



U.S.-Jordan Free Trade Agreement Stumbles

Human Trafficking, Abuse, Forced Overtime, Primitive Dorm Conditions, Imprisonment and Forcible Deportations of Foreign Guest Workers At the Muse Factory in Jordan

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The Muse Textile factory is reported to be owned by an Israeli, Mr. Musa. In Jordan, the factory is called “Musa Garments.”

There are approximately 209 workers at the Musa factory, of which 181 are foreign guest workers—132 from Bangladesh and 49 from India. Just 27 or so Jordanian workers are employed there.

1.) Human Trafficking: Upon their arrival at the Musa factory, foreign guest workers are stripped of their passports—they are confiscated and withheld by management. Many of the guest workers have been stripped of their passports for two, three or more years. Over the course of years, the workers have repeatedly begged management to return their passports or at least provide them with copies, but management ignored the workers’ pleas.

Of course, withholding the passports of foreign workers is illegal and a serious international human rights crime. The Jordanian Ministry of Labor must explain what went so wrong at the Musa factory.

2.) Primitive Dorm Conditions: According to a Ministry of Labor report (July 9, 2009):
“The general conditions in the dormitories are acceptable. Depending on the size of the dormitory room, it is shared between 4-8 workers. The rooms are regularly cleaned and sufficient toilets and showers are available. Water, electricity and heating are also available.”

However, the foreign guest workers who actually live in the dorm provide a very different account.

As many as 10 workers are crowded into small rooms (approximately 12 by 14 feet), sleeping on double-level bunk beds. There is no shower. In fact, water is available only one or two hours each night. The workers have to save water, using small plastic buckets in order to take sponge baths in the morning. The water is also not potable. The bathrooms are filthy, give off a strong stench, and they

have no doors or lights.

The dorm's roof leaks, and the shoddy electrical system frequently shorts out, burning wires.

There is no proper kitchen. The workers cook within their small rooms.

Contrary to the Ministry of Labor's report, there is no heat or hot water available in dorms, despite winter temperatures that reach the freezing point. In fact, the few small portable room heaters in the dorms were purchased by the workers themselves. The workers pooled their money to buy them.

There are also bed bugs in the dorm, which at times is so infested that the workers have trouble sleeping.

The workers confirm that the primitive, substandard dorm conditions described above have been consistent for at least the last 2 ½ years.

When the workers asked for and demanded regular access to water in their dorm, a supervisor warned them that "if they kept talking like that, he would cut off their penises."

3.) Substandard Food: According to the Ministry of Report, "*Food is provided three times a day—breakfast and dinner in the dormitories and lunch in the factory. The quality and quantity are considered to be sufficient.*"

Once again, the workers who actually have to eat the company food have a very different opinion, describing it as too little and tasting terrible. The food, provided by a subcontractor, is often just half cooked on the outside and raw on the inside. Blood runs from the chicken when they cut it. For breakfast, the workers are fed a piece of pita bread and a cup of tea. As a special treat, three mornings each week, they also receive an egg. Lunch consists of small portions of fish, beef, chicken or eggs with rice. Any worker daring to ask for a second helping is screamed at. The workers take their supper of vegetables and rice in the dorm. As the food provided is insufficient, the workers had to chip in their own money to purchase the cheapest meats or eggs to cook in their dorm rooms.

4.) Forced Overtime and Seven-Day Work Weeks: Again, to quote from the Ministry of Labor report: "*Workers indicated that they voluntarily work on public holidays and that payments for such work are correct...workers indicated they voluntarily work overtime almost every day. On average, they work 2-3 hours overtime each day. Payments for overtime are correct. Occasionally, workers work on Friday. If so, they work voluntarily and are paid correctly.*"

It is unclear what timeframe the Ministry of Labor is referring to, since for the last eight months or so, the workers at Musa have worked very little, if any, overtime. When the worldwide economic recession hit, as of December 2008 all excessive production and overtime work was basically shut down.

Today, standard working hours are from 7:30 a.m. to 4:00 or 4:30 p.m. with Friday off.

However, prior to December 2008, the routine shift at the Musa factory was 12 ½ to 13 ½ hours a day, from 7:30 a.m. to 8:00 or 9:00 p.m. The workers also toiled on Friday, their supposed holiday, from 7:30 a.m. to 2:00 p.m. *All overtime was strictly obligatory. The workers worked seven days a week. Anyone daring to miss an overtime shift was docked two or even three days' wages as punishment.*

It is true, however, as the Ministry of Labor reports, that the workers were paid more or less correctly for both their regular and overtime hours. Prior to the downturn in December 2008, including their excessive mandatory overtime, the workers could earn 150 to 190 Jordanian Dinar (\$211 to \$268 U.S.)

per month.

