizers:

According to international labour standards, employers have a number of responsibilities toward trade union organizers. These responsibilities include:

1. **Respect the right to freedom of association:** Employers have a responsibility to respect the right of workers to form and join trade unions, as outlined in the ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87). This includes the right to be free from discrimination, coercion, or interference in union activities. Employers should not take any action that would discourage or prevent workers from forming or joining a trade union, and should not discriminate against workers based on their union membership or activities
2. **Foster good industrial relations:** Employers have a responsibility to foster good industrial relations, which refers to the constructive and cooperative relations between employers, workers, and their representatives. Good industrial relations are essential for the effective functioning of an organization, and can be promoted through social dialogue, collective bargaining, and other forms of cooperation and negotiation. Employers should be willing to engage in open and constructive dialogue with trade unions and their representatives, and should work to resolve disputes and differences in a mutually satisfactory manner.
3. **Protect trade union organizers from reprisals:** Employers have a responsibility to protect trade union organizers from reprisals or other forms of retaliation for exercising their rights, including the right to form and join trade unions. This includes the right to be free from dismissal, demotion, or other forms of discrimination based on union activities. Employers should not take any action that would discourage or prevent workers from exercising their rights, and should ensure that trade union organizers are able to carry out their important work without fear of reprisal.

4. **Provide a safe and healthy working environment:** Employers have a responsibility to provide a safe and healthy working environment for all workers, including trade union organizers. This includes the obligation to protect workers from hazards and to take steps to prevent accidents and injuries. Employers should implement appropriate safety measures, provide training and information to workers on how to stay safe on the job, and respond promptly to any safety concerns raised by workers or their representatives.

It is important to note that these responsibilities apply to all employers, regardless of the size or nature of the organization. Employers have a legal obligation to respect the rights of workers and to foster good industrial relations, and failure to do so may result in legal consequences. Trade union organizers should be aware of their rights and the responsibilities of employers, and should seek legal advice and other forms of support if they believe that their rights have been violated.

Labour inspectors' role in protecting trade union organizers:

Labour inspectors play a vital role in enforcing labour laws and protecting the rights of workers, including trade union organizers. According to international labour standards, there are several ways in which labour inspectors can protect trade union organizers:

1. **Enforcing laws and regulations:** Labour inspectors can protect trade union organizers by enforcing laws and regulations that protect the rights of workers, including laws related to freedom of association, good industrial relations, and the protection of workers from reprisals. This may involve investigating complaints, conducting inspections, and taking legal action against employers who violate these laws.
2. **Providing information and guidance:** Labour inspectors can protect trade union organizers by providing them with information and guidance on their rights and the responsibilities of employers. This may include providing information on how to report violations, how to seek legal remedies, and how to access other forms of support and assistance.
3. **Responding to complaints:** Labour inspectors can protect trade union organizers by responding promptly and effectively to their complaints and taking appropriate action to address any violations of workers' rights. This may involve conducting investigations, mediating disputes, or referring cases to other authorities for further action.
4. **Protecting confidentiality:** Labour inspectors can protect trade union organizers by maintaining the confidentiality of personal information and taking steps to ensure that workers are not subject to reprisals for seeking help or reporting violations.

Trade Union Representatives' ethical behaviour:

As trade union representatives, you have a responsibility to act ethically and to uphold the principles of good governance. This includes acting with integrity, honesty, and transparency

in all of your dealings with your fellow workers and with other stakeholders. Some specific ways in which you can demonstrate ethical behavior as a trade union representative include:

1. **Upholding the principles of democracy and transparency:** You should ensure that decision-making processes within your trade union are open and transparent, and that all members have an opportunity to participate.
2. **Protecting the confidentiality of sensitive information:** You should be mindful of the confidentiality of sensitive information, such as personal data or financial information, and ensure that it is only shared with those who have a legitimate need to know.
3. **Avoiding conflicts of interest:** You should avoid situations in which your personal interests could conflict with those of your fellow workers or your trade union. If you are faced with a potential conflict of interest, you should disclose it and seek guidance on how to address it.
4. **Acting with integrity:** You should always act with integrity and avoid any actions that could compromise your reputation or that of your trade union.

By upholding these principles of ethical behavior, you can help to ensure that your trade union is trusted and respected by your fellow workers and other stakeholders, and that it is able to effectively advocate for the rights of its members.

Conclusion:

Trade union organizers play a vital role in advocating for the rights of their fellow workers and promoting good industrial relations in their organizations. By following these guidelines, trade union organizers can ensure that they are aware of their rights and responsibilities, and that they are able to effectively advocate for the rights of their fellow workers.

The guidelines contained in this document are intended to provide trade union organizers with information and guidance on their rights and responsibilities, as well as the rights and responsibilities of employers and labour inspectors, according to international labour standards and Jordanian labour law. These guidelines are based on the legal references contained in the document, including the ILO conventions and other international labour standards that apply to trade union organizers.

By following these guidelines, trade union organizers can help to ensure that they are able to effectively advocate for the rights of their fellow workers and to promote good industrial relations in their organizations. They can also seek legal advice and other forms of support if their rights are violated, and ensure that they act with integrity and ethical behavior in all of their dealings with their fellow workers and other stakeholders.