

Thirty Questions Guide

Achieving Equal Opportunities in the
Workplace for Persons with Disabilities



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Foreword

The subject of the rights of persons with disabilities has witnessed a series of diversions and developments over the past two decades that have positioned it as one of the most developed and most pragmatic areas of human rights in terms of concepts and ideologies, and also in respect to practices and behaviors. The dynamic nature of the rights and issues related to persons with disabilities has provoked civil society organizations to change existing policies, legislations, and practices from following a fostering approach that demoted the rights of people with disabilities to the status of social welfare that took away people with disabilities' strength and diluted applying a rights-based approach to this issue. Jordan has been one of the countries that embraced this change, not as an observer or theorizer, but as an active participant in pushing this development towards its ultimate goal. Jordan's position is apparent in the issuance of the first law for people with disabilities in 1993. Moreover, Jordan played an active role in formulating and drafting the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities, which the United Nations adopted in 1993. To maintain this momentum, Jordan contributed to the drafting of the Convention on the Rights of Persons with Disabilities (CRPD), and was one of the first countries that ratified it and promulgate it in its Official Gazette in 2008. In a pioneering step, Jordan drafted a new law to implement the CRPD, which involved organizations addressing the needs and rights of disabled persons and civil society activists in general.

The right to work is at the top of the priorities of youth and stakeholders in the community in general, and among persons with disabilities in particular. The indicators derived from the work of various agencies, whether in the form of research or field work, confirm a gap in this regard that needs to be addressed to guarantee equal and suitable employment opportunities for persons with disabilities. Moreover, the results of the official report of the Higher Council for Persons with Disabilities, which was submitted to the United Nations, and also the findings and recommendations of the Report of Civil Society on the status of implementation of the CRPD, and the census and classification activities conducted by the Department of Statistics, as well as other research activities conducted by a number of organizations and centers all show that stereotypical perceptions of persons with disabilities have played a major role in restricting their right of work on both the legislative and practical levels.

This "Thirty Questions Guide" is the first guide that addresses the various stages of work and employment based on the principles of the CRPD and its relevant detailed provisions. This document paves the way for work that needs to be carried out through the combined efforts of governmental and non-governmental organizations to realize a workplace environment that is free of physical obstacles and behavioral barriers for persons with disabilities, and where the values of human rights, diversity, and the acceptance of others prevail in a manner that achieves equal opportunities and eliminates discrimination for all. This document serves as an essential reference for employers from both the public and private sectors, and is also a reference that persons with disabilities themselves should utilize to demand that the necessary accommodation for facilitating work and accessibility to work are in place in the workplace.

We aspire for a labor market where everyone enjoys equal opportunities and full rights. We are confident that this document will lead to a legal and practical reality where persons with disabilities become an integral part of society's workforce in a manner that is not affected by the narrow medical definition of disability and the stereotypes that accompany it, and that it will reinforce the values and culture of diversity among human beings.

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Chairman

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Acknowledgement & Credit

This “Thirty Questions Guide,” which includes guiding principles to achieve equal opportunities in the workplace for persons with disabilities, is considered one of the most important resources to be provided by the Jordan Civil Society Program (CSP), funded by the United States Agency for International Development (USAID), and implemented in partnership with The Higher Council for Affairs of Persons with Disabilities (HCD). It provides a direct response to the status of the employment of people with disabilities, and provides a substantial leap forward in this arena through a rights-based approach.

The Jordan Civil Society Project would like to take this opportunity to express its appreciation to H.E. Dr. Muhannad Salah Alazzeah for the development of this guide.

CSP would also like to extend its thanks to all those who contributed to the development of this guide, and to its review, and editing particularly Ms. Ghada Al Sharif and Mr. Daniel Sharaiha. CSP hopes that human resources departments and administrators in both the public and private sectors will read, approve, and adopt this guide to achieve equal employment opportunities for persons with disabilities in their institutions.



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GLOSSARY

TERM

Convention on Rights of Persons with Disability

Accessible Furniture

The National Strategy for Disabled Persons

Light Alarm (colored and vibrated)

Persons with Disabilities

DEFINITION

One of the legally binding basic human rights conventions adopted by the General Assembly of the United Nations in 2006. It was ratified and published in the Official Gazette by Jordan in 2008, thus became an integral part of the country's legally-binding legislations.

Refers to all types of furniture (e.g. desks, chairs, beds, wardrobes, etc.) that are moveable and height-adjustable. The lower side of accessible tables should be hollow and free of any metal pieces that may prevent wheelchairs from moving underneath or do not allow a person to place his or her legs under the table freely.

A national document issued upon the directives of His Majesty King Abdullah II in 2007. It includes two phases, Phase I (2007-2009) and Phase II (2010-2015). The strategy includes different themes, under each of which there are programs and activities that must be implemented in a specific period of time, such as education, employment, health, protection from violence, etc.

Powerful lighting feature that generates perceivable vibration. This feature is added to fire alarms and dangerous machinery and landlines in order to alert deaf persons. Moreover, this feature is inexpensive and can be easily installed by any engineer or skilled technician. Most new phones come equipped with it.

Those who have long-term physical, mental, intellectual, or sensory impairments that, in interaction with various attitudinal and environmental barriers, hinder their full and effective participation in society on an equal basis with others. (UN Definition)



TERM

Persons with Mental Disability

Visual Disability

Physical Disability

Physiological Disability

Accessibility

Reasonable Accommodation

Universal Design

DEFINITION

Persons who have intellectual or mental disabilities including developmental disabilities, learning difficulties, autism, and Down Syndrome.

Total or partial loss of vision.

Disability related to one of the functions of the senses or body parts pertaining to mobility or height. This includes disabilities of the upper and lower muscles, curvatures and limb length disparity, and abnormal height, etc.

Disability related to the symptoms of psychological health. Often, the term "mental disability" is used interchangeably to refer to psychiatric disabilities, but work done by researchers and international disability movements apt for the term 'mental disability/health' to refer to literal psychological disabilities. Forms of psychological disabilities include schizophrenia and different types of depression and phobias.

Removal of all types of physical obstacles from all facilities and buildings so that they become accessible to people with disabilities and others.

All the needs of people with disabilities including tools, equipment, communication means, physical conditions and time requirements (to complete a test, etc.) that allow them to exercise their rights and freedoms on an equal basis with others.

Integrating the requirements of persons with disabilities in the original design of the product so it will not need modifications for accommodation, thus eventually reducing the overall cost of the product.

TERM

Interaction
between
Disability,
Obstacles, and
Barriers

Large Size Font

Accessible
Toilets

DEFINITION

All types of disabilities listed in this table restrict any person living without the required accessibility and reasonable accommodation. This puts the person with disability at the risk of facing physical and medical obstacles and barriers within their environment. The absence of reasonable accommodation and accessibility generates a situation of exclusion and discrimination. Not only does this make such restrictions and limitations inevitable, but it also may deprive disabled people from exercising their rights and freedoms on an equal basis with others. For example, a deaf person will not be able to communicate with the surrounding environment unless a sign language interpreter or a friend or relative who can use sign language is available. The same applies to a blind person whose ability to access education, information, and employment will not be possible unless Braille or screen reader software are provided. As for people with intellectual disabilities, they will not be able to exercise their rights and freedoms if not provided with information in a simplified language. This is also applicable to people with psychological disabilities, who will be excluded, due to attitude barriers and stereotypes.

Large size or double size letters that help persons with visual problems read texts. Special and inexpensive software and programs may be installed on computers to double the size of electronic text, thus helping persons with visual difficulties read what he or she prints on the screen.

Toilets that have sufficient space to accommodate wheelchairs and allow them to rotate freely without hitting barriers. They also have wheelchair-height wash basins and water taps that have ample space underneath them. The height of toilet seats should allow disabled persons to move from and to their wheelchairs easily. Metal grab-bars and handrails are installed at the



TERM	DEFINITION
	sides of the toilet so they may be easily grabbed while sitting on the toilet and when moving from and to the wheelchair. It is advisable that the toilet door opens outwards to provide maximum space and convenience for people with physical disabilities when entering and leaving the toilet. These accommodations are inexpensive if the required space is available. Many institutions have begun retro-fitting their toilets without facing any noticeable difficulty.
Deaf Person	A person who has more than 90% hearing ability loss.
Person with Poor Hearing	A person who can hear sounds and communicate in words either with hearing aids or if the volume of voice is increased while observing the movement of lips in some cases.
Braille	A system consisting of raised dots on carton paper symbolizing letters or words that are used by people with visual disabilities to read and write. It is a cost-effective system that uses a simple typing machine called "Perkins". Transformers that convert electronic texts into Braille also exist.
Screen Reader	Computer software that is easily uploaded to computers and that converts text appearing on the screen to sounds in order to help blind persons read and write, surf the internet, as well as print texts and convert them into different formats. The screen reader is available in both Arabic and English and is developed by different companies such as: Jaws, Hal and Ibsaar. Moreover, there exists open source software which is available in the market at reasonable prices. The most popular brand is NVDA.

TERM

The Disabled
People Rights
Law No.(31) for
2007

Sign Language

Simplified
Language

Flexible
Keyboard and
Mouse

DEFINITION

A Law issued in 2007 in Jordan that includes a number of articles addressing education, health, employment, participation in political life, and establishing the Higher Council for the Affairs of Persons with Disabilities.

