



Mid-term evaluation of Better Work Jordan

February – June 2011

CONFIDENTIAL

October 12, 2011

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Acronyms and abbreviations

BFC	Better Factories Cambodia
BW	Better Work
BSR	Business for Social Responsibility
BWG	Better Work Global
BWJ	Better Work Jordan
CAT	Compliance Assessment Tool
CTA	Chief Technical Advisor
DWCP	Decent Work Country Programme
EA	Enterprise Advisor
FIA	Foreign Investors' Association
FTA	Free Trade Agreement
GUF	Global Union Federation
HR	Human Resources
IFC	International Finance Corporation
ILO	International Labour Organization
ITG	International Textile Garment and Leather Workers' Federation
JGATE	Jordan Garments, Accessories, & Textiles Exporters' Association
NLC	National Labour Committee
OSH	Occupational Safety and Health
PICC	Performance Improvement Consultative Committee
ROAS	Regional Office for Arab States
STAR	Supply Chain Tracking of Assessments and Remediation
ToR	Terms of Reference
TPR	Technical Progress Report
USAID	United States Agency for International Development
USDOL	United States Department of Labor

Acknowledgements

This report is based on interviews in person with a wide range of people in Jordan, in Beirut, and in Geneva. Some people were interviewed by telephone from other locations.

A significant majority of the people interviewed were in Jordan, an exercise which took some time and organization. The Evaluation Team thanks the Better Work Jordan Chief Technical Advisor, Mr Phil Fishman, for his effective facilitation of its mission to Jordan: without his assistance and intervention the mission could not have proceeded as smoothly as it did. Mr Fishman was himself a willing participant in the interview process, giving generously of his time and views. Beyond this the Evaluation Team expresses also its gratitude for his personal generosity and hospitality.

In Jordan, the Evaluation Team thanks also the whole staff of Better Work Jordan, but in particular the team of Enterprise Advisors, who allowed the Evaluation Team to accompany them on their work in visiting garment factories, and who were also frank in their discussions with the team. They, also, were generous and hospitable, for which the Evaluation Team is again grateful.

The Evaluation Team also benefitted greatly from information and advice from a wide range of people beyond the staff of Better Work Jordan. These included a certain number of the staff of Better Work Global in Geneva, staff in the ILO Regional Office for the Arab States, in Beirut, and key stakeholders including representatives of international clothing buyers active in Jordan, and of Business for Social Responsibility. The insights derived from the Evaluation Team's interaction with these individuals were very important in working to develop a clear understanding of Better Work Jordan's activities in the period under evaluation, and of both the challenges and the potential that lie ahead of it.

The responsibility for the content of the report, including any errors or omissions rests, however, with the Evaluation Team itself.

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Executive summary

Better Work Global (BWG) has partnered with the Industrial and Employment Relations Department (DIALOGUE) of the International Labour Office (ILO), with additional support from PricewaterhouseCoopers (PwC), to conduct a mid-term evaluation of the Better Work Jordan (BWJ) project. The rationale for the scheduled mid-term evaluation is to review progress after three years of implementation (and more than two years of operations in factories) out of a total of a five year BWJ implementation cycle.

The ILO and IFC agreed in August 2006 to establish the Better Work programme with the objective of improving the lives of workers through compliance with national and international labour standards. Currently BW is operational in seven countries: Jordan, Vietnam, Haiti, Lesotho, Nicaragua, Indonesia and Cambodia. Each BW country strategy includes three core components, namely (1) compliance assessment, (2) training and remediation, and (3) stakeholder engagement and sustainability.

BWJ focuses on the garment industry, which comprises a total of some 85 factories. BWJ is funded by the United States Agency for International Development (USAID), the Jordanian Ministry of Labour (MOL), the Canadian government, and revenue from participating factories and buyers. The project document (PRODOC) envisages that over time BWJ will work to become independent of donor funding, including perhaps by expanding into other economic sectors.

Jordan was the first country to start BW implementation, and BWJ is to be commended for having become successfully established at a time when BWG was not yet fully operational to provide support to BW country projects. BWJ deserves great credit for its efforts to locate highly qualified and motivated members of staff. They in turn deserve credit for the development of materials that have been used by BWG to carry out induction training for Enterprise Advisors (EAs) in other BW country projects. BWJ's training materials on human resource management and on occupational safety and health also have the potential to be used as models globally.

The results of this mid-term evaluation demonstrate a number of successful outcomes of BWJ activities to date. Although fewer factories have been participating in the BWJ project than initially targeted, the number of factories registered must be seen in context. Subscribed factories include the largest in size, and represent approximately 75% of the total value of annual Jordanian garment exports, and an estimated 67% of the total labour force in Jordan's garment industry. BWJ has also built up strong relations with its key stakeholders, both individually, and collectively through the Project Advisory Committee (PAC). Furthermore, stakeholders have described the 6 PAC meetings that have taken place as useful opportunities to review project progress and to engage in constructive discussions and debates.

Although these are good results, the evaluation has also identified a number of areas of improvement for BWJ performance in the remaining years of the current project strategy.

Factory registration: After more than two years of operations, the number of registered factories is behind the targets that were established by project management in accordance with the BW monitoring and evaluation framework. This has in turn affected progress against certain other targets, which were established on the assumption of a particular level of factory registration (targets for the number of advisory visits that would be conducted, for example). It is true that the targets were established on the assumption that factory participation would be mandatory, and that the Government of Jordan (GOJ) has moved only slowly to bring this about. A Cabinet decision to mandate apparel factory participation was not made until March 2010, and had not been effectively implemented at the time of this evaluation. Moreover, the Cabinet decision included a commitment to subsidize factory participation, which has served as a disincentive to factories join until the subsidies take effect. It is also true, however, that the number of

factories registered in 2010 (for example) is lower than the number that would have been expected using BW's globally-agreed Targets and Triggers policy. This raises questions about BWJ's strategy and efforts to promote factory participation and registration, independently of government policy.

Work-planning: The Evaluation Team has concerns about the effectiveness of BWJ work-planning and the degree to which it has been used as an effective management tool. One example is the extent of planning for the scale-up of the project that will need to follow the implementation of the government's decision to make factory participation mandatory. As at the end of the evaluation period, BWJ management views on what is required had not been translated into concrete activities and budgets.

Advisory and assessment services: While the number of factory visits has generally been high, there are some causes for concern. These include the number of completed assessments, and the way that some areas of the assessments are handled, particularly key issues such as freedom of association and collective bargaining, and forced labour. The reasons identified by the Evaluation Team include the delays in factory registration, cultural and language diversity prolonging the assessment process, some gaps in the technical expertise of the EAs, and room for improvement by BWJ in its process of quality assurance of the assessment service.

Training services: Both development and delivery of BWJ's external training service are behind schedule. One reason for this is that BWJ took the decision to wait until assessment and advisory services were well-established before implementing any external training. The delay raises questions, however, as to the project's prospects to work toward greater levels of cost-recovery, and its potential for long term sustainability independent of donor funds.

Cost-recovery and sustainability: BWJ is well short of the initial projections for cost-recovery and sustainability. Total project revenue received by end of Y2 is \$48,427 USD, against a target of \$105,000 USD. The cost recovery share of total budget amounts to 5%, against a target of 50%, while the cost per worker is 11.8 USD against a target of 7.95 USD. There are external factors that lie behind these shortfalls, particularly the limited number of factories registered, which in turn implies limited subscription fees that can be collected from factories, and a limited number of reports that can be sold to international buyers. There are also internal factors, including the fact that cost recovery derived from training schemes has yet to materialize. Beyond this, there are diverging visions on sustainability between BWG and BWJ, with BWJ not having considered sustainability as a priority strategic goal to this point.

