

Workplace Violence and Sexual Harassment in Light of the Recent Amendments to the Jordanian Labor Law Pursuant to the Amended Law No. (10) of 2023

Omar A. Al-Araishi¹

Abstract

This study aims to establish the legal framework for addressing workplace violence and sexual harassment. It serves as a guide for Jordanian legislators when reviewing related laws, promoting a violence-free environment. The study employs descriptive analysis to explore employee experiences, comparing Jordanian Labor Law with International Labour Organization Convention No. 190 (2019). It divides into two sections: defining violence and harassment from national and international labor perspectives, and examining legal protection under Jordanian Labor Law. The second section delves into employer obligations and employee actions, including court involvement. Findings show that though Jordan addresses the issue, labor law amendments are limited, hindering comprehensive enforcement. The 2023 amendment to Article 29 lacks desired impact and international alignment. Recommendations include explicit policy integration into the Labor Law and enacting legislation, aligned with Article 120 of the Jordanian Constitution, to prevent workplace violence and harassment across sectors.

Keywords: Labour Law, Employer, Employee, Sexual Harassment.

1. Introduction

Sexual harassment in the workplace is a form of gender-based discrimination that negatively impacts the work environment, undermines gender equality in employment, creates unfair practices within the workforce, and adversely affects the dignity and well-being of employees. It instils psychological distress and tension in victims, and if left unaddressed, can lead to increased costs for companies through decreased productivity, lowered employee morale, absenteeism, and high turnover rates.

The roots of the issue of sexual harassment in the workplace stem from various economic, social, and cultural factors that vary based on the nature of the workplace, the type of work, and the work environment. Female workers may be subjected to sexual harassment in the workplace by their superiors, exploiting their positions of authority and the absence of legislations that penalize sexual harassment in work settings (Moussa, 2008, p. 333).

Over the past decade, the prevalence and cost of sexual harassment have led to an increased concern about gender-based discrimination at both national and international levels. In this regard, the International Labour Organization adopted Convention No. 190 concerning Violence and Harassment in the World of Work in its 2019 International Labour Conference (108th session). This Convention establishes a clear international law

¹ The World Islamic Science & Education University, Jordan, omar.alrayashi@wise.edu.jo

that guarantees every individual's right to a workplace free from violence and harassment, in addition to obliging states to respect, support, and enforce this right (ILO, 2022).

Convention No. 190 and its accompanying Recommendation No. 206 lay down the fundamental principles that states are required to implement. These principles integrate equality, non-discrimination, safety, and health at work within a single framework, providing a comprehensive and personalized range of protective measures.

The Jordanian legislator has introduced an amendment to the Labor Law under the amended Law No. (10) of 2023, specifically in Article (29) of the Labor Law. This amendment recognizes sexual harassment as one of the forms that entitle an employee to leave work and claim compensation for the harm resulting from such an act. Additionally, it grants the Minister of Labor the authority to refer the employer to the competent court and impose a financial penalty on them.

Beyond its scholarly significance, the research holds practical importance. Worker exposure to violence and sexual harassment can lead to job discontinuation or workers enduring abuses due to limited job prospects. Additionally, such incidents occur beyond state monitoring mechanisms, raising questions about legal protection in the workplace.

The research's predicament lies in delineating legal boundaries to prevent worker exposure to violence and sexual harassment in workplaces. Identifying cases is hindered by the absence of policies addressing the issue and limited protective measures from regulatory bodies. This quandary raises legal questions, addressed in this study: Does this amendment align with international labor standards of Convention No. 190 (2019)? How effective is the modification of Article 29 of the Labor Law? What policies and measures do employers need to adopt to prevent violence and harassment? Are there any restrictions on workers' exercising their rights?

This study aims to establish the legal framework concerning workplace violence and sexual harassment. It serves as a guide for legislators during the review of relevant legal texts. Moreover, it offers a pathway for employers and employees to create an environment free from violence and sexual harassment.

