

Labour Compliance in the Cement Sector in the Middle East and North Africa

Report on the field verification visit to:
Lafarge Jordan Cement and Lafarge Concrete Jordan



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Introduction

This study takes place in the context of the BWIs campaign on labour rights in the construction sector in the Middle East and North Africa (MENA) region. The study focuses on the two leading cement companies in the MENA region: HeidelbergCement Group and LafargeHolcim Group. Particularly, three countries were selected for this research: Jordan, Lebanon, and Egypt. The choice for these countries was informed by the Dutch Ministry of Foreign Affairs' Dutch Good Growth Fund (DGGF) list¹ that guarantees a connection to the Netherlands and BWIs affiliate Mondiaal FNV.

The overall objective of this study is to provide an overview of the business activities and a controversy scan of HeidelbergCement and LafargeHolcim, as a basis to conduct future in-depth research on their activities and labour rights commitments for lobby, campaign and support work. Particularly, this study seeks to answer the research question: *What are the labour conditions at the companies' sites and do these conditions comply with national and international labour standards?*

In this context, the present report lays out the results of a field visit to three plants of the LafargeHolcim Group in Jordan:

1. Lafarge Jordan Cement Fuheis Plant;
2. Lafarge Concrete Jordan Sweileh Plant; and
3. Lafarge Jordan Cement Rashadiyah Plant.

Background

The Jordanian cement sectors

Jordan Cement Factories (JCF) was Jordan's first cement company. JCF was established in 1951 and started operations in 1954, in Fuheis (Balqa Governorate, 20 kilometres northwest of Amman) with a plant and a head office. A large liberalisation scheme launched by the Jordanian government in 1996, implied the privatisation of major state-owned companies², amongst them JCF. By 2015, seven cement companies were operating in Jordan: Al Rajhi Cement-Jordan (previously Cementra Jordan), the Arab Company for White Cement Industry, the LafargeHolcim Group in Jordan, the Modern Cement and Mining Co (Al Manaseer Company), the Northern Cement Co., and the Qatrana Cement Co.³

After the privatisation of the cement market, cement production in Jordan increased. According to the US Geological Survey, between 2000 to 2015, Jordan cement output had risen from 2.25 million tonnes of cement per year⁴ to 4.60 million tonnes per year⁵. In 2001, approximately 69% of the cement consumed in Jordan used for private housing construction, 20% for commercial building construction and 11% for industrial uses.⁶ In 2015, more than 93% of cement production was consumed by the domestic market, and 7% was exported to Iraq and Saudi Arabia.⁷ In contrast, in 2001, Jordanian cement was exported to Bangladesh, Egypt, Eritrea, Palestine, Saudi Arabia, Sudan and Yemen.⁸

Despite the increases in cement output, the sector has faced several challenges in the last decade. Clinker production decreased to 652,500 tonnes in 2015 from 906,200 tonnes in 2013 according to the Central Bank of Jordan.⁹ Therefore, Al Rajhi Cement-Jordan and Northern Cement Co. increased their imports of clinker through their parent companies, which produced clinker in their plants in Saudi Arabia. Moreover, the high cost of energy prompted cement producers to revert to using coal instead of fuel oil as a source of energy to reduce operating costs; however, this practice stopped soon after owing to the decline in fuel oil prices in 2014.¹⁰ The total production capacity of cement factories in Jordan is (12) million tons annually, the market needs (4) million tons, and there are exports.

LafargeHolcim Group Jordan

The presence of LafargeHolcim Group in Jordan dates to 1998 when the Government of Jordan sold 36% of its shares in JFC. The company had an exclusivity agreement with the government of Jordan until 2001.¹¹ Lafarge's buying of JFC made the cement company the first government-owned company to become privatised. At the time, the JFC's workers union refused Lafarge's taking over of the company, citing possible layoffs related to the restructuring of the company. However, acknowledging the union's strength, Lafarge invited the union to cooperate with the company and recognised it as a key stakeholder. Against this backdrop, Lafarge engaged in dialogue with the workers, promising that they would improve their labour conditions, which they initially did. Lafarge Holcim holds 51% of the company's shares, and there is an external alliance that holds 14% of the company's shares (a Moroccan partner). In addition, 24% of the shares are owned by the Social Security Corporation and 11% by shareholders.

However, in 2000, Lafarge started to change its management approach and began dismissing workers, claiming that dismissals were necessary to make up for the loss of profit (which, however, are not supported by output figures for the same year, see section 0). Specifically, they introduced early retirement schemes, which were discussed with the union. Since then, the union has been engaged in cyclic battles with Lafarge, mainly related to the company's "need" to decimate the workforce to cut costs.

In 2008, Lafarge entered into the Ready Mixed Concrete market by acquiring 51% of Aloul Group, one of the biggest concrete companies in Jordan at the time. The merge took place in 2009 under the name of Lafarge Concrete Jordan.¹² At that time, Lafarge was still the only cement company in the country. Lafarge bought the plant for 60 million JOD, and within ten years they increased its value to around 400 million JOD (the amount is based mostly on the value of the land, and the government estimates it). The plant still exists.

By 2012, the relation between the union and the company had changed and with it the spirit of cooperation of the first years of Lafarge in Jordan. The union had to push harder to assert its rights (whereas previously the company had been very receptive to the workers' demands). That year, Lafarge tried to coerce workers into early retirement again. However, the workers refused the company's early retirement scheme and held demonstrations for three days, which resulted in an agreement. The scheme entailed that 400 out of 3000 workers would be retired between 2000 and 2012. Early retirement was optional, and 560 workers remained in the company.