In addition to shortfalls against specific targets established either in the PRODOC or in the context of the BW monitoring and evaluation framework, the Evaluation Team formed the strong view that there is significant scope for BWJ to do more to address four key strategic issues in the garment industry in Jordan. This view is based on the fact that after three years of implementation, BWJ is well-established, and in a strong strategic position in the industry. BWJ appears to have strong potential to make important contributions on these strategic issues because it has a unique combination of attributes which include (a) detailed knowledge of economic and working conditions in the garment industry; (b) strong operational capacity backed by extensive support from BWG; (c) considerable financial resources; (d) links to important strategic and institutional resources including those of the IFC and the ILO (both in Geneva and in the region); and (e) relations with important stakeholders nationally and internationally, including government, employers and unions in Jordan, and the major international garment buyers that are particularly active in Jordan.

First, BWJ could do more to act in a coordinated and strategic way to help the garment industry to address issues related to migrant labour that raise concerns about the practice of forced labour (including maximum working hours, curfews for workers, recruitment fees, and retention of passports). This issue

must be considered in light of the fact that reports by the National Labour Committee (NLC) in May 2006 of forced labour in the Qualified Industrial Zones (QIZs) in Jordan were a key reason for BWJ being established. This is noted in the PRODOC. By the end of its second year of operations, BWJ had addressed the issue of forced labour at factory level, and had plans to raise the issue in a substantial way at the 2011 Buyers' Forum.

Secondly, there seems to be potential for BWJ to push for greater realisation of the right of freedom of association for migrant workers. Together with the Garment Union there is space for BWJ to assist in the development of strategies to test the scope of the current legal disposition. There is also scope to work together with other actors to push for a final resolution of the outstanding legal issues.

Thirdly, BWJ may be able to do more to help to foster the development of more mature industrial relations in the garment industry, serving thereby as an example for Jordan generally. BWJ has strong relations with the General Trade Union for the Textile Industry (GTUTI, or Garment Union), and with the Jordanian union movement generally, especially through the project advisory committee (PAC). Moreover, the BWJ Chief Technical Advisor (CTA) has extensive experience in the trade union movement.

Fourthly, BWJ could devote more attention to the issue of attracting more Jordanian investment and employment to the garment industry. Work in this area is foreseen in the PRODOC, and many stakeholders reported that they see the issue as a priority to ensure industry sustainability.

For these four issues, it is the view of the Evaluation Team that BWJ might do much more to articulate a clear strategy as to how it can leverage its unique position to promote improved outcomes. Such a strategy should identify the specific issues that need to be addressed, the level of priority that should be placed upon them, and the appropriate interventions by BWJ. It should be developed in collaboration with, and endorsed by BWG and the ILO's Regional Office for the Arab States (ROAS). As noted: the strategy should be based on the principle that BWJ has a unique position and resources, including the value of the Better Work and ILO 'brands'. It follows that the strategy should provide for BWJ to make the best contribution it can make from its particular position, and in light of the broader institutional and policy goals and imperatives of both BW and the ILO.

The Evaluation Team is strengthened in its view about the potential – and the need – for BWJ to develop such a strategy given BWJ's strong relations with strategic international stakeholders. International buyers and Business for Social Responsibility (BSR) expressed themselves to be strong supporters of BWJ, appreciative of the high quality of BWJ's work, and broadly positive about the Buyers' Forums. At the same time, they clearly see significant untapped potential in their own organizations to provide resources to help take BWJ to another level of achievement. BWJ is also in regular contact, both formally and informally, with ROAS. It appears however that there is greater scope for BWJ to leverage the high level technical expertise that ROAS is ready to provide.

Finally, it should be noted that there are **some key lessons learned** from BWJ for other BW country projects and for the overall strategy of Better Work as it continues to expand:

First, there is a tension between the administrative procedures that are followed by BWJ in establishing Performance Improvement Consultative Committees (PICCs) in participating factories and the goal of having PICCs that function as deliberative and participatory bodies. The guidelines include a suggested time-line of several months to establish a PICC, but the observation of the Evaluation Team after accompanying EAs to a number of factories, is that the PICCs may not be functioning in a way that promotes and protects the basic principles of freedom of association and sound industrial relations. There is tension in particular between the goals of building workers' capacity to choose their own representatives

free of management interference, and the ability of worker representatives to participate in a substantive way as equals with management in the PICC meetings.

Secondly, the Evaluation Team has come to the view that the low-hanging fruit strategy may require some re-evaluation. This approach emphasizes first the easy-to-fix issues, in order to build trust between workers and factory management. The Evaluation Team's observation from the current exercise, however, is that the strategy risks establishing a framework that effectively results in advisory services focusing on matters of lesser concern to the workers, BWJ national stakeholders and international buyers. It is not an approach that focuses immediately on priorities expressed by worker representatives on PICCs, such as timely payment of wages and ill-treatment by supervisors. Nor does it focus on priorities expressed by international buyers on curfews, establishment of effective HR systems, and the development of grievance procedures. It must also be noted that in practice, measurable improvement during the first year of advisory services in Jordan was seen not only with issues falling within the low-hanging fruit strategy, but also with some issues of most direct concern and impact on the work lives of migrant workers such as working hours, compensation, and labour contracts.

In light of the above, the Evaluation Team makes three core recommendations:

- BWJ should articulate more clearly its vision for the role and objectives of BWJ, with particular attention given to the four issues of forced labour, freedom of association for migrant workers, industrial relations, and increased Jordanian investment and employment in the industry. In turn, BWJ should develop a detailed strategic plan to realize that vision. This should include interventions at both factory and sectoral level, and for the latter, should leverage ILO, including ROAS, expertise. The articulation of BWJ's vision, and the development of a detailed strategic plan to realize it, should occur in collaboration with, and with the endorsement of, BWG, within a jointly agreed, very short time-line. It should also take into account input from ROAS.
- BWJ should develop a business plan including a clear strategy and objectives to address sustainability and cost recovery. The business plan should particularly focus on the financial involvement of international buyers and factories. It should also realistically address key challenges to financial sustainability including the limited size of the industry, the high cost margins within Jordan's middle income economy, and the need to preserve development aspects that are likely to disappear in a purely "pay for service" approach, such as a long term approach to improving social dialogue and industrial relations.
- BWJ should review and continue to improve upon a number of project management issues including work-planning, ensuring that project EAs have a common and shared understanding and interpretation of key non-compliance definitions and guidelines to ensure transparency and consistency across factory assessments, and establishing quality assurance mechanisms to ensure that global guidelines are duly implemented at country level while ensuring high quality BWJ reporting.

Introduction

Better Work Global has partnered with the Industrial and Employment Relations Department (DIALOGUE) of the International Labour Office (ILO), and PricewaterhouseCoopers (PwC) to conduct a mid-term evaluation of the Better Work Jordan (BWJ) project. The rationale for the scheduled mid-term evaluation is to review progress made towards the achievement of its objectives, and to draw lessons after nearly three years of a five year implementation cycle. It is expected that lessons learned will have implications not only for the further implementation of BWJ, but for other BW country projects, and for Better Work's global management and operations.

The aim for this internal report is to share the results achieved to date with a limited audience to allow BWJ to adjust its services and strategies and make mid-course corrections, well in advance of a final evaluation whose results would be distributed to a wider audience. This evaluation took place during the first half of year 3 of the BWJ project, from February to June 2011. The period under review begins with the arrival of the Chief Technical Advisor (CTA) in country – June 2008 – and extends through December 2010, with the exception of the grant from the Canadian government to support training activities, which is updated as to June 2011.