To address the research challenges and answer inquiries, the researcher adopted a descriptive-analytical methodology. This approach delved into the phenomena of violence and sexual harassment experienced by workers. Additionally, it analyzed legal texts governing the subject in labor law. Employing a comparative methodology, the researcher compared the Jordanian Labor Law with the International Labour Organization Convention No. 190 of 2019. The study incorporated legal jurisprudence and Jordanian judicial decisions, maintaining scholarly integrity by crediting original sources.

Based on the foregoing, Sections 2 and 3 of this article will provide the reader with concise explanations of the concept of violence and sexual harassment from the perspective of international labor standards. This will encompass the scope of legal protection against exposure to violence and sexual harassment. Subsequently, Section 3 will be dedicated to critically examining the obligations of the employer in this regard. This includes scrutiny of various Jordanian court decisions, the recent amendments to the Labor Law, and their unique implications on this specific legal domain.

In the end, Section 5 of this article will elucidate the actions available to the employee when subjected to violence and sexual harassment. It will explore whether the diverse Jordanian courts and the legislature have adequately addressed this issue thus far, as well as identify other necessary measures to enhance protection against violence and sexual harassment.

2. Concept of Violence and Sexual Harassment from the Perspective of National and International Labor Standards

Defining sexual harassment comprehensively is a challenging task, as it is a concept that is difficult to quantify due to variations in defining certain behaviors, whether they are sexual in nature or simply unwanted behaviors. It remains a relative issue among individuals, dependent on the value system represented by customs, traditions, values, and practices governing the culture of society or the individual (Al-Awadeh, 2009).

Nevertheless, the Jordanian legislator introduced a definition for "sexual harassment" upon amending the provisions of Article (29) under the amended Law No. (10) of 2023, known as: "Any practice or physical or verbal conduct of a sexual nature, or threats associated therewith, that infringe upon the dignity of the worker, demeaning to them, and leading to physical, mental, or sexual harm to them." It appears that the legislator only defined "sexual harassment" and overlooked the definition of "sexual violence." However, it is noteworthy that the terms used in the definition may encompass "violence," as indicated in the definition through phrases such as "...threats... or mental..."

Upon comparing this definition to that provided in the International Labour Organization's Convention concerning the Elimination of Violence and Harassment in the World of Work, No. (190) of 2019, Article (1) defines "violence and harassment" as: "The term "violence and harassment" in the world of work refers to a range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual, or economic harm, and includes violence and harassment based on sex."

(Note: The above translation is based on the information provided and may require additional context for precise legal translation. Legal language can be complex, and it's important to consult with a qualified legal translator or attorney for accurate translations in a legal context.)

It can be observed that the Jordanian legislator has aligned with international labor standards in terms of the concept only. The behaviors committed within the scope of employment, whether by a woman or a man, are considered to infringe upon the worker's freedom in the workplace (Ficher, 2003). Furthermore, both violence and sexual harassment are not limited to women; they may also involve males when subjected to harassment, whether through direct physical assault, verbal abuse, gestures, or actions (Darwish, 2006).

Hence, sexual harassment constitutes a manifestation of gender imbalances within society and a form of oppression resulting from the exploitation of power vested in one individual over another, placing the other party in a position of vulnerability (Al-Ghallay, 2022).

It is noteworthy that the text provided in paragraph (6) of Article (29) of the Labor Law only addresses assault perpetrated by the employer or their representatives, without explicitly mentioning any form of assault that workers may face, whether from other employees within the institution or from individuals interacting with the institution.

The researcher believes that this restriction to the employer or their representatives, legally, pertains to cases covered by the same article, including leaving work under various circumstances, such as in the case of assault through sexual harassment. Consequently, the worker has the right to claim compensation for the harm resulting from such actions. Thus, it appears that the Jordanian legislator did not intend to burden the employer with compensations arising from leaving work in cases where the worker is subjected to assault by colleagues or individuals interacting with the institution.

In reality, if this is the justification, the Jordanian legislator appears to have aided the employer in evading their legal obligations by enabling third parties (colleagues or

individuals interacting) to commit assaults without any legal consequences for the worker. This calls for the legislator to hold the employer legally responsible for failing to implement preventive measures that would prevent such assaults from occurring.

3. The scope of legal protection against the exposure of workers to violence and sexual harassment:

The scope of legal protection against violence and sexual harassment in the workplace encompasses various aspects within the framework of both national and international labor standards. These protective measures aim to establish a safe and respectful work environment for all employees, regardless of their gender.

The International Labour Organization's Convention concerning the Elimination of Violence and Harassment in the World of Work addresses a comprehensive range of protections for workers and individuals in the workplace. The Convention, in Article 2, stipulates that the following categories of individuals are covered by its provisions:

Employees as understood in national laws and practices.

Persons working regardless of their contractual status.

Individuals engaged in training, including apprenticeships and vocational training.

Workers who have completed their employment.

Volunteers and job seekers.

Persons exercising authority, duties, or responsibilities of the employer.

Furthermore, the Convention, in Article 3, outlines the various contexts in which protection must be provided for workers. These contexts include:

- a) The workplace, including both public and private areas forming part of the workplace.
- b) Areas where workers receive pay, take breaks, have meals, use sanitary and washing facilities, and change clothes.
- c) During travel, training, events, or social activities related to work.
- d) Work-related communications, including those facilitated by information and communication technology.
- e) Employer-provided accommodations.
- f) Traveling to and from work.

From the above, it can be inferred that international labor standards have expanded the scope of protection against violence and sexual harassment beyond the employer-employee relationship or the physical workplace. The protection extends inclusively to individuals associated with the employer in various capacities, regardless of the legal basis of that relationship. This includes contractors, suppliers, service recipients, and consultants (whether technical, technological, or professional). Additionally, the scope encompasses not only the physical workplace but also associated locations (such as workers' accommodations), sanitary facilities, training facilities, and beyond, even if not directly owned by the employer.

The Jordanian legislator has introduced legal provisions regarding violence and sexual harassment in the Labor Law, which primarily applies to the legal relationship between the employer and the worker, specifically focusing on the categories of "private, wage-earning, and subordinate" work (Almaghrebi, 2018). The law also extends to workplace sites falling under the employer's jurisdiction, including safety and occupational health conditions.

However, the comprehensive scope established by international labor standards may not be fully realized within the confines of the Labor Law. On one hand, its application is limited to certain individuals falling within its scope, and on the other hand, the requirements of international labor standards for protection are not confined solely to the Labor Law but encompass all sectors related to the work environment, aimed at providing protection and penalties to mitigate violence and sexual harassment (such as laws from the Ministry of Industry, Trade, and Supply, investment environment legislation, transportation-related regulations, and more).

Examining Article (29) of the Labor Law, it is evident that it does not fully meet all the standards outlined in the Convention concerning the Elimination of Violence and Harassment in the World of Work. This article primarily covers two main aspects:

The first aspect relates to the consequences of the worker being subjected to sexual harassment. It grants the worker the right to leave work and claim compensation in case of experiencing violence and sexual harassment.

The second aspect empowers the Minister of Labor to take legal punitive measures, involving the referral of cases to the appropriate court for imposing financial fines only, without imprisonment.

Therefore, the Jordanian legislator has not significantly expanded the scope of legal protection for workers exposed to violence and sexual harassment. Specifically, it falls short in the following ways:

Article (29) does not encompass situations where workers are assaulted by their colleagues or individuals interacting with the institution.

The protection is limited to the worker's right to leave work and claim compensation for harm resulting from assault by the employer or their representatives only.

The legislator has granted discretionary authority to the Minister of Labor to refer cases to the court, resulting in financial penalties without addressing imprisonment.

4. Employer's Obligations to Prevent Violence and Sexual Harassment in the Workplace

As a result of the legal relationship that arises between the worker and the employer, the Jordanian legislator has established various obligations for both parties (Al-Maghribi, 2018), which constitute an effect of the employment contract, either arising from the contract itself or under the provisions of labor law (Abu Shanab, 2019).

This leads us to discuss the importance of the employer's commitments to provide a decent working environment, which will be addressed in section 1, followed by addressing the necessary measures that the employer must take to prevent violence and sexual harassment in section 2.

4.1 The Importance of the Employer's Commitments to Provide a Suitable Work Environment:

Among the obligations that the employer must fulfill to prevent violence and sexual harassment in the workplace is the establishment of a work environment free from any forms of hazards. This is an essential part of the fundamental rights and principles of work, in line with the international human rights standards. Ensuring a high level of health and occupational safety for workers is a crucial element of sustainable development and productivity enhancement. Preserving and maintaining a skilled and efficient workforce helps reduce lost working hours, direct and indirect costs of workplace injuries, and alleviates the burden on healthcare services, thus promoting the overall development process.

Furthermore, the impact of reducing violence and sexual harassment in the workplace extends to several benefits for businesses and companies. These benefits include increased productivity, reduced absenteeism, decreased turnover rates, enhanced market reputation for institutions known to provide respectful and inclusive work environments, happier and healthier employees, heightened investor confidence, and improved customer satisfaction and loyalty compared to competing entities (ILO, 2022).

The International Labour Organization (ILO) considers workplace violence and harassment to be a violation of human rights and a globally unacceptable behavior. The ILO supports efforts to address all forms of violence and harassment in the workplace and agrees that tolerance towards such behaviors can have harmful effects. These effects include decreased productivity, increased costs of legal disputes, higher rates of job turnover and absenteeism, and damage to reputation.

Providing a safe and healthy work environment is not only a national requirement but also a fundamental principle and right within the realm of work. Therefore, it is incumbent upon employers to take appropriate steps and measures to mitigate risks and prevent workplace violence and harassment. This includes addressing individuals, places, situations, and conditions under the control of the employers.

At the individual level, sexual harassment can lead to severe consequences for the female worker who becomes a victim, such as resignation instead of continuing employment, receiving negative professional evaluations, demotion or transfer to lower positions, diminished training opportunities, loss of promotion prospects, and compromised job security (Al-Ajouz, 2015).

4.2 Addressing the Necessary Measures to Prevent Violence and Sexual Harassment in the Workplace:

To prevent violence and sexual harassment in the workplace, the employer should adopt a series of measures and policies to ensure a safe and respectful environment for employees. These measures can be categorized into several aspects:

4.2.1 Developing Anti-Violence and Anti-Harassment Policies: The employer should establish strict policies and procedures aimed at preventing and combating violence and sexual harassment in the workplace. These policies should include a clear definition of violence and harassment and outline the steps to be taken in case of violations.

4.2.2 Awareness and Training: The employer should provide regular training to employees about the concepts of violence and harassment, how to identify them, and how to respond if subjected to such incidents. This training can include practical examples and realistic scenarios.

4.2.3 Reporting and Complaint Mechanisms: Effective mechanisms should be provided for workers to report incidents of violence and harassment confidentially and without fear of retaliation. Complaints should be treated seriously and promptly, with appropriate actions taken.

4.2.4 Penalties and Measures: Stringent penalties should be defined for those responsible for cases of violence and sexual harassment, and these penalties should be applied fairly and justly. These penalties may include disciplinary actions or contract termination, in addition to preventive measures to deter recurrence.

4.2.5 Monitoring and Evaluation: The effectiveness of the measures taken to prevent violence and sexual harassment should be continuously monitored and evaluated, and periodic improvements should be made based on ongoing assessments.

The recent amendments introduced by the Jordanian legislator were limited to Article 29 of the Labor Law. This amendment granted the worker the right to leave the job without notifying the employer, while retaining their legal rights upon termination of service,

including entitlements to compensation for leave and damages. This provision applies if the employer or their representative assaults the worker during work or as a result of it, including physical assault, demeaning behavior, sexual assault, or any form of punishable sexual harassment under existing laws.

However, these amendments did not include specific provisions for preventing harassment or the employer's responsibility to provide a workplace environment that minimizes harassment. It also did not establish specific measures for addressing and rectifying situations of harassment. The current law falls short in addressing the broader spectrum of preventing and addressing workplace violence and harassment comprehensively. (Alsarairah,2021)

Despite the absence of a legal requirement for employers to establish policies and procedures to prevent and address workplace violence and harassment, the Jordanian Ministry of Labor issued a model policy in 2019 aimed at creating a respectful work environment that prevents violence, harassment, and discrimination. This policy outlines concepts of violence and sexual harassment in the workplace, complaint mechanisms, and employer obligations to implement this policy.

However, the policy lacks a legally binding framework that mandates employers to adhere to it. While the Ministry of Labor attempted to integrate this policy into the internal regulations of institutions upon their endorsement, making it an integral part of their legal obligations, it remains a non-mandatory model. Employers can still choose not to incorporate such a policy into their internal regulations and instead rely on the provisions stipulated in Article 55 of the Labor Law.

5. The procedures that an employee can take in case of experiencing violence or sexual harassment can be outlined:

There are two aspects to consider in this section: First, what the Jordanian legislature addresses in Article 29 of the Labor Law regarding the procedures that employees must follow, and second, the international standards that define the actions employees can take, and Third the Guideline for Combating Violence and Sexual Harassment in the Workplace

5.1 In accordance with Article (29) of the Jordanian Labor Law, the procedures that an employee must follow are as follows:

Referring to Article (29) of the Labor Law, it is evident that the introductory section of this article stipulates that: "A. The worker has the right to leave work without notifying the employer, provided that the Ministry of Labor is notified within two weeks from the date of leaving work, and in the manner determined by the Ministry, while retaining his legal rights upon the termination of service, including entitlements to leave, damages, and harm compensation. This is applicable in any of the following cases: 1- ... 2- ... 3- ... 4- ... 5- ... 6- If the employer or his representative assaults the worker during work or due to work, by means of physical assault, humiliation, or any form of sexual assault or harassment punishable under the prevailing legislation."

Consequently, the legislator places a condition upon the worker, necessitating the notification of the Ministry of Labor within two weeks of leaving work as a result of being subjected to sexual harassment. The Jordanian Court of Cassation's interpretation supports the notion that: "In addition to what has been presented, the opening of Article 29 of the Labor Law with regard to the worker's right to leave work while retaining his legal rights upon the termination of service is inclusive and unrestricted. The term 'inclusive' encompasses the worker's absolute entitlement to claim all his rights that he possessed before leaving work, as granted by the law. Furthermore, he has the right to claim compensation for damages incurred after leaving work, if applicable" (Judgment of

Cassation, 3507/2003). This leads to the conclusion that the condition stated in Article (29) of the Labor Law cannot prevent the worker from claiming his rights and seeking compensation for damages.

A jurisprudential perspective supports this direction, indicating that the worker's right to leave work arises when the employer breaches his obligations towards the worker, especially in the case of tampering with wages, whether through reduction or non-payment in a timely manner, which is integral to the public order. In this regard, it is akin to his other rights as determined by the law (Abdul Baqi, 1982).

The compensation stipulated in Article (29) of the Labor Law is defined by the provisions of Article (25) of the same law, which states that: "If it becomes evident to the competent court in a claim filed by the worker within sixty days from the date of his dismissal that the dismissal was arbitrary and in violation of the provisions of this law, it shall be permissible for the court to issue an order to the employer to reinstate the worker to his original position or to pay him compensation equivalent to half a month's wage for each year of the worker's service, with a minimum of no less than two months' wage, in addition to the notice allowance and other entitlements specified in Articles (32) and (33) of this law. The compensation shall be calculated based on the last wage received by the worker."

The jurisprudence of the Jordanian judiciary has established that "the legislator has enumerated in the provisions of Article 29 of the Labor Law cases in which the worker is entitled, if any of them is met, to leave work without notice to the employer. Judicial precedent has confirmed that any of these cases constitutes arbitrary termination of employment, leading to compensation for the worker. As the legislator has determined the amount to be awarded as compensation for arbitrary dismissal in the provisions of Article 25 of the Labor Law, it takes the place of (leave and damage compensation) stipulated in the mentioned Article 29, the purpose of which is to compensate for the termination of service" (Judgment of Cassation, 4509/2012) (Amman Court of Appeals, Rights, 8780/2008).

A scholarly perspective has affirmed that the worker is entitled to compensation for arbitrary dismissal as provided for in Article (25) of the Labor Law. This is because the opening of Article (29) of the Labor Law permits the worker to leave work while retaining his legal rights and claiming compensation for leave and damages, and this entitlement is absolute (Al-Maghribi, 2018).

Union membership, which holds significant importance for social and psychological stability, particularly for female workers, can enhance the protection of employees against violence and sexual harassment. It can break the silence that has traditionally shrouded workplace sexual harassment, a complex issue that remains difficult to discuss openly. (Azaldin, 2020).

5.2 International Standards Defining Procedures for Employees in Case of Experiencing Violence or Sexual Harassment:

International standards provide guidance on the procedures that employees can take in the event of experiencing violence or sexual harassment. These standards are established to ensure the safety and protection of employees. Some key measures recommended by international standards include:

1. Reporting and Documentation:

Employees should be encouraged to promptly report incidents of violence or sexual harassment to appropriate authorities within the organization, such as human resources or management. Detailed documentation of the incident, including dates, times, locations, and individuals involved, is crucial.

2. Confidentiality and Privacy:

International standards emphasize the importance of maintaining the confidentiality and privacy of individuals reporting incidents. Employers should establish mechanisms to protect the identities of those involved and ensure that retaliation against victims is strictly prohibited.

3. Supportive Measures:

Employers are expected to offer support services to victims, including access to counseling, medical assistance, and legal guidance. Providing a safe and supportive environment is essential for employees who come forward with their experiences.

4. Investigations and Accountability:

Employers must conduct prompt, thorough, and impartial investigations into reported incidents. Perpetrators should be held accountable for their actions, and appropriate disciplinary measures should be taken.

5. Preventive Measures:

International standards stress the importance of prevention. Employers should implement policies, training, and awareness programs to prevent and address violence and sexual harassment in the workplace.

6. Non-Retaliation:

Employees who report incidents should be protected from any form of retaliation. Employers should establish clear guidelines to ensure that individuals who report are not subjected to adverse consequences.

7. Legal Remedies:

International standards advocate for providing employees with access to legal remedies, which may include filing complaints with relevant labor authorities or seeking legal action against perpetrators.

8. Public Awareness and Education:

Employers should engage in public awareness campaigns and educational initiatives to promote a respectful and safe workplace culture. This includes educating employees about their rights and responsibilities and fostering an atmosphere of respect and tolerance.

5.3 The Guideline for Combating Violence and Sexual Harassment in the Workplace:

The Ministry of Labor, in collaboration with representatives from the three sectors of production (workers, employers, and the Ministry of Labor), endeavored to issue a guidance document prior to the amendment of the Labor Law. The objective was to raise awareness among employers, employees, and labor inspectors regarding the concept of violence and sexual harassment in the workplace, its various forms, and the mechanisms for addressing it. This initiative aims to ensure a safe, suitable, and proper working environment, enhance general conduct in the workplace to combat violence and harassment, and establish ethical standards, work ethics, and high professional values in the work environment.

Despite the absence of a legal instrument mandating employers and employees to adhere to this guideline, it emanates from the role assigned to the Ministry of Labor under Article (10) of the Labor Law to carry out "... tasks of labor market regulation, vocational guidance, and providing employment and job opportunities for Jordanians within and outside the Kingdom."