Despite the 2012 agreement, in 2015, management-union conflicts worsened. The company brought a new CEO, the Egyptian Amro Reda (former CEO of Lafarge Pakistan whose record included closing the plant there – with the corresponding laying off workers). The conflicts intensified because of the CEO's management style and his attitude towards unions and the Jordanian government. It is said that he bribed the government to be able to close the Jordanian plant, although unsuccessfully. The workers' conditions have been deteriorating ever since.

Jordan's General Trade Union of Construction Workers (GTUCW)

The General Trade Union of Construction Workers (GTUCW) was established in 1954 in Ramallah; it was a union for the Hashemite Kingdom of Transjordan. Following Transjordan's independence in 1967, the union moved to Amman. In the beginning, the number of members was very limited. In 1990, the cement workers union was established and, by 1998, only four cement plants had union presence. That same year, union lobbying began. At that time, all private-sector segments could join the union.

Nowadays, there are 17 trade union committees Jordan-wide representing 4,000 paid members and between 70,000-80,000 unpaid members. Membership fees amount \$ 1.5 USD per month (the minimum wage in Jordan is \$ 340 USD). All union officials are volunteers, and they do not receive salaries. GTUCW is an active member of the Arab Vocational Federation for Wood and Building Materials Industries Workers, as well as the Jordanian Federation of Trade Unions (JFTU).

GTUCW has total affiliation in the cement sector; however, in all other sectors (construction, building, wood, and building materials making) it is still problematic to organise the workers. It was observed that the level of unionisation in the country often is strongly connected with the influence of the union's leadership. GTUCW's success in the cement sector lay to a large extent in the trust and influence of the current president, who used to work at the cement plant and still has many contacts there. In Jordan, being a member of a trade union is not mandatory. However, trained professionals (teachers, lawyers, engineers, etc.) must be part of a union by law. The union gets no compensation for representing non-member workers; however, they do represent them whenever these workers approach them for help. The union has ten lawyers who are paid, not a monthly salary, but per case they represent. The work of these lawyers is indispensable for the union. Thanks to them, several landmark cases have been won. See further Table 1.

Table 1 Landmark lawsuits against LafargeHolcim Group

Year	Description	Court's ruling
2017	Lafarge plans to dismiss 300 workers	Workers at the Rashadiyah cement plant are to receive a bonus payment at Eid Al Fitr and then pay increases based on performance.
2018	Lafarge dismissed 300 workers	The dismissal of 300 workers is wrongful. Affected workers are to receive 32 months' worth of salaries plus two months per worked year in compensation.
2019	Lafarge plans to dismiss 300 workers	The standpoint of the union is valid and will be supported by the government due to the agreements made in the context of CBA and the previous court rulings. The company has fired 220 workers / the incentive scheme is not remunerative compared to their former colleagues, meaning their rights are deficient.

Methodology

Fieldwork was conducted in Jordan from 18 to 22 November 2019. During this period, the research team conducted face-to-face interviews and focus group discussions (FDGs) with workers, and other stakeholders including trade union officials, government officers, and representatives from national and international non-governmental organisations (NGOs).

Interviewees and FDGs participants were identified in close collaboration with the local trade union affiliates. These interviews took place at the three plants of the Lafarge-Holcim Group in Jordan (Fuheis, Sweileh, and Rashadiyah). The interviews were complemented with transect walks to the different working stations in each of the visited plants. Given the fact that workers were striking at the time of our visit, it was not possible to meet Lafarge's management staff. The list and number of persons interviewed, were applicable, at each of the plants are presented in **Error! Reference source not found.**

Table 2 List of stakeholder groups and number of persons interviewed

Stakeholder group	Fuheis	Sweileh	Rashadiyah	General	Total
Management Staff	0	1	0		1
Supervisors at the project level		2	2		2
Construction workers	34	2	10		43
Union leaders	2	1	2	2	7
Government officials	N.a.	N.a.	N.a.	2	2
NGO representatives	N.a.	N.a.	N.a.	4	4
Total	36	4	7		59

The labour and social practices at the construction sites were assessed based on ILO labour standards and other international norms as well as labour laws. In total, nine issues were covered: four core labour issues (child labour, forced labour, freedom of association, and collective bargaining and discrimination) and five labour and social issues (wages, ethical hiring and contracting, working hours and overtime, gender equality, occupational health and safety). Table 3 shows the list of labour issues and topics assessed during the site visits.