This evaluation report follows the structure delineated in the Terms of Reference (ToR), with the addition of three sections: “Financial viability”, “Engagement with MOL, ILO and IFC”, and “A sustainable garment industry for Jordan”. It first explains the background of BWJ and describes BWJ in context. It provides an assessment against baseline targets derived from a variety of sources, including (a) the objectives and expected outputs defined in the project document (PRODOC), (b) the key responsibilities listed in job descriptions, and (c) indicators and targets drawn from the Better Work Monitoring and Evaluation (M&E) framework. These criteria are further explained below. The report also considers certain issues that are common across the garment sector, that is: (a) forced labour; (b) freedom of association for migrant workers; (c) industrial relations; and (b) increased Jordanian investment and employment in the industry.

Specific conclusions and recommendations are outlined in each section, while general conclusions and recommendations figure at the end of the report.

Project background context

During 2006 and 2007 the BWJ project was developed at the request of Jordan's Ministry of Labour (MOL), through a series of technical missions by ILO and IFC officials, with funding secured through USAID and the MOL. During the first two years of the project, BWJ's five-year budget rose from approximately US\$4.3 million to \$8.3 million, an increase of 93%.

The aim of BWJ is to improve labour standards and enterprise performance in Jordan's export and labour intensive industries in global supply chains. It is a partnership between the ILO and the International Finance Corporation (IFC).

BWJ is a 5-year project¹ with an initial sole focus on the Jordanian garment industry, which includes some 85 factories. Its key activities include the following three components:

- Enterprise assessments: firstly against the principles of the ILO Declaration on Fundamental Principles and Rights at Work, 1998 (“the ILO Declaration”) and Jordanian labour law, and secondly in terms of quality and productivity.

¹ The 5-year period begins with the signing of the grant agreement, which predates the arrival of the CTA in Jordan by some months.

- Training and remediation: enterprise advisory and training services designed to support practical improvements.
- Stakeholder engagement and sustainability: engagement with key stakeholders, notably through the PAC, to ensure buy-in and support, and increase sustainability through income-generating activities and the creation of an independent organization.

The BWJ project was the first country project established by Better Work. It was also the first BW country project to develop advisory services. The first BW scoping mission to Jordan took place in October 2006. In parallel, BWG was established in Geneva to support BW projects in various countries. The BWJ project started in January 2008; the Chief Technical Advisor (CTA) arrived in June 2008; and operations began in January 2009. The project's services initially began with limited support, guidelines and tools, but with the recruitment of a highly experienced CTA, who recruited a strong team of highly qualified professionals.

The BWJ CTA was recruited and initially contracted by the ILO. BWJ project local staff and operations defined in the initial PRODOC of October 2007 are funded by USAID, the MOL, and revenues from participating factories and buyers. As of September 2010, USAID increased its financial support to the project in order to enable it to scale up to cover the entire industry. These additional funds also provide capacity building assistance to the General Trade Union for the Textile Industry (GTUTI, or Garment Union). Another training project designed to address gaps in occupational safety and health (OSH) and human resource development (HR) identified in BWJ's First Synthesis Report is funded by Human Resources and Skills Development Canada (HRSDC) (henceforth "the Canadian grant").

In the years leading up to the BWJ project design and launch, Jordan had been undergoing a period of reform, economic openness and global integration, as evidenced by trade agreements with the European Union and the United States, and successful accession to the World Trade Organization. Growth has averaged over 6% per year since 2001. One of the fastest growing sectors of the Jordanian economy prior to the project launch was the garment and textiles sector, which amounted to almost 30% of total exports during 2005.

Despite reforms and strong growth, the Jordanian labour market is facing numerous challenges. Unemployment is still especially high for young people between 18 to 35 years, and more specifically for educated young women. Disparities exist between urban and rural areas. Migration is significant, both in terms of out-migration of educated people and in-migration of people to take low-skilled jobs in which Jordanians are not interested.

The contradiction between high unemployment rates and increasing numbers of migrants working in the export zones is evident. Jordanian research conducted in 2006 indicated perceived poor working conditions are a significant reason that Jordanians are not interested in working in the Qualified Industrial Zones (QIZs). The government had taken measures to improve the working conditions in the QIZs and to increase the number of Jordanian workers in the industry, but additional effort was required.

Several reports of alleged violations and abuse of migrant workers' rights – including forced labour – in the QIZs have been issued. A report in May 2006 by the National Labour Committee (NLC), a US-based NGO, alleged that migrant workers faced abusive working conditions in the Jordanian QIZs, and that employers were not complying with labour standards. Some of the abuses mentioned included: non-payment (or delay) in wages; confiscation of passports; long working hours; non-payment for overtime; and violence and abuse in the workplace. These allegations are widely acknowledged among BWJ and its stakeholders to be the thrust behind the decision to develop a BW project in Jordan. The NLC report and these allegations are noted in the PRODOC.

BWJ was established with the aim of improving compliance, and improving the lives of workers, as well as the performance of firms. One reason this is necessary is because the national legal framework in Jordan does not provide sufficient direction to promote improved standards. For example Jordan currently lacks sufficient regulation regarding maximum working hours. And, while the right to trade union representation for migrant workers has been recognized under amendments to the Jordanian labour law, this set of reforms may yet be rejected by the Jordanian parliament. BWJ also faces the challenge of working to straddle the wide cultural and language diversity of the workers in the garment industry, while trying to promote workers' participation and representation in the workplace.

The under-developed nature of worker-management cooperation mechanisms in Jordan is another contextual challenge, as BWJ aims to establish a foundation for improvements in industrial relations through its targeted assessment and advisory services, and social dialogue at the enterprise and sectoral levels. The Jordanian legal framework imposes a monopoly structure for trade unions, with only a single trade union federation permitted, and only one union allowed per occupational category or sector.² The government provides significant subsidies to the official union federation, which may lead to independence risks. Through its activities BWJ is dealing primarily with the Garment Union, but also with the trade union federation to which the Garment Union is affiliated. The Garment Union does not receive government funding currently, and is autonomous in its operations.

Beyond this national Jordanian context of government interference in trade union matters and limited collective bargaining, the garment industry, with primarily foreign owners and foreign workers, is a high pressure industrial environment with very tense factory-level industrial relations. There is limited trust between the Garment Union and employer organizations, and limited processes to resolve disputes.

Finally, BWJ has been operating in a rapidly changing political context since it began operations. Five Ministers of Labour have served since the project started, and the government and the parliament have been dissolved several times by the King over this period. In the context of political change throughout the region, political reform is underway that may lead to the establishment of political parties, a new election law, and a new round of elections and a new government before the end of the year. Maintaining continuity has been challenging for BWJ in this environment, as is illustrated by the repeated delays in the implementation of the government decision to require apparel factories to participate in the project.

These factors establish the context in which BWJ operated during the period under review.

Approach

This mid-term evaluation was carried out by an Evaluation Team composed of:

- Colin Fenwick, Labour Law Specialist, Industrial and Employment Relations Department (DIALOGUE), ILO;
- Daniel Cork, Programme Officer (Jordan and Lesotho), BWG; and
- Blaise Burnier, Consultant, PwC, Geneva.

² Employer organizations are similarly regulated. Jordan has not ratified ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise.

The Evaluation Team used the following three-phase approach:

Phase 1: Prepare - agree on terms of reference and scope of the evaluation

The Evaluation Team met with BWG in Geneva to clarify the scope of the evaluation, the ToR, and the working relationships between the three evaluators. The Evaluation Team clarified the key audience of the report, the list of relevant documentation, target interviewees and outlined the field trip to Jordan and Beirut in which all three evaluators participated.

Phase 2: Perform - Data gathering

The evaluation combines data gathered from a review of relevant documentation, semi-structured interviews, focus group discussions and accompanying EAs in the course of their advisory visits to participating factories.