The workers were also required to work on all Jordanian national holidays, but here the workers were cheated, as they were paid straight time and not the overtime premium legally due them.

Since Jordanians will not work in their country's garment factories, tens of thousands of foreign guest workers have had to be recruited. The guest workers come from Bangladesh, China, India, Sri Lanka, Nepal and other countries. They all come for one reason only: to earn as much money as they possibly can to pay off the debts they incurred to purchase their three-year work contracts in Jordan, and to send money home to their families.

At the Musa factory, prior to the recession and worldwide collapse of the apparel industry, the workers toiled seven days a week, racking up huge amounts of overtime. There were many illegal abuses, such as the excessive overtime, seven-day work weeks, work on national holidays, and so on, but the workers could put up with it all as long as they were supporting their families. This was their sacrifice.

5.) A Failure to Communicate: It is important to understand how these factories function. As mentioned above, it is believed that the Muse Textiles factory is owned by a Mr. Musa, an Israeli, who rarely visits the factory. The general manager of the plant is Mr. Riad, who is Palestinian. Given the large number of Bangladeshi workers at the factory, four out of five top supervisors are also Bangladeshi. There is actually a term, "*head Bengali*," for the senior Bangladeshi supervisor, **Mr. Rezaul**. Another important supervisor is **Mr. Mosharraf**, who is in charge of production. These supervisors can earn four times what the workers do. Their job is to drive the workers as hard as they can and to spy on and control the workers.

It was on June 16 that the trouble started. When the workers complained once again about the lack of water in their dorm, **Mr. Rezaul publicly mocked the male workers, saying he would cut off their penises if they continued to complain.** Tempers were growing short. Around that same time, 10:00 a.m. on Tuesday, June 16, *the production supervisor, Mr. Mosharraf, slapped a women sewing operator, Ms. Lovely, very hard in the face* for failing to meet her production goal. Many workers witnessed this and anger spread throughout the factory. Tension and anger had been building up for months, and emotions were reaching the boiling point.

When the recession hit, around December 2008, management responded with an arbitrary speed-up in production. What the workers had produced in 12 ½ or 13 ½ hours, working from 7:30 a.m. to 8:00 or 9:00 p.m., management now wanted them to make in just 8 ½ to nine hours, working from 7:30 a.m. to 4:00 or 4:30 p.m. Sewers who had a target of 30 pieces an hour, were now told that they had to complete 40 pieces an hour. Mr. Mosharraf slapped Ms. Lovely when she argued with him, explaining that the production goal was unrealistic and impossible to reach.

All the Bangladeshi workers united. They appealed to the general manager, Mr. Riad, saying that if the very abusive "head Bengali," Mr. Rezaul, stayed, they would not work. The same went for Mr. Mosharraf, who slapped the woman worker.

Mr. Riad reportedly told the workers to go home to their dorm, and that "*I'll see. I'll see tomorrow,*" half promising that the abusive supervisor would be fired. Again, the general manager asked everyone to go home back to the dorm and come back tomorrow. The workers stayed in the factory until about 3:00 p.m., but did not work.

Around 11:00 a.m., 10 to 12 policemen entered the factory. A few guest workers who understood a little Arabic heard the police threatening, "*work, or you'll be handcuffed and imprisoned.*"

Mr. Riad once again asked the workers to return to the dorm, and they did so at around 3:00 p.m. The

workers did not see this as a strike. It was the general manager who told them to go home and return tomorrow.

The workers had many grievances: Ms. Lovely being slapped; the filthy and humiliating threats by Mr. Rezaul; the excessive production goals; lack of water in their dorm; the lack of overtime which hindered their ability to send money home; being forced to work on national holidays while being paid for just regular hours; that workers who due to various emergencies had to return home were obligated to purchase their own plane tickets; the lack of adequate health care—a doctor came to the factory once a week and at most handed out prescriptions which the workers could not afford to fill) etc.

On June 17, the management did not send the bus to bring the workers from their dorm to the factory. In fact, the factory gate was chained shut, and the Bangladeshi workers were locked out.

On Sunday, June 21, a delegation of Musa workers walked 3 ½ hours to appeal to the Labor Court. There was not much of a discussion, but the workers were told that if they did not return to work within 48 hours, they would be fined 50 JD (\$70.52 U.S.)—about two weeks' wages—for the first day and 5 JD (\$7.05 U.S., more than they earned in a day) for each day after that.