The language that deaf people use to communicate. It is an independent operative language and is not illustrative signals as some people think. It depends on hand signals, facial expressions and body language; each word has its own sign, and for some vocabularies that do not have signs, deaf persons try to understand the meaning of the words through explanation, and then they develop a specific sign for it as they see appropriate.

Explaining a certain content using simplified rather than complicated terms. Slang language is an option to simplify words or meanings in this regard to ensure communicating complex messages to people with intellectual disabilities. The level of simplification varies from one person to another depending on the level of disability. It is important that the simplified language delivers the message accurately. The persons who develop these simpler forms should be specialized in the field and qualified in communicating with people with intellectual disabilities to ensure that meanings are communicated efficiently and effectively.

Includes custom-made keys that are specially-designed to be compatible with the finger movements of persons with disabilities in their upper limbs. They are inexpensive, come in different designs, and do not need any actual adjustments that may increase the cost of production.



TERM

Sign Language Interpreters

Talking Phones

Text Phones

DEFINITION

Individuals who facilitate communication between people with hearing disabilities and others. They are highly-skilled in sign language and its interpretation into words and vice versa. The person with disability is best suited to select the most suitable sign interpreter for his/her needs. Any person can learn sign language through organized training courses by the societies and clubs concerned with deaf persons as well as by the Higher Council for the Affairs of Persons with Disabilities.

Ordinary mobile phones that are uploaded with a special program that allows them to become a talking phone. The program features a special application that reads aloud whatever is on the screen and is available in English and Arabic, as well as other languages. A number of mobile phone companies have incorporated features in the designs of their phones to accommodate the needs of the deaf. Some provide talking phones; others feature screen magnifiers or voice magnifiers in their original designs as is the case with the I-phone and other Apple products.

Cell phones that convert spoken words into readable text, thus allowing deaf persons to communicate with others.



Introduction

The right to work not only has a direct impact on the lives of people, but is also an indicator of a healthy economy and of the prevalence of social justice, which forms the cornerstone of people's demands in any nation to achieve justice and equal opportunities. The right to work is more significant to persons with disabilities, who are affected - just like everyone else - by the increase of public debt, budget deficits, and high unemployment rates. Furthermore, people with disabilities carry an additional burden that is not their responsibility, but is the result of physical obstacles and barriers connected to the lack of accessibility and accommodation, and that are over and above the social barriers resulting from deep-rooted stereo types regarding disability that exist in the common social conscience. Accordingly, the UN Convention on the Rights of Persons with Disabilities (CRPD)⁽¹⁾ came into existence. It is the first international, common document that is binding to the states that have ratified it. It reinforces the new concepts and basic principles guaranteeing non-discrimination on the basis of disability, and guarantees that persons with disabilities exercise their rights and freedoms on an equal basis with others. Jordan was one of the first countries to ratify the Convention in 2008, and promulgated it in the Official Gazette to become an integral part of the country's national legislation.

The momentum build by the CRPD supported other national level initiatives with respect to the right to work, as follows:

1. The issuance of the new Law on the "Rights of Persons with Disabilities" No.(31) for the year 2007, which includes in Paragraph C of Article (4) clauses on the

right to work. These include articles related to specifying an employment quota for persons with disabilities in both the public and private sectors, and the affirmation of the compulsory provision of reasonable accommodation and vocational training programs.

2. The amendment of Article (13) of the Labor Law to refer to the Law of the Rights of Persons with Disabilities No.(31) for the year 2007⁽²⁾ concerning the employment quota scheme for persons with disabilities, which increased from 2% according to the cancelled law issued in 1993 to 4% in the current law.

3. A number of positive initiatives have been carried out by the Civil Service Bureau, the Ministry of Labor, and the Higher Council for the Affairs of Persons with Disabilities (HCD). The purpose of all these initiatives is to create more jobs and employment opportunities for persons with disabilities according to their qualifications and work experience.

4. A number of research initiatives have emerged to shed light on the employment of persons with disabilities. The following is a list of a few of the initiatives:

- The Department of Statistics conducted a survey that provided estimated numbers and classifications of employed persons with disabilities. The survey took into account the last census which was conducted in 2004.
- Labor-Watch of the Phenix Center for Economic and Informatics Studies conducted a study⁽³⁾ addressing the rate of unemployment among persons with disabilities who benefit from employment and loan projects, including the Development and Employment Fund. The findings of this study indicated that the employment of persons with disabilities is currently facing major obstacles.

1 <http://www.ohchr.org/ar/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>

2 http://www.lob.gov.jo/ui/laws/search_no.jsp?year=2007&no=31

3 Labor-Watch's Report on Employment for Disabled People in Jordan – Great Ambitions and Difficult Reality, December 2009, http://www.labor-watch.net/files/2011/Employment_for_Disabled_People_in_Jordan.pdf

- The Status Report on the Implementation of the Convention on the Rights of Persons with Disabilities in Jordan, which was prepared by a Civil Society Coalition and released in 2012⁽⁴⁾. The report included a broad analysis of the laws and policies relating to work and employment in Jordan, in addition to an analysis of the practical practices derived from case studies and various real-life experiences.

5. Dedicating a special section in the National Strategy for Disabled Persons on the employment of persons with disabilities. This section includes a number of programs and activities that need to be implemented by 2015. All these activities and programs aim at enforcing the provisions of the law and promoting the ability of persons with disabilities to exercise their right to work.

Despite the positive initiatives that have been and are still being conducted to promote the right of persons with disabilities to access the labor market and the opportunities it may offer, the findings of the analysis of policies, legislation, and practices pertaining to the right to work indicate that this right still requires further legislation and actions that would achieve a minimum level of fairness and equal opportunities. Such findings have been concluded from the reports and studies mentioned above as well as the recent survey conducted by CSP, which is funded by USAID and implemented by FHI360 in cooperation with HCD.

Equal Opportunities Committee: Legal Basis and Purpose

The findings of the Civil Society Coalition report, particularly the section related to the right to work, have provided positive momentum to male and female activists in the area of disabilities. Through the support of CSP along with the cooperation

of HCD, activists were encouraged to think of more effective solutions and alternatives to realize the right of persons with disabilities to work in an environment that is free from obstacles and attitude barriers. The report has highlighted two major reasons that play a big role in excluding persons with disabilities from the labor market and from employment in the public sector, and depriving them from obtaining opportunities equal to their non-disabled peers. These reasons are as follows:

1. The national legislations, specifically the Medical Committees Regulations No. 58 for the year 1977, and the Civil Service Bureau by laws for the year 2006, which is derived from the Medical Committees Regulation. The problem lies in the fact that the latter refers to medical reports as the sole prerequisite for obtaining the right of employment by persons with disabilities. In other words, persons with disabilities applying for a job in the public sector must get clearance reports from the District Committees of the Ministry of Health. Not only do these District Committees describe the disability in its physical sense, but also judge whether the applicant is "fit" or not for assuming the job he/she was nominated to assume. The work of these committees is based on and refers to established tables that classify each disability and its nature without further examination, treating all levels of the same disability as one. These tables are appended to the medical committees' regulations. The medical committees' regulations stipulate (in Article 13) that a person is not considered "fit" for a job if he or she has any of the disabilities mentioned in these tables, with few exceptions. Furthermore, Article (16) of the same regulations states that the sole authority to employ persons with disabilities lies with the Minister of Health, who upon written request, can choose to offer exemptions from the law despite the disqualification of the medical report.

4 The Civil Society Organizations' Status Report: the Implementation of the Convention on the Rights of Persons with Disabilities in Jordan, 2012. See: <http://www.crpjordan.org>

2. A lack or shortage of accessibility and reasonable accommodation in the workplace, in addition to the deeply rooted stereotypes that exist among employers regarding persons with disabilities, especially in respect to their productivity and performance. In fact, it is widely believed – a belief that is fueled by inherited social misconceptions - that "capacity" depends on both the health and disability of people. According to this belief, the relation between the two (i.e. capacity and health) is inverse; that is, if a person has a disability, his or her "ability to perform the tasks of the job" is less likely, and vice versa. Since work is based on a contractual relationship whereby both employers and employees seek revenues and profit, the fear of "inability" makes employers, especially in the private sector, reluctant to employ or hire persons with disabilities due to mere economic calculations that overlook other factors.

The idea to form an Equal Opportunities Committee emerged to provide an alternative mechanism to the "medical fitness reports" as an arbiter of the capability of a person with disability to work, and to reinforce the sound concepts included in the CRPD and stipulated in the Rights of Persons with Disabilities Law No. 31 for the year 2007. This will serve to clarify the concepts of (i) non-discrimination, (ii) accessibility, (iii) accommodation, (iv) equal opportunities, (v) and integration of the rights of persons with disabilities and their issues in policies, legislations, and programs relating to the right to work in both the public and private sectors.