Informants were selected from all relevant stakeholder groups, which include:

- Better Work Global
- Better Work Jordan
- Civil society organizations
- Donors
- ILO Regional Office for the Arab States (ROAS)
- International garment buyers
- International Finance Corporation
- Jordanian employers' associations
- Jordanian garment industry (management and workforce)
- Jordanian Ministry of Industry and Trade
- Jordanian Ministry of Labour
- Jordanian trade unions

A field visit was carried out in Jordan and at the regional office in Beirut over a period of ten days. During the mission in Jordan the Evaluation Team undertook the following activities:

- The Evaluation Team accompanied BWJ EAs on advisory visits to a total of 7 factories in the Al-Hassan and Al-Dhulayl QIZs.
- Observations of Performance Improvement Consultative Committee (PICC) preparations for meetings, and actual PICC meetings.

- Individual interviews with BWJ management and staff, representatives from the government, trade unions, employers' associations, donors, NGOs, factory management and others.
- Focus Group discussions with BWJ EAs.

Phase 3: Deliver – data analysis and production of draft and final report

The Evaluation Team members consolidated the data and discussed the findings, reached conclusions and defined recommendations. When needed, the Evaluation Team gathered additional data or clarified information through follow up phone interviews and emails.

The development of the report was led by the three members of the Evaluation Team, with inputs at various stages from the BWJ CTA, BWG staff, ROAS, and other stakeholders including representatives of international garment buyers active in Jordan.

Methodology

The baseline targets used for this assessment have been drawn from the following sources, further detail on which is included below:

- The objectives and expected outputs defined in the original project document (PRODOC) of October 2007.
- The CTA job description.
- The targets set in the Better Work M&E matrix or in some cases, where no such targets could be identified, on the basis of the globally-agreed Better Work Targets and Triggers framework.

The analysis is derived from evidence gathered during the evaluation, including:

- Technical progress reports to the donor and work plan reporting.
- M&E data collected by BWG.
- Public synthesis reports, factory reports, and other publications by the project.
- Interviews conducted by the Evaluation Team with experts, stakeholders, and staff.
- Observations by the Evaluation Team, primarily during the field trip.

Definition of the target baseline

1. The objectives and expected outputs defined in the original PRODOC

The objectives are as follows:

- Enterprise assessment: To identify needs of enterprises in terms of compliance with Jordanian labour law, and the principles of the ILO Declaration, and quality and productivity.
- Training and remediation: To make sustained progress in improving enterprise compliance with labour standards and economic performance.

- Stakeholder engagement and sustainability: To develop an independent organization to support the ongoing operation and sustainability of Better Work Jordan with appropriate stakeholder engagement.

2. *The CTA job description*

The key responsibilities listed in the BWJ CTA's job description include the following:

- Ensure effective implementation and technical oversight of all project components including enterprise compliance needs assessments, training and capacity building, stakeholder engagement and sustainability.
- Ensure a high degree of transparency, accountability and credibility internally and externally for the project.
- Effectively manage human resources including recruitment, mainstreaming gender equality and the principles of equal opportunity, staff development and performance management.
- Maintain effective and efficient administrative and financial systems for the project including the administration of the cost-recovery strategy.
- Provide authoritative policy and strategic advice to the ILO, IFC, and other stakeholders.
- Manage implementation of the programme's sustainability strategy that will make Better Work Jordan an independent national body within 5 years.
- Manage the implementation in Jordan of the global monitoring and evaluation strategy, and further research and analysis as required.
- Maintain strong relationships with the multi-lateral and bilateral donor community for resource mobilisation, project development and effective management of donor funds. Report to donors will take place via the global Better Work unit.
- Ensure high-level communications to increase the profile of Better Work Jordan in Jordan with international buyers, international opinion makers and media as well as within the ILO and IFC. This includes representing ILO/IFC Better Work Jordan at national and international levels.
- Develop and maintain strong relationships with the government, the employer organizations, unions, and a range of stakeholders including international buyers and NGOs.
- Develop and maintain strong links with the technical team in the ILO Regional Office Beirut; ensure linkages with the different components of the ILO Decent Work country programme in Jordan, including the participation in programme planning processes and review; and with the International Finance Corporation's local and regional team, particularly the Private Enterprise Partnership (PEP MENA) team in Jordan and their Licensing and Inspection Reform Project.
- Actively contribute to the development and implementation of the global *Better Work* programme, including its policies, tools and strategies.

- Provide secretariat and technical support to the tripartite country Project Advisory Committee (PAC) in undertaking their advisory responsibilities under the project and maintain Buyers and NGO forums as required.

3. The targets set in the BWG M&E framework, and the BWG Targets and Triggers framework

The BWG M&E framework uses 30 indicators. These are divided into 6 categories: (a) factories; (b) assessments; (c) advisory; (d) training; (e) stakeholders; and (f) viability. Better Work CTAs set targets for the indicators for their own projects, on an annual basis. The targets can subsequently be changed, based on a proposal with sound justification from the CTA, and consultation with and approval by BWG.

In some cases the Evaluation Team has relied on targets that can be derived from the Better Work Global Targets and Triggers framework. Developed by BWG with input from each country project, this framework is used by BWG to ensure that CTAs do not set targets below certain minimums for three indicators: cost recovery, the number of factories that have registered, and the number of meetings of the Project Advisory Committee.³ If actual results against targets for these three indicators fall below the agreed thresholds, this should trigger either a project evaluation, or project closure. As noted, the Evaluation Team has used targets drawn from this framework in cases where no numerical target could be derived from the M&E framework. The Targets and Triggers framework has also been used in some cases to provide a comparison with other targets that might be used to measure project performance, including those in the PRODOC, and the M&E framework.

Tables in the body of the report below summarize the targets and results for Y1 and Y2, drawing on 27 of the 30 indicators. Three gender-related indicators were not included since they are static indicators for which targets are not set. The targets and results are those listed in the BW Jordan Progress indicators from the BWG M&E matrix 2010.

As noted, the Targets and Triggers framework has been used as a complement, usually when targets were not available in the BWG M&E matrix, but in some cases as a means of comparison.

The report also uses 'stoplight colours' to give a graphic indication of progress, although only for Y2 results (2010) since no targets were set in Y1 (2009). Following BWG standards, these are green for results that have met or outperformed targets, yellow for those that have nearly met targets (more than 80% of target), and red for those that have failed to meet target.

The operational launch of BWJ is the date of the arrival of the CTA in Jordan, plus 6 months. The 6 month period was the start-up phase, during which BWJ was hiring and training staff, adapting tools, and starting to register factories. For Jordan, where the project started in January 2008, the CTA arrived in June 2008, and operations began in January 2009. Calendar year 2009 is considered operational Year 1, and calendar year 2010 is Y2.

The Evaluation Team also analysed the completion of expected outputs in terms of training as defined in the funding arrangement of the Canadian grant. The achievement of these outputs is also measured with a stoplight scale. In this case, however, the 'stoplight colours' are differently defined: yellow stands for behind schedule, and green stands for on track.

³ For Year 2, for a small country project, the targets are: 20 per cent cost recovery; 45 per cent of targeted factories participating; and a total of 3 PAC meetings.

For a number of the subject-matters required by the ToR to be covered in this report, and for some that have been included, numerical targets and indicators do not exist. In these cases the Evaluation Team has used a simple form of qualitative analysis. Information that forms the basis of conclusions and recommendations in these areas was drawn from documentary material, and interviews in Jordan and elsewhere. The views of different interview subjects were correlated with each other. Follow-up questions and tentative conclusions were submitted to BWJ staff – especially the CTA – for answers and feedback. A similar exercise was conducted with BWG staff as necessary.