On June 24, the workers met with an official from the Bangladeshi Embassy, Mr. Shakil, and a local representative of the Ministry of Labor office at Al Hassan. According to the workers, the Ministry of Labor official behaved very rudely, shouting at the workers that “*if you don't listen to us, we will call the police and have you all arrested.*” He also threatened that food would be cut off if they did not return to work. (In fact, it appears that all food was cut off on Saturday, June 20.) The Bangladesh Embassy official essentially explained that he had no power to help.

On July 2, the general manager, Mr. Riad, met very briefly with the workers, telling them they must either return to work or “*I'll call the police and stop the food.*” (Though the food had already been stopped.) Mr. Shakil, the Bangladesh Embassy official, was again present. The workers wanted to return to the factory but asked the Embassy official for help. They would return to the factory, but they wanted their passports back and a guarantee that they would not be beaten by the police. The desperate workers kept pleading with the Embassy official, begging : “*You are a Bangladeshi official. Please, you must help us. We have nowhere else to turn to.*” Mr. Shakil responded as he had in the past, saying, “*I have no power and there is nothing I can do here.*” The workers begged him again to arrange an agreement so they could enter the factory to work. When the workers, who had gathered around the Embassy official's car, continued to plead for help, Mr. Shakil called the police. The workers had peacefully blocked his car for 30 to 40 minutes.

The police arrived and beat five workers, including women, who were visibly bruised and bleeding. At that point, to protect their co-workers, some workers did throw stones at the police, who were beating the women.

On July 5, as the workers put it, “*We surrendered to the boss.*” They knew they would never receive justice. So, in desperation, they agreed to whatever the owner said. They would pay the fine of over 200 JD (\$282) if they had to.

On July 6, Musa supervisors came to the dorm and picked out about half the workers, asking that they return to the factory immediately. The other half were told they would return to work the following day, July 7.

Instead, around 2:00 p.m. on July 6, about 50 police charged the dormitory and took 24 workers—10 men and 14 women, to prison. The men were taken out in handcuffs. Several of the women were not allowed to fully clothe themselves before being dragged out, which for them was a great humiliation.

Of the 24 workers taken to the police station, 18 were freed. But six workers were imprisoned from July 6 to July 15, when they were forcibly deported without any of their personal belongings.

Two of the six workers, both women, were beaten in prison. One was slapped, and the other kicked when they asked why they were being arrested. Conditions in the prison were very poor. The workers had no mattresses, no pillows, little food, and unsafe drinking water. They only got by because the husband of one of the imprisoned women brought her food every day, which she shared with the other workers.

In another bizarre police action, the imprisoned workers were told to give the names of their closest friends to the police, supposedly so they could retrieve their personal belongings. But when the six workers, including one supervisor, showed up at the police station at 5:00 p.m., *they too were arrested. To date, no one knows where these six workers are being held.*

According to the Ministry of Labor report, “*...the six workers in question were detained for repatriation by order of the Ministry of Interior on request of the governor by letter of June 30. The reasons for the detention relate to their involvement in activities contravening public security and are not related to their possible involvement in the strike.*”

The six imprisoned and forcibly deported workers—three men and three women—had all worked in Jordan for up to five years without a single incident or complaint against them.

Not only have the six workers been forcibly deported, but six more Musa workers apparently remain imprisoned in an unknown location. Moreover, conditions remain miserable for the workers who are still working at the Musa factory. The workers’ passports are still being illegally withheld! And they are now being threatened that they too will be imprisoned if they fail to reach their mandatory production goals. There are also constant threats of forcible deportation. The workers are terrified since management continues to target the most outspoken workers.

The Jordanian Ministry of Labor’s report, “*Musa Garments,*” released on July 9, 2009, is badly flawed, with numerous factual errors. Worse still, six workers were forcibly deported just days after the Ministry of Labor gave its assurance that no action would be taken against the workers pending a full review. It is extremely disturbing that the Ministry of Labor is apparently unaware that the foreign guest workers at the Musa factory have for the last several years been illegally stripped of their passports, which have been held by management. Human trafficking is an international human rights crime.

It is not the role of the Ministry of Labor to be an advocate for the foreign guest workers. However, given the special circumstances of the foreign guest workers, who do not speak Arabic, who have little or no contact with Jordanian unions or NGOs and whose embassy is rarely helpful, the Ministry of Labor must at least strive to be objective and open.

On July 18, the National Labor Committee travelled to Bangladesh and was able to interview four of the six workers deported from the Musa factory: Ms. Khadija (passport D 0456612), Ms. Nasrin (ID# 718, passport V 0974839), Ms. Sufia (ID# 807, passport P 0695276) and Mr. Yasin (ID# 710, passport V 0807588). We found their account to be credible and honest. The family homes of the two other workers, Mr. Nazrul (ID# 614,--passport B 0656397) and Mr. Habib, were too far from Dhaka for them to attend the meeting with us.

