



International
Labour
Organization



▶ Assessment of the Maternity Insurance in Jordan

ILO Regional Office for Arab States

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the Swedish International
Cooperation Agency (SIDA)

▶ Assessment of the Maternity Insurance in Jordan



This assessment report was conducted by Triangle

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This assessment report was conducted by Triangle, a firm specialising in research, policy guidance and content production, to evaluate the impact of Jordan's Social Security Corporation (SSC) maternity insurance. Commissioned by the International Labour Organization (ILO), the piece of qualitative research was technically designed and reviewed by ILO staff, Frida Khan, senior gender specialist, Luca Pellerano, senior social protection specialist, and Reem Aslan, gender technical specialist. The research was prepared in close collaboration with SSC staff, Janit Altayyeb, Zuhair Al-Dmairy, Ahmed Obaid, Qusai Talafhah, and Bassam Al-Sbaihy, and under overall guidance of Director General, Dr Hazim Al-Rahahleh and Assistant Director General, Mohammad Yassin.

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► Foreword

The ILO worked closely with the SSC on the design and the 2010 inception of maternity insurance, aimed at empowerment and retention of working mothers in the labour force. It believes Jordan's maternity insurance is unique in the Arab region as the plan covers monthly wages of working women while on maternity leave.

Maternity insurance provides a layer of rights protection for women in Jordan, and falls in line with international labour standard instruments, particularly Workers with Family Responsibilities Convention, 1981 (No. 156), Maternity Protection Convention, 2000 (No. 183), and Maternity Protection Recommendation, 2000 (No. 191).

It is also key to promoting gender equality at work by protecting working mothers' jobs and wages, as well as to alleviating poverty and advancing decent work.

Years after the launch of maternity insurance, the SSC made a request for ILO assessment of its implementation. The joint ILO-SSC research looked into the impact of maternity insurance on female labour force participation and women's decisions whether to join the labour market and keep working, as well as on families/households. It also examined how maternity insurance influences perspectives/views of employers', as well as prospects of improvement of procedures and expansion of scope. The purpose was to create an enhanced response to the needs of women and men in the world of work, and their families, as well as the Jordanian economy and society.

The findings provide insights into how to reshape maternity insurance benefits to introduce, for example, complementary benefits for working parents as a means to address barriers to female labour force participation.

The documented evidence-based piece of research offers opportunities for maternity protection improvements in other regional countries, given the fact that Jordan thus far is the only Arab state with an insurance-based maternity protection scheme.

Ruba Jaradat

Assistant Director-General and Regional Director of Arab States

International Labour Organization

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► Preface

This piece of qualitative research was commissioned by the International Labour Organisation to provide evidence-based research on the impact of Jordan's maternity Insurance. It is meant to be the starting point for wider consideration of the MI and its effects on female labour force participation as well as the well being and economic stability of women, their spouses, and their dependents. This research also intends to inform the design of a wider nationally-representative study into the MI and its effects as well as on wider Jordanian economy and society.

► List of acronyms

MI	Maternity Insurance
SSC	Social Security Corporation
ILO	International Labour Organization
FLFP	Female Labour Force Participation
JD	Jordanian dinar

► Glossary

Below/average wage: The average wage of SSC subscribers (447 JD, or \$630).

▶ Executive summary

Jordan has one of the lowest rates of female labour force participation both in the region and globally. Women represent 53 per cent of university graduates, and yet female labour force participation stands at a stubborn 14 per cent, compared to 54 per cent for men according to Jordan's Department of Statistics (DOS). This places Jordan at 135 out of 144 in the world in terms of female labour force participation - considerably below the average of 37.9 per cent for lower-middle income countries, ILO data indicated.¹

Women face several kinds of discrimination in the labour market. First and foremost, Jordanian women have long suffered from discriminatory hiring practices by employers who prefer not to hire women because of the responsibility they bear in covering maternity pay. This discrimination is underpinned by the sentiment that women will not be able to perform as well as men after pregnancy because they are distracted by responsibilities at home. One of the main barriers preventing women's entry and retention in the workforce is the disproportionate responsibility for childcare that women bear and the inadequate infrastructure, legal and policy support available to them to help redistribute unpaid care work. For this reason, the Jordanian Government, with technical support from the ILO established the MI in 2011 with the aim of reducing gender discrimination in the hiring and retention of women in Jordan's formal private sector. The MI puts the responsibility for maternity insurance with the SSC, while making employer contributions to the MI mandatory across male and female private sector employees.

This report sets out to assess the impact of the MI on women, their spouses, their dependents, in addition to employers in the private sector. The information in this report intends to be the starting point for wider consideration of the MI and its effects on female labour force participation and retention. Recommendations from this report will open discussion for ways to improve the MI's impact in the future.

Methodology

This project adopted a methodology based on an assessment framework for maternity insurance devised by the Organisation for Economic Co-operation and Development (OECD) to provide a robust framework for the design of research tools. Five assessment criteria were employed as best practice parameters for the development of lines of inquiry in order to provide a robust framework for the design of research tools, (see Table 2). They are time given for leave; money available for parents to care for their child; social investment in leave schemes in terms of expenditure; the actual use of parental leave; and finally, issues relating to gender equality.

¹ ILO, Young women's employment and empowerment in the rural economy, Jordan country profile, 2017 https://www.ilo.org/wcmsp5/groups/public/--ed_emp/documents/publication/wcms_622766.pdf

Main findings

► Impact on women

The MI impacts positively on the retention of women in the workplace. MI-users unanimously agreed that the MI made them feel more secure to remain in their job after childbirth. All mothers who benefited from the MI returned to the same job and received the same wage after their leave finished. Many women added that this feeling of job security creates a sense of loyalty to their employer and encourages them to work harder, increasing productivity. Employers generally found the MI helpful because it removes the responsibility of covering the wage during maternity, but did not state that this impacted on their likelihood of retaining female employees.

Non-compliance with the Social Security and Labour Law restricts mothers' access to maternity insurance and related benefits. Even if women are registered with SSC they can face difficulties in accessing the full range of maternity protection benefits. Employers sometimes under report salaries which impacts the amount of money they receive from the MI since it is based on their monthly salary reported to SSC. Even though maternity benefits are provided for 70 days, some women complained that they were called back to work earlier than their legal maternity leave. Once back at work, most women also complained that they did not receive breastfeeding breaks – a violation of labour law.²

Continuing to receive an income during maternity leave positively contributed to women's ability to make financial decisions within the household. The majority of women reported that they felt more financially autonomous when they were able to contribute their share of household and childcare expenses during maternity leave. But despite the MI, traditional gender roles and expectation remain, especially among poorer households. The MI had minimal impact on joint-childcare decisions, with most spouses deferring to the woman with regards to decisions about the baby's welfare.

► Impact on employers

Smaller businesses are less likely than larger businesses to comply with the legal obligation to register employees with the SSC. Many factors impacting women's access to the MI reflect broader problems with social security in Jordan. One example is the tendency for smaller businesses to avoid registering employees with the SSC. Some employers attributed this to the fact that smaller businesses are under less government scrutiny and regulation than larger companies. Another factor is that smaller businesses consider social security contributions as too much of a financial burden to take on due to lack of liquidity and a stable income.

Employers do not consider the 0.75 per cent MI contribution to be an excessive individual contribution. Almost all employers described the MI contribution (0.75 per cent of the insured's salary) as an appropriate amount, with minimal effect on their financials. In fact, in some cases the MI contribution had a positive effect on companies' financials. One employer in a small company was pleased that she didn't have to plan to pay maternity leave, preferring to leave it in the hands of the SSC.

² Labour Law and its Amendments No. 8 of the Year 1996 <https://www.ilo.org/dyn/natlex/docs/ELECTRON-IC/45676/84920/F1672011876/JOR45676%20Eng.pdf>

Employers often struggle to find good quality replacement staff for women who go on maternity leave. Finding professional and well-trained cover staff for women on maternity leave was the most commonly-cited problem among businesses of all sizes. Generally, employers from smaller businesses struggled the most finding replacement staff because they lack the financial or human resources to source and hire a staff member from outside the organisation.

Recommendations

The minimum length of maternity leave in the private sector should be increased to 90 days. Increasing the maternity leave length would not only bring the private sector in line with the public sector, where it is already 90 days, but also with the ILO's Maternity Protection Convention, 2000 (No. 183). Women interviewed for this report were overwhelmingly in favour of increasing the length of leave, stating that the extra 20 days would help them recover physically and mentally before returning to work. Besides dealing with issues as varied as post-natal depression, physical exhaustion, new responsibilities, and the fact that Jordanian women also must factor in societal pressures too, such as hosting guests who wish to see the new child.

The ILO and SSC should investigate the feasibility and safety of regulating semi-formal childcare services, such as child-minders, to ensure quality of care. Both women and employers cited affordable, good quality daycare services as an important complementary measure to the MI, regardless of their income, geography or sector. While a bylaw currently being discussed by the Prime Ministry is a positive step towards increasing families' access to childcare services, more can still be done to meet women's childcare demands. This report also found that women overwhelmingly prefer to leave their children with a trusted family member, friend or member of the community instead of a private nursery. A middle path such as establishing child-minding services in underserved areas may be the most financially feasible option, and in most cases, preferred by mothers.

Central government or other stakeholders could do more to help employers find reliable replacement staff during maternity. Finding professional and well-trained cover staff for women on maternity leave was employers' most commonly-cited problem with the MI. The establishment of a pool of well-trained qualified temporary staff through training programmes and similar schemes would greatly help employers, eliminate the main reservation employers have about the MI, and bring qualified candidates into the job market. Such a network may be based on a review-system where employers can review replacement staff, helping other businesses hire the right candidates for the position. This could build upon the ILO's previous work in providing employment services, which include employment centres and a job portal.

Stakeholders should work together to promote greater awareness of labour rights among women. Greater knowledge of their rights as working mothers would prevent some violations against mothers. Employers frequently exploit mothers' ignorance of the Social Security and Labour Law to reduce the amount of money employees receive during leave or the time they spend on leave. The majority of women were also unfamiliar with both the MI and their maternity rights as working mothers before they had to take leave. As a result, many women interviewed did not know that they could take their maternity leave before the day they gave birth. The labour law gives women the right to 10 weeks maternity leave on the condition that not less than six weeks are taken after delivery. In fact, almost all MI-users continued

working until the day of delivery highlighting a significant gap in women's understanding of the law. Awareness of maternity provisions in the Social Security Law was weakest in rural areas, indicating that the SSC should consider spreading its resources away from larger cities such as Amman.

A concerted effort to work with employers as beneficiaries and not as antagonists would help increase compliance with the social security law and maternity protection. Several employers reported feeling that the Social Security Law does not treat them fairly, arguing that the law in general favours workers over employers. In order to help employers see the benefit of their social security contributions, the SSC should increase its outreach and awareness among employers to explain not only the penalties, but the purpose of the Social Security and Labour Laws and the MI and the positive impact it has had on women, parents and families.

The ongoing COVID-19 pandemic has provided the MI with both challenges and opportunities. The Jordanian government's decision to use money from the MI to provide support to elderly and disabled people during the COVID-19 pandemic sets a dangerous precedent for the MI. Continued social mobilisation and awareness-raising about the social and medical importance of maternity leave for Jordanian women will be necessary to help protect the MI from possible cuts and diversion of funds in the near to medium future. Unwise spending of MI money compromises the possible use of MI revenue to provide quality daycare solutions for parents – a measure which this report found would greatly help mothers and employers alike and is more aligned with the philosophy of the MI.

► 1. Research objectives and scope

1.1 Understanding the assignment

The MI has been in operation for eight years and the SSC has requested ILO support to assess the impact of the MI on female labour force participation over this time, and suggestions to improve the relevance and effectiveness of the MI.

Accordingly, this project had the following objectives:

1. Document the impact of Jordan's maternity insurance scheme on women, children, their families and enterprises with a focus on increased female labour force participation, maternal and child health and wellbeing, and intra-household dynamics.
2. Propose possible design, administrative, business process improvements, complementary measures, and allocations to enhance relevance, up-take and removal of barriers to female participation in the labour market.

This piece of qualitative research is also meant to be the starting point for wider consideration of the MI and its effects on female labour force participation as well as the well being and economic stability of women, their spouses, and their dependents. Once complete, this research is also intended to inform the design of a wider nationally-representative study into the MI and its effects as well as on wider Jordanian economy and society.