In December 2012, CSP, in cooperation with a group of activists, submitted a proposal to HCD to form an Equal Opportunities Committee. The Council welcomed the idea and provided full support. Accordingly, the proposal was presented to the members of the Board of Directors, who also supported the forming of a Committee. The outcome of this process was the decision to officially adopt the proposal in early 2013. Following adoption, many

meetings were conducted with relevant authorities such as the Civil Service Bureau, the Ministry of Labor, Jordan Chamber of Commerce, Jordan Chamber of Industry, the Ministry of Health, the Jordanian National Commission for Women, and a number of organizations and societies concerned with persons with disabilities. All have shown exceptional and whole hearted support for the proposal. Afterwards, meetings and consultations took place until the Equal Opportunities Committee for Persons with Disabilities was eventually formulated and established.

Purpose and Target Groups

This document encompasses the principles and guidelines that contribute to creating a workplace that is free of physical obstacles and behavioral barriers; whereby fairness and equal opportunities for people with disabilities can be achieved through the provision of accessibility, reasonable accommodation, universal design, and removing behavioral barriers. The mechanism through which this may be achieved should be apparent in all stages of work and employment: designing the job or vacancy, advertising the job and recruitment procedures, commencing the job, performing the required tasks and career advancement, and leaving the job either voluntarily or involuntarily.

The following document includes detailed procedures on the types of reasonable accommodation, and provides practical examples for each type of accommodation covering the details of the various stages of work. This includes (i) conducting interviews, (ii) designing job applications, (iii) workplace day-to-day communication and interaction, (iv) salaries, (v) promotion, (vi) training, (vii) scholarships, (viii) grievances, (ix) penalties and disciplinary actions, (x) resignation, (xi) retirement, and (xii) employment termination. These procedures and processes could be used as a reference by different institutions such as:

- Governmental, semi-governmental, and national institutions;
- Private sector;
- Voluntary sector and NGOs;
- Special projects.

All should treat this document as a reference for departments and individuals working with persons with disabilities, including:

- Policy makers and decision-makers in the field of the right to work, whether in the public, private, or voluntary sectors;
- Human resources managers;
- Administrators, i.e. managers, supervisors, trainers, and staff;
- Employees and staff engaged with persons with disabilities in the workplace;
- Researchers and journalists interested in human rights and the rights of persons with disabilities, particularly the right to work;
- Human rights organizations that monitor the commitment of the state, including all its sectors, to promote and guarantee that persons with disabilities exercise their rights, especially the right to work.
- Organizations of persons with disabilities that defend the rights of the people they represent and monitor any violations committed against them.
- The Equal Opportunities Committee, which was mentioned above, will refer primarily to this document to survey the workplace and reassure its compatibility and compliance with the requirements stipulated for achieving equal opportunities, equity, and non-discrimination in relation to persons with disabilities.



Chapter One



General Pillars and Principles of Employment

Q1

What is the definition of a person with disability and what are some of the obstacles preventing them from full inclusion in the labor market?

Answer 1

A person with disability can be defined as someone with a physical, intellectual or psychological disability. When such a disability is challenged with external obstacles in the surrounding environment (physical obstacles such as lack of ramps in buildings, lack of information, lack of tools to utilize Braille language for blind persons, absence of sign language interpreters, etc.) and with attitudinal barriers (such as stereotypes and discrimination against persons with disabilities), these individuals will be left unable to fully exercise their rights and freedoms on an equal basis with others. For example, a deaf person working for an institution which does not provide sign language interpreters for persons with hearing disabilities will not be able to perform their work as fully and as productively as someone with a similar disability working for an institution which does provide such services for disabled employees.

Q2

What does “non-discrimination” on the basis of disability in the workplace mean?

Answer 2

“Non-discrimination” on the basis of disability in the workplace means not viewing disability as a medical condition or a state of impairment. It also implies that these individuals should not be unfairly disadvantaged during recruitment due to their disability, such as reducing their salary, not assigning them relevant/appropriate tasks to perform, not promoting them or offering them scholarships, assigning them tasks other than those stated in the job description, affronting their character, independency and privacy, or terminating their employment based on their disability. Discrimination may be direct, such as the case where employers state in a job advertisement or during an interview that being “medically fit and free of disease or disabilities” is a requirement. Discrimination may also be indirect where employers set impossible conditions for persons with disabilities to meet, such as requesting the skill “to write by hand”, which will automatically exclude persons with upper limbs disabilities and blind persons. Another example is insisting to keep a vacancy in one of the departments located on an upper floor where there is no elevator that can provide access to persons with physical disability, especially when it is possible to relocate the department to the ground floor.

Q3

What does “equal opportunities for persons with disabilities in the workplace” mean?

Answer 3

"Equal opportunities for persons with disabilities in the workplace" means providing environmental conditions (such as administrative, technical or legal) that allow persons with disabilities to compete for jobs and businesses, to perform their job duties, to advance in their career and to leave their jobs without facing any physical obstacles or attitudinal barriers.

Q4

What does "working environment" mean?

Answer 4

"Working environment" is a set of administrative, technical, legal and practical procedures which govern: (i) the design of the vacancy, (ii) the advertisement of the vacancy, (iii) the employment, (iv) the fulfillment of the tasks specified in the job description, (v) the place where these tasks will be performed and the persons working in this place, (vi) promotions, (vii) the system of grievances and penalties, (viii) and the optional and compulsory types of resignation.

Q5

What does "physical obstacles and attitudinal (also known as behavioral) barriers in the work environment" mean?

Answer 5

A. Physical obstacles refer to workplaces that are not fit internally or externally for persons with disability to access or move around freely. Such obstacles will limit persons with disabilities' access to their workplace, such as entrances and exit doors, elevators and toilets, and hamper their ability to make use of safety systems, furniture, communication tools, computers, digital and written information; including internal information as well as job goals and purposes, all of which are needed to perform their duties and tasks productively and effectively.

B. Attitudinal (behavioral) barriers refer to ideas and attitudes that are based on stereotypes prevailing in the work environment amongst employees about persons with disabilities. These affect how staff and employees communicate and treat persons with disabilities, where persons with disabilities are either treated with excessive sensitivity or are perceived as "incapable" of carrying out work duties. Employees could also avoid talking to those with disabilities or might make decisions on their behalf violating their right of choice and decision making. Attitudinal (behavioral) barriers could also be cases in which employees mock or make fun of their peers with disabilities, or they could consider them worth of pity and charity.



Chapter Two



Common Principles to be observed in the Work Environment

Q6

What does “a workplace environment free from physical obstacles and attitudinal barriers” mean?

Answer 6

“A workplace environment free from physical obstacles and attitudinal barriers” means a working environment where persons with disabilities can access employment opportunities and the labor market easily and independently, and compete with others without any form of discrimination.

Q7

What does “accessibility in the workplace” mean?

Answer 7

Accessibility is a set of architectural and technical measures and procedures taken whereby persons with disabilities can easily access the workplace and its facilities with free internal mobility and independence, in accordance with the standards mentioned in the Code of Requirements of Special Building, which was issued in 1993 based on the Jordanian National Building Code. This applies to ramps at the entrances and exits of buildings, toilets, elevators, furniture and electric control buttons, door handles with suitable heights, guidance signs, and the provision of information in accessible means, among others.

Q8

What are the reasonable accommodations which employers should have in place for persons with disabilities?

Answer 8

“Reasonable accommodations” refers to all requirements needed to allow persons with disabilities to exercise their right to work. This applies to different stages of work - starting from the moment they apply for the job, stages of employment, assigning them the work task, and ending in their right to benefit from the advantages and privileges associated with the job. The types of accommodations can be classified into two categories based on their nature:

A. Materialistic Accommodations which include all means of communication, such as sign language, the Braille method, large size font, simple language, compatibility of computers by adjusting the keyboard and mouse and installing software for converting audio to text for persons with disabilities in their upper limbs and screen readers. Other examples include magnifiers for persons with visual disabilities, and training one person or more on sign language to communicate with deaf persons.

B. Non-materialistic Accommodations such as making working hours more flexible for persons with disabilities, taking into account their unique needs in terms of transportation and possible daily medications, for example.

Q9

When is the accommodation considered reasonable and when is it not? What is the alternative if accommodations could not be provided because they are unreasonable? Who takes the decision?

Answer 9

A. Accommodation is considered reasonable when its application is made possible either by using the existing resources or by using the help of other relevant parties, as needed.

B. Accommodation is considered unreasonable when its application causes excessive burden or damage to the employer. For example, if the cost of installing an elevator is half the capital of the organization or business or if the typographic and architectural design of the building at which work is performed cannot be adjusted or changed, then the accommodation is considered unreasonable.

C. If providing an accommodation is too difficult as mentioned above, employers are required to provide reasonable alternatives that allow persons with disability to work and perform the job on an equal basis with others. For example, employers can assign an office for the person with disability on the ground floor instead of installing an elevator, or assign a personal assistant if it is too difficult to provide the needed technology that allows disabled people to access information independently.

D. The Equal Opportunities Committee is the only authority which can decide whether accommodation is reasonable or not. Decisions are based on the financial position of employers, the type of accommodation required and the available alternatives. If the committee is unable to make a decision or is not available to make a decision, then official courts will be used as a second resort. Generally, it is recommended that the Ministry of Labor, the Civil Service Bureau, Trade Unions, and the Chambers of Commerce and Industry be involved in such cases.

E. The only party that can decide the type and form of accommodation needed is the person with disability, though it is possible to seek the help of experts, if needed.