Programme strategy and implementation

Progress against targets

This section only discusses the achievements against targets set for factory registration, as these achievements influence a number of other targets. All other targets and results are discussed later.

Table 1: Factory registration

Activity	Output / Outcome	Reporting Period		Target 2010	Reporting Period		2010 % target (actual/target)
		January-June 2009	July-December 2009		January-June 2010	July-December 2010	
Factory Registration	<i>How many new factories were registered in the reporting period?</i>	11	7	30	7	2	30% (9/30)
Factory Registration	<i>How many total factories are registered to date?</i>	13	18	50	26	28	56% (28/50)
Factory Registration	<i>What is the total number of workers in the registered factories?</i>	11,972	15,029	25,000	25,000	21,258	85% (21,258/25,000)
Factory Registration	<i>How many factories unenrolled from the programme?</i>	N/A	N/A	0	0	0	100% (0/0)

Generally the pace of factory registration with BWJ has remained fairly constant since spring 2009, at a rate of approximately one factory per month.

In the first year of operation 18 factories were registered. This is higher than the minimum of 17 that would have been required under the Targets and Triggers framework.⁴ In Y2 however there was a significant decline in registrations: only 9 factories registered against a target of 30. The agreed target at the end of Y2 was a total of 50 registered factories from the start of operations, while in the end only 28 out of 85 were registered at the end of this reporting period. This represents 56% of target, which is below the key Targets and Triggers thresholds of 70%, at which level the project would have to be evaluated. It is also close to the 50% threshold that would require project closure.

It is important to acknowledge that the Y2 targets for factory registration were established on the assumption that apparel factory participation in BWJ was required by the GOJ, based on a Cabinet

⁴ The Evaluation Team notes that the Targets and Triggers framework was endorsed in 2010, and so did not apply at the time in question. It is used here however as a means by which to identify a target against which the number of factories registered may be measured.

decision made in March 2010. However, to date this decision has not been implemented, so the primary assumption behind the setting of targets for Y2 has yet to be realized.⁵

In real terms, the number of registered factories does not alone disclose key achievements. In particular, it does not show that these factories represent approximately 75% of the total of annual Jordanian garment exports, and approximately 67% of the total labour force in Jordan's garment industry. This is a strong indication of sector-wide reach. This indicator – the percentage of total sector workforce covered in Better Work-participating factories – will be monitored for all Better Work countries from 2011.

Nevertheless, the target for Y2 indicates an expectation that more than double the number of factories would register. Only 30% of the target was however actually achieved.

As noted, a major reason for the delay is that while the GOJ decided on mandatory participation in March 2010, the implementing regulation was only issued in December 2010. And at the time of this evaluation, the regulation was still not in force. In parallel, in March 2010, government subsidies were announced for new factory registrations with BWJ, however neither has this measure been legally implemented. Ever since these government announcements were made, a number of factories have adopted a new policy to wait with registration until these measures are formally in place. As a result it is likely that there may be a sudden increase in registration of factories once the laws are implemented and enforced. On the other hand, it appears that there will be only low financial penalties for non-registration; clearly this may result in further delays in registration, especially by smaller sub-contractors.

In conclusion, the Y2 result on the number of registered factories was clearly behind targets, and also below the Targets and Triggers threshold requiring an evaluation. The targets did however assume government action on mandatory participation. The fact that the government's promise of subsidies to registering factories has not materialized to date is an important external factor that has hampered factory registration. Nevertheless, it is not clear that BWJ took substantial pro-active measures to increase factory registration. Neither were targets re-adjusted to more realistic levels, or suggestions made for other ways to measure success.

Recommendations

- A focus on the simple number of factories registered, and the number of employees in those factories might be supplemented with attention to other indicators of the reach and scope of a project, including for example the proportion of the labour force that is covered by a project.
- BWJ should actively promote factory registration with existing and additional international buyers, and with non-participating factories, independently of government policy.
- BWJ should pro-actively review the targets it establishes in the context of the Better Work M&E matrix, and ensure that it revises targets where it is necessary and possible to do so.

Vision, strategy and effective work-planning

As with most ILO, and all BW projects, the PRODOC including the core project strategy was written to engage the donor and stakeholders prior to the recruitment of the CTA. Subsequently, as for all BW country projects, the CTA was (and is) expected to develop and to lead the project with a high degree of autonomy.

⁵ Performance could be alternatively measured on the assumption that participation would be voluntary. Identifying targets based on this assumption, using the globally agreed BW Targets and Triggers policy, would suggest targets for factory registration at the end of Year 2 of 38, and at the end of Year 3 of 47.

The analyses presented in the later sections, in particular on the specific issues of financial sustainability and cost recovery of BWJ, and, to a lesser extent, sector-wide policy issues related to migrant workers and improvement of industrial relations, lead the Evaluation Team to conclude that BWJ has demonstrated limited buy-in to some aspects of the strategy outlined in the PRODOC. Furthermore, BWJ lacks a clearly articulated vision for the overall project and, more specifically, for the above-mentioned issues. In this respect, the Evaluation Team concludes that there is room for improvement in the prioritization of strategic goals and related activities.

The Evaluation Team also notes that there have been weaknesses with regard to work-planning, a primary responsibility for the CTA (with backstopping from BWG). It is to be hoped that past challenges will be avoided in future as there is now a system in place, developed in collaboration between BWJ and BWG staff that has improved visibility of the workplan linked to financial resources, and offers the potential to function as an effective management tool from the perspective of both BWJ and BWG.

For its part, BWG is concerned that BWJ will become overloaded because it has not planned in a timely and adequate way for the scale-up that will be needed to respond to factory participation becoming mandatory. BWJ is working to contract additional staff, based in part on calculations of the number of work days needed to carry out the factory assessments and advisory visits that will be required given the number of new participating factories.

The Evaluation Team notes that BWJ may not be ready for the scale up to cover an additional 57 factories. The CTA does have views on the challenges ahead, but these are not obviously reflected in the work plan, and in the allocation of roles and responsibilities among the staff. In particular, the fact that participation will be mandatory does not guarantee the buy-in of new factories. As noted, penalties for not participating will apparently be quite low. Substantial involvement of BWJ staff and management is therefore likely to be required. In addition, the scale-up will include sub-contracting factories. These are likely to require relatively more staff involvement, as compliance is generally expected to be lower in these factories, and buy-in to the project cannot be leveraged directly through international buyers. The Evaluation Team also notes that the MOL indicated (without presenting a specific request) that there would be scope for BWJ to assist with the implementation of mandatory participation.

In conclusion, some aspects of the strategy defined in the initial PRODOC have limited buy-in from BWJ management. This is clear from the lack of a clearly articulated vision developed by BWJ and endorsed by BWG. This has resulted in a lack of clarity concerning priorities, strategic goals and related activities. In addition, BWJ has not met BWG expectations in terms of work-planning. BWJ has views of challenges related to the scale-up but as of the date of the evaluation, had not yet translated these into detailed activities in its work-plan.

Recommendations

- In order to guide the implementation of the project throughout its second phase, BWJ in collaboration with, and with the final endorsement of BWG, should articulate a clear vision for the project, accompanied by a detailed strategic plan to realize it.
- BWJ should develop a results-based work-planning approach in which objectives, rather than activities, are the origin of the planning process, and which should be defined up-front. Indicators, where possible taken from the BW M&E framework, should be integrated into the work-plan, particularly at the outcome level, to measure the level of achievement.