1.2 Research questions

The research sets out to Analyse benefits, shortcomings and develop recommendations for improvement of the scheme from the perspectives of impact and adequacy (including in reference to complementary benefits), take-up, coverage, and administrative effectiveness. In turn, Triangle will conduct a qualitative research study to understand experiences of women, households and enterprises with the MI in order to answer the following research questions and sub-questions:

► Table 1: Research questions and sub-question

Questions	Sub-questions
1. How does the MI currently function in Jordan?	a. What are the usage trends of the MI since its establishment in 2011, including information by sector and among different enterprises?
	b. What are the current aspects of the MI and which affect its uptake and usage by women and their households in Jordan?
2. How has the MI affected employers?	a. How has the MI impacted enterprises' hiring and retention of women (of a reproductive age), particularly in comparison to before the MI existed?
	b. How does the MI impact overall productivity, staff turnover, and financials at enterprises?

	<p>c.How has the MI influenced enterprise decision making across different sectors, rural/urban settings, and within small or large firms?</p>
<p>3. How has the MI affected women and their families?</p>	<p>a. How has the MI influenced female decision making to participate and remain in the labour force?</p>
	<p>b.Are women more likely to return to work after maternity leave since the MI's introduction?</p>
	<p>c.Apart from the MI, what other options for maternity coverage and childcare are available to women?</p>
	<p>d.How do households who do not benefit from the MI typically cope with maternity of employed women?</p>
	<p>e.How has the MI affected household dynamics and wellbeing, decisions about work and income, as well as child care?</p>
<p>4. What changes to the MI could be put in place to enhance relevance and up-take of the scheme?</p>	<p>a. What are the potential changes to MI design, structure, processes and allocations which the SSC can make to enhance relevance and up-take of the scheme for women and their households?</p>
	<p>b.What effects would bringing the MI in line with Maternity Protection Convention, 2000 (No. 183) have on women, households and employers?</p>
	<p>c.What process improvements can be made at the enterprise-level to improve relevance and up-take of the scheme?</p>
	<p>d.What complementary measures (e.g. childcare, awareness raising, skills development, etc.) would enhance the impact of the MI on women and their households?</p>

► 2. Research approach and methodology

2.1 Methodological process and tools

Five assessment criteria were employed as best practice parameters for the development of lines of inquiry in order to provide a robust framework for the design of research tools, (see Table 2).³ They are time given for leave; money available for parents to care for their child; social investment in leave schemes in terms of expenditure; the actual use of parental leave; and finally, issues relating to gender equality.

Although the indicators were developed to assess parental leave schemes in EU countries, they provide a robust framework for to design research tools. In order to provide a framework to answer the research questions in Table 1 this methodology will employ the five OECD key indicators as assessment criteria of best practices to guide the development of research tools. The process of transitioning the indicators to criteria to build qualitative research tools questions relied on the extent to which data is available to calculate the indicators in question.

In cases where data is not available to calculate whether or not indicators have been achieved, research tools were developed to evaluate gaps which impede measurement of these indicators, and investigate the potential effect of implementing indicators as best practice. When data is available, indicators were compared to OECD and EU averages, so as to inform recommendations (if it is not already the case) to bring Jordan in line with those averages and/or the Maternity Protection Convention, 2000 (No. 183).

► Table 2: MI assessment indicators

OECD indicator	Recommendation	Notes
Time	ILO standard (14 weeks of maternity leave).	The period of maternity leave provided in Jordanian law is less than this – 10 weeks in the private sector, and 14 weeks in the public sector.
Money	Calculation of compensation rate as given for an Average Worker (AW) working full-time.	The OECD recommends taking into account the interplay between leave length and compensation rate, to arrive at the “effective leave.”
Social investment	Social expenditure for maternity and parental leave payments per child born, as a percentage of GDP.	This indicator combines the expenditure on leave schemes with the actual number of children being born, and thus takes into account cross-national differences in birth rates.
Actual use of leave (Coverage and take up)	Proportion of employed parents with a child under the age of one on leave.	This indicator considers whether parents are eligible to take leave, and how many eligible parents actually do take leave.
Gender issues	A weighted gender equality index indicator.	The indicator of a fifteen-point scale, with nine possible points for the portion of leave available exclusively to fathers.

³ OECD Working Paper, Towards a Framework for Assessing Family Policies in the EU, 2009, <https://www.oecd-ilibrary.org/docserver/223883627348.pdf?expires=1575623694&id=id&accname=guest&checksum=5E273EE943EC2EC0D7F6D7FE07F7259E>

Due to restrictions encountered during the ongoing COVID-19 pandemic, Triangle used only Beneficiary Key Informant Interviews (B-KIIs) and Expert Key Informant Interviews (E-KIIs) with employers and external stakeholders during implementation. E-KIIs sought to contextualise and frame research around current issues related to Jordan's maternity insurance scheme, while B-KIIs sought to provide the experiential evidence and content required to understand women's and families' experiences with the MI and compile the report and case studies. Key informant selection criteria were based largely on inception interviews, and snow-ball sampling methods was employed for the identification of informants.

Accordingly, Triangle proposed a sampling strategy which takes into account geography, usage/non-usage of the MI, income level, and intent to use the MI. Triangle and the ILO also accommodated for sector-specific viewpoints by targeting women from each of the four key sectors set out by the SSC during the Inception Phase: 1-Banking and Finance, 2-Tourism, 3-Education, and 4-Industry.

For ease of sampling during remote research, Triangle defined governorates as either "rural" or "urban" based on the Jordanian Government's Interactive Database which displays the estimated urban and rural population of Jordan 2004-2018⁴. Triangle calculated the median urban population level across the country as 81.40 per cent, and found that the following governorates have urban populations above this threshold: Amman, Balqa, Zarqa, Irbid, and Ajloun. The remaining governorates (Madaba, Mafraq, Jerash, Karak, and Tafiela) fall below the median, therefore are defined as "rural" for the purposes of this research. Mothers were also disaggregated by wage, using the average wage for SSC subscribers: JD 447, or \$630 per month.

Groups 5 and 6 in Table 3 were treated as control groups, representing mothers who have not used the MI. These mothers also included those who are not covered by the provisions of the Social Security Law, particularly those who are deemed to be irregular workers.⁵ The Social Security Law deems irregular workers to be those who work fewer than 16 days per month regardless of the number of hours worked per month.

4 Jordanian Government's Interactive Database, 2004-2018 rural and urban populations http://jorinfo.dos.gov.jo/PXWeb2014R2/Table.aspx?layout=tableViewLayout2&px_tableid=Table%203.px&px_path=-andpx_language=en&px_db=Demographic%20Statistics&rxid=d8467649-5faf-4b4c-8c29-f629d95a188e

5 Law No.1 (2014), Social Security Law, Article 4

►Table 3: Amended B-KII disaggregation

No.	Profile	Gender	Geography	Employment status	Income level	Sector	
1	Mothers who have used the maternity insurance	Female	Rural governorate	Regular employment	Above average-income level of SSC subscribers	Sector 1	Sector 3
						Sector 2	Sector 4
2	Mothers who have used the maternity insurance	Female	Urban governorate	Regular employment	Above average income level of SSC subscribers	Sector 1	Sector 3
						Sector 2	Sector 4
3	Mothers who have used the maternity insurance	Female	Rural governorate	Regular employment	Below average income level of SSC subscribers	Sector 1	Sector 3
						Sector 2	Sector 4
4	Mothers who have used the maternity insurance fun	Female	Urban governorate	Regular employment	Below average income level of SSC subscribers	Sector 1	Sector 3
						Sector 2	Sector 4
5	Mothers who have not used the maternity insurance	Female	Rural governorate	Irregular employment	N/A	N/A	N/A
						N/A	N/A
6	Mothers who have not used the maternity insurance	Female	Urban governorate	Irregular employment	N/A	N/A	N/A
						N/A	N/A

As part of this research the ILO, SSC and Triangle originally agreed to begin fieldwork in early March 2020. Yet, as a result of the COVID-19 outbreak, in-person activities such as FGDs were suspended until the trajectory of the outbreak became clearer, alongside official restrictions on movement and non-essential person-to-person contact. In turn, the ILO and Triangle agreed to proceed with remote research activities with a new sampling strategy.

Accordingly, the ILO, SSC and Triangle agreed on a new sampling strategy which roughly substituted four B-KIIs for every FGD. The sampling replacing FGDs (Table 3) is based on the old FGD sampling which facilitated for control and treatment groups comprised of users/non-users of the maternity insurance scheme, as well as provide gendered perspectives of MI's usage by

targeting males whose spouses have accessed the MI. The new KII disaggregation also takes into account geography, usage/non-usage of the MI, income level, and intent to use the MI.

► **Table 4: Updated B-KII/E-KII disaggregation**

KII Type	Target group	Pilot phase interviews	Updated target number	Actual interviews achieved
E-KIIs	Ministry of Labour, Income and Sales Tax Department (ISTD) and/or SSC	0	3	3
	Employers’ organizations	1	2	2
	Workers’ organizations	1	2	2
	One UN Agency, One CSO	2	4	4
B-KIIs	Employers in firm with >100 employees	0	3	3
	Employers in firm with 20-100 employees	1	3	3
	Employers in firm with <20 employees (Rural governorate)	1	3	3
	Male spouses above average income level of SSC subscribers	0	1	1
	Male spouses below average income level of SSC subscribers	0	1	1
	Male spouses of women in irregular employment	0	1	0
Total KIIs		7	23	22

► 3. Limitations and mitigation measures

This report encountered minor sampling and other methodological limitations which stemmed for the nature of the research (i.e. a solely qualitative research study) and challenges during implementation, not least those related to the COVID-19 pandemic. Triangle took mitigation measures where necessary in order to restrict the effect of the limitation on the research (see Table 5).

► Table 5 : List of methodological limitations and mitigation measure

Methodological limitations	
Limitations and effects	Mitigation measures
<p>Sampling</p> <p>This research's sampling strategy could not accommodate for mothers who benefitted from maternity leave before 2011. As a result, women from this cohort were underrepresented, making it difficult to compare the experience of mothers in the formal private sector before and after 2011. Women who were considering joining the labour force for the first time were also not specifically targeted, placing practical limitations on the extent to which the report could draw conclusions about the MI's effect on FLFP.</p>	<p>Where possible, the experience of irregular workers who did not benefit from the MI were used as a control group against which to compare the experience of MI-users.</p> <p>Where necessary, the anecdotal evidence of women and experts was used to illustrate FLFP growth. However, an in-depth study is needed to discover any causal relationship.</p>
<p>Qualitative research</p> <p>While representative sampling frame of Jordan's female working population, as a qualitative study this assessment's methodology did not adopt quantitative methods or aim to provide statistically significant findings.</p>	<p>Work of researchers worked included maternity protection components in a separate quantitative study on the effects of the Social Security Law by the King Hussein Foundation – Information and Research Center, which will be released at a later date.</p>
<p>Social methods and bias</p> <p>All employers included in this report reported that they were registered with the SSC and formal enterprises. Therefore, the report does not capture the viewpoint of employers in informal enterprises.</p> <p>Some women were unwilling or reluctant to speak about the maternity Insurance's impact on household dynamics including the relationship with their husband and family planning decisions.</p>	<p>Employers were often careful to state that they comply with the social security law, while indirectly referencing other businesses which were unregistered. These anecdotes were taken to illustrate the experience and motivations of companies who do not comply with the social security law.</p> <p>A separate study by the King Hussein Research Foundation will focus more on household dynamics, using questions and methodological techniques recommended by Triangle.</p>

► 4. Literature review: The MI in context

Background

Jordan has one of the lowest rates of female labour force participation both in the region and globally. Despite being highly educated, with women representing 53 per cent of university graduates, female labour force participation stands at a mere 18 per cent across formal and informal sectors, compared to 60 per cent for men, according to DOS. This places Jordan at 135 out of 144 in the world in terms of female labour force participation - considerably below the average of 37.9 per cent for lower-middle income countries, ILO data indicated.⁶

One of the main barriers preventing women's entry and retention in the workforce is the disproportionate responsibility for childcare that women bear and the inadequate infrastructure, legal and policy support available to them to help redistribute unpaid care work.⁷ A recent World Bank report identified a stigma around women who choose to leave their children in childcare and return to work before the child reaches four and a half years old.⁸ Experts interviewed in this report observed that women are often still expected to prioritise their children over their career, meaning that some never return to work. This affects employers' hiring choices with many choosing to hire men instead of women.