Q10

What is the difference between accessibility and reasonable accommodation? And which one is legally binding?

Answer 10

A. The difference between accessibility and accommodation is that the latter is a public obligation that is not paid attention to except for the additional cost that it may entail. Accessibility is the responsibility of the state to meet this obligation as is the case with other public obligations of providing roads, buildings, means for transportation, curriculum and schools. With such responsibilities, the state may not justify its failure to meet its obligation on the grounds of financial cost because this obligation is a legally binding one as per the constitution where the state should provide its citizens the right to enjoy their freedom based on equity and equal opportunities. In other words, as the state is required to install doors and stairs in buildings, it is also required to ensure ramps are made available in buildings to allow the mobility of wheelchairs. Also, as it is required to provide students with no disabilities with teachers and readable printed curriculums, it is also required to provide students with disability with curriculum in Braille, in large size fonts, in sign language, and in simplified language, for example.

As for reasonable accommodation, it is an obligation of every person, party or employer that provides service or runs a business or a facility that targets the public. Therefore, the suitability of reasonable accommodation is the responsibility of this person or party, and needs to take into account the damage and harm that it may cause if reasonable accommodation is absent, and to find reasonable alternatives if it is difficult to put in place.

B. The obligation of providing accessibility and reasonable accommodation, from a legal perspective, lies on the party that is required to fulfill it, be it the state, individuals, institutions, commissions, etc. This obligation comes according to the Law No. 31 for the year 2007 and the CRPD, particularly Paragraph (4 C) of Article (4) of the said Law and Article (27) of the Convention.



Chapter Three



Governing Principles for Designing a Vacancy or a Job

Q11

What is “job or vacancy design”?

Answer 11

“Job or vacancy design” refers to creating a job structure within the organization and specifying the job duties of each position listed in the organization. This includes creating a job description for each job, which has to be compatible with the principles of reasonable accommodation and should be readable by persons with disabilities (i.e. using Braille, sign language, large size font, etc.).

Q12

How can the process of designing a job position ensure equity and non-discrimination on the basis of disability?

Answer 12

This could be achieved by providing the following factors:

A. Allocating funds for the necessary accommodation for each job in the budget of the project or the organization and taking into account that the job may be filled by a person with a disability. For example, if the project budget has allocations for purchasing calculators and computers to be used by the management staff, the allocation must also include the purchase of talking calculators or calculators with loudspeakers; and computers equipped with screen readers or adjusted keyboards to be used by persons with disabilities in their upper limbs. The same applies to the allocations made for the purchase of cars and vehicles, where these allocations should take into consideration automatic gears, hand operated brakes, and accelerators to become accessible for persons with physical disabilities and wheelchair users, when necessary.

B. The job description must not include tasks and duties which are impossible to perform by persons with disabilities and should include reasonable alternatives that allow them to fulfill the job. For example, the job description should not require a teacher to write on the board and supervise exams without the help of others. In such a case, reasonable alternatives must be provided for blind and deaf teachers by assigning a personal assistant to help them perform these tasks.

C. The job description and employment contract must ensure that working hours and the location where they work are flexible. The job description and employment contract must be flexible enough to allow disabled persons to perform their written tasks from home, if obstacles exist at the workplace, which make accessibility on a daily basis difficult. This, however,

does not mean reducing working hours or granting exemptions but rather it is to ensure the tasks are performed as stated in the job description but with more flexibility.

D. Job descriptions and tasks should not be designed based on stereotypes and prejudices against persons with disabilities. For example, an accountant with a physical or hearing disability should not be assigned tasks irrelevant or different from those performed by other accountants without such disabilities. Another example is a blind person should not be assigned to teach religion or music just because it is commonly believed that they are the best choices for a teacher or person with disability, regardless of their qualifications or work experience. It is also absolutely unacceptable for employers to employ persons with particular disabilities to do work that is considered harmful to any of their senses just because they think this type of work no longer has an effect on their specific disability. An example is employing deaf persons to work in a workplace that has loud noise that persons with sound hearing cannot handle. Another example is hiring blind persons to do any job that requires their exposure to lights that may be disturbing or harmful to the eyes. The mentioned examples demonstrate how such stereotyping becomes the basis on which jobs and tasks are assigned without considering the desire of the persons with disabilities, and their qualifications or experiences.

E. Jobs should be designed based on Universal Design, which requires the inclusion of a person with disabilities' needs from the initial phase of the process in order to ensure that the cost of adjustments is an integral part of the total cost of the project, organization or business. In this context, and to clarify this point further, it is appropriate to mention the saying "What's good for us is good for All" – that is to say, all the different forms of accessibility and accommodations included and provided are beneficial for everyone in the workplace, such as ramps, accessible elevators, toilets and wheelchairs accessibility, since they can be beneficial for employees who have no disabilities in the case of an accident.

Q13

Is designing jobs for persons with disabilities according to the previously mentioned method limited to particular jobs only?

Answer 13

The process of designing jobs must be comprehensive to cover all the available vacancies regardless of their nature. For example, it is not acceptable to specify office jobs for people with disabilities and exclude them from jobs that require field-work. For example, the job of a driver must be designed for everybody as long as these people have a driver license as a prerequisite while ensuring that the car could be driven by a person with physical disability. The same is the case with jobs that require field-work where it must be taken into account that such jobs may be filled by a person with a disability who may need accommodation.

Q14

Is it required to engage persons with disabilities in designing jobs and vacancies in order to achieve all that has been mentioned? If so, how?

Answer 14

Yes, it is required to have persons with disabilities involved in the process of designing jobs because the engagement and participation of persons with disabilities is not only one of the pillars of the Persons with Disabilities Law No. 31 for the year 2007, but it also forms the principles and general obligations stated in the CRPD. However, the participation of persons with disabilities must comply with the following guidelines:

- A. It must be real and active by involving experts with disabilities to listen to them, take their opinions and learn from their experiences.
- B. The person with disabilities that is involved in the design process must be a representative for persons with all forms of disabilities, be it visual, hearing, physical, intellectual or psychological, including unapparent disabilities, illnesses such as cancer and renal failure.
- C. Women with disabilities should participate effectively in the process as women can face additional discrimination based on their gender.
- D. Both individuals and organizations should be involved in the process to ensure that different expertise and sectors are represented.
- E. There must be minimum requirements the participating persons with disabilities must meet, the most important of which are: (i) knowledge of the Convention on the Rights of Persons with Disabilities, (ii) understanding the concepts of accessibility and accommodation, and (iii) adopting a rights-based approach with their presentation, analysis and recommendation.

Q15

Is designing jobs and vacancies according to the mentioned methodology limited to the public sector, or does it include all sectors? Does it require any particular legislative amendments?

Answer 15

The comprehensive design of jobs and vacancies include all sectors, whether public, private or voluntary. The principle of inclusion of the rights of persons with disabilities, their issues, involvement and participation is one of the pillars of the law and the Convention, as explained previously; hence it is binding for all sectors without an exception. The achievement of the comprehensive design of jobs and vacancies does not require any legislative amendment because it is stipulated in the Rights of Persons with Disabilities Law No. 31 for the year 2007. It is also one of the obligations stipulated in the Convention on the Rights of Persons with Disabilities which became part of Jordan's national legislation after it was ratified and published in the Official Gazette in 2008. However, employment mechanisms and the concepts governing the design of projects, particularly those related to the creation of job structures and human resources in the labor market at its broad sense, must be reviewed and amended.



Chapter Four



Job Advertisement & Employment Procedures: Application, Interview & Contract

Q16

What should be considered in a job advertisement to ensure it is non-discriminatory?

Answer 16

In order for a job advertisement to be non-discriminatory and considerate to the diversity of individuals in society, it should comply with the following:

A. The language used in job advertisements needs to be neutral, avoiding implicit and/or explicit words that may exclude persons with disabilities from applying for the job.

- Examples of explicit exclusion statements included in job advertisements are: "it is a requirement that applicants provide a certificate issued by the relevant health reference to guarantee their medical fitness" or "all selected applicants will be subject to comprehensive medical examination to ensure they are free of disabilities which could prevent them from performing their tasks". The latter includes a discriminative tone against persons with disabilities because disability should not be the factor that decides the "ability" of the applicant to perform the tasks and duties of the job. Rather, the workplace must be adjusted to accommodate the needs of persons with disabilities and then the decision of employment should be made regardless of the health and physical condition of the applicant.

- Examples of indirect discriminatory and exclusion statements which could appear in a job advertisements are: "the applicant must be a graduate of a public school", which entails the exclusion of persons with disabilities who study in different specialized schools, "the applicant must have a driving licenses", or "the applicant must sit for a handwritten test". The latter two requirements could be overcome by simply providing a personal assistant to help the disabled person and replacing the handwriting requirement with the ability to type on a computer. This can be facilitated by installing texts into audio converters on the computers if the person has a disability in the upper limbs; or by installing screen reader software if the person suffers a visual disability.

B. It is recommended that job advertisements use phrases that support persons with disabilities to apply for the job such as "persons with disabilities are encouraged to apply".

C. Job advertisements should state that the advertising employer is committed to providing all necessary accommodations during the stages of application, interviews and tests to comply with the Rights of Persons with Disabilities Law and Convention on the Rights of Persons with Disabilities. Thus, applicants need to specify and notify the employer ahead of time if accommodations are needed.