Financial viability

The PRODOC envisages that BWJ will be working towards the creation of an appropriate independent entity, which could continue BWJ operations, independent of donor funds, after the initial five-year grant period has expired.⁶ In addition, the CTA job description stipulates that one of the CTA's key responsibilities is to "manage implementation of the programme's sustainability strategy that will make BWJ an independent national body within 5 years." The goal of sustainability, defined as full independence from donor funding, relies on assumptions about cost-recovery for services delivered by BWJ, including fees from factories and buyers, and delivery of fee-for-service training.

As illustrated by the table below, BWJ has fallen short of the initial projections for cost-recovery and sustainability. Total revenue received by end of Y2 is \$48,427, against a target of \$105,000; the cost recovery share of total budget amounts to 5% against a target of 50%; and the cost per worker is \$11.8 against a target of \$7.95. It should be noted that the target of 50% of cost recovery set by BWJ in the M&E matrix is ambitious: it is, for example, very much higher than the minimum target that would have been expected under the Targets and Triggers framework. The framework would have required a target of 20 percent cost recovery in Year 2, which in this case would have been \$21,000. Given that \$48,427 was received during the year, this would have been considered well in excess of 200% of target.

Table 2: Financial viability

Activity	Output / Outcome	Reporting Period		Target 2010	Reporting Period		2010 % target (actual/target)
		January-June 2009	July-December 2009		January-June 2010	July-December 2010	
Financial Viability	<i>What is the total programme revenue received in the reporting period?</i>			USD 105,000	USD 24,427	24,000	46% (48427/105000)
Financial Viability	<i>What is the percentage of cost recovery?</i>			50%	N/A	5.07%	10% (5.07/50)
Financial Viability	<i>What percent of the annual budget has been committed?</i>			85%	50%	43%	51% (43/85)
Financial Viability	<i>What percent of the annual budget has been spent?</i>			N/A	N/A	81.20%	no target set
Financial Viability	<i>What is the per worker cost of the programme?</i>			USD 7.95	USD 17.08	USD 11.83 (PPP 15.07)	49% (11.83/7.95)

There are many challenges faced by BWJ that provide important context to the shortcomings regarding financial viability. The first one is the limited factory registration (explained above) due to the lack of implementation of mandatory participation by the government. This, in turn, implies limited subscription fees that can be collected from factories, and a limited number of reports that can be sold to international buyers. Secondly, the increase of the total budget in view of the scale-up to industry-wide participation has proportionally reduced the share of the cost recovery in the total budget.

Thirdly, although the annual fees currently paid by international buyers have been increased from \$500 to \$750, these remain low. The buyer subscription fee covers the cost of a factory assessment report, plus two advisory progress reports, per factory, per year. In addition, some buyer subscription fees have not

⁶ Moreover: 'By the fourth year of operation an organizational entity and governance structure will be established and financial plan developed. As part of the process a plan will be put in place for transfer of staff to the new entity.' PRODOC, p 14.

been paid on schedule and the overall number of buyers paying subscriptions is limited: only 5 out of at least 30 buyers sourcing from Jordan. Fourthly, operational costs are high, in particular the cost of interpretation and translation services for assessment and advisory services, to accommodate the different languages of the migrant labour force. It is worth noting in this respect that the annual \$2,000 subscription fee per factory to BWJ does not cover actual costs to deliver six days' assessment and ten days' for advisory services,⁷ and some of the smaller factories will not be able to afford these or higher fees. Finally, BWJ is not the only Better Work project that has struggled to date with collecting revenue for training courses. This is an issue under discussion globally, to which each BW country project is expected to contribute, based on country level strategies and pilot approaches.

The envisioned cost-recovery strategy for Better Work projects operating within smaller industries includes the possibility of diversifying into other industries, and/or extending services to neighbouring countries in order to cover a sufficient number of factories to reach financial sustainability. In this regard, the IFC in Jordan noted that there are many guest workers in the tourism sector, that medical tourism is increasing in Jordan, and that construction is perhaps a sector in which BWJ could make a contribution. At the same time, the IFC expressed scepticism about translating the BW model given its reliance on supply chains. This suggests that a detailed feasibility study would need to be undertaken to assess the potential of BWJ to work in other industries and thereby to increase cost-recovery and the sustainability of the project. The Evaluation Team understands this is an activity scheduled to be carried out in the third year of the project work-plan. At the CTA's request Jordan will be covered in a global feasibility study on the tourism sector taking place June – September 2011.

The Evaluation Team notes that the CTA has fundamental questions about cost-recovery and sustainability as attainable goals for BWJ in five years. The CTA expressed concern that important development aspects such as improving industrial relations and social dialogue would likely disappear should the project evolve into a purely "pay for service" entity providing services to brands and suppliers. This perspective leads to financial sustainability not being considered a high priority strategic goal at this point, so there has been little attention given to date to increased cost recovery.

In conclusion, on the particular issue of sustainability and cost recovery discussed in this section, the projections have not been achieved by far. Several factors explain this, including the limited number of factories registered, and the low level of financial involvement of international buyers. However, the CTA does not consider financial sustainability a high priority strategic goal at this point. He believes that it can realistically be attained only over a longer period of time than the initial five years, and that important development aspects are likely to disappear in a "pay for service" approach.

Recommendations

- Given that the PRODOC endorsed by donors, and the CTA job description, clearly lay out a 5-year time horizon to cost-recovery, BWJ should urgently prepare a detailed business plan and potential alternative vision of sustainability to serve as the basis of re-negotiation with donors and BWG. The business plan should detail the proportion of costs that is expected to require donor funding beyond the 5 years. It should also analyse the potential financial involvement of international buyers, e.g. payment of subsidies for their suppliers' participation in core services of BW, and coverage of training costs for their suppliers.
- BWJ should urgently translate its views for scale up into concrete activities and budgets, and include these in the work-plan.

⁷ Note that BWJ slides to the Buyers' Forum have this at 6+12.

Core Services

Assessments and public reporting

Registered factories are assessed once per year by a team of two EAs. Each assessment includes a three step process: pre-assessment preparations, enterprise assessment and reporting.

The key element of the assessment phase is the assessment of compliance needs against principles of the four core international standards (forced labour, child labour, discrimination and freedom of association) as well as four areas of national law (compensation, contract and workplace relations, occupational safety and health, and working time).

The indicators used for the evaluation of compliance assessment and public reporting services by BWJ are the following:

- The number of completed assessment reports.
- The average number of days between an assessment visit and the factory's receipt of the final report.
- The average number of reports completed by each EA.
- The percentage of factories which developed Improvement Action Plans.

Progress against targets

The following table summarizes the key results against targets for the compliance assessment service.

Table 3: Compliance assessments

Activity	Output / Outcome	Reporting Period		Target 2010	Reporting Period		2010 % target (actual/target)
		January-June 2009	July-December 2009		January-June 2010	July-December 2010	
Compliance Assessments	<i>How many compliance assessment reports were completed in the reporting period?</i>	5	9	40	5	11	40% (16/40)
Compliance Assessments	<i>What is the average number of days between an assessment visit and the factory's receipt of the final report in the reporting period?</i>	23	31	30	25	20	>100% (20/30)
Compliance Assessments	<i>What is the average number of reports completed by each Enterprise Advisor in the reporting period?</i>	1.25	2.25	6.67	1.5	4.25	63% (4.25/6.67)
Compliance Assessments	<i>What percent of factories developed Improvement Action Plans?</i>	66.60%	100%	90%	54%	100%	>100% (100/90)

Two out of four agreed targets have progressed well. The target time between an assessment visit and the factory's receipt of the final assessment report was set for Y2 at 30 days. At the end of Y1 the average number was 28 days, and at the end of Y2 the average number of days decreased further to an estimated 21 days.

Two out of three targets have been reached to a very limited extent. First, the number of completed assessment reports. No target was set for Y1, and at the end of that first year 14 assessment reports were completed. For Y2 a target was set of 40 assessment reports while 16 reports were completed. While low, this is directly related to the number of factories registered in Y1 and Y2, because BWJ is required to undertake annual assessments as of the moment of factory registration.