The benefits of maternity protection

The International Labour Organisation defines maternity protection as "special protection" to prevent harm to the health of expectant and nursing mothers or their infants' health.⁹ The provision of paid leave from work is intended to protect the mother before birth and allow her to recover fully immediately following birth.¹⁰ Maternity protection is essential to promote the nutrition, health, and well-being of mothers and their children, to achieve gender equality at work by ensuring their jobs and salaries are protected, as well as prevent and reduce poverty and to advance decent work for both women and men.¹¹

6 ILO, Young women's employment and empowerment in the rural economy, Jordan country profile, 2017 https://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_622766.pdf

7 UNDP, 2015. Jordan Human Development Report 2015: Regional Disparities, Jordan: United Nations.

8 World Bank, Hashemite Kingdom of Jordan Understanding How Gender Norms in MNA Impact Female Employment Outcomes, 2018 <http://documents.worldbank.org/curated/en/859411541448063088/pdf/ACS25170-PUB-LIC-FULL-REPORT-Jordan-Social-Norms-June-1-2018-with-titlepg.pdf>

9 International Labour Organisation, Maternity Protection, <https://www.ilo.org/global/topics/equality-and-discrimination/maternity-protection/lang--en/index.htm>

10 OECD Working Paper, Towards a Framework for Assessing Family Policies in the EU, 2009, <https://www.oecd-ilibrary.org/docserver/223883627348.pdf?expires=1575623694&id=id&accname=guest&checksum=5E273EE943EC2EC0D7F6D7FE07F7259E>

11 ILO, Maternity cash benefits for workers in the informal economy, 2016 <https://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=54094>

Effective maternity protection increases the chances of survival for both the mother and her child, in addition to laying the conditions for optimal physical and cognitive development of the infant. A lack of maternity protection can force mothers to seek less secure jobs which are often low-paid jobs and carry the threat of dismissal at short notice.¹² This is because mothers with insufficient maternity protection are forced to prioritise flexibility, shorter working hours and proximity to home, whilst sacrificing chances of professional development, career growth and higher pay. Therefore, maternity protection contributes to the achievement of several Sustainable Development Goals – in particular, goals 1, 3, 5, 8 and 10.¹³

Typically, maternity insurance is provided as cash benefits provided directly to the new mother during her leave from work. The majority of countries included in a recent ILO survey of maternity and paternity in the workplace provide these cash benefits through national security schemes (see Figure 1).¹⁴ Amongst countries with developed economies, the number is even higher, with 88 percent providing cash benefits through the country's social security system. In the Middle East, reliance on social security for maternity leave benefits is the lowest globally, with Jordan in a small minority of Arab countries providing maternity benefits through a social security system. In most Arab states, maternity leave is borne directly by employers through employer liability systems.

The disadvantages of employer liability schemes

There are many disadvantages to employer liability schemes. These schemes typically place unnecessary cost and risk on the employer, fail to provide basic security for workers, impede labour mobility and create incentives for discriminatory hiring practices. For these reasons, employer liability schemes have long been viewed as detrimental to the promotion of equal treatment for men and women in the labour market.

Maternity cash benefits through a national social insurance scheme, on the other hand, can lower costs, improve benefits and remove incentives to unequal treatment during hiring and retention. For a more detailed discussion of the benefits of maternity cash benefits, refer to Box 1¹⁵.

► Box 1: Maternity cash benefits schemes versus employer liability schemes

Maternity cash benefits can be financed through different types of schemes, from social insurance, social assistance, universal schemes and employer liability schemes (EL). While public funded and social insurance schemes are based on the principles of solidarity and pooling of risk, employer liability schemes places the legal responsibility on individual employers to compensate income loss due to confinement. The ILO advocates public funded or social insurance schemes by assigning the responsibility for sound financing of maternity schemes to the State through all its Conventions on Maternity protection. Thus financing the benefits related to maternity should be borne collectively by way of insurance contributions or taxation or a mixture of both ensuring a broad pooling of resources that avoid adverse selection, ensuring a fair distribution of the cost and responsibility of maternity protection. Thus employer liability does not meet these principles in obliging individual employers to pay both the wage replacement to the female worker on leave and her replacement.

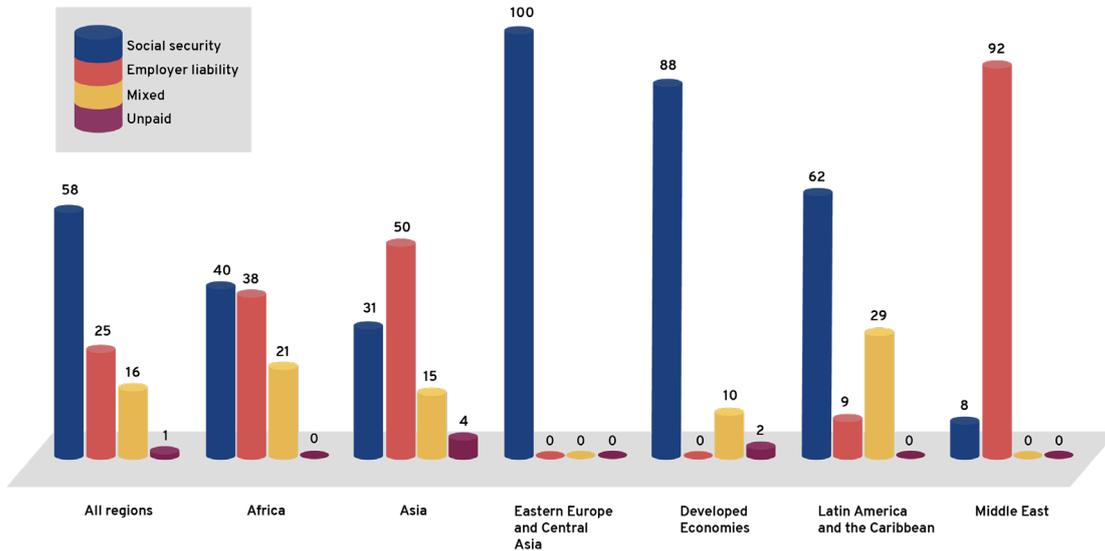
12 ILO, *Maternity and Paternity at work: Law and Practice across the World*, 2014 https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_242617.pdf

13 UN, *Sustainable Development Goals*, <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

14 ILO, *Maternity and paternity at work – Law and practice across the world*, p25, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_242615.pdf

15 ILO, *Maternity Protection Resource Package: From Aspiration to Reality for All*, ILO Conditions of Work and Employment Programme (TRAVAIL), Geneva, 2012, adaptation of: A note on employer liability schemes Module 7, p. 26.

► **Figure 1: Funding sources for maternity leave cash benefits, by region, 2013 (18 countries and territories) (%)**



Source: ILO Working Conditions Laws Database – Maternity Protection. Available at: <http://www.ilo.org/travdatabase>

Understanding Jordan’s maternity insurance

The MI was established in 2011 with the aim of reducing gender discrimination in the hiring and retention of women in Jordan’s formal private sector. Before the MI was introduced, Article 70 of the amended Labour Law obliged employers to directly give new mothers the equivalent ten weeks (70 days) of their full wage. In addition, women were entitled to receive an hour of paid leave per day to nurse their new-born baby.¹⁶ However, in practice, employers sometimes avoided this cost by firing women before they got pregnant, or not hiring women of a productive age in the first place.¹⁷

The MI aimed to remove this disincentive to hire and retain women by including maternity protection as a part of the SSC, a governmental institution which runs social security in Jordan. According to the new social security law of 2010, employers in the private sector must contribute 0.75 per cent worth of each employee’s base salary (excluding bonuses and overtime) to the MI regardless of sex. Contributions to the MI, alongside other social security contributions – work injury, unemployment, old-age, disability and death insurances¹⁸ - are made on a monthly basis.

16 Labour Law and its Amendments No. 8 of the Year 1996 <https://www.ilo.org/dyn/natlex/docs/ELECTRON-IC/45676/84920/F1672011876/JOR45676%20Eng.pdf>

17 ILO, Stories of Discrimination in the Workplace in Jordan, 2015 https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_442650.pdf

18 All employers must contribute to the social security insurances listed in Article 3 of the Social Security Law, which include work injury insurance (2% of insured’s payroll), old-age, disability and death insurances (11% of the insured’s payroll borne by employer; 6.5% by employee), maternity leave (0.75% of insured’s payroll borne by employer), and unemployment insurance (0.5% of insured’s payroll borne by employer; 1% borne by employee).

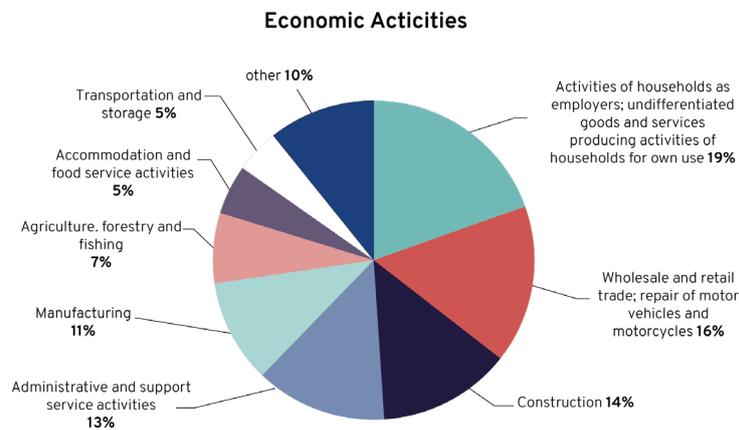
Therefore, the MI works on the principle of solidarity, since all workers, including men, collectively bear the costs of maternity benefits by contributing to a common social insurance scheme.¹⁹ By effectively spreading the cost of maternity insurance across male and female employees and across employers, the MI aimed to reduce incentives for employers to discriminate in hiring decisions due to maternity benefits.

Coverage and qualifying conditions

According to Article 43 of the Social Security Law, all regular female workers who are registered with the SSC are eligible to access the MI, including non-Jordanians who have work permits and are registered with the SSC. The Social Security Law deems irregular workers to be those who work fewer than 16 days per month regardless of the number of hours worked per month. Individuals receiving public sector wages and benefits are not eligible for the MI – however, they do receive their usual salaries from the Government of Jordan during maternity.

In its current form, the MI does not cover women working informally in the formal sector – in other words, those not registered with the SSC. Neither does the MI cover women working in the informal sector, which accounts for between 20 and 25 percent of Jordan’s GDP.²⁰ Around half of all Jordanian employees work in the informal sector, therefore do not receive any SSC benefits. Household activities, wholesale and retail trade and construction alone make up 49 percent of the informal sector’s economic output.²¹ However, women make up a minority of informal sector employees. The vast majority of employees without SSC are male 89 per cent for two reasons. First, women account for a small share 14 per cent of employees in Jordan. Secondly, Jordanian women primarily work in the public sector and large enterprises: only 29 per cent of women in Jordan lack SSC, compared with 52 per cent of men.²²

► **Figure 2: Economic activities of employees without SSC coverage**



Source: DOS Labour Force Survey, 2018

19 ILO, Maternity cash benefits for workers in the informal economy, 2016 <https://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=54094>

20 UNHCR, The Panoramic Study of the Informal Economy in Jordan, 2012 <https://data2.unhcr.org/en/documents/download/39421#:~:text=The%20estimated%20the%20size%20of,Jordanian%20economy%20at%2026%20percent>.

21 Department of Statistics, DOS Labour Force Survey, 2018

22 ILO, 2020 forthcoming

ILO's Convention No.183 broadened the scope of coverage to all employed women, no matter what occupation or type of undertaking, including women employed in atypical forms of dependent work, who have often received no protection.²³

Periods of compulsory maternity leave

The SSC disburses a one off cash benefit from the MI to eligible women at the beginning of their maternity leave as a lump sum of cash worth ten weeks' wages (70 days) – less than the recommended 14 weeks (98 days) stipulated in the ILO's Maternity Protection Convention, 2000 (No. 183).

Women are entitled to take their leave up to 30 days before birth – although in practice most take it shortly before or on the day of birth, for reasons discussed in this report. Employers may not legally dismiss a woman after five months of pregnancy or during maternity leave, according to Article 27 of the Labour Law.²⁴ In theory, this provision provides a degree of job protection during maternity leave. However, there is no article which guarantees that she will return to the same or equivalent position after maternity leave.

Level of paid maternity leave benefits

Women receive the equivalent of their full wage throughout their 70 days maternity leave, calculated by the following formula: Last salary/30*70.