Table 3 List of labour issues and related issues

Labour issues	Topics considered for the assessment
Child labour	<ul style="list-style-type: none"> • Child labour policy • Child protection measures
Forced labour	<ul style="list-style-type: none"> • Coercion • Violence • Non-voluntary overtime • Debt-bondage
Freedom of association and collective bargaining	<ul style="list-style-type: none"> • Freedom to join/form unions • Support for union operations

	<ul style="list-style-type: none"> • Interference/discrimination against union members and leaders • Collective bargaining agreement (CBA) • Strikes
Discrimination	<ul style="list-style-type: none"> • Race and origin • Gender-based discrimination • Disability • Others; HIV and AIDS, religion, political affiliation
Wages	<ul style="list-style-type: none"> • Minimum wage • Overtime payment • Deduction • Other benefits
Working hours	<ul style="list-style-type: none"> • Regular hours and overtime • Leave
Ethical hiring and contracting	<ul style="list-style-type: none"> • Recruitment procedures • Contracts, payslips • Training
Gender equality	<ul style="list-style-type: none"> • Gender policy (esp. including sexual harassment and abuse) • Equal opportunity for women • Maternity leave and nursing time
Occupation safety and health (OSH)	<ul style="list-style-type: none"> • OSH management system (incl. policy and procedures) • Health services (esp. First Aid, medical checks, HIV and AIDS) • Chemical and hazardous materials • Worker safety • Facilities • Emergency preparedness

For the assessment, we have used a traffic light system assigning colours to the company's level of compliance with the labour issues above (Table 4). The findings of this study (including individual assessments for each of the plants) are discussed, and conclusions are provided in Chapters 1-3. Chapter 4 provides recommendations.

Table 4 The categorisation of the level of labour compliance

Colour code	Level of compliance	Definition
	Very low	The company does not comply with several key issues under the topic and does not appear to be taking any concrete actions towards compliance.
	Low	The company does not comply with some key issues under the topic. The company is conscious of the issues but remains lax on concrete actions towards compliance.
	Medium	The company complies with several critical issues under the topic with concrete actions. However, it still needs to take some efforts towards continuous improvement.

	High	The company complies with most key issues under the topic with concrete actions and has established suitable continuous improvement measures.
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Chapter 1 Lafarge Jordan Cement Fuheis Plant

During the visit to Fuheis, the cement plant was closed due to strikes. The cement plant in Fuheis stopped production in 2013, after complaints of nearby communities about the environmental and health impact of the company. The packing and grindings operations in Fuheis were discontinued in 2016.¹³ After that, the plant has maintained operations intermittently while slowly shutting the plant. At the moment of the research, the plant had 174 employees from which a majority were unionised.

1.1 Child labour

The Jordan government has established laws and regulations related to child labour (*ILO C. 138, Minimum Age* and *ILO C. 182, Worst Forms of Child Labor*). No evidence suggests underage workers were employed at the Lafarge Jordan Cement Fuheis Plant. Workers ensured that children are never allowed within the plant, and there are clear safety measures to keep non-authorized individuals from entering the premises. There are no active programs to provide benefits for employees with children such as childcare.

1.2 Forced labour

The country has ratified *ILO Conventions 29 and 105 on the Elimination of Forced Labour and Compulsory Labour*.¹⁴ There is no evidence of forced labour taking place at the Fuheis Plant.

1.3 Freedom of association and collective bargaining

Jordan has only ratified *C098 - Right to Organise and Collective Bargaining Convention, 1949* and not *C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948*. Hence, the fundamental right to freedom of association is not protected within the legal framework.

Nonetheless, it was clear that all direct employees at the plant are unionised. When it comes to subcontracted workers, there is no right to join the union. Concerning the right to strike, it is considerably limited by law. However, during the team's visit at the plant, a strike was ongoing, and workers expressed that they would continue the activity despite the legal consequences it could bring. There is a compulsory recourse to arbitration, complex conciliation and mediation procedures before strike actions which the union officials have taken part in. The Ministry of Labour also imposed mediation during the time of the field visit.¹⁵ Strikes are prohibited during such mediation and arbitration periods, but this was not followed by the union.

1.4 Discrimination

Workers have faced gender discrimination: There is a gender division between jobs at the plant. One woman informed that she was not given the possibility to apply for a position within the company for which she was qualified, but her male colleague could apply for this job.

1.5 Wages

The direct employees are all receiving a salary substantially higher than the Jordan minimum wage. It is paid regularly by a monthly bank transfer, and there is a clear payslip given to each employee. However, the current strike concerns the right to benefits upon dismissal. The company has declared that they will not pay what has been agreed upon within the CBA. Hence, workers have been dismissed without fair compensation.

1.6 Working hours and overtime

Working days are of 8 hours (from 7 AM to 4 PM, including one hour for lunch). Workers do occasional overtime but receive no compensation. Before the Lafarge and Holcim merger in 2015, they worked 6-8 hours a day, sometimes on the weekends as well. But after the merger, they do not work as much as the production has decreased.

1.7 Ethical hiring and contracting

After the merger, many workers were demoted from their grading (from A and B to C and D degree) – however, this happened both men and women. Moreover, the workers stated that there is a practice of exchanging long-term employees for cheaper labour (through traineeships) or through subcontracting.

It was also stressed by the workers that they were feeling psychologically tortured by the management (for example, encountering the premises of the plant surrounded with razor wire in a measure to prevent employees from entering the place. This was after they had been dismissed). The workers jumped over that fence and protested for over nine days until the Ministry of Labour intervened. At the time, the employer, with support from social security, obliged the workers to take paid holiday. This was a move from the management to showcase the workers (using the media) as a burden to the company (they would be staying at home, ditching their jobs, while still being paid).

1.8 Gender equality

Female workers get 90 days of paid maternity leave and one hour a day for breastfeeding, but there is no nursery at the worksite, and neither are childcare allowance or scholarships for children of school age provided. However, workers get some support to pay for the university studies of their children.