As noted above, the number of factory registrations was significantly lower in Y2 than targeted, and this affected the ability to reach the target of completed assessment reports. Actual factories registered in Y1 were 18, while 14 assessment reports were completed in Y1. Bearing in mind that some factories registered at the end of the year, this is a relatively good result in terms of the number of completed assessment reports for Y1.

In Y2 a further 9 factories were registered and an additional 16 assessment reports were completed, of which 10 were second year assessments. This means that at mid term, BWJ had undertaken a total of 20 completed first year assessment reports, while 28 factories were registered. Even when taking into account the low number of registered factories, the completion of first year assessment reports is lagging behind schedule. The explanation provided by BWJ is that assessments were scheduled only after payment for the annual subscription fees was received, not when a factory submitted its registration papers. Without exception, the 8 factories that had registered, but had yet to be assessed had not paid their annual subscription fees. Once these fees were received by BWJ, assessments were conducted within two weeks in almost all cases.

Similarly, at the end of Y2, while 18 factories were registered in Y1 and could have received a second year assessment, only 10 factories did. Even when taking into account that some factories registered at the end of Y1, this result is clearly below the established target. Once again, the explanation provided by BWJ is that assessments were scheduled only after payment for the annual subscription fees was received, not when a factory submitted its registration papers.

Secondly, the average number of reports completed by each EA is very low, with an average of 2.9 against a target of 6.67. A key informant in BWJ expressed the view that EAs work at 60% of their capacity; if true, there is scope for a more systematic use of their time. This view is arguably supported by a comparison of the average number of assessment reports completed by the BWJ EAs for the period January to June 2011, with those in other country projects: for BWJ it was 1.8, for BW Vietnam it was 4.6, and for BW Haiti it was 5. According to the CTA, the primary reason for this is, once again, that the target for factory registration was established on the assumption of mandatory participation. The Evaluation Team notes that the fact that the current team of EAs would appear to have the time to conduct more assessments, partially mitigates concerns about the extent of BWJ preparedness for scaling up to mandatory participation.

Besides the evaluation of achievements against agreed targets, the Evaluation Team has made a number of **findings on the quality of the assessments**, subject to the significant caveat that the team did not have the opportunity to observe any assessments being conducted while in Jordan.

In general, the assessment on occupational safety and health (OSH) issues has been fairly good, according to key informants. When the underlying documentation is available, the reporting of factual information on the numbers of hours worked is also good.

However particular areas of the assessments have not been handled in an optimal way. First, freedom of association and collective bargaining. The Evaluation Team notes that BWJ made a decision to report non-compliance on two issues only (freedom to form and join unions, and freedom to form and join federations/confederations), and in reporting on those issues only to refer to the limitations in the law as

the basis for non-compliance. The First Synthesis Report of May 2010 specifies however that “going forward, Better Work Jordan will focus more on employer behaviour related to other aspects of freedom of association. This may include interference with union operations and discrimination against union members in garment factories.”⁸

Despite this public announcement of intention to assess more thoroughly, BWJ has not implemented this approach. To date, no consideration is given in compliance assessments to other aspects of freedom of association and collective bargaining such as restrictions on workers joining the legally-allowed union, forcing workers to join the union, management presence at union meetings, management interference in trade union affairs, trade union access to workers and the workplace, issues relating to strikes (retribution, etc), and implementation of collective bargaining agreements. Furthermore, information about the reasons why workers may go on strike is not included in the actual assessment reports (in the Supply Chain Tracking of Assessments and Remediation system (STAR)) but only in an annex that is created independently by BWJ, rendering the assessment data incomplete.⁹ BWJ did not explain why this commitment to improve and extend freedom of association monitoring has not been followed up.

The Evaluation Team understands that these issues have been raised with BWJ, which intends to increase the assessment of these issues in connection with the planned incorporation of recent amendments to the labour law into the assessment tool.

In the second quarter of 2011 it came to the attention of BWG that there have been some inconsistencies in factory-level compliance reporting by BWJ. The following are some examples of inconsistencies:

- Findings of non-compliance on forced labour not sufficiently supported by evidence. For example, only illustrating that there is a curfew in place is not sufficient information to justify a finding of non-compliance; the finding needs additional documentation e.g. how is the curfew enforced; do workers have feasible alternative housing; are they being exploited?¹⁰ BWJ EAs have stated that other factors identified in the current guidance are taken into account when determining whether a non-compliance should be cited, but that this may not be included in the assessment reports.
- Payment of recruiting fees has at times been reported as bonded labour and at times not. The same factual information is sometimes used to support noncompliance for multiple issues. In some cases, this is justified, but in others, it reflects a failure to cite only the most appropriate and specific noncompliance issue that pertains to the situation. In some cases, the comments illustrating the evidence for noncompliance are copied and pasted among questions.
- Non-compliance is unreported. For example, a noncompliance in Social Security and Other Benefits showing that non-Jordanian female workers are not eligible to get maternity leave should also raise questions of noncompliance in Discrimination on the Basis of Race and Origin in terms of working conditions and pay.

The above examples indicate areas for improvement in the quality assurance process that is being used to check the reports at the country level.

⁸ First Synthesis Report, p 5.

⁹ Note that all findings regarding assessment quality are based on BWJ factory level reports. The specific citation (factory name) is not listed in this evaluation, however, in order to protect the confidential compliance information of the factories.

¹⁰ The Evaluation Team understands that BWG is in the process of re-visiting the guidance that EAs use in assessing forced labour issues. It is clear that a lack of a common understanding – among the EAs, and between the EAs, BWJ management and BWG – on the definition of some of the key terms used in the assessments has lead to self-interpretation of the responses on particular compliance points and, as a consequence, to a level of inconsistency in the results of the assessments. Nonetheless, even based on the current guidance, in some cases, there is not sufficient evidence to support non-compliance that has been cited.

The Evaluation Team also noted that there has been an inconsistent use of STAR. The issues concern both BWJ's configuration of the Compliance Assessment Tool (CAT) in STAR, and in the use of STAR to prepare assessment reports. The CAT was initially entered incorrectly, leading to mistakes in the reports. Once the reports were generated in pdf and the mistakes were noticed, they were corrected manually and sent to factories and international buyers. However, the original reports stored in STAR remained erroneous and were often not corrected until prompted by BWG. Furthermore, in the attempt of re-entering the correct report in STAR, in several cases BWJ has loaded multiple data sets for the same factory assessment. The CTA has the responsibility to obsolete data sets to avoid duplications. BWJ did not systematically obsolete datasets and this has resulted in a number of inaccurate data floating in the system. Furthermore this leads to an avoidable waste of resources for both BWJ and BWG in cleaning datasets in preparation of a synthesis report. The Evaluation Team notes that BWJ recently moved to delete obsolete data sets.

Finally, recommendations to make BWJ more consistent with global practices have only been implemented after delays. These include changes to the assessment tool agreed globally with CTAs and lead EAs in April 2010, and further changes agreed with CTAs in December 2010. They include changes to factory level reporting templates, and streamlining of report format with format from other BW countries (e.g. using section numbers of the law in the template, instead of reproducing lengthy texts of provisions).

In conclusion, the above shows that the quantity and quality of the assessment service is inconsistent in some areas. Identified gaps include the number of completed assessments, and the way specific areas of the assessments are handled, including freedom of association for migrant workers and forced labour. Improvements in these areas would benefit not only BWJ, but other Better Work country projects, especially given that BWJ staff participate in delivering training to other EA teams.