According to Convention 183, income replacement during maternity is considered adequate if the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living. The minimum level of cash benefits is defined by Convention No.102 as 45 per cent of the woman's previous earnings, meaning that Jordan is in line with international best practices in terms of the level of paid maternity leave benefits.

Frequency of payment

The SSC distributes money from the MI in a lump sum soon after the child is born. This contradicts international best practices which recommend that the maternity payment is given at the same frequency as the mother's usual wage (typically monthly). Most countries worldwide provide maternity cash benefit payments on a monthly basis or at the same frequency of payment as salaries and wages. This is to avoid mothers returning to work before the end of their maternity leave and receiving cash benefits on top of a salary.

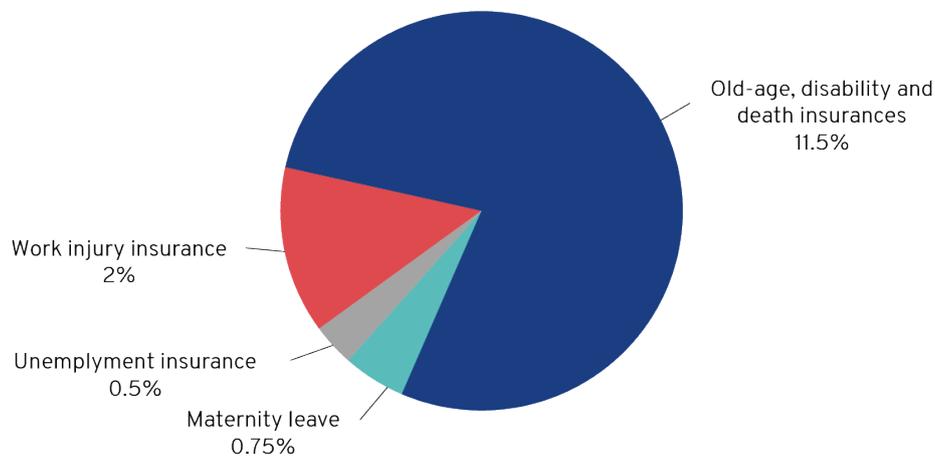
²³ ILO, Maternity Protection Resource Package: From Aspiration to Reality for All, ILO Conditions of Work and Employment Programme (TRAVAIL), Geneva, 2012, adaptation of: A note on employer liability schemes Module 7, p. 26.

²⁴ Labour Law and its Amendments No. 8 of the Year 1996 <https://www.ilo.org/dyn/natlex/docs/ELECTRON-IC/45676/84920/F1672011876/JOR45676%20Eng.pdf>

Who pays?

Employers' total contributions to the SSC are 14.25 per cent of each full time employee's monthly salary and are mandatory for all private sector employers according to Article 3 of the Social Security law. The MI contribution represents a relatively small proportion of the entire contribution borne by the employer, as shown in Figure 3.²⁵ The MI contribution is entirely borne by employers; there is no contribution from employees or by the state.

► **Figure 3: Breakdown of social security contributions borne by the employer**



Source: Social Security Law (Law 1 for 2014), published in the Official Gazette (Al-Jarida Al-Rasmiya), No. 5267 for 2014 of 29 January 2014. Available at: <http://www.pm.gov.jo/newspaperSubjects/5267/5267.html>

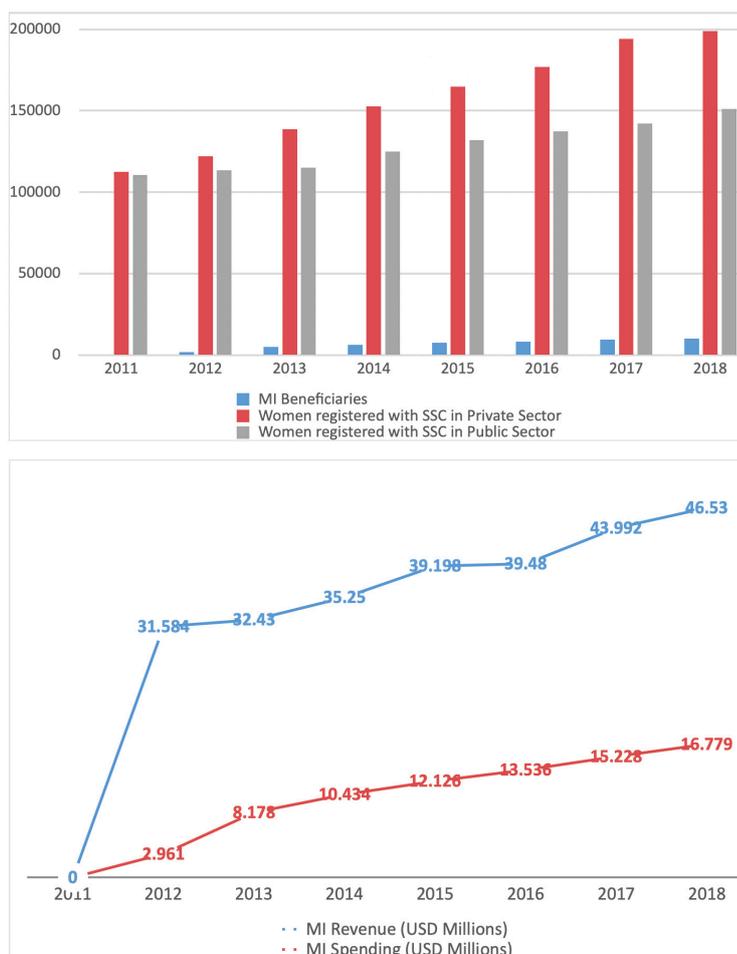
²⁵ Social Security Law (Law 1 for 2014), published in the Official Gazette (Al-Jarida Al-Rasmiya), No. 5267 for 2014 of 29 January 2014. <http://www.pm.gov.jo/newspaperSubjects/5267/5267.html>

► 5. Key findings

5.1. The MI: Registration and spending from 2011 - 2020

The latest data from the SSC shows a steady increase in women who have claimed benefits from the MI, in line with the overall trend of women registered with the SSC. As a proportion of all women in the private sector who are registered with the SSC in the private sector, MI beneficiaries increased from 1.6 percent (1,953 out of 121,991) in 2012 to 5.1 percent (10,169 out of 198,778) in 2018, the latest figures available. There were roughly 1.25 million active male and female workers registered with the SSC at the time of writing. Women accounted for around 29 percent of the total insured private sector workers (39,0153 women) while males accounted for 71 per cent (954,970), according to data from 2019. Meanwhile non-Jordanians represented 12.1 per cent of the total active insured workers, while voluntary contributions made up just 5.2 per cent (32 per cent of which were women).²⁶

► **Figure 4: MI revenue vs. spending in USD millions**

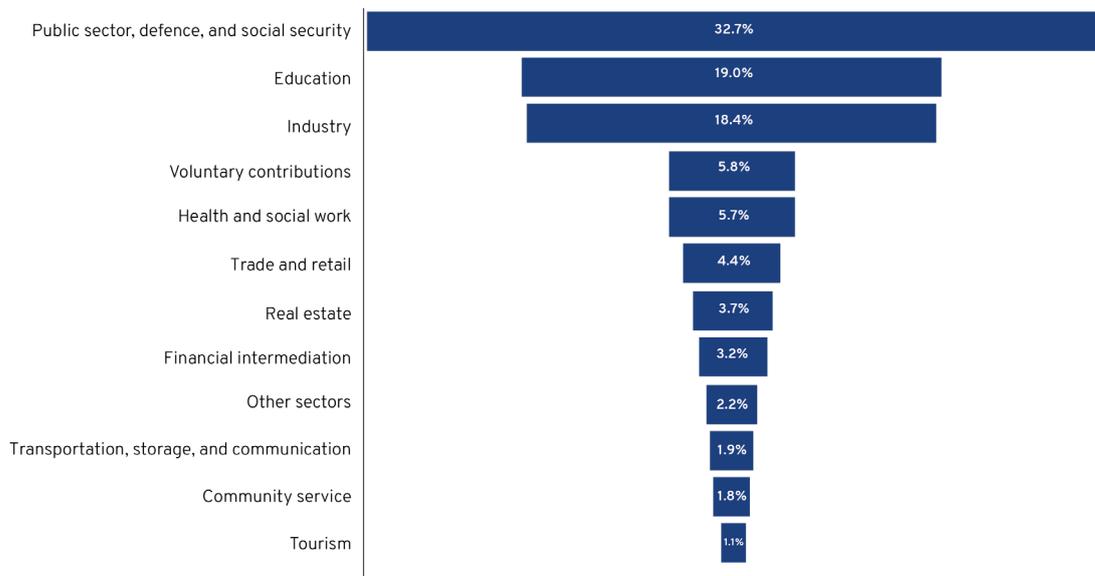


Source: SSC, MI indicators, unpublished document, March 2020

²⁶ SSC, Contributor data, unpublished

Workers registered with the SSC represent almost half of Jordan’s total labour force – which stands at around 2.64 million, according to World Bank data.²⁷ Of the approximately 390,000 women registered with the SSC, 32 per cent work in the public sector, therefore do not receive the MI, while the remaining women are eligible to access the MI. After the public sector, the largest sectors where women are subscribed to the SSC are the education and industry sectors (see Figure 5)

►Figure 5: Female SSC contributors by sector (2019)



MI spending increased sharply immediately after its establishment in 2011, but increased at a slower rate from 2015 onwards. Spending since 2015 remained around a third of total revenue, leaving a considerable reserves of funds from 2012 onwards, reaching around JD 21 million in 2018.²⁸ However, due to the reallocation of funds during the ongoing COVID-19 pandemic, the MI reserves are likely to be considerably smaller than it was in 2018 (see Section 5.9.: COVID-19: New Considerations).

The permanent Social Security Law of 2014, which made slight changes to contributions and eligibility, did not have any noticeable effect on MI registration, beneficiaries or spending. In 2014, Jordan introduced a permanent Social Security Law, effectively enshrining the MI (in Articles 42 to 47) and making minor changes to the 2010 law. The 2014 law relaxed eligibility for the MI: a woman now must be registered with the SSC for a minimum of six months to be eligible for the MI, instead of nine months in the 2010 temporary law. In addition, the new law extended the MI to women who have more than four deliveries – in the temporary law mothers could benefit from the MI for a maximum of four deliveries.²⁹ The introduction of a

27 World Bank Indicators, Labour Force – Total, Jordan, 2020 <https://data.worldbank.org/indicator/SL.TLF.TOTL.IN?locations=JO>

28 SSC, MI Indicators, unpublished document, March 2020

29 Social Security Corporation, Social Security Law for the year 2014. [https://www.ilo.org/dyn/natlex/docs/ELEC-TRONIC/108105/133438/F1254441232/Social%20Security%20Law%202014%20\(1\)compress.pdf](https://www.ilo.org/dyn/natlex/docs/ELEC-TRONIC/108105/133438/F1254441232/Social%20Security%20Law%202014%20(1)compress.pdf)

permanent Social Security Law in 2014 had no immediate observable effect on MI registration, according to SSC registration figures.

5.2. Women's access to the MI

5.2.1. Registration with the SSC

Not all women who are eligible to benefit from the MI are registered with the SSC.

Registration with the SSC is a prerequisite to receiving MI benefits. However, some employers deliberately avoid registering their employees in the SSC at all, mainly as a cost-cutting measure. While this is a broader problem with social security in Jordan, it impacts directly on women's access to the MI. This section examines various factors influencing whether women are registered with the SSC.

Smaller businesses are less likely than larger businesses to comply with the legal obligation to register employees with the SSC.

Many factors impacting women's access to the MI reflect broader problems with social security in Jordan. One example is the tendency for smaller businesses to avoid registering employees with the SSC. Some employers attributed this to the fact that smaller businesses are under less government scrutiny and regulation than larger companies. Another factor is that smaller businesses consider social security contributions as too much of a financial burden to take on due to lack of liquidity and a stable income. Moreover, larger companies generally adhere to stricter internal policies which require them to register all full-time employees with the SSC. This trend can give the impression that SSC registration is higher in urban areas since larger companies are generally based in cities.

"There are lots of reasons why smaller companies don't register employees in the SSC. Smaller NGOs and companies often don't have stable income so they can't afford to register."

Employer in small company

"There is a link here with the size of the organization. Bigger organisations generally understand the social security law better – there is a duty on them to understand it. The smaller employer doesn't consider that this law gives the employer more protection."

Expert from an employers' organisation

Geography does not seem to impact whether businesses register staff with the SSC.