None of the female workers has been fired yet, but they expressed concern that they might have to go in the future as part of the company's restructuring plans. Women support the strike because they know that although they have not yet been threatened by dismissal, they will eventually receive a termination letter – so they want to unite with their colleagues and support the cause.

There have been no attempts by the management to coerce women to engage in sex in exchange for more favourable conditions. However, it was implied by the female workers that this practice might not be alien to the management. Nonetheless, they would know where to go to for help in case of sexual harassment.

1.9 Occupational Safety and Health (OSH)

The cement sector is seen as a hazardous sector and therefore requires extensive OSH measures.

The company pays for yearly medical check-ups of respiratory, eye, and sinus diseases. In this context, if workers do not pass the health test, they are not entitled to paid sick leave but sent to a specialist. No one gets paid sick retirement, and the medical checks are very basic. Other workers get PEP and, although the equipment is of good quality, the workers report feeling in danger at work due to the anxiety caused by the perspective of losing their jobs and their benefits. All the workers have access to health insurance, but their access to health care differs between their type of contract. The union do have representation within the health and security officers.

The company provides full coverage in case of accidents in the workplace, but only for the first 90 days. After the 90 days, the employees receive 50 percent of their salary. One of the latest fatalities was by fall from a scaffold. The case is in court as the employee’s family (subcontractor) did not receive compensation for their loss. One of the cancer patients received his 90-day paid sick leave, and when this ended, he was requested by the manager to return for a few days to work so that he could receive another 90 days of paid sick leave.

One of the workers interviewed has worked at the X-ray department for more than 20 years, with daily exposure to X rays of 8 hours a day. The worker never received special equipment to work under those conditions, even though two of his colleagues have passed away because of cancer. The families of the deceased did not receive any compensation from the company either, only from the social security fund.

About 50 percent of the workers interviewed reported facing respiratory problems as a result of working at the cement company, and they indicate that 70 percent of the total workforce at Lafarge suffers from asthma. One of the workers reported having such a severe condition that if he stops taking his medication, he will go immediately into a comma. The company pays for his medication.

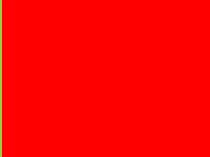
1.10 Conclusions

In Table 5, **Error! Reference source not found.** an overview of the compliance to international and national labour standards is presented. It can be concluded the most severe noncompliance observed was all connected to the use of subcontractors and the lack of implementations of labour policies and standards by these subcontractors and the lack of control mechanisms within the LafargeHolcim operation to monitor these actors.

Table 5 Level of labour compliance at Fuheis plant

Labour issues	Summary of findings	Summary of non-compliance /breach of local and int. labour law	Level of compliance
Child labour	<ul style="list-style-type: none"> No presence of minors in the plant. No childcare facilities. 	<ul style="list-style-type: none"> Article 2(2) of the Convention on the Rights of the Child 	
Forced labour	<ul style="list-style-type: none"> There was no evidence of compulsory or forced labour 	<ul style="list-style-type: none"> C029 - Forced Labour Convention, 1930 (No. 29) C105 - Abolition of Forced Labour Convention, 1957 (No. 105) 	
Freedom of association and	<ul style="list-style-type: none"> Workers are allowed to unionise. 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter VI: Collective 	

collective bargaining	<ul style="list-style-type: none"> Workers right to legally strike is limited 	<p>Agreements. Chapter XI: Trade Unions and Employers' Associations</p> <ul style="list-style-type: none"> C098 - Right to Organise and Collective Bargaining Convention, 1949 C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948. 	
Discrimination	<ul style="list-style-type: none"> Women are not encouraged to apply for positions they are qualified for 	<ul style="list-style-type: none"> ILO C111, Discrimination (Employment and Occupation) Convention, 1958 Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, 	
Wages	<ul style="list-style-type: none"> Minimum wage is provided for all workers. There are great difference in the wages given for subcontracted and direct employees conducting the same labour. 		
Working hours	<ul style="list-style-type: none"> Working days consist of 8 hours and one-hour lunch break, five days a week Overtime is done occasionally but not paid 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter VIII: Organization of Work and Leave Time Articles 2 and 6(2) of the ILO C001 - Hours of Work (Industry) Convention, 1919 	
Ethical hiring and contracting	<ul style="list-style-type: none"> Recruitment procedures Contracts, payslips Great unclarity concerning benefits and rights upon dismissal. 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter IV: Contracts of Employment 	
Gender equality	<ul style="list-style-type: none"> No clear gender policy. Gender divisions as qualification for different positions within the plant 	<ul style="list-style-type: none"> ILO C111, Discrimination (Employment and Occupation) Convention, 1958 Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, 	
Occupation safety and health (OSH)	<ul style="list-style-type: none"> Regular health check-ups. PPEs handed out by the company yearly. 	<ul style="list-style-type: none"> Art. 79 of the Labour Code, No. 8 of 1996. 	

	<ul style="list-style-type: none">• No support for mental issues connected to large changes created from dismissals.	<ul style="list-style-type: none">• ILO C155 - Occupational Safety and Health Convention, 1981.	
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Chapter 2 Lafarge Concrete Jordan Sweileh Plant

This plant has 55 workers, of which 12 are women conducting administrative tasks. Six of the employees are migrant workers from Egypt, and few employees are Jordanian nationals of Palestinian origin. All the workers in this plant are unionised. The plant is independent of Lafarge Cement, and therefore the relation between the union and the management is different (reportedly more positive), compared to order plants.