D. Job advertisements should be available in accessible formats to allow persons with disabilities to read and understand their content. This includes printing the job advertisement in a large sized font and then posting it online as an HTML page or as a Word document so it can be read using screen reader software. It is also essential to include a sign in the job advertisement that would allow deaf persons to understand or seek the assistance of their language interpreters in order to understand the content of the advertisement. If the job is targeting persons with learning disabilities, the language used in the advertisement must be simple enough so they can read and understand its content.

E. Job advertisements should give persons with disabilities the option to further inquire about a job. This should be the case, particularly when dealing with deaf persons who may need further clarification using sign language. In such a case, the advertising employer may need the help of a sign language interpreter to answer the questions of deaf persons, either during a video call or during a direct meeting with them, for example.

Q17

Are there any guidelines which need to be taken into consideration in a job application form including filling it out, and delivering it?

Answer 17

A. It must not include any questions about the health condition of the applicant or type of disability.

B. It should include an explicit question on whether the applicant needs any type of accommodation. If the answer is “Yes,” the applicant with a disability can tick the type of accommodation needed as per the table found at the bottom of the page (i.e. screen reader, sign language interpretation, a computer with adjusted keyboard, a ramp, accessible toilets, adjustment in working and break hours, etc.). If the type of accommodation is not listed, a space should be available for the applicant to specify the accommodation needed in detail.

C. The application must be accessible for persons with disabilities in different forms (i.e. Braille, large size font, electronic copies, provision of a person to read the application and fill it out according to the disabled person’s wishes).

D. Persons with disabilities should be allowed to take the job application home to fill out with the option of later sending it via email or delivering it by hand, provided it is within the set deadline.

E. To protect the privacy of applicants with disabilities, all information related to accommodations that are indicated in the job application must remain confidential if the type and level of disability could be concluded from such information, unless the disabled applicant provides permission to disclose this information.

Q18

What are the guidelines that need to be observed if applicants are required to sit for a test?

Answer 18

If there is a written test for applicants, some of whom are persons with disabilities, the following needs to be followed:

A. Persons with disabilities must not sit for special exams simply because they are disabled. In principle, what works for other applicants should work for persons with disabilities without alterations.

B. Questions related to the applicant's disability cannot be asked as such questions may provoke fear and shake self-confidence. Examples of such questions are: "In case of fire how would you react when you are in a wheelchair?"; "If a client asks you about his bank balance transfer, how will you communicate with him if you can only communicate using sign language?"

C. If tests include diagrams, maps or shapes that screen readers cannot read or people with visual disability cannot see, an alternative text question should replace it so people with disabilities can follow and understand the question.

D. Test papers in Braille and large print, a sign language interpreter, and a helper to write down the answers need to be made available for persons with visual disabilities and for persons with disabilities in their upper limb when requested.

E. Extra time needs to be given to persons with visual and hearing disabilities as well as those who need assistance from someone to write down their answers. The minimum extra time given should be no less than 30% of the test time.

Q19

What are the guidelines that need to be observed during interviewing persons with disabilities?

Answer 19

A. The interview place should be accessible to persons with disabilities. It is unacceptable to hold an interview in an office or a hotel that lacks ramps or on an upper floor where there is no elevator access. If the place is not accessible for persons with disabilities, alternative interview methods such as phone or Skype interviews should be made available.

B. Any brochures or printed material intended to be given to the interviewee should be available in a format that is accessible for persons with disabilities (such as in Braille and large print, for example).

C. The right of deaf persons to bring their sign language interpreter to an interview should be respected and not considered as an intervention of a third party in the interview.

D. The interviewer must speak directly to the interviewee with disabilities and not the person they bring with them for assistance (such as sign language interpreter or personal assistants, for example). The interviewer should address deaf persons in a direct form of speech and look at them while talking. For example, they need to make sure they are not addressing the sign language interpreter as if the deaf person is not present, by making the following remarks: "ask him or her ... tell him or her ... do you want ...". The tone of voice of the interviewer must not be pretentious or higher or seem more caring or sympathetic than usual.

Interviewers should refrain from using stereotyped phrases and words that may imply discrimination or lack of confidence in the applicant with disabilities. It is also required to avoid asking any curious questions or questions which demonstrate lack of confidence in the abilities of the applicant with a disability. The following table demonstrates what should or should not be said during a job interview:

Dos...

Begin the interview with a normal form of greeting that you would say to anyone you are interviewing, such as "welcome" or "hello"

Use a normal introduction at the interview, such as "we will have a little chat with you now."

Don'ts...

Do not make comments directly linked to the persons' disability when you greet them, such as "We are glad to see you and proud of your will to apply for this job despite your condition."

Again, do not begin your interview with comments directly linked to the persons' disability, such as "We will not burden you with many questions considering your situation."

Dos...

Ask the applicant: "Are there any accommodations we need to provide you with in order for you to perform the tasks of the job? What are they? Are there any alternatives that we can use until these accommodations are provided?"

End the interview the way you would end it with anyone, such as thanking the applicant for their time and let them know the date which they will be informed of the outcome of the interview. You should also ask if they have a car or a personal care attendant or if they may need someone to get them a taxi or walk with them to the nearest bus stop, etc.

Don'ts...

Do not ask anything about the disability and when it happened or about its treatment as it is a violation of their privacy and irrelevant to the employment process. Do not include questions such as, "When did you become a person with disability? Have you tried to treat it? Do you think you can perform the tasks of the job despite your disability? Do you think that your disability may affect your performance?"

You should avoid using compliments and praising the applicant based on your religious and spiritual-based perceptions. This could give the conversation a charity flavor instead of fulfilling the right of the disabled person that employers have to handle professionally. Avoid conversation, which include: "We are proud of you for exemplifying how a person can overcome such challenges," "We hope to have you here on board because you have the will and determination," "Employing you is a good deed that is encouraged by our religion."

Q20

What must be avoided or followed when informing applicants with disabilities about the outcome of their interview, especially if the outcome is negative? What must be done or avoided when completing the employment procedure?

Answer 20

The following is a list of dos and don'ts:

Dos...

I regret to inform you that we have decided not to process your application any further for the following reasons: (list your professional reasons of exclusion and acceptance of others, such as the lack of experience, or not answering technical questions, etc.). Ensure not to use any phrases related to their disability or to express sympathy. This is important so you do not give the impression that the issue of disability has influenced the decision making process.

If the disability was actually the reason for rejecting the applicant, you should be honest about it and explain that to the applicant to enable them to defend their right even if they have to resort to court. If disability was not the reason - and this should be the status quo- you should inform them calmly without showing any emotions, sensitivity or sympathy. Explain in a clear manner the professional reasons that led to not accepting their application. If the job advertisement or the job application included questions or phrases encouraging persons with disabilities to apply for the job as previously mentioned, remind the person with disability of them and use them to show that the issue of disability was not one of the elements or factors that were considered to make the decision.

Don'ts...

I would like to inform you that your application was rejected, though I know you deserve this job due to your patience and determination despite your difficult condition. Believe me, if the decision was up to me, I would have hired you without even an interview or a test because you deserve this more than anyone else...At any rate, this is just a matter of fate and God will bring you something better in the future. Besides, you are a very patient person and I am sure you can handle it.

Avoid answering the question of the person with disability about whether they were not accepted because of their disability.

Dos...

Review the job application or the interview report to identify the accommodations needed. If no accommodations are specified, you must contact the applicant with disability and inquire about the accommodations needed. Then, ensure the contract and all papers are accessible (i.e. Braille and large print, etc.) or propose that Human Resources assist the applicant with disability to read all necessary documents.

Read every word in the documents of employment and ask the person you are reading it to if it is clear or if you should read at a slower pace. Make sure you answer any inquiry related to the employment contract and documents. If a person with disability asks you not to continue reading a document, ensure that they know its content, and make sure to inform them of anything that is considered vital information.

Ask the applicant to sign the forms, papers and contract in a normal fashion regardless of their disability. If the applicant prefers signing the documents using their fingerprint or seal, or authorizes their personal care attendant to sign on their behalf, this is fine as long as it is documented.

Don'ts...

Send the employment documents and contract in an unorganized way to the applicant, asking them to just fill out and sign them.

Read the employment documents hastily or skim through the document summarizing its content because you assume they are insignificant and only routine documents.

Offering to sign on their behalf even if you believe the document is insignificant.



Chapter Five



Starting Work to Perform the Daily Tasks and Activities

Q21

What are the measures and procedures that need to be undertaken during the first days of employment for a person with disability?

Answer 21

In order for newly employed persons with disability to integrate into the workplace smoothly, the following measures should be undertaken:

A. Introduce the new employee to colleagues in a natural way. It is recommended that the person in charge inform all employees that a new employee with disability is joining the company in order for everyone to deal with their arrival spontaneously and naturally.

B. Take the new employee with disabilities on a tour of the workplace, while making sure they are being escorted if they are blind. The starting point of the tour must be the main door and the end point must be also at the main door in order to allow the new employee to build their orientation around the workplace. If the person with disability prefers a different route then this must be complied with.