Experts were divided over whether businesses in urban areas are more or less likely to register their staff with the SSC than in rural areas. Evidence from mothers also showed no strong correlation between registration and geography. However, the prevalence of microbusinesses in remote rural areas where regulation is poor may give the impression that geography impacts registrations trends. Conversely, larger companies which tend to comply with social security

obligations are generally found in cities, adding to this impression that geography impacts registration rates.

“The economy is focused on Amman. All the economic centres are in Amman and of course, large companies register their employees with the SSC more.”

Expert from the Ministry of Labour

Other factors likely to influence whether a business registers staff with the SSC include sector and employment status. The likelihood of a woman in the formal sector being registered with the SSC depends mostly on her sector of employment. Women working in education and day care facilities are significantly less likely to be registered than in any other sector included in this report. Experts estimated that around half of women working in private schools are not insured by the SSC, due to poor regulation and infrequent inspections, which creates a culture of immunity from the law.³⁰ Social security violations disproportionately affect female teachers, who make up almost 90 percent of the workforce in education.³¹ Medical clinics are another example of a sector in which women are a large part of the workforce, and therefore are disproportionately affected by social security violations. Employers in industry are considerably more likely to register their workers because inspection is more rigorous and workers have a better awareness of their social security and labour rights. This is thanks to better SSC outreach and the location of SSC offices in industrial areas. Tourism and banking have the highest registration rates, because companies have more developed internal policies to ensure compliance with the law. Small business which work in niche markets such as technology start-ups are also less scrutinised by the state, and therefore can more easily avoid registering employees with the SSC. Equally, some business owners may feel that it is not worth registering employees who work only slightly more than 16 days per month – the minimum time to qualify as a “regular” employee and receive social security protection.

“If an employer has employees who do not work that much during the month, he/she feels that registering them (with SSC) is not worth it.”

Expert from the SSC

5.2.2. Violations to women’s social security and labour rights associated with maternity

Even when registered with the SSC, women can face other barriers to benefitting fully from the MI and other maternity provisions. Most often this occurs due to an employer’s failure to comply fully with the Social Security Law, as explored in this section. Most violations occur across more than one sector, while several are sector-specific. This section broadly classifies violations as either relating to “Time” or “Money,” reflecting the first two OECD indicators used in this report’s methodology: time given for leave and money available for parents to care for their child. The former relates to violations affecting the length of a woman’s maternity leave and other benefits, while the latter affects her payment during, before and

30 Poor inspection, monitoring and compliance systems in private schools are well-documented. For example, ILO, Lessons learned from the pay equity and childcare facilities initiative in Jordan, 2017. https://www.ilo.org/wcmsp5/groups/public/--arabstates/--ro-beirut/documents/publication/wcms_548869.pdf

31 QRF, Jordan’s Teachers, 2015. https://www.qrf.org/sites/default/files/2019-05/qrf_teacher_survey_en.pdf

after maternity leave. A third section relates to awareness among employers which can also affect workers' access to the MI.

A) Time

The most commonly-reported violation across all four sectors included in this report was a lack of or partial provision of breastfeeding hours. Almost all women reported not being able to spend their breastfeeding hour with their child. Many women in all four sectors spent their designated breastfeeding hour travelling home or to the nursery to pick up their child. Some women referenced stories of employers who refused to give new mothers an hour off for breastfeeding at all.

Many female teachers reported that their employers disturbed or deliberately curtailed their maternity leave. Mothers across three of the four sectors were expected to continue working from their beds, or in some cases, from the hospital where they gave birth. In one instance, a school administration did not allow an employee to take days off before she gave birth because there was a Labour Ministry inspection coming up. When her water broke, the woman's employer continued calling her while she was at the hospital. Other employers forced women to return from maternity leave before their 70 days had finished. One new mother was pressured to return to the classroom when the administration told her that her replacement teacher was inadequate, causing parents to complain. The administration offered her usual wage in addition to the MI as an incentive to return. Fortunately for this mother, the COVID-19 lockdown brought schools to a standstill and she was able to return to her child, but others were not so lucky. Several other teachers were told that they could expect no more than two weeks of maternity leave, even though they were registered with the SSC. As mentioned above, mothers are often not in a position to seek recourse either because they do not know their rights or their employer would threaten them with dismissal. The latter is the greatest threat in sectors with poor regulation and high rates of social security violation such as education.

"I teach first graders and their parents kept calling me to return, so I went back to work after 25 days. Thank God, the corona crisis happened and I came home to my infant."

Female teacher, below average wage, rural

"I kept working during my leave. During the last month of pregnancy, I had to work on my laptop from bed to train my own replacement."

Female industrial worker, below average wage, urban

B) Money

Under-reporting salaries means that women sometimes do not receive their full wage during maternity leave. Employers frequently report less than the employee's base salary or deliberately do not update her pay information in case of a raise or promotion, in order to reduce overall contributions to the SSC. In one case, a mother received almost half of her base salary (not including bonuses and overtime pay) as her MI pay, because her employer was under-reporting her salary. The employer had not made it clear to her how much he contributed to the SSC on her behalf, and because she did not know her rights, she accepted a wage of 270 JD [\$380] instead of her base wage of 430 JD [\$600]. This type of contractual manipulation was most commonly reported by women working in the private education and industrial sectors. Other women reported being surprised that the MI only included their base

salary. Many female teachers reported only finding out that they would receive less than their normal wage (including bonuses and overtime) when they received the MI. This indicates a poor understanding of the social security law, which states that all benefits are calculated on the worker's base salary. Due to their ignorance of the social security law, women often sign contracts which deliberately minimise the base wage, while categorising much of the salary as other expenses.

"I don't know how they concluded that my base wage was 270 JD, when I earn around 600-700 JD and my base wage is 430 JD. So I took the reduced wage compared to what I normally get, and it was not good."

Industrial worker, below average wage, rural

In isolated cases, employers may use a replacement staff's inadequacy as an excuse to cut a mother's salary. Mothers are often at the whim of their employer, who can arbitrarily reduce a woman's pay package after returning to work. In one case, a mother's replacement performed poorly, causing her boss to factor this into the mother's own evaluation. This reduced the mother's bonuses and pay, ultimately reducing her wage.

C) Awareness

Some male employees complain about the MI, mainly because they have poor awareness of the MI's value and purpose. Employers noted that some male employees did not know why employers should contribute to the MI on their behalf, which occasionally led to complaints. They typically change their mind when they understand that the MI represents a solidarity fund that their wives and female family members are likely to benefit from in the future, employers noted. This suggests that outreach and awareness-raising activities do not currently target male employees sufficiently.

"There were questions from men: why do I have to contribute from my salary to pay for maternity leave that I will never benefit from? But other attendees at the time were against that opinion. The main idea is solidarity. 'This woman could be your mother, sister, or wife. We must all contribute.'"

Employer in a large business

Poor awareness of labour rights among women enables employers to illegally shorten mothers' maternity leave, benefitting the employer. Awareness of the MI – let alone a deep understanding of the law – was poor among many women interviewed. Several women had not heard of the MI, or how it functioned, until they needed to take maternity leave. This gives employers an opportunity to exploit women's ignorance for their own benefit. Women in multiple sectors took unpaid leave before giving birth, despite the law permitting them to take paid sick leave days. Several women in education, industry and banking and finance reported taking unpaid days off because they did not know about their right to take yearly sick leave in the days before giving birth. These cases were most common in education and industry, but they also occurred to a lesser extent in banking and finance. In one case, a mother working in education was told that her personal leave days would be deducted from her maternity leave. As a result, she agreed to take only 60 days maternity leave instead of the 70 days provided

in the law. In this way, employers can exploit women's ignorance of their rights to reduce the company's overheads.

"The school and the administration denied me to take sick leave [immediately before maternity leave] so I did not take the 14 days that I was owed."

Female teacher, below average wage, rural

In some cases, ignorance of the labour and social security laws benefits neither the mother nor the employer. Almost all women interviewed for this report took their maternity leave on the day their waters broke, or shortly before. While some women deliberately chose to wait for as long as possible in order to spend maximum time with the new-born, others were not aware that they could take their leave before birth. Article 70 of the Labour Law allows women to take maternity leave on the condition that not less than six weeks are taken after delivery. These mothers expressed surprise when they learned that they could begin their leave before the birth, because nobody had explained the law to them.

"I stayed working until the end of the ninth month. Then I left the bank and went straight into the hospital so I did not take any days off before the birth."

Female banker, above average wage, rural

5.2.3. Sector-specific considerations

Across the four sectors included in this report, violations of the Social Security Law's maternity provisions are generally most common in the private education sector, where women dominate the workforce. Most women working in education had experienced at least one violation of their rights as mothers, reflecting a culture of immunity from the law due to inadequate social security inspection and state oversight. Contractual manipulation – with employers deliberately manipulating workers' contracts in order to cut costs – was the most commonly-reported issue. A reportedly common practice in schools is to dismiss women at the end of the academic year and encourage them to give birth during the summer holiday, if they are due in the summer. By doing this, the administration hopes to avoid paying salaries and social security contribution costs, in addition to the hassle of finding and paying for replacement staff.

After education, the industrial sector saw the most violations. In this sector, employers sometimes deliberately obstructs women's access to the MI, but significantly less than in the education sector. MI-users working in industry reported that the SSC has good workplace presence and inspection levels at their factories. This is partly thanks to the abundance of SSC brochures available in the workplace and the inclusion of, for instance, an SSC office on Al-Hassan Industrial Estate in Jordan's Irbid Governorate. **Women working in the banking and tourism sectors enjoy the best access to the MI, since these employers follow the Social Security Law most strictly.** Because companies in the banking and tourism sectors have more developed human resources teams, they generally have procedures to strictly follow the law. MI-users in these sectors unanimously reported that their employer was efficient and helpful with paperwork and there were no instances of under-reporting salaries. One MI-user working in tourism also experienced maternity leave in the private sector before the existence of the MI. She stated that there was little difference between her maternity leave before and after 2011

because her boss was very scrupulous regarding the Social Security Law, giving all her staff 70 days paid leave. Isolated violations persisted in banking and finance, where a few employers refused to grant sick leave in addition to maternity leave.

“The bank told me that any days off before the birth would be detracted from the maternity leave period. This means that normally people don’t take their sick leave before birth because the MI is barely 70 days anyway.”

Female banking and finance worker, above average wage, rural

5.3. Impact of the MI on employers

Experts and employers mostly agreed that the MI has encouraged employers to disregard an applicant’s gender during the hiring stage. Almost all experts and several employers believed that the MI encourages more meritocratic hiring practices across all sizes of business. One employer in a large company, for example, reported witnessing a gradual increase in female employees which she attributed partly to the establishment of the MI. This is mainly because employers must pay maternity contributions on behalf of all employees, not just women. A further reason is that the SSC now handles the woman’s salary during maternity leave, removing a financial and administrative burden from the employer. However, some experts were more sceptical, arguing that the MI has merely removed one “excuse” for not hiring women, while many others remain. It remains a common practice for employers to ask about pregnancy during the interview, although more extreme practices – such as forcing a woman to take a pregnancy test – are now uncommon. Moreover, statistics showing a causal relationship between the number of MI beneficiaries and gender discrimination during the hiring process are lacking. Several experts were unwilling to give their opinion of the MI’s effect on hiring practices, citing a lack of data on the topic. They expressed the need for an in-depth study of the correlation between MI uptake and female labour force participation in the private sector.

“I used to work in Syria and there is a culture of expecting women never to go back to work... But when I came to work in Jordan, I noticed a huge difference. The [MI] protects women from discrimination at the application and retention stage.”

Employer, medium-sized company

“The attitude is now that because you pay on behalf of all employees, it doesn’t matter who you employ. It is a very positive step and better than the old system.”

Expert in an employers’ organisation

Employers do not consider the 0.75 per cent MI contribution to be an excessive individual contribution. Almost all employers described the MI contribution (0.75 per cent of the insured’s salary) as an appropriate amount, with minimal effect on their financials. In fact, in some cases the MI contribution had a positive effect on companies’ financials. One employer in a small company was pleased that she didn’t have to plan to pay maternity leave, preferring to leave it in the hands of the SSC. Some employers, especially those in larger businesses, were not

even aware of the exact MI contribution, and were only concerned with the 14.25 per cent social security contribution as a whole. Several employers in medium and large businesses stated that they would be happy if the maternity contribution increased to 1.5 per cent, pushing the overall contribution to 15 per cent. No small business owners were in favour of the same hypothetical increase.