Recommendations

- BWJ should ensure that it builds upon a very good base of talented EAs to recruit a sufficient number of highly skilled and experienced EAs to guarantee reporting to the highest standards, and that the work is planned to increase efficiency and effectiveness of the work undertaken by EAs. This is particularly important in light of the anticipated increase in participating factories linked to the project becoming mandatory.
- BWJ and BWG should continue to work together to develop a common understanding and interpretation of key definitions and guidelines concerning non-compliance, in order to ensure consistency across the assessments. This should include in particular bonded labour, freedom of association and collective bargaining, and forced labour. As part of this, BWJ needs to implement decisions taken by the BWG Operations Management Team (OMT) related to assessment data collection and reporting practices more promptly.
- BWJ should set up quality assurance mechanisms to ensure that global guidelines are duly implemented at country level, and to ensure high quality BWJ reporting and consistent use of STAR, while limiting the proportion of inaccurate data.

Advisory

BWJ was the first BW country project to introduce an advisory service at each participating factory. Much of Better Work's learning when it comes to the development of effective advisory services has come from Jordan. It is also important to observe that advisory services are widely considered, including by factory managers, as a key element of the BW approach since, as opposed to third party auditing, advisory

services provide assistance to improve the compliance rate. Advisory services are also highly valued by international buyers.

Advisory services are organized in eight steps comprising 1) pre-advisory preparations, 2) management introductory meetings, 3) workers' introductory meetings, 4) formation of Performance Improvement Consultative Committee (PICC), 5) PICC meetings, 6) follow up visits, 7) internal assessments, and 8) post-advisory process and follow up.

The indicators used for the advisory services in the BW M&E framework are the following.

- Number of factories receiving advisory services.
- Number of advisory visits completed.
- Percentage of PICCs that meet at least monthly.
- Percentage of factories that have developed Improvement Plans.
- Percentage of factories that implemented recommended changes.

Progress against target

The following table summarizes the key results against targets for advisory services.

Table 4: Advisory services

Activity	Output / Outcome	Reporting Period		Target 2010	Reporting Period		2010 % target (actual/target)
		January-June 2009	July-December 2009		January-June 2010	July-December 2010	
Advisory Services	<i>How many factories are receiving advisory services?</i>		11	50	18	21	42% (21/50)
Advisory Services	<i>How many advisory visits have been completed this half year?</i>	0	49	120	84	103	>100% (187/120)
Advisory Services	<i>What percentage of consultative committees met at least monthly?</i>	0	89%	90%	100%	100%	>100% (100/90)
Advisory Services	<i>What percentage of factories has developed Improvement Plans?</i>	0	100%	90%	54%	100%	>100% (100%/90%)
Advisory Services	<i>What percentage of factories implemented recommended changes?</i>	0	80%	50%	54%	70%	>100% (70%/50%)

Four out of five agreed targets were substantially exceeded. The one target that was not met was established on the assumption of mandatory participation. First, the number of completed advisory visits outperformed the target of 120 for Y2 by 67. Secondly, the percentage of PICCs that met at least monthly is reported as 100% for Y2. Thirdly, the percentage of factories that have developed Improvement Action Plans is reported as 100% for Y1 and also Y2. Fourthly, the percentage of factories that implemented recommended changes is 80% in Y1 (no target), and 62% against a target of 50% in Y2.

Conversely, the number of factories receiving advisory visits shows limited achievement, with 21 factories visited in Y2 against a targeted total of 50, and 11 factories visited in Y1 against a total of 18 registered

factories. These results are however contingent on the number of registered factories. If the results are expressed in percentage of total of registered factories, and not against targets, the outcome is more positive: 61% for Y1 and 75% for Y2. This is not to imply that had there been more factory registration, there would necessarily have been more factories receiving advisory visits. It does however underscore that this result is bound to be underperforming because it depends on another result which did not meet its nominated target.

Besides these quantitative measurements of progress, the Evaluation Team investigated the quality of the advisory services by examining how the PICCs are formed and run, and the extent to which the Low Hanging Fruit (LHF) strategy is effective in realizing BWJ objectives. The team also considered data from the BWJ Synthesis Reports.

The PICCs

The establishment and functioning of a PICC is a key element of the BW model for translating the findings of a compliance assessment visit into an Improvement Action Plan to remediate identified non-compliance. A PICC is at the heart of the BW model of advisory services.

As at March 2011, some 22 PICCs had been formed, in the 29 BWJ participating factories. It should be noted that the only reason the other 7 factories did not have PICCs as of March 11 was because the PICCs were either in the process of being re-instituted between years, or because the factories were so new to BWJ that PICC formation was still in process. In 16 of these PICCs, the worker members were elected. In the others, they were selected by management. In a number of the PICCs, management initially resisted PICC formation but then accepted the PICC when management could select the worker representatives. In the second year of PICC operations when the one-year mandate of worker representatives had expired, a number of factories accepted BWJ advice to reformulate the PICCs with worker-elected representatives.

Table 5: PICC formation, including cases of worker representative selection by management, as well as worker representative elections.

	Mar - 09	Jun-09	Sep - 09	Dec-09	Mar - 10	Jun-10	Sep - 10	Dec-10	Mar - 11
PICC formed				7	15	17	22	22	22
PICC elections conducted				4	7			9	16

Source: Technical Progress Reports

The BWJ CTA reported that BWJ decided to accept management-selected worker representatives for some factories in order to ensure that PICCs were formed in a timely way, given their importance for the BW model of developing and implementing Improvement Action Plans. This strategic decision was discussed with certain BWG staff, who noted in turn that it was motivated in part by pressure to get things done, and in part by the knowledge that the vision of worker-empowered PICCs will be hard to realize.

Subsequently, BWJ developed detailed Advisory Guidelines on PICC formation, which have been shared with all other BW countries. These suggest that a PICC should be formed within three months or so of the initial factory assessment. Those guidelines include extensive material on the conduct of elections, which was also developed by BWJ staff.¹¹ In general, trade unions engaged with Better Work have been quite clear about the role of workers choosing PICC representatives, as noted in Alison Tate's report on

¹¹ EAs are advised to request from management details on the composition of the workforce, '[i]n preparation for elections', and also to explain 'the dates, rules and procedures for elections of workers [sic] PICC members, and the procedure to be followed for the elections.' Better Work Jordan, *Advisory Process*, 2009, pp 15, 18.

relations between trade unions and Better Work, which observes that worker representatives on a PICC 'must absolutely be worker determined, and be elected without interference from management'.¹²

A separate issue is that evidence shows that EAs in Jordan run the PICC process. They develop the agenda, distribute it to the factory (to management, but not to workers), chair the meetings, and develop the proposed improvement plans and monitor performance. The CTA and EAs acknowledge this.

The relationship between PICC representatives and the workers themselves is also often weak. For instance worker representatives lack visibility in the factories, and space (both time and place) where they can communicate with the other workers.

When BWJ began operations, only a small percentage of factories had any union presence. This has begun to change over time with the support of BWJ. In addition, the Garment Union has been able to take advantage of BWJ-supervised PICC worker elections to elect union committees at more factories. Nevertheless, the relationship between the PICC and the trade union committee (the plant level structure of the Garment Union) where both coexist is often incoherent, and at times competitive. As the BWJ PRODOC stresses the importance of synergy between the workplace PICCs and the Garment Union, additional attention should be devoted to addressing this issue. (It is also appearing as a potential concern in other Better Work countries).

In conclusion, it is clear that PICCs are being formed and meeting in a timely way, but that to look only at this indicator would be to take a formalistic view of the role of PICCs in BWJ operations. Their operations in practice appear to have room for improvement, in particular as regards their contribution to worker empowerment and the promotion of sound industrial relations in Jordan. EAs