C. The new employee with disabilities should be escorted on a tour outside the workplace in order to become familiar with surrounding streets, short cuts and transportation available in the area. If the new employee needs help to call a taxi or walk to a bus stop, for example, the employer is required to accommodate this need until the disabled person becomes familiar with the external environment and can move independently.

D. Familiarize the newly employed person with disability with the equipment and stationary available and its location. A list of extension numbers and the names of all employees as well as their positions and titles should be available in an accessible format. A fingerprint attendance device needs to be placed at appropriate heights suitable for persons with physical disabilities (for example, for those using wheelchairs). The device must have a speaking feature to help persons with visual disabilities use it or, alternatively, provide a different attendance monitoring system that can be used independently and in private.

E. A copy of the organization's bylaws, internal regulations, the appraisal principles and existing forms, health insurance manual, and a list of approved doctors, clinics and pharmacies must be presented to the newly employed person with disability in an accessible format whether in word documents, Braille, printed in a large size font, or delivered through a sign language interpreter.

Q22

What are the major reasonable accommodations that persons with disabilities require to perform their job requirements, and what are the criteria for their identification?

Answer 22

A. Persons with disabilities are the first reference to revert to for determining the types and forms of accommodations and accessibility they need in the workplace. This requires them to understand the nature of their job responsibilities and know the technical aspects of the types of accommodation to decide which type is better and most suitable.

B. Employers are required to use and refer to the accommodation information mentioned in the job application.

C. Employers may use national, regional or international experiences of public or private organizations with similar functions as guidance to identify the types of accommodation and accessibility they have in place for their staff with disabilities.

D. Employers are required to develop their own guidelines and lists based on their accumulated experience providing accommodation to employees with disabilities, and classify the relevant information to become part of their human resources policies and budget.

E. The following table shows the main types and forms of accommodation that persons with disabilities need in the workplace so they can perform their job. The table is divided based on the type of disability and the nature of work duties and tasks. It should be noted that many types of accommodation are interconnected and must be provided for most jobs and professions because they are considered essential and basic. There are other special accommodations that are specific to particular jobs and professions.

Forms of required accommodations for a person with disability to perform their job responsibilities:

(1) Physical Disabilities:

A. Wheelchair Users

Type of Job

Office Work Jobs: researcher, analyst, planning consultant, legal adviser, data entry clerk, writer, HR personnel, secretary and receptionist, etc.

Technical Jobs: maintenance specialist, computer specialist, photographer, trainer, engineer, doctor, pharmacist, and accountant, etc.

Teaching Jobs: school teachers and university lecturers

Required Accommodations

Ramps, installed rails on the sides of the toilet, wheelchair-height toilet seat and wash basin. The latter need to have enough space underneath to allow mobility of wheelchair, and electrical buttons and shelves must be placed on a level suitable for wheelchair users. Tables must have open space underneath that is enough to allow the mobility of wheelchairs. A safe exit needs to be in place in case of emergencies.

Height of medical exam tables/beds must be adjusted, shelves need to be placed on suitable level for disabled pharmacists, training tools and supplies as well as the training rooms must be arranged in a way that allows the disabled trainer to train and move in the room easily and freely.

Classrooms must be located on the ground floor level regardless of the subject and course unless an accessible elevator is made available. Inside the classrooms the height of the board must be compatible to the wheel chairs, and enough space between desks must exist to allow the mobility of teachers with disabilities.

A. Wheelchair Users

Type of Job

Manual labor: driver, carpenter, call center officer, trailer, textile worker, packaging staff, auto mechanic, heating and cooling worker, office boy, and satellite dish technician, etc.

Required Accommodations

Cars that have a hand operated brake and accelerator, wheelchair-height tools, equipment, tables and phones.

B. Upper Limb Physical Disability

Type of Job

Office Work Jobs

Technical Jobs

Required Accommodations

A computer with a keyboard adjusted according to the nature of disability in either or both hands or fingers, installing a voice to text converter software as an alternative for typing; a height adjusted chair and desk that can be folded to allow the disabled person to collect items, or even to type and write, using his or her legs. It is also vital to ensure that phones and electrical buttons are placed on an adequate height to allow the person with disability to use them with his or her elbow, foot or mouth, as required.

Computers with touch screen (mouth-stick or foot-stick), and a personal care attendant, whenever necessary.

B. Upper Limb Physical Disability

Type of Job

Teaching Jobs

Manual Labor Jobs

Required Accommodations

Provide safe chalk and pens if the disabled teacher wants to use his or her mouth to write, and provide a personal care attendant whenever necessary and upon the request of the person with disability. In addition, place the door handles on a low level so teachers with disabilities can use them with their elbows, shoulders or knees.

A car that can be driven using one hand, adjusted and flexible equipment and tools that can be run and controlled by foot, upper arm, chest, or mouth and installing a text to voice converter on mobile phones.

C. Physical Disability - Short Stature

Type of Job

All previous jobs

Required Accommodations

Taking into account the appropriate height for the equipment, tools and machines, door handles and buttons, for example. Provide adjustable furniture, lower buttons for elevator, etc., and the provision of stands, escalators and side rails that support a person of a short stature to stand on when necessary, and equipping the car so it can be used effectively and safely.

(2) Visual Disability:

Type of Job	Required Accommodations
Office Work Jobs	Computers with the following software and programs installed: Arabic and English screen reader; software such as JAWS, Hal and Ibsaar, etc., and a screen magnifier for persons with poor vision. Provide talking phones, Braille typewriters such as Perkins Braille and tablets, OCR software that often comes with a screen reader program, a Braille printer for personal use if the job nature requires, sound alarm system, and a safe exit for emergencies.
Technical Jobs	Portable screen reader software that computer and IT maintenance technicians can install and use easily, talking calculators and talking money counting machines, accounting software that is compatible with the screen reader software, personal care attendant, whenever needed, and pharmaceutical sheet written in Braille language for pharmacists.
Teaching Jobs	Provide floor and wall signs that easily allow mobility of persons with disabilities, curriculum and teachers' documents in Braille language or in a readable electronic format, designate a personal care attendant,

Type of Job

Manual Labor Jobs

Required Accommodations

if necessary and upon the request of the person with disability, and provide information and curriculum in large size font for persons with poor vision.

Carpenter or blacksmith's machines and equipment which are safe to use and have a sound alarm system that generates different sounds for when the machine is turned on or switched off or stops functioning. A member of staff who is trained in how to give assistance to persons with disabilities, phones with no flat surface and whose buttons are embossed are other options which could be considered.

(3) Hearing Disability:

Type of Job

Office Work Jobs

Technical Jobs

Required Accommodations

A sign language interpreter or training one of the staff on sign language, flash light alarm system for cases of emergencies, video-call phones that have the option of vibration, and a sign language dictionary, if possible.

Surveillance cameras covering the clinic or the pharmacy or the laboratory that can notify the deaf person of any movement inside the

Type of Job

Teaching Jobs

Manual Labor Jobs

Required Accommodations

place where he or she works through flash light signals, and a secretary that is fluent in sign language.

Designate a person as an attendant to facilitate the communication between the teacher and the students, arrange the classroom in a way to allow sign language interpreters to stand at the back, where they are outside the range of vision of students so they do not get distracted. In addition, provide curriculum and materials in Braille, and provide special sign language dictionaries, if available.

Tools and equipment with flash light alarm function to indicate when the machine is on or off or even broken, and phones with audio to text; and text to audio converters installed on the phones; phones with a vibrate option instead of ringtone.

(4) Physiological Disability:

Type of Job

Office Work Jobs

Technical Jobs

Required Accommodations

Comfortable paint colors for rooms and flexible working hours, and rest time schedule which are incorporated in the computerized system.

All that has been mentioned as accommodation for this disability.

Type of Job

Teaching Jobs

Manual Labor Jobs

Required Accommodations

Aside from the accommodation required for office work jobs, classrooms must not be crowded or located on the sub-floor level in case the disabled person has acrophobia or claustrophobia or ochlophobia, etc.

Spacious areas with good ventilation systems, ensure the space is not located on sub-floor level in case the person has acrophobia or claustrophobia or ochlophobia, etc.

(5) Physiological Disability:

Type of Job

Office Work Jobs

Technical Jobs

Teaching Jobs

Manual Labor Jobs

Required Accommodations

All needed and required documents must be written in a simplified language, having a qualified expert to facilitate the communication, if needed, or training one of the staff to do this facilitation, training the disabled employee on using the machines and equipment required for the work, and having flexible deadlines, as needed.

Personal care attendant, if needed.

Providing a shadow teacher/lecturer to help whenever he or she is needed.

All the above while considering the special training needed for each profession and vocation the person with mental disability is required to undertake.

Q23

How expensive are these accommodations? Where are they sold and which accommodation is the best in terms of quality if there are different brands?

Answer 23

A. In general, the cost of accommodation is not high. A number of studies indicate that the average cost of accommodation does not exceed 500 US dollars (approx. JOD350). Wall and floor signs for blind persons and signboards for deaf persons can be produced locally since they are made of embossed rubber which comes in different patterns and textures. If toilets are spacious enough to allow the entry and rotation of wheelchairs, the cost of installing an accessible toilet will not exceed JOD300. This covers the cost of installing the handrails on the side of the toilet, as well as adjusting the height of the toilet accordingly by changing the external plastic seat and ensuring enough space is underneath the washbasin to allow the movement of the wheelchair. Having empty space below tables or designing low-height tables is generally inexpensive.