“[The MI] doesn’t affect productivity at all. It is just a solidarity contribution. Nobody considers the MI contribution as a separate thing, just part of the overall contribution.”

Employer in a large company

Employers often struggle to find good quality replacement staff for women who go on maternity leave. Finding professional and well-trained cover staff for women on maternity leave was the most commonly-cited problem among businesses of all sizes. Generally, employers from smaller businesses struggled the most finding replacement staff because they lack the financial or human resources to source and hire a staff member from outside the organisation. These smaller companies tend to rely on spreading the workload between the few remaining staff. Most try to achieve this without increasing working hours, putting extra pressure on remaining staff. Meanwhile, larger businesses face different problems; one employer in a large business reported that strict internal policies forbid awarding temporary contracts, further complicating procurement for short term staff members. The lack of good quality replacement staff can also negatively impact mothers, who must train unqualified replacement staff during their leave, or return from leave early, as described in the previous section. In isolated cases, poorly-performing cover staff impacted negatively on the mother’s bonuses, and ultimately her pay.

“Sometimes we take on a temporary staff member. In other instances we spread the case load across our current staff. This doesn’t mean that the staff work longer hours. They work harder but same hours.”

Employer in a small company

“By our own internal policies, we can’t give temporary contracts to anyone. This means that it is not easy to switch [staff members]. We are trying to avoid any complaints [about discrimination] from the employees.”

Employer in a large company

Many employers demonstrated poor understanding of the purpose or value of social security contributions and the MI. As mentioned above, failure to register staff with the SSC is almost always a cost-cutting measure. This finding highlights the fact that employers – especially in smaller organisations – frequently view social security contributions as a burden on their business. While employers are often aware of penalties surrounding the social security law, they rarely regard it as an investment for the sake of themselves and their staff. Very few employers regarded social security as a way of attracting better quality staff, for example. Many experts, especially those who are also employers, stressed that employers can feel villainised by groups advocating for workers’ rights and do not feel included in the conversation surrounding improving the working environment. One employer believed that workers’ unions force the government to make “populist” decisions and pander to the demands of workers.

As an employer, he felt neglected and unappreciated for doing his job by providing work for Jordanians and upholding the social security law. Another employer recommended providing financial incentives –such as tax breaks – to employers who comply with the law. He stressed that positive encouragement would work better than the current system of fines and penalties.

“When there is a change in the labour law, there is always a discussion but [CSO groups] don’t listen to employers well enough. They don’t consider them as beneficiaries, but as enemies.”

Expert from an employers’ organisation

“The problem historically with the Jordanian Government is that they try to choose the most popular option from the perspective of employees, not employers. Of course we are with employees. But the labour law needs better explanation to employers that it protects them and not just workers. There are always feelings from employers that the information is twisted a little [in favour of employees].”

Expert from an employers’ organisation

5.4. Impact of the MI on female labour force participation

Overall, the MI impacts positively on the retention of women in the workplace. All MI-users included in this report returned to the same job and received the same wage after their leave finished. Women also unanimously agreed that the MI made them feel more secure to remain in the labour force after childbirth. Many women added that this feeling of job security created a sense of loyalty to their employer and encouraged them to work harder, increasing productivity. MI-users who had previously experienced giving birth without any maternity protection highlighted the health benefits of MI coverage, explaining that it allowed them to return to work and be more productive upon return to work. However, as discussed in the previous section, employers are still known to threaten women returning from maternity leave with demotion and even dismissal, proving that the MI has not solved all issues relating to retention.

“Of course, the MI protects my rights. I have job security even while on maternity leave. We used to hear about the mothers that used to give birth and then get fired. Now, there is job security and the law is protecting us.”

Female Tourism Worker, below average income, rural

However, the MI does not always guarantee job security after returning to work. Employers sometimes threaten returning mothers with dismissal or relegation to a lower position upon return, on the grounds that their work has deteriorated. While the law forbids employers from dismissing a woman after five months of pregnancy or during maternity leave, there is no article which guarantees that she will return to the same position after maternity leave. One employer in a medium-sized company admitted that his company often threatens not to renew a returning mother’s contract if she falls behind her colleagues after returning to work. In many cases, the employer’s cajoling is not devoid of reason, even if harsh. Mothers’ productivity may indeed decrease temporarily – many mothers reported not feeling psychologically or physically ready to return to work after 70 days of leave. But experts warned that the threats can mask a more deliberate attempt by the employer to make mothers replaceable or dispensable,

because they believe that mothers are more likely to be distracted from work. Mothers, however, unanimously reported returning to the same jobs at the same wage – except in one case, where the poor performance of a woman’s replacement was factored into her own pay.

“It depends on the woman. There are times when a mother comes back [from leave] a different person. We try to encourage and help her. We tell her we might not renew your contract if you stay like this. We can put up with this for a few months but not for ever.”

Employer, medium-sized company

“[Relegating women for fear of maternity] is present in some cases, where employers feel that it is best to play it safe and keep women in replaceable or dispensable positions in case they get married or have children or are prevented from performing certain tasks due to social expectations.”

Employer, large company

Poorer women working in irregular jobs are compelled return to work as quickly as they can. Women earning under the average wage in irregular jobs which do not provide social security coverage typically work until the moment they give birth and return in as few as two weeks afterwards. Some employers tolerate or even promote this rapid turnaround, by allowing mothers to bring their children to work if the woman cannot find or afford childcare solutions. This practice can be damaging for the both mother and the child, especially when the mother works in a physically strenuous occupation such as agriculture. A woman working in the agricultural sector returned to work after a month because the tomato season had started. She was often too tired unable to cook for her son at the end of the day and so fed her son with less healthy prepared meals. But some women working in irregular sectors welcome the flexibility of returning to work at their leisure. One mother who sells pickles in a market was happy that she could work from her home and sell her goods in the weeks after giving birth. MI-users, on the other hand, were more able to achieve a healthy balance between childcare and work. One MI-user in the education sector said that if the MI had not existed or had been any less than 70 days, she would not have been able to return to work at all. One industrial sector worker described how after her first birth, she was not covered by the MI and went back to work after 14 days. Her child became sick because she couldn’t breastfeed him, whereas with her second child she received MI benefits, and had sufficient time to heal and bond with her child.

“In the summer, the children must go with me. If I don’t work, I don’t get paid. The land owner allows the children to work alongside me.”

Female agricultural worker, rural

“When my child was two weeks old, I went back to the Bazzare [her work] because I did not have money and our expenses increased.”

Female irregular worker, rural

“It all depends on the season. With my son, I was pregnant, then a month after his birth the tomato season started and we went out to the fields again.”

Female agricultural worker, rural

There is some evidence that the MI has increased female labour force participation.

Many women and some experts believe that the MI has increased female participation in the labour force based on anecdotal evidence. However, many experts remain reluctant to draw hard conclusions about the MI's impact on female labour force participation. Most working mothers didn't report feeling either more or less confident to apply to new jobs because of the MI, despite feeling more comfortable and secure in their current job, as mentioned above. Linking the MI to increased participation among women is especially tenuous given that many working women were not aware of the MI until they used it – making it extremely unlikely that the MI would influence the decision of a young woman considering joining the work force. Experts noted that female labour force participation has remained roughly the same over the past years, despite fluctuations in Jordan's economy. Some statistics show that women's employment rate has remained the same while men's employment rates decreased.

“Female labour force participation is very stubborn. We haven't seen significant improvement even during other changes such as the economy doing better, or other law introductions.”

- Expert, UN / CSO

The MI has little or no impact on job development opportunities for women, according to mothers interviewed for this study.

While promotion ceilings and gender pay gaps exist across all sectors, they are the most prevalent in industry and education sectors. MI-users in education and industry reported facing continued barriers to career development upon returning to work after their maternity leave. One teacher noted that male teachers earn considerably more than women, partly because they are more sought-after by parents, especially in scientific and mathematical subjects. Female teachers reportedly accept low wages and lack of job development opportunities due to their financial need. In addition, there is a constant supply of female teachers looking for jobs, making them more replaceable than their male counterparts. Experts also noted considerable challenges for women aiming to progress beyond line managers and supervisors in factories.

“There are a number of women more deserving than men and they do not get promotions nor higher positions. Around 1 per cent of women would get promotions at work in industry and usually the highest they can get are line managers and supervisors and those are only 10 per cent of women working in industrial areas.”

Expert, UN / CSO

“The parents play a role in implanting this idea that the male teacher is better. As a teacher of the 10th grade, many parents transferred their children to the male teacher.”

Female teacher, above average income, urban area

5.5. Impact of the MI on women, children and families' wellbeing and other needs/support mechanisms

Below average wage MI-users appreciated the maternity coverage but many pointed out that the amount was only equal to saving up two months' salary. They considered this inadequate to cover the cost of having a new child – including hospital and healthcare costs and other expenses such as diapers and baby formula. Mothers earning below the average wage are more likely to borrow money or take out a loan to help cover costs related to having a new child. Relatively less well-off mothers tend to borrow money from family members and friends or take bank loans, regardless of whether they receive maternity coverage from the MI or not. The pressure to repay debts almost always falls on the husband, who may work extra hours or take a second job outside of his regular hours – driving a taxi, for example. Only women working in irregular jobs went back to work early to repay debts. MI-users working above the average wage were more likely to have savings, which allowed them to borrow less. However, several were still compelled to borrow money in addition to the MI benefits.

“My husband started to work as a taxi driver after his hours were finished at the municipality. He did this to repay our debts and to cover the expenses of our children.”

Female irregular worker, rural area

“My husband started working extra shifts. He covered a portion of the loan payments to the bank. Bank loans are harsh and he has to work extra.”

Female industry worker, below average income, rural

Private health insurance had the most bearing on how families spent their maternity leave pay. Private health insurance greatly aided mothers by covering hospital expenses, allowing them to invest money from the MI in other ways. These often included decorating or extending the house, buying children's clothes, hosting guests and making other preparations for the new-born baby. Roughly half of mothers interviewed had private health insurance at the time of birth. Those without private healthcare spent most of their maternity leave pay on healthcare expenses. In these cases, mothers generally choose to give birth in government hospitals unless health complications necessitated a private hospital. There was no correlation between income and health insurance – instead, access to private health insurance largely depended on whether the woman's husband had included her in his own insurance, or whether her work provided health insurance. For example, husbands who worked in the army or in certain private sector professions generally benefited from policies which included his whole family. But even some of those with private health insurance felt compelled to return to work for financial reasons, especially those earning under the average wage.

“Unfortunately, I do not have anything. It has been difficult to get by and my husband has been picking up extra shifts to manage. I have health insurance so the costs of the childbirth were covered.”

Female Banker, below average wage, rural

Some mothers rely fully or partially on community-based support systems during maternity. Although they are not covered by the SSC, some women working in irregular sectors use informal systems to support one another. A poorer woman who works from home and sells her wares in local markets was able to cover the cost of childbirth and take some days off because she was a part of a jama'ieh.³² The jama'ieh resembles a modest version of the MI; women contribute a designated amount per month, and a large sum is given to a mother when she gives birth. Another woman working freelance decided to join a jama'ieh to help her and her husband pay off debts incurred by childbirth. She and her husband were able to save the equivalent of around USD 2800 through the jama'ieh, allowing them to pay off their entire debt. But those who benefit from the jama'ieh are not always irregular workers or poorer mothers. One MI-user earning above the average wage and working in Education used the money she had invested in the jama'ieh to cover some of the healthcare costs which were not covered by her health insurance company. Other forms of community support and solidarity also exist among irregular workers which do not necessarily involve money. For example, a mother working in agriculture described how, when one mother loses her job, the others go out looking for employment for her, providing a kind of informal social safety net in lieu of the state.

“Sometimes we do a jama'ieh which means that everyone invests 50 JD monthly and then the total amount goes towards a woman. In the month before I was to give birth, I received the amount.”

Female irregular worker, rural

As for childcare, the overwhelming majority of MI and non-MI users prefer to rely on friend and family networks for childcare instead of formal day-care centres. The quality of affordable childcare facilities is not always adequate, according to mothers, so a trusted friend or family member is preferred, mothers consistently said. Typically, childcare falls on female relatives and friends rather than husbands, further re-enforcing gender stereotypes and to some extent precluding further female labour force participation. If such familial support is unavailable, mothers may put their children in daycare facilities or hire a private nanny – however, this is almost always the second choice. Mothers complained that private daycare facilities were either unaffordable or of very poor quality. Some more well off mothers paid a premium to send their child to a nursery which is close to work, but were charged extortionate penalties for collecting their child later than 4pm. Poorer mothers mostly opted not to send their children to daycare services at all, but those that did faced different issues. Several poorer mothers started sending their child to a nurseries costing around 50JD per month, but stopped when their children got sick or were not fed properly. Often, the bad experience made mothers more likely to quit work altogether to look after their child.