The six deported workers are owed an apology by the Ministry of Labor, along with significant back wages and benefits still owed them. Their personal belongings must be returned. One of the workers was actually deported barefoot.

There are 11 months left on the work contract that these workers signed with the Musa garment factory. They must be paid their regular wages for those eleven months. These deported workers have all been in Jordan more than five years. For each year, they are due 14 days of vacation pay. It appears the Jordanian government may have utilized the workers' outstanding Social Security benefits, which they were legally due, to purchase the airline tickets to forcibly deport them. This must be illegal and is certainly immoral. Not only were these Bangladeshi workers illegally stripped of their passports when they reached the Musa factory, but for the first year, they also worked without a contract, which means they were cheated even further on their Social Security benefits.

The six workers who remain imprisoned in an unknown location must be immediately released.

The Musa garment factory should be immediately brought into compliance with Jordanian labor law and the ILO's internationally recognized worker rights standards.

Below:

-- Ministry of Labor Report, July 9, 2009

-- One of labels produced in the factory

-- Photo

MUSA GARMENTS

Further to the information provided by the NLC in a number of emails sent during the period 4-9 July 2009, the Inspectorate can provide the findings below. These findings are based on information available through regular inspections undertaken as well as factory visits undertaken to specifically verify the information provided by the NLC. Inspection visits are undertaken by teams that include staff who speak the languages of guest workers.

Musa factory

Musa Garments was established in Jordan in 2006. It currently has 209 workers, of which 132 are from Bangladesh, 49 from India, and 27 from Jordan.

Strike action

On June 17, 128 Bangladeshi workers at Musa garments went on strike. Local labour inspectors met with the workers on that day and were informed by the workers that their demands were 1) to deport 4 Bangladeshi supervisors who they claimed verbally abused the workers, and 2) a guarantee of 4 hours of over time every day.

The Labour Inspectorate attempted to negotiate an agreement but management and the workers were not willing to compromise. The workers were informed by the Inspectorate that their strike was illegal given that they had not provided the legally required notice and on June 21 issued a formal warning to the workers informing them they had to return to work within 48 hours and that they may be subject to the imposition of legal fines should they not do so.

On June 28, the Ambassador of Bangladesh met with the workers to try and negotiate a compromise but was unsuccessful. On July 2, an Embassy official and the Director of the local Inspectorate made further

attempts to negotiate a compromise. The Embassy official was taken hostage by the workers who injured him during the related altercation. He subsequently requested police assistance. According to the police, when they arrived on the scene they did not intervene although the workers threw rocks at them. It appears that several workers were injured in the altercation surrounding the hostage taking. On the other hand, workers allege that the police did intervene leading to minor injuries of four workers.

During the strike a number of workers indicated they wanted to return to work but were prevented to do so, partly through threats and physical violence, by a small group of workers also on strike. On 6 July, 105 workers returned to work and 23 workers remain on strike.

On 7 July, the Director of the Inspectorate and a representative from the National Centre for Human Rights visited the factory and met with management and workers. The workers provided different and non-uniform reasons for going on strike (one abusive supervisor, lack of water in the dormitories due to a mechanical failure). None of the workers interviewed indicated that the reason for the strike was the refusal of management to provide tickets to the four workers indicated by the NLC.

Detained workers

The NLC alleges that a number of workers are imprisoned for their role in organizing the strike. However, the six workers in question were detained for repatriation by order of the Ministry of Interior on request of the Governor by letter of June 30. The reasons for the detention relate to their involvement in activities contravening public security and are not related to their possible involvement in the strike. The Ministry of Interior approved the request on July 5 and police subsequently detained the workers on July 6.

Wage payments

Wage payments are correct and generally paid between 7 and 10 of each month. The NLC is correct in that the May salaries were not paid until June 13.

Paid holidays

Workers indicated that they voluntarily work on public holidays and that payments for such work are correct. Wage payments for work on the public holiday were not made on time because a number of workers refused to receive these wages because they had gone strike. These payments were available at that time though.

Over time

Workers indicated they voluntarily work over time almost every day. On average they work 2-3 hours over time each day. Payments for over time are correct. Occasionally, workers work on Friday. If so, they work voluntary and are paid correctly.

Dormitories

The general conditions in the dormitories are acceptable. Depending on the size of the dormitory room it is shared between 4-8 workers. The rooms are regularly cleaned and sufficient toilets and showers are available. Water, electricity and heating are also available.

Food

Food is provided three times a day – breakfast and dinner in the dormitories and lunch in the factory. The quality and quantity are considered to be sufficient. During the strike breakfast and dinner were