Installing a hand operated accelerator in the car costs approximately JOD50, which can be done by any mechanic or car maintenance specialist which is the preferred method used by persons with disabilities in Jordan. As for adding a flash light system to fire and emergency alarms, it can be easily installed by any electronic technician or expert from the civil defense department. The same applies to adding light features to machines and equipment that are considered dangerous to operate, such as electric saws, shearing machines, lathes and cutting machines and inexpensive light alarm systems, which give a signal when the machine is turned on. The current talking phones and video calling phones are being designed according to the Universal Design and therefore these functions are now automatically built-in phones even if the buyer is not a person with disability. These additional features and their subscription fees are not expensive in Jordan, and seem to be popularly used by many deaf and blind persons. The price of a screen reader in Arabic and English (Hal brand, JAWS or Ibsaar), usually does not exceed JOD1300.

B. Accommodation must be viewed as a way through which persons with disabilities can exercise their rights to work. Providing these accommodations, regardless of the cost, will certainly be more economic than increasing unemployment rates and much better than excluding a large segment of society from the labor market.

C. Identifying the types and forms of accommodation mainly depends on the person with disability who will use these accommodations. It is also possible to seek advice from experts with disabilities about this matter and to study the different offers from companies to select the most suitable and effective accommodations, which is not necessarily the cheapest ones.

D. There are different sources to acquire all types and forms of accommodation, and the easiest way to access these sources is through consulting the persons with disabilities themselves or their organizations or the Higher Council for the Affairs of Persons with Disabilities. Alternatively search online, contact international and reputable centers and organizations specialized in this field, particularly in UK, USA, Sweden and few Arab countries such as UAE to obtain information on reasonable accommodation. In addition, local agents can provide some forms of accommodations.

E. During the process of buying accommodation, it is very important to ensure that they have a warranty and that the company will train the person with disability on the new accommodation. It is also important to ensure that maintenance services are provided, whenever needed. All this needs to be done according to the procurement procedures followed by the company or organization offering the accommodation.

Q24

Is training employees on the culture of diversity and rights of persons with disabilities considered a form of accommodation in the workplace, how could that be implemented, and to what extent?

Answer 24

A. This type of training is considered to be one of the main accommodations because it addresses attitudinal barriers which play a substantial role, similar to physical barriers, in restricting persons with disabilities from exercising their rights, especially their right to work on an equal basis with others.

B. This training must focus primarily on changing the behavior, approach and stereotypes regarding persons with disabilities through reinforcing a rights-based approach and the concepts thereof.

C. In order for this training be productive and effective, it has to be designed in an interactive way and include case studies and real life stories narrated by both persons with disabilities and employers.

D. Training must not focus only on negative aspects, but provide positive examples, if available, to motivate others.

E. Training must be comprehensive to include all the behavioral patterns expected in the workplace where trainees are employed. It must be simple, specific and relevant to the workplace and those who work in it.

Q25

Is there any particular language or are there any behavioral guidelines that must be followed when communicating on a daily basis with persons with disabilities in the workplace?

Answer 25

The following table provides a summary of the key terminologies and correct behaviors which are rights-based and respect the dignity, individuality, independency and privacy that must be observed when dealing with persons with disabilities on a daily basis in the workplace:

What you can say and do

We are happy to have you among us here. In fact, having a person with disability on board will enrich the diversity of the workplace.

Should you require any assistance, please do not hesitate to let us know the best way to do so. This is the first time I have had a colleague with a visual disability / physical disability / hearing disability / disability of short stature/ intellectual disability (Autism, Down syndrome, learning difficulties / Dyslexia, etc.) / a person with a psychological disability.

Inform the person with disability that he/she has to attend a meeting, and leave him the choice to attend or apologize and to take the responsibility of his or her decision.

What you can't say or do

We are happy to have a disabled person / a person with special needs as our colleague.

How would you like us to help you? This is the first time I deal with a blind person / paralyzed person / deaf person / mute person / short statured person / retarded person / a person who uses a wheelchair.

Ask someone else to ask the person with disability whether he would like to attend to the meeting or whether he/she prefers to stay in the office?

What you can say and do

Offer to assist him or her directly and if he or she agrees, push his or her wheelchair quietly, if he or she is in a wheelchair. If the person is blind, allow him or her to hold your arm and bend it and ensure you are one step ahead in order for that person to follow your steps. Ask the blind person if he or she is comfortable with this or if he or she prefers a different way of proceeding.

If a person with disability enters while you are talking with others, continue talking normally if you know that he or she knows his way very well. If you feel he or she needs assistance, one person may offer guidance by voice or get up swiftly to help him or her sitting down wherever he or she wants.

If you want to share food or drink with your colleague who has a disability, you need to place the cup or the plate away from the edges and far from electronic devices then inform him or her of the place where you placed the cup or the plate. Leave your colleague the freedom to decide where to place it afterwards.

What you can't say or do

Stare at the person with disability while he or she is walking or moving in the workplace while you are confused about what you should do.

If a person with disability enters the meeting room or the office, stop talking suddenly for a while and only help him or her after he or she touches the chair or the table.

Placing cups of tea, glasses of water or plates of food on the desk of your disabled colleague.

What you can say and do

Act and behave normally with a disabled colleague as you would with others. Notify him or her about anything you notice that is wrong with his or her clothes such as stains or holes that he or she did not notice, particularly if he has a visual disability.

Behave and act normally with your colleague with disability. If it is their turn to take part in the meeting or take the notes, you need to ask them to do so in a normal way. You need to ask them if they are interested to participate in organizing any social or entertainment event.

If you are a female, you may need to ask your disabled male colleague about the help he needs, but you do not have to do so if you are uncomfortable with the physical contact. In the case of the latter, it is unacceptable to let him hold your purse or lead him by holding part of his shirt or a stick, or even to have any instrument that stands between you and him because walking blind persons and persons with physical disability in such a manner may lead him/her to hit objects that are in the way or slip. On the other hand, if a male wants to help a disabled female

What you can't say or do

Feel too embarrassed to notify your disabled colleagues about the stain or the hole you saw in their clothing.

Avoid letting the employee with disability take part in meetings, whether to facilitate or take notes or organize social activities such as parties and trips because you think they are unable to do so and asking them to perform this task will make them uncomfortable.

Hesitate to offer help to your colleagues with disability.

What you can say and do

colleague, he must ask if she is comfortable holding his hand or ask another female colleague to help. In all cases, do not offer partial help, for example, do not walk next to her or behind her or guide her remotely or even hold her purse or any other tool while walking her due to the same reasons mentioned above.

As is the case with everyone, persons with disabilities may make mistakes and may need to be corrected. Some may react politely while others might be rude. Others may simply be lazy, while others are more active. Regardless, colleagues should look beyond the disability and form an objective opinion.

What you can't say or do

Abstain from providing feedback regarding incorrect behavior, be it personal or professional, either to show sympathy or due to embarrassment, or thinking that such behavior is provoked by his or her disability.



Chapter Six



Salaries, Trainings and Promotion, Grievance, Penalties, and End of Employment

Q26

Are there any particular procedures that must be followed when paying persons with disabilities their wages?

Answer 26

In principle, there is no difference between paying a person with disabilities and others their wages. However, there are a number of guidelines that must be complied with in this regard, namely:

A. Employees with visual disability and deaf persons face a great difficulty in withdrawing money from their bank accounts since banks require them to have two witnesses with them when withdrawing any cash amount. The employer, upon the request of the concerned person, needs to make an exception and agree to pay them their wages in cash, even if this is against the financial and administration policies of the company. This is an essential accommodation that will protect the privacy of disabled persons and help them receive their salary easily just like their other colleagues who do not face such difficulties when collecting their wages.

B. Each disabled employee must receive their salary in private and not in the presence of other employees in order to protect their privacy. However, if the presence of other employees is needed to testify to the validity of the transaction and the amount of the payment, the accountant can pay the disabled employee their salary in the presence of the chief administrative officer. If the person with disability agrees to receive their salary in the presence of others, that is fine.

C. If the employee has a visual disability, it is recommended to organize the cash given to them in ascending order i.e. bills of bigger values are first then bills of smaller values come next and so forth.

D. If the salary cannot be paid in cash to the employee with visual or hearing disability, it would be best to pay them by check, should the concerned employee request this method of payment. This is because banks do not require witnesses to cash a check and it is possible to endorse the check as they can request to have a bearer of the check; hence let someone else visit the bank to cash it for them.

E. If regulations happen to be rigid and do not allow any exceptions regarding method of payment of salaries, i.e. salaries must be transferred to the employees bank account, the employer needs to facilitate the process of withdrawing the salary from the bank as part of the accommodations that are put in place (i.e. two employees – selected by the disabled employee - can accompany the blind or deaf employee to the bank to be the two witnesses required to withdraw the salary). The information related to the salary transfer transaction such as amount, date, and reference number, etc. must be accessible in Braille, electronic format, and sign language, for example.