2.1 Child labour

The Jordan government has established laws and regulations related to child labour (*ILO C. 138, Minimum Age and ILO C. 182, Worst Forms of Child Labor*). No evidence suggests underage workers at the Lafarge Concrete Jordan Sweileh Plant. Workers ensured that children are never allowed within the plant, and there are clear safety measures to keep non-authorized from entering the premises. There are no active programs to provide benefits for employees with children such as childcare.

2.2 Forced labour

The country has ratified *ILO Conventions 29 and 105 on the Elimination of Forced Labour and Compulsory Labour*.¹⁶ According to the plant's management, workers have the possibility to decide the way they want to work (all in the context of the tasks that need to be achieved and OSH measures). This is due to the relative freedom of the management from Lafarge headquarters and ME office.

2.3 Freedom of association and collective bargaining

Jordan has only ratified *C098 - Right to Organise and Collective Bargaining Convention, 1949* and not *C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948*. Hence, the fundamental right to freedom of association is not protected within the country's legal framework.

There is one CBA that covers all the concrete plants (11 plants, with a total of 500 employees) and one CBA for the cement plants. When asked about their relationship to workers and the union, the management perceives itself very flexible and accessible to workers: "the workers feel free to request cash advances and holidays". However, when speaking to union representatives from the plants, it was reported that the collective bargaining agreement (CBA) had not been negotiated for three years and that the current strikes are recurrent due to the immense pressure put on the union and the workers.

2.4 Discrimination

There is hidden discrimination between national and migrant employees. There is no clear division of the activities that are performed by the employees. However, there are still differences in all employee benefits, from wages, right to leave, access to health care and ethical hiring practices. There is no freedom of association for migrant workers.

2.5 Wages

The company provides the workers with monthly payslips, and CBA negotiated salaries. A question that was not answered to the research team was, however, if there was any difference in wages given to migrant workers and the national workers.

Overtime is compensated with 1.5 times the value of a regular hour.

2.6 Working hours and overtime

The regular working times are from 7 AM to 3 PM. Any work conducted after 3 PM is counted as overtime. Some workers get to work up to 14 hours a day, in that case, workers are asked to come later to their next shift and a rest day is mandatory as soon as possible (mostly in the course of the same week). All overtime work is paid.

The company abides by Jordanian labour law which stipulates that mandatory overtime is 2 hours maximum. However, if it is the workers' choice, they might work up to 8 hours overtime a day. There are no night shifts at the plant (they close at 7 PM). However, the plant might be open as late as 10 PM to wait for drivers that transport materials in and out of the plant. The drivers remain within a radius of 35 kilometres.

2.7 Ethical hiring and contracting

All national workers have a fixed contract. Workers who cannot longer perform their tasks as a result of an accident are not dismissed but given a task that conforms to their capabilities. For the migrant workers from Egypt, their contract is renewed yearly on the condition that their work permit is also renewed as required by the immigration office.

With concerns to mechanisms of grievance, there are two avenues for the workers to file complaints: the employee can go directly to the management, or he/she can put his/her anonymous complaint in a grievance box. Employees also have the possibility to send complaints directly to Lafarge's headquarters in France. In this context, the most common grievances concern the distribution of safety shoes. In the past, the company used to provide these twice a year, but the workers requested new shoes every two months. The management currently provides safety shoes every three months.

2.8 Gender equality

From discussions with the HR, it does not appear that the company has clear gender policies, including a policy on sexual harassment at the workplace. Women get 90 days of maternity leave and two paid hours daily for breastfeeding. In 2019, the union signed an agreement to give fathers a 2-day paid paternity leave.

2.9 Occupational Safety and Health (OSH)

With regards to OSH, the interviewed plant managers highlighted some of the measures taken to offset dust. In addition to assuring that the workers wear masks, workers are required to drink milk twice a day. However, except for one worker who is most exposed to dust, the company does not provide the milk to the workers.

The company faces a maximum of 4 road accidents a year. These are not at all severe, mostly scratches when pulling in or out of parking or by-passing other cars. These accidents are usually other drivers' fault. Every month, the union sends a trainer to accompany the driver in its driving and to provide training on safety measures on the road. Every car has a speedometer and a GPS that tracks their trajectory.

One of the laboratory workers interviewed for this study stated not wearing ear protection regularly, although having been provided with this.

The company demands and provides regular health check-ups for all workers. The Ministry of Public Health conducts trimestral check-ups (focused on eyes, lungs, and ear health). Moreover, the Ministry requires an additional yearly check-up for migrant workers to extend these workers' work permit. From the company side, there are biannual health check-ups and a quarterly drug check. Workers who are deemed unfit after the test are moved to other positions within the company (e.g. recently, a driver had a dislocated disk and was reassigned to the scale).

Other OSH practices include notice boards around the compound and security demarcation. There is a reward of 50 JOD (ca. \$ 70 USD) for workers who report near-miss (accidents), and yearly awards to workers that show the most commitment to work safety.

The company's management claims being rigorous regarding OHS policies. A significant challenge, however, is to address workers' cultural belief in destiny (that has them believe they will only suffer an accident if it is in their destiny) prevailing over any OHS preventive measure. To address this situation, the management has tried approaches such as rewarding workers who comply with safety measures. All workers wear safety shoes and vests, but they are hesitant to wear helmets and glasses. The management first gives a verbal warning, then a written notice, if workers fail to comply, then they receive a fine (i.e. a discount on a portion of their salary).