“He got sick with meningitis. The nursery cost 50JD per month. So for my final child, I decided to stop working, especially after the meningitis incident.”

Female irregular worker, below average wage, rural

³² A jama'ieh is a cooperative MI in which individuals invest on a monthly basis and receive a lump sum in times of need. In this context, women receive the money when they give birth, as informal maternity protection.

5.6. Impact of the MI on household dynamics

Continuing to receive an income during maternity leave positively contributed to women's ability to make financial decisions within the household. The majority of women reported that they felt more financially autonomous when they were able to contribute their share of household and childcare expenses during maternity leave. One woman was able to contribute the money she received from the MI to building a new house. She felt greater empowerment and self-confidence because she was in a position to contribute to the household economically, even when she was not working. Other women were also able to contribute to other expenses with the MI sum, such as paying off household loans, which they stated gave them a greater voice in other important financial decision-making within the household. MI-users also described how having a child was a good learning opportunity for organising household finances. Another positive psychological effect of the MI is that it enables women to feel justified in spending money on themselves, if they wish to.

“With my MI lump sum we were able to complete building our house and that made me feel good about myself.”

Female teacher, above average wage, rural

“The working women is different because she has a say in the house and she starts to contribute because she has her money in her pocket. At least she would buy herself things that perhaps her husband would not provide for her.”

Female industrial worker, below average income, rural

Despite the MI, traditional gender roles and expectation remain, especially among poorer households. The MI had minimal impact on joint-childcare decisions, with most spouses deferring to the woman with regards to decisions about the baby's welfare. Several poorer MI-users reported that although their household tasks increased after giving birth, their financial autonomy did not. In some cases, poorer women were forced to spend their entire MI sum on healthcare and hospital costs, leaving nothing to contribute to household expenses. This was especially the case for women without private health insurance (see above). Many of those who did not receive the MI reported deferring to their spouses for decisions regarding household spending. One irregular worker below the average income stated that her husband made all financial decisions during maternity leave because he earned the entire household's wage during her time off work. When they are the only bread-winner, men are even less likely to help around the house, some women reported. However, since these women were generally poorer, the traditional division of labour may in part be due to socioeconomic and education-related factors.

“Of course, now you have kids to look after - not only household chores [such as cleaning and cooking].”

Female banking and finance worker, below average wage, rural

“My husband makes the leadership decisions - sometimes he asks for my opinion but he decides.”

Female agricultural worker, rural

“90 per cent of decisions related to the baby are made by me because I have experience. My husband asks me what is most suitable for the child.”

Female banking and finance worker, above average income, urban

The MI gave women time to cover mentally and physically from their pregnancy, positively impacting their relationship with their spouses. Women receiving MI benefits mostly stated that their paid time off work allowed them to bond with their husband over the new child. One woman who experienced a difficult birth and suffered from post-natal depression said that her relationship with her husband improved greatly during the maternity leave period. Conversely, those who did not enjoy MI benefits often described the way that their relationship with their husband was strained because the husband was forced to work longer hours and therefore did not spend much time with his wife or the baby. In one case, a new mother was thankful that the 2020 coronavirus pandemic meant that her husband could not go back to work, and was forced to spend more time with her and their child. Only one woman was able to compare taking paid maternity leave in the private sector before and after 2011. She found that the MI’s guaranteed 70 days leave was very beneficial for her relationship with her baby and her husband. When she had her first child, the mother was forced to return to work after two weeks, preventing her from breastfeeding her son. As a result, he became sick, which put strain on her family.

“Our relationship changed. We got closer during and after my pregnancy – there was love and support and respect. Suddenly I was responsible for this child no bigger than two palms. [Name of husband] was very supportive even though it was a very difficult period for me psychologically. This period made our relationship stronger.”

Female Teacher, above average wage, urban

There is inconclusive data on the impact of the MI on family planning. Some women were reluctant to share information about whether the MI made them more or less likely to have other children. Most women who responded to questions about family planning suggested that the MI had little or no impact on their decision-making regarding having more children, but there is not enough data to draw conclusive findings based on these responses.

“It is in my health interests to space my children out. I need a bit of time to raise my children slowly. The MI should not try to speed me up!”

Female industry worker, above average wage, urban

5.7. Potential Changes to the MI

Administration

Women mostly found that the MI application process was quick and easy, and had no suggestions to improve MI applications, benefit structures or bureaucratic processes. Most women across all sectors received their MI payment within around a week and found the application procedure quick and simple. The few exceptions to this rule occurred during the COVID-19 pandemic and are discussed in Section 5.9.: COVID-19: New Considerations below.

In some unusual cases, mothers reported receiving the wrong wage even before Coronavirus; one woman received the same wage that she was receiving a year previously, considerably less than her current wage. This may be due to bureaucratic or technical error, or deliberate under-reporting by the employer. These cases occurred in both the Education and Industrial sectors, where most violations occur, suggesting that deliberate under-reporting is a likely explanation. However, it is also possible that her salary was not updated from the previous year since social security contributions are calculated based on an employee's salary in January updated on an annual basis.

“There was a mistake and I was paid the same salary I used to get paid a year prior to giving birth. When we use the MI, we should at least get the same salary that we normally receive!”

Female teacher, below average wage, urban

Employers unanimously agreed that they found it easy to contribute to the SSC, and provided no suggestions to make contributions easier. However, several employers said that they would benefit from a clearer explanation of the purpose and benefits of the SSC and the MI specifically. These employers suggested that rigorous awareness-raising sessions with employers in smaller companies would be likely to increase general compliance with the social security law. Larger firms tended to have a better grasp of the technicalities and benefits of the MI, largely thanks to well-trained human resources teams. This suggests that awareness campaigns and workshops might be most effective targeting small and medium businesses in order to ensure that more employers without HR teams understand the benefit of registering employees with the SSC. It is important to note that the writers of this report only spoke to registered employers; therefore, further research would be required to understand the perspectives of employers who do not register staff with the SSC.

“The MI is not sufficiently well explained to employers. They are the problem. We have awareness sessions that target employers, we educate them about the law and why registering their staff with the SSC helps.”

Expert, CSO worker

Mothers were split in preference between receiving the MI money in one lump sum at the beginning maternity leave, or in instalments during the leave. Around half of mothers interviewed stated that they preferred receiving a lump sum from the MI. These mothers were typically below the average wage, especially those with debts and no private health insurance. Even poorer women without existing debts stated that they would prefer a lump sum to avoid getting into debt during childbirth. Meanwhile, some mothers from above and below the average wage expressed a desire for monthly instalments which they said would help them budget better. For these women, monthly income was not a considerable factor – rather, their preference depended on their previous experience of dealing with household finances and financial literacy.

“One payment is better. One would use it for necessities and wouldn't need to borrow or be indebted.”

Female teacher, below average wage, rural

“I wasn’t able to manage my spending of the MI money when I first received it. I didn’t improve my spending, because the amount was so large. It would be better if we received the money in monthly instalments – as if I was receiving it from my employer as normal.”

Female teacher, above average wage, urban area

Adequacy and duration

Many women argued that the MI should include a payment “floor” to protect the poorest mothers. Women consider that the minimum official wage (220 JD per month) is not sufficient to offset the financial, emotional and physical toll of having a child. This opinion was not unique to women earning below the average wage, but common among richer women too. Some suggested a system in which all women earning the minimum wage would receive MI benefits worth slightly higher than their usual wage – 600 JD (\$846) instead of 513 JD (\$723), for example. This would account for healthcare costs and diapers, in addition to baby formula when the mother returns to work. Women with children who require extra expenditure on healthcare were especially vocal about this cause.

“It would be so much better to not link [the MI] to the minimum wage. It’s important that those who get paid below average receive a higher maternity leave pay.”

Female teacher, above average wage, urban

“It is very important that there is a MI payment floor, at least worth 350 JD per month. If the baby is sick, it would cost 150 JD. If my son gets sick, I need 170 JD because he has asthma.”

Female teacher, above average wage, urban

Most women wanted a longer maternity leave of 90 days minimum. The vast majority of women would prefer a longer maternity leave, arguing that 70 days is not enough to recover both physically and mentally before returning to work. Besides dealing with post-natal depression, physical exhaustion, and new responsibilities, Jordanian women also must factor in societal pressures too, such as hosting guests who wish to see the new child. Many women and experts argued that there is no reason for maternity leave in the private sector to be any less than in the public sector, where it is 90 days. Organisations representing women in the workplace unanimously call for raising the length of maternity leave covered by the MI to 98 days (14 weeks), in line with the ILO’s Maternity Protection Convention, 2000 (No. 183). Only a minority of women were happy with the current length, arguing that any longer would be bad for their employers. However, these women worked in banking and tourism – sectors with the fewest social security violations. They were also seniors in their companies, earning considerably more than the average wage, which is likely to factor into their view on maternity leave length.

“Making [maternity leave] 90 days or four months would be great. Mother needs a longer time to get used to breastfeeding, as well as looking after themselves and their children.”

Female banker, below average wage, urban area

Employers from smaller businesses were opposed to increasing the length of maternity leave to 90 days. Employers in smaller organisations reported already struggling to hire temporary staff members to fill the gap during maternity leave, and considered that a longer leave would negatively impact their financials and productivity. Larger and medium-sized businesses did not report similar concerns. On the other hand, most medium and large companies were not opposed to modestly increasing the MI contribution, although experts and some employers warning that such a decision might be less popular following the COVID-19 lockdown. One spouse who also runs a medium-sized business stated that he would prefer if the MI contributions were scrapped altogether – even if it would mean that he and his wife would not benefit from the MI.

“To tell you the truth we would prefer to not have it at all. Especially in these circumstances. When the economy is not doing great, it is a burden. During good times it is fine but right now it is not good.”

Spouse and employer in medium-sized company

Social security law compliance

Some mothers demanded greater enforcement of their right to take sick days before starting maternity leave. The current Social Security Law allows women in the private sector take their maternity leave up to 30 days before birth. In addition, women should be able to use their yearly sick leave in conjunction with maternity leave, allowing them a total of 84 days. However, in reality, some employers do not permit women to do this, illegally forcing women to subtract these days from their overall maternity leave (see Section 5.2.). Moreover, many women are not aware of their right to take leave before birth or take sick leave days in conjunction with maternity leave. As a result, most mothers interviewed for this report worked up until the day their waters broke or a few days before. This ignorance of the law is exploited by employers who seek to reduce the amount of time that women are off work, but could be addressed easily with awareness raising sessions and better outreach, as explored in Recommendations.

“During pregnancy, the workload and the administration at the school prohibit you from taking days off. I did not use any of my 14 days of sick leave.”

Female teacher, below average wage, rural

Complementary measures

Both women and employers cited affordable, good quality daycare services as an important complementary measure to the MI, regardless of their income, geography or sector. Currently, many women cannot afford good quality child care, meaning that they often opt to leave their children with friends and family or in cheap but poor quality nurseries (see Section 5.6.: Alternative Strategies for Maternity Leave and Childcare). Lack of trust in cheaper daycare facilities sometimes mean that women leave work to check on their children during the day, reducing their productivity and competitiveness in the workplace. Employers almost unanimously stated that increasing access to daycare facilities is the most important complementary measure to enhance the impact of the MI. Providing good quality daycare facilities which are closer to a mother’s place of work would also enable more mothers to spend

their designated daily breastfeeding hour as it is intended – instead of travelling between work and the nursery.

“Now my son is in the kindergarten and my girl stays with my husband’s aunt. I put my first kid [son] in a daycare when he was 70 days old and got sick with meningitis. I had to get him out of it.”

Female teacher, below average income, rural

“It is not enough just to give a women to cover her wages. What would be enough is that the child has access to daycare for 2 years. [The SSC] agreed on giving a fixed amount [to cover daycare] for 6 months before corona. Now nobody is sure.”

Female teacher, below average income, rural area

The majority of mothers are in favour of increasing paternity leave, but only to one or two weeks. In most households, men help out with hospital paperwork around the time of the birth, but their role generally stops there. In order to prevent their husband becoming more of a hindrance than a help, many mothers support the idea of increasing paternity leave to a maximum of two weeks. One exception to this rule is women who do not have support with childcare from their female family members – for example, if their extended family lives abroad. But even in these cases, the husband must be ready to pull his weight with childcare duties, which many fathers are not, according to mothers. One mother also cited a concern that, given a paternity leave longer than a week, her husband might use it to travel or go on religious pilgrimage.