Q27

What kinds of accommodations need to be in place when a disabled employee wants to attend or be part of a training course, conference, workshop or take part in a scholarship program?

Answer 27

A. Accommodations are interconnected throughout the different stages of employment and work, including training, participation in conferences and workshops as well as scholarships.

B. Disability must never be a reason to deprive disabled persons from participating in the said events and activities, or even reduce their level of participation and involvement. Similarly, disability must not be a reason to nominate persons with disability to attend workshops, training courses or conferences without taking into account the professional reasons and work needs.

C. Each disabled candidate selected to receive training, attend a conference or receive a scholarship must have access to all the relevant information. It is also required to ensure that the place of the training course or workshop is accessible and has all the needed accommodations.

D. With regard to scholarships, employers are required to allow persons with disabilities to compete on an equal basis with other employees; hence this requires the provision of needed information and relevant forms in accessible formats. The party that will receive the disabled employee who is offered the scholarship is required to provide all the accommodations needed according to the request of the disabled employee and the recommendations of their employer. If such accommodations cannot be provided or the place the disabled person is going does not have such accommodations, the employer is obliged to resolve the issue and provide all required accommodations such as a personal care attendant, if needed, electric wheelchair, etc. Depending on the environment where the event is taking place, a laptop with installed screen reader software or a text magnifier program, and a sign language interpreter may be required.

E. Finally, if a disabled employee decides to take one of their relatives (i.e. wife, brother, father or sister, etc.) to the conference or training, or to travel with them during the period of scholarship, employers must accept and welcome this decision. This is because selecting a personal care attendant relies on trust between the disabled person and the one they have selected, especially in terms of trusting them with their privacy. It is for this reason, the decision must be entirely theirs without having any interference in the decision; therefore it is unacceptable for the employer to select a personal care attendant without the approval of the disabled employee, on the grounds of saving money. Cost savings and taking advantage of opportunities should not be at the expense of accommodation, which must be duly provided for the benefit of persons with disabilities. It is unacceptable to place the personal care attendant in the same room of the disabled employee when the event is held outside the workplace and requires sleeping overnight, unless the person with disability requests that and expresses that explicitly. This is required to respect the privacy of both individuals.

Q28

What are the guidelines that must be followed for promotion and during the job performance appraisal of persons with disabilities?

Answer 28

- A. Job performance appraisals must be objective and not influenced by an employee's disability except with respect to the lack or weakness of any accommodations (i.e. if an employee did not perform some of their duties and tasks during the year due to negligence or laziness, they must be assessed on such grounds), but if the reason was due to the fact that the employer did not provide them with a screen reader or a personal care attendant or a text magnifier, when they were requested, then they cannot be considered lazy or negligent.
- B. Emotions, sympathy and the wish to do a good deed must not interfere with the assessment.
- C. Appraisal forms must be accessible in Braille, large size font, simplified language, and sign language so that persons with disabilities know the content before the assessment process begins.
- D. Persons with disabilities must be empowered to access training and benefit from capacity development opportunities to meet the requirements for promotion on the basis of equality with their colleagues. Programs and training required for promotion must be available in accessible formats to allow persons with disabilities to benefit from them.
- E. When a person with disability is entitled to a promotion, they must be promoted without having any regard for the disability. After promotion, employers are required to have all the needed accommodations in place according to the tasks and duties of the new job and as specified herein.

Q29

What are the guidelines that must be followed in the systems of grievance, complaints and administrative penalties?

Answer 29

Each system will be addressed separately, as follows:

- A. Grievance and Complaints: In order to make this process accessible to persons with disabilities, the following needs to be applied:

- Internal regulations, bylaws and codes of ethics and professionalism must be provided in accessible formats for persons with disabilities so they read and understand the legal aspect of these documents.
- Bylaws and professional obligations documents must include the right of employees with disabilities to tangible and intangible accommodation, as previously explained. If an employer breaches the codes and bylaws of the company by either not providing these accommodations or refusing to do so, it raises both ethical and administrative concerns. That being the case, the employee responsible for providing documents in accessible formats must be held accountable if bylaws of the organization are breached. The same applies to cases where an employee refuses to translate in sign language for the disabled person or when an employee blocks a ramp designated for employees with physical disabilities.
- Mechanisms to communicate grievances and complaints need to be flexible and available in different forms (i.e. verbal, emails and the sign language, etc.)
- If the complaint is a discriminative act against a colleague with disability, serious efforts must be made to investigate the subject matter as such discriminative incidents and acts are often very difficult to prove. Examples of discrimination-based actions against persons with disabilities include saying, "It is true that every person with a disability makes wonders!"; "It is enough for you to deal with the hardship that God afflicted you with!"; "The hardship you have been put through is not enough!"; "by Allah, was it not for your disability, I would have dealt with you differently"; etc. If such discriminative actions are proved to be true, immediate disciplinary and administrative actions must be taken to avoid their reoccurrence and protect the reputation of the company. If the complaint is about not providing necessary accommodation to carry out job duties, the person concerned needs to clarify to the relevant department and indicate the type of accommodations required, the date of their request as well as the written and verbal replies received in this regard. If there was no response, they should submit a complaint to the next line manager according to the administrative hierarchy of the company.
- To help a person in the workplace is considered a general professional obligation that each employee needs to comply with. However, persons with disabilities must not take this obligation as an excuse to depend on colleagues to perform their tasks and duties. That said, not every complaint submitted regarding the refusal to offer help requires administrative accountability. Each complaint should be investigated on an individual basis. In addition, the investigation will have to evaluate whether the lack of help caused harm to the person with disability or prevented them from performing their tasks and duties.

B. With respect to disciplinary and administrative actions, there is a possibility that employees with disabilities, just like anyone, can make mistakes, neglect their duties, or behave with colleagues in an inappropriate manner. In such cases, the following guidelines need to be followed when decisions are made:

- Disability must not be a factor when making a decision, which must be based only on the violation committed, be it legal or administrative. Emotions must be disregarded in such cases as disability may lead to a discriminative situation since that may alter the decision in favor of persons with disabilities.
- There must be an accurate understanding of whether the employee with disability failed to perform their duties and tasks in line with their professional obligations due to negligence and laziness or due to the existence of physical obstacles in the workplace. For example, if an employee with a disability fails to submit a report on time because they did not receive help writing the report, even though a screen reader or a computer with flexible and adjusted keyboard or a personal care attendant were provided, then the situation will be deemed unacceptable. The same applies in the case of a teacher with disability who refuses to teach a class because he/she cannot write on the board, even though the school provided a personal care attendant or assigned one of the students to help them temporarily until providing a personal care attendant. On the other hand, if the reason for not performing the job tasks and duties is lack of a required accommodation, the employee with disability cannot be held accountable for failure to deliver. In this case, the employer must provide the missing accommodation immediately or provide an appropriate alternative according to the details explained previously.
- The decision of the disciplinary action must not mention anything related to the employee's disability unless it is directly related to the violation committed. For example, the decision may state that the employee neglected their duties and did not conduct the study they were assigned to because they are deaf or blind, though the company provided the necessary accommodations. Otherwise, the disability must not be mentioned if it is irrelevant. The final decision must not be influenced by the disability, for example since the employee who committed the violation is a disabled person, the disciplinary panel decides to give a light warning to the employee instead of issuing a harsher penalty.
- The concerned employee with disability must be provided with all the needed accommodations to defend themselves before the disciplinary panel. For example, they may have a sign language interpreter who they trust or they may seek the help of trained specialists to facilitate the communication process between them and the disciplinary panel. Under no circumstances, should a decision be made without hearing the defense of the concerned employee. This is required regardless of the time the process may take. It is also unacceptable to attempt to interpret what a person with an intellectual disability or a deaf person is trying to say.

- The decision must be provided in accessible formats so the concerned employee with disability can read and understand its content and implications.

Q30

What are the guidelines that must be followed when employees with disabilities leave the job (i.e. resignation, retirement or termination)?

Answer 30

A. Persons with disabilities may not be pushed or encouraged to leave a job because of disability, or because a disability occurred after joining the job. Rather, they must be trained on how to perform the tasks of their jobs by equipping them with the skills needed to use the accommodations or assigning them other tasks until such training is provided.

B. The workplace must embrace diversity and encourage persons with disabilities to continue working in their jobs.

C. If an employee with disability decides to resign, the employer should ensure that resignation is not submitted because of any form of exclusion, discrimination or discomfort resulting from the disability. If such reasons are identified, the employer should try to retain the employee and rectify the situation to avoid similar incidents in the future. If the reasons for resignation are irrelevant to the disability then the company can proceed according to the normal procedures followed in such cases.

D. In cases where the employee with disability reaches the age of retirement, the employer is required to follow the normal procedures and provide all information related to their entitlements and rights in accessible formats, and to ensure that they receive their pension without compromising their privacy or independency, according to the points mentioned in Question 26 of this chapter.

E. If an employer terminates the contract of an employee with disabilities, their reason for termination must meet all legal requirements. It is unacceptable to terminate someone's contract based on the assumption that their disability is preventing them from fulfilling their duties and tasks. If such discrimination exists, the employee should engage a competent judicial authority to appeal the decision, and demand the accommodation that allows them to exercise their right to appeal and litigate on an equal basis with others without any form of discrimination.

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