2.10 Conclusions

In Table 6, an overview of the compliance to international and national labour standards is presented. It can be concluded the most severe noncompliance observed was all connected to the use of subcontractors and the lack of implementations of labour policies and standards by these subcontractors and the lack of control mechanisms within the LafargeHolcim operation to monitor these actors.

Table 6 Level of compliance to labour standards at Sweileh plant

Labour issues	Summary of findings	Summary of non-compliance /breach of local and int. labour law	Level of compliance
Child labour	<ul style="list-style-type: none"> No child labour policy No evidence of child labour at the worksite 	Article 2(2) of the Convention on the Rights of the Child	Yellow
Forced labour	<ul style="list-style-type: none"> Overtime is voluntary 	<ul style="list-style-type: none"> C029 - Forced Labour Convention, 1930 (No. 29) C105 - Abolition of Forced Labour Convention, 1957 (No. 105) 	Green
Freedom of association and collective bargaining	<ul style="list-style-type: none"> Freedom to join/form unions Agreements are reached in court 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter VI: Collective Agreements. Chapter XI: Trade 	Orange

	<ul style="list-style-type: none"> • Collective bargaining agreement (CBA) has not been negotiated for 3 years • Strikes are recurrent 	<p>Unions and Employers' Associations</p> <ul style="list-style-type: none"> • C098 - Right to Organise and Collective Bargaining Convention, 1949 • C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948. 	
Discrimination	<ul style="list-style-type: none"> • No evidence of gender-based discrimination • Equal employment opportunities for workers disabled during course of duty. • Differences in all employee benefits provided for migrant and national workers. 	<ul style="list-style-type: none"> • ILO C111, Discrimination (Employment and Occupation) Convention, 1958 • Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, • 	
Wages	<ul style="list-style-type: none"> • Minimum wages are provided to all workers. • Great difference in wage levels between subcontracted workers, migrant workers and direct employees. 		
Working hours	<ul style="list-style-type: none"> • Extensive overtime does take place especially for migrant workers. • Leave is paid 	<ul style="list-style-type: none"> • Jordan Labour Code, Law No. 8 of 1996. Chapter VIII: Organization of Work and Leave Time • Articles 2 and 6(2) of the ILO C001 - Hours of Work (Industry) Convention, 1919 	
Ethical hiring and contracting	<ul style="list-style-type: none"> • Turnover is low and new employees recruited as subcontractors • Contracts and payslips are provided • Training is provided. 	<ul style="list-style-type: none"> • Jordan Labour Code, Law No. 8 of 1996. Chapter IV: Contracts of Employment 	
Gender equality	<ul style="list-style-type: none"> • Equal opportunity for women • Maternity and paternity leave is provided 	<ul style="list-style-type: none"> • ILO C111, Discrimination (Employment and Occupation) Convention, 1958 • Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, 	

Occupation safety and health (OSH)	<ul style="list-style-type: none"> • OSH management system is in place • Some health services are provided (First Aid and medical checks) • PPE is provided, but its use not sufficiently enforced. 	<ul style="list-style-type: none"> • Art. 79 of the Labour Code, No. 8 of 1996. • ILO C155 - Occupational Safety and Health Convention, 1981. 	
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Chapter 3 Lafarge Jordan Cement Rashadiyah Plant

The Rashadiyah plant has 270 employees, of which 65 are currently threatened by loss of employment. Therefore, the workforce, which is fully unionised, is striking (however, production has not stopped during the strikes).

Before the year 2000, this plant belonged to the national cement company. Then Lafarge came with the stated purpose to increase employment and help the development of the region. However, instead of doing as promised, they started reducing the number of personnel to 260. The workers are convinced that the company's purpose is to sell the plant and, to increase their profits due to the high value of the land where the plant is located, they will try to reduce the workforce as much as possible. These developments came very suddenly, and this attributable to the increased competition in the national cement industry, which has reduced profits for Lafarge.

The dismissal is planned in two phases: the first one will include 200 workers at the Rashadiyah plant, the second one should consist of 300 workers in three locations (Rashaydah, Feheis, and the HQs in Amman). In each plant, there is a union committee representative (at this plant, there are two representing the workers at the negotiations between the MoL and the plant's management).

Rashayda plant used to have two production lines, one of them has stopped. This is due to the decrease in production. In 2000, there used to be 2,500 workers. The remaining workers got overloaded with work. The MoL allowed the establishment of more plants saying that there was a need for this, but this drove the unviability of the oldest-existing plant. The workers also complain about the lack of transparency in the decisions that will affect them. Also, they see the government has no intention to lay pathways to secure the workers' future employment.

3.1 Child labour

No evidence suggests underage workers at the Lafarge Jordan Cement Rashadiyah Plant. Workers ensured that children are never allowed within the plant, and there are clear safety measures to keep non-authorized individuals from entering the premises. There are no active programs to provide benefits for employees with children such as childcare.

3.2 Forced labour

The country has ratified *ILO Conventions 29 and 105 on the Elimination of Forced Labour and Compulsory Labour*.¹⁷ There is no evidence of forced labour taking place at the Rashadiyah Plant.