“Leave [paternity leave] at three days, it is better that way. [My husband] is no use to me in the house, he doesn’t look after the children, or clean or do anything. There is no equality with my husband. He doesn’t even accept responsibility of our child.”

Female industrial worker, below average wage, urban

“A week [for paternity leave] is plenty for him to do all the paperwork. I shouldn’t have a second burden in addition to thinking about the baby and my health.”

Female tourism worker, below average wage, rural area

Women, experts and some employers also highlighted a range of other complementary measures they believe which would improve the effectiveness of the MI. Safe public transport to and from work is an important complementary measure to improve labour force participation among reproductive-age women, especially for those living in rural areas. Public transport is more of an issue for mothers below the average wage, since better off women generally have their own cars. Several mothers earning below the average wage described the provision of safe transport to work as a necessity to accept a job offer. MI-users above and below the average wage stated that financial aid to buy diapers and baby formula would help them considerably. Mothers below the average wage expressed the greatest need for help to buy diapers and baby formula, while those above the average wage said this measure could

be means tested. Equally, many mothers were in favour of prenatal childcare sessions which would help them as a new mother, in terms of household budgeting and childcare techniques.

“To work at [our company], you have to be flexible, including working late. This is a big problem for women living in remote areas outside of Amman, because public transport is so bad.”

Employer in a large company

“We need aid in terms of food, formula, pampers [diapers]. It would ease the [financial] burden on the parents. Every month we spend JD100 for formula, diapers, and nutritional supplements.”

Female teacher, Below Average income, urban

Although much-needed, extending the MI to the informal sector is currently unfeasible.

There is a great need to allow Jordan’s many informal workers to benefit from maternity leave provisions, alongside other social security benefits, experts noted. However, they raised concerns that this would require a time-consuming and costly extension of the social security system to include informal labourers. This topic requires a separate study to find a financially sustainable method of incorporating the informal sector which does not jeopardise the current MI reserves.

“[Extending the MI to the informal sector] would be in the benefit of all women ideally. But research would be needed on how to reach all and what criteria applies, especially for informal forms of labour that are not necessarily acknowledged and how data will be collected to include all justly.”

Expert, government representative

5.8. COVID-19: New considerations

Women reported experiencing increased technical issues accessing the MI during the COVID-19 lockdown. Several women applied to the MI using a new online system, established in late February 2020. Many of them reported technical issues including the website crashing, problems filling the form, or waiting much longer than they expected to receive their pay. One woman had waited for one and a half months at the time of interview, and still had not received her pay. These technical issues were exacerbated by a lack of technical support, since, mothers claimed, the SSC’s helpline was inactive during the early stages of the COVID-19 lockdown. However, this tended to affect rural women more than urban dwellers. Indeed, when they reached an assistant, many women in rural areas were referred to the SSC’s Amman branch because their local SSC office was closed. These application difficulties appear to be widespread. One woman was told that a team from the SSC would get back to her but they never did. She resorted to posting about her experience on Facebook, asking whether other mothers had experienced similar difficulties applying. Many mothers replied reporting technical issues, she explained. By comparison, all women who applied before 2020 experienced a smooth

application process. An exacerbating factor is that birth certificates stopped being issued during the lockdown, without which the SSC was unable to process maternity expenses.

“The first time I applied for the MI [in 2018] it was easy. This time, the SSC office in Irbid was closed, nobody was picking up the telephone. I sent them a text message and applied on the electronic platform but they haven’t followed up with me. I applied two weeks ago and I still haven’t heard anything.”

Female industry worker, below average wage, rural

Mothers suffered from reduced access to childcare support during the COVID-19 lockdown. The lockdown cut off some mothers from their preferred choice of childcare support – close female family and friends – as travel within the country was reduced and social distancing encouraged. Nurseries also closed during this period, causing problems for women whose workplace remained open or reopened during the lockdown. On the other hand, a few women said that they received more help with childcare and other household tasks from their husband during the lockdown. However, this was far from a common observation and it is far more likely that the quarantine and ongoing pandemic merely entrenched existing labour divisions in most households.

“Currently, due to the lockdown, no [family members] came to visit me and I did not receive any childcare support so it was extremely difficult, especially with two kids. I am lucky that my kids are big and can rely on themselves a little and sometimes I can rely on them too.”

Female banking and finance worker, below average wage, rural

The COVID-19 lockdown has provided opportunities for both the SSC and employers. Several experts noted that many employers registered with the SSC at the outbreak of the COVID-19 pandemic, for fear that they would suddenly need social security protection for their staff. This exposed thousands of businesses which were previously not registered with the SSC. One expert representing employers in the industrial sector estimated that 3,000 businesses in the industrial sector alone registered during this window. The SSC could benefit from this by continuing to grant amnesty to all businesses who chose to register during this period, and increasing their outreach campaigns to businesses who remain unregistered. Secondly, the lockdown could provide an opportunity for employers to consider flexible working arrangements, such as working from home. Several mothers and experts agreed that flexible working arrangements would give mothers greater employment options in the market place and make also it easier for them to return to work after giving birth, even if they do not want to return physically to the workplace. This would also help mothers who do not have access to safe public transport. The Jordanian Government laid out instructions for implementing flexible work arrangements in Defence Order 7 published in the Official Gazette.³³ These instructions

³³ Instructions No. (3) of 2020 for Flexible/Remote Work Arrangements, pursuant to Article 3/c of Defence Ordinance No. (6) of 2020, Jordan's Official Gazette, issue no. 5634, 16 April, 2020.

could give employers an opportunity to think about ways of implementing flexible working in the future.

“Honestly, this coronavirus has shown which employers are registering their employees in the SSC and which are not. About 10,000 organisations were afraid and registered out of fear. This is because SSC said that all organisations should register and it gave them a grace period.”

Expert, CSO member

The government’s use of the MI’s reserve MIs to support vulnerable families during the COVID-19 pandemic threatens the financial stability of MI. The Jordanian government’s decision to use money from the MI to provide support to vulnerable people during the COVID-19 pandemic sets a dangerous precedent for the MI, according to experts.³⁴ One expert described the event as “a major alarm bell for the MI,” suggesting that the government chose to use money allocated for maternity coverage because working mothers are not unionised like workers in other sectors. In particular, this was said to almost certainly hinder the SSC’s ability to invest sufficient resources into daycare access schemes, as was being discussed before the pandemic. Continued social mobilisation and awareness-raising about the social and medical importance of maternity leave would help protect the MI from possible funding cuts and diversion of funds in the near to medium future.

“It’s a crisis. But it’s also very interesting that [the MI] is seen as the first pocket for the government to put its hand on.”

Expert, CSO member

³⁶ “The use of the MI’s reserve funds to support vulnerable persons raises questions,” Jordan’s Al Ghad daily newspaper, 19 March, 2020.

► 6. Recommendations

Social security compliance

The SSC and Labour Ministry must increase inspection in sectors with lower compliance with the social security and labour laws. Of the sectors examined in this report, the most pressing need for increased regulation is in private schools, where the greatest number of violations occur (see Section 5.3.: Access to the MI). Experts, employers and mothers in private schools overwhelmingly attributed the unusual number of violations in the sector to poor regulation and oversight by inspectorates from the Labour Ministry and the SSC. While experts and mothers noted that regulation in the industrial sector was significantly better than in education, there is still room for improvement given the number of continuing violations of maternity provisions. Banking, finance and tourism largely adhere strictly to the Social Security and Labour Laws, therefore should not be the focus of increased inspections.

“What happened in the private education sector is the responsibility of the inspectorate – which writes reports on these things and can bring these things to court. There are violations in every sector. Sometimes the employer doesn’t know the law and violates it.”

Employer in medium-sized business

6.1 Complementary benefits

The ILO and SSC should investigate the feasibility and safety of regulating semi-formal childcare services, such as child-minders, to assure quality of care. A bylaw currently being discussed by the Prime Ministry would provide finance aid to mothers with children under the age of 24 months to help them access childcare services. The regulation would also help establish daycare facilities in underserved areas. While this is a positive step towards increasing families’ access to childcare services, more can still be done to meet women’s childcare demands. This report found that women overwhelmingly prefer to leave their children with a trusted family member, friend or member of the community instead of a private nursery. However, widely affordable high-quality private daycare services are almost non-existent. With reduced options following the COVID-19 pandemic, a middle path may be more financially possible and, in most cases, preferred by mothers. This might include encouraging the establishment of informal nurseries, community child-minders, certified caregivers and other semi-formal childcare arrangements through subsidies and regulation. This would allow women without nearby family or community support to leave their children with a child-minder who they can trust. A semi-formal system would also help mothers find childcare close to work, enabling them to take their legally provided breastfeeding hour more easily. While this option might entrench gender roles, it may now be the best option on the table.

Central government or the ILO could help employers find reliable replacement staff during maternity. Finding professional and well-trained cover staff for women on maternity leave was employers’ most commonly-cited problem with the MI. The establishment of a pool of well-trained qualified temporary staff through training programmes and similar schemes would greatly help employers, eliminate the main reservation employers have about the MI, and bring qualified candidates into the job market. Such a network may be based on a review-system where employers can review replacement staff, helping other businesses hire the right candidates for the position, and allowing the most diligent and qualified individuals to find work. The ILO’s ongoing employment services, which include employment centres and a job portal, may provide a solid foundation for such an initiative.

6.2 Outreach and awareness

A concerted effort to work with employers as beneficiaries and not as antagonists would help increase compliance with the social security law and maternity protection. Several employers reported feeling that the Social Security Law does not treat them fairly, as mentioned in Section 5.3. In order to help employers see the benefit of their social security contributions, the SSC should increase its outreach and awareness among employers to explain not only the penalties, but the purpose of the Social Security and Labour Laws and the MI. Much of this work could include a gender element to help men empathise more with women during maternity. This would address the fact that female employees prefer to work for female employers since women are less likely to violate the law's maternity provisions. In addition, the SSC could commission a short report showing employers exactly how their SSC contributions – including the MI – helps employees and employers alike.

Greater knowledge of their rights as working mothers would prevent some violations against mothers. Employers frequently exploit mothers' ignorance of the Social Security and Labour Laws to reduce the amount of money employees receive during leave or the time they spend on leave. As a result, many women interviewed did not know that they could take their maternity leave before the day they gave birth. In fact, almost all MI-users took their leave on the day that their waters broke. Awareness of maternity provisions in the Social Security Law was weakest in rural areas, suggesting that the SSC should spread its resources away from larger cities such as Amman.

6.3 Administration

The minimum length of maternity leave in the private sector should be increased to 90 days. Increasing the maternity leave length would not only bring the private sector in line with the public sector, where it is already 90 days, but also with the ILO's Maternity Protection Convention, 2000 (No. 183). Women interviewed for this report were overwhelmingly in favour of increasing the length of leave, stating that the extra 20 days would help them recover physically and mentally before returning to work. Such an increase in the length of maternity leave must be accompanied by measures to support smaller businesses who voiced concerns about increasing the length of leave to 90 days. Medium-sized and large businesses did not report such concerns. This step towards Convention C183 should be feasible, since the MI currently has enough revenue to cover 90 days maternity benefits.

Increased transparency and communication between the SSC and mothers would reduce the instances of wage under-reporting. Several women in education complained that they received the wrong wage from the MI – a likely result of deliberate under-reporting on the behalf of the employer. The SSC could make it harder for employers to get away with this by informing all registered workers of the monthly social security contribution which the employer is paying on her behalf. This feedback system could be implemented through the existing SSC online website and would permit all workers to act pre-emptively in case of under-reporting. However, this must come hand-in-hand with increased awareness of social security and maternity rights among all workers.

6.4 Future research

Future study should profit from lessons learned during this report. Future studies of the impact of Jordan's MI on women and their families should include a control group containing women who took maternity insurance from their employer before 2011. This would allow a direct comparison between women who benefitted from the SSC and those who relied on their employer, as the old law stated. Additionally, research in the form of a survey and/or mixed methods approach may more successfully capture certain issues in a representative manner, rather than in an interview form. For example, women were reluctant to talk extensively about the impact of the MI on household dynamics, their relationship with their husband, or decisions about family planning. Although this report was anonymous, mothers may feel more comfortable going into more details in a more impersonal format, like a survey.



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