Through this authority, regulations can be issued in accordance with the provisions of Article (140) of the Labor Law, which stipulates that "the Council of Ministers, based on

a proposal from the Minister, shall issue the necessary regulations to implement the provisions of this law." This necessitates urgent steps to be taken to realize the amendments made to Article (29) of the Labor Law.

The guideline encompasses numerous key aspects that serve as a gateway to the draft regulations that can be promulgated. These include concepts and forms of violence and sexual harassment, behavioral standards for both employers and employees, duties of labor inspectors to ensure compliance with these standards, highlighting the role of employers' and workers' unions, as well as mechanisms and tools for lodging complaints that employees can utilize.

This guideline contributes to achieving adequate labor standards in the work environment, establishing ethical benchmarks, enhancing general conduct in the workplace to combat violence and sexual harassment, solidifying the foundations of good practices and prudent governance, and promoting principles of transparency and non-discrimination based on race, religion, gender, or social identity.

6. Conclusion:

In conclusion, after an in-depth examination of the subject matter, this research scrutinized the realm of combating workplace violence and sexual harassment through a comprehensive analysis of the amendments introduced by Jordanian Labor Law No. (19) of 2023. The research aimed to assess their compatibility with international labor standards, expound the definitions in Article (29) of the same law, and align them with International Labour Organization Convention No. (190) of 2019. It also delved into the extent of legal protection under the domestic law and compared it to international labor norms. Moreover, the study explored employers' responsibilities in curbing workplace violence and sexual harassment and outlined measures available to employees in cases of violence or harassment.

The researcher found that international standards underscore the significance of a comprehensive approach to address these concerns. This approach necessitates clear procedural steps that employees can follow when encountering such incidents, thereby enhancing the responsibility of employers in maintaining a safe and conducive work environment. These measures encompass immediate reporting, confidentiality assurances, supportive mechanisms, comprehensive investigations, prevention initiatives, and protection against retaliation.

Despite the Jordanian legislator's attention to the issue of violence and sexual harassment, the amendments were limited to labor law and did not encompass a broader legislative framework that would apply universally, avoiding any hindrance to the enforcement of such policies. The amendment to Article (29) of the law in 2023 fell short of fully achieving the intended impact and failed to align with international labor standards.

The Jordanian legislator merely granted employees the right to claim compensation after experiencing any form of violence or sexual harassment upon leaving the job, and this matter applies only if the assault is committed by the employer or their legal representative, omitting the role of other individuals within or interacting with the organization.

The Minister of Labor has been granted the authority to refer the employer to the competent court to impose financial penalties, only after the Ministry of Labor has been notified by the employee within two weeks of leaving work.

The Jordanian legislator did not mandate employers to implement policies to prevent workplace violence and sexual harassment. Instead, the matter was left to the discretion of the employers. Furthermore, the legislator did not reinforce the measures taken by the Ministry of Labor, such as adopting a guide and model policies for preventing violence

and sexual harassment in the workplace, nor did it provide legal tools to assist the Ministry of Labor in enforcing these policies on employers.

Recommendations:

Based on the insights gained, the following recommendations are suggested:

1. The necessity of amending the Labor Law to explicitly incorporate policies and procedures to be followed in workplaces.
2. Enact legislation, based on Article (120) of the Jordanian Constitution, to provide a comprehensive legal framework for preventing workplace violence and sexual harassment, encompassing both public and private sectors.
3. Strengthening enforcement mechanisms: To ensure effective implementation of laws and standards, relevant authorities should establish clear reporting, investigation, and handling guidelines for cases of violence and sexual harassment.
4. Enhancing awareness and training: Employers should conduct regular awareness campaigns and training courses to educate employees about their rights, responsibilities, and available mechanisms to counter violence and harassment in the workplace.
5. Empowering labor inspectors: Labor inspectors should receive specialized training to effectively handle workplace violence and harassment cases, ensuring consistent application of legal provisions.
6. Fostering collaboration: Encouraging collaboration between workers, employers, and the Ministry of Labor will establish a unified approach in combatting workplace violence and sexual harassment.

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