3.3 Freedom of association and collective bargaining

Workers are unionised by default by the union due to its considerable influence at the worksite once they obtain employment. The workers are classified into two groups: contractual workers (temporary workers) and permanent contract workers. Workers belonging to the second group become union members immediately as soon as they are hired, but they might opt not to be union members. Membership fees are 1 JOD per month. Sixty percent of this fee goes directly to the Jordanian Federation of Unions, and the remaining 40 percent goes to the GTUCW.

At this plant, 264 workers have a fixed contract, and 25 are subcontracted. None of the 25 subcontracted workers are union members; they are scared because the management is against the union, so they are afraid to lose their job. These contractors are engineers and production workers.

3.4 Discrimination

There are salary differences between regular and temporary workers. Apart from salary, the difference between these two employment categories is, in general, temporary workers can get the same positions as fixed workers, but they are not entitled to overtime compensation. The management decided that if these workers were to become fixed workers, they would not be entitled to several benefits: health insurance, housing loan, additional salaries (13 and 14 month – plus other bonuses), and university scholarships.

3.5 Wages

The direct employees are all receiving a salary substantially higher than the Jordan minimum wage. It is paid regularly by a monthly bank transfer, and there is a clear payslip given to each employee.

3.6 Working hours and overtime

The working day is of 8.5 hours (starting from 7 AM to 3.30 PM), six days a week. There are three shifts (including night shifts), each of 8.5 hours. All workers do the same shifts (thus, there is no rotation). Maximum overtime work is 8 hours. The law stipulates a maximum of 2 hours overtime, but workers may choose to work a maximum of 8 hours of overtime per day. This means that workers were doing overtime work through two shifts. When people do two shifts in a row, they are obliged to take a rest day. When workers do two consecutive shift days, they do not get extra time off. Payment for extra time or work conducted during the holidays is worth 1.25 the normal per-hour work rate. Those workers who do extra shifts get 40 JOD according to the CBA per day more than workers who do not do overtime.

3.7 Ethical hiring and contracting

The temporary workers have been working at the company for three years. Some renew their contracts on a yearly basis, others every six months. In the past, workers would be hired for a year, after which they would be offered a permanent contract. The last worker employed under this scheme was hired nine years ago. After then, no new permanent contracts have been given. There used to be 31 temporary workers, but as of March 2019, there are only 25. Some workers worry that they will not manage to complete the number of years needed to have access to social security, as they will be dismissed years before their actual retirement age.

3.8 Gender equality

From discussions with the HR, it does not appear that the company has clear gender policies, including a policy on sexual harassment at the workplace. 9 women are working in this plant, conducting high skilled positions. Four of these women have permanent contracts.

3.9 Occupational Safety and Health (OSH)

There have not been any significant accidents, but rather mishaps that required first aid help (cuts). The latest of such accidents happened two months ago. The protocol to deal with these accidents (which is based on social security regulations) involves an assessment of the situation by the social security which determines if the worker is to receive compensation for the accident. The plant gets yearly health checks from the Ministry of Public Health (this is the same systems as in the cement sector). Workers also undergo random drug checks.

The interviewed workers expressed feeling expectant that accidents any time given the workers' mental situation, which is exacerbated by the perspective of losing their jobs. To alleviate this situation, the supervisory staff regularly asks workers not to work long hours to avoid accidents. Some employees use their own cars (not the company's transportation) and the risk of accident increases also because of this situation.

Late 2019, this threat was also felt amongst higher ranking staff, as they were also informed of their impending dismissal. Adding to this is the stigma around mental health, so workers cannot freely speak about the psychological issues posed by this situation and must, therefore, deal with it on their own. Half of the workers have bank loans, and if they lose their jobs, they will not be capable of repaying these loans (thereby facing jail). HR provides no psychosocial help to the workers (these staff members also face the issues workers face).

3.10 Conclusions

In Table 7, an overview of the compliance to international and national labour standards is presented.

Table 7 Level of compliance to labour standards at Rashadiyah plant

Labour issues	Summary of findings	Summary of non-compliance /breach of local and int. labour law	Level of compliance
Child labour	<ul style="list-style-type: none"> No child labour policy No evidence of child labour at the worksite 	<ul style="list-style-type: none"> Article 2(2) of the Convention on the Rights of the Child 	
Forced labour	<ul style="list-style-type: none"> Overtime is voluntary 	<ul style="list-style-type: none"> C029 - Forced Labour Convention, 1930 (No. 29) C105 - Abolition of Forced Labour Convention, 1957 (No. 105) 	
Freedom of association and collective bargaining	<ul style="list-style-type: none"> Freedom to join/form unions Agreements are reached in court Collective bargaining agreement (CBA) has not been negotiated for 3 years Strikes are recurrent 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter VI: Collective Agreements. Chapter XI: Trade Unions and Employers' Associations C098 - Right to Organise and Collective Bargaining Convention, 1949 C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948. 	

Discrimination	<ul style="list-style-type: none"> National and foreign workers have the same conditions No evidence of gender-based discrimination Equal employment opportunities for workers disabled during course of duty Differences in labour conditions between direct employees and subcontracted workers. 	<ul style="list-style-type: none"> ILO C111, Discrimination (Employment and Occupation) Convention, 1958 Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, 	
Wages	<ul style="list-style-type: none"> Minimum wages are provided to all workers 		
Working hours	<ul style="list-style-type: none"> Regular hours and overtime is limited Leave is paid 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter VIII: Organization of Work and Leave Time Articles 2 and 6(2) of the ILO C001 - Hours of Work (Industry) Convention, 1919 	
Ethical hiring and contracting	<ul style="list-style-type: none"> Turnover is low and when new employees recruited they are done so through subcontractors Contracts and payslips are provided Training is provided Great unclarity concerning benefits and rights upon dismissal. Only temporary contracts are given to all types of employees. 	<ul style="list-style-type: none"> Jordan Labour Code, Law No. 8 of 1996. Chapter IV: Contracts of Employment 	
Gender equality	<ul style="list-style-type: none"> Equal opportunity for women Maternity and paternity leave is provided 	<ul style="list-style-type: none"> ILO C111, Discrimination (Employment and Occupation) Convention, 1958 Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, 	
Occupation safety and health (OSH)	<ul style="list-style-type: none"> OSH management system is in place through a clear OHS policy that is enforced by the union 	<ul style="list-style-type: none"> Art. 79 of the Labour Code, No. 8 of 1996. ILO C155 - Occupational Safety and Health Convention, 1981. 	

	<ul style="list-style-type: none">• Some health services are provided (First Aid and medical checks)• PPE is provided, but its use not sufficiently enforced.• No support for mental issues connected to large changes created from dismissals.		
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Chapter 4 Recommendations

Below are several recommendations on each of the topics assessed. LafargeHolcim should endeavour to work in partnership with independent experts and union leaders to develop an action plan for addressing the issues identified and implementing the recommendations outlined.

Child labour

- LafargeHolcim should ensure that there are childcare facilities and support the education of its workers' children.

Freedom of association and collective bargaining

- CBA negotiations should be reintroduced.
- A social dialogue needs to be developed between the management and union.

Discrimination

- LafargeHolcim should ensure equal treatment and the provision of similar welfare facilities for workers irrespective of their type of contract.
- LafargeHolcim should take concrete steps to ensure women's access to all positions within the company.
- Lafarge-Holcim must stop attacking trade union leaders.
- Lafarge-Holcim must comply with labor agreements and labor court decisions.

Wages

- LafargeHolcim should strive to pay decent living wages to all workers on the project, based on well-researched studies on living wages in the construction sector in Jordan.
- LafargeHolcim should ensure that workers can earn a decent wage within ordinary working hours, without engaging in extensive overtime.
- LafargeHolcim should pay workers adequate compensation for their overtime work according to the legal. A transparent mechanism for recording and monitoring workers' overtime should be established.

Working Hours and Overtime

- LafargeHolcim management should establish and enforce a policy that workers' overtime should not exceed the legally allowed maximum. A mechanism for recording and monitoring workers' overtime should be established.
- Before carrying out any overtime work, LafargeHolcim should ensure that workers provide written and signed consent. Workers should be informed of their rights to refuse over time and should not be punished for refusal. Records of these written consents must be kept.

Ethical hiring and contracting

- LafargeHolcim should ensure that upon dismissal, there is a legal and fair process.
- LafargeHolcim should ensure that upon dismissal, and retirement CBA negotiated compensation is provided for all workers.
- LafargeHolcim should ensure that there are mental support accessible for workers through HR in connection to dismissals and changes within the work at the plant.

- LafargeHolcim should ensure that all agreements of subcontractors have clauses on labour conditions and specific requirements for adherence to the labour law and company policies on human resources.
- LafargeHolcim should ensure that the company directly hires the subcontracted workers that perform core activities.

Gender

- LafargeHolcim should establish a gender policy that indicates its commitment to gender equality and the maximum participation of women on equal terms with men in all aspects within the project. The policy should be in line with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979.
- LafargeHolcim should ensure that there is proper documentation of all reported cases of sexual harassment or violence against women at project sites
- LafargeHolcim should immediately establish a formal complaint and grievance system and procedure for reporting all instances of sexual harassment and domestic violence, explicitly including steps to be taken for adequate protection of victims (and witnesses), appropriate medical examination and treatment as well as to involve the authorities and religious leaders. This system and procedure should be mandatorily socialized at least twice a year.

OSH

- LafargeHolcim management should endeavour to provide PPEs with good quality. The company should ensure that all workers are entitled to and given at least four sets of PPEs per year - helmets, boots, gloves, clothing (full overall), reflectors, earplugs, eye protection etc. LafargeHolcim should ensure that it has adequate stock of PPEs and can replace them in no less than a couple of days after the worker makes a request.
- LafargeHolcim should comply with regulations on first aid in the workplace, by making sure that each location or plant site has adequate first aid box with facilities in the form of necessary equipment, supplies, and materials used in administering first aid.
- LafargeHolcim should ensure that each work area at the plant has visible safety warning and emergency signs.
- LafargeHolcim should ensure that all workers, including subcontracted workers, have access to the same health benefits and are subjected to periodical health checks.
- LafargeHolcim should ensure that workers are informed about the health risks of their employment and take all possible measures to minimise the risks to workers health.
- LafargeHolcim should ensure that all subcontracted workers have the right to sick leave and compensation to any work-related injury or health issue.
- LafargeHolcim should ensure that dismissed workers and workers that have received retirement are entitled to health insurance.
- The company should also set up a transparent process to ensure that all workers and ex-employees with work-related health issues get proper medical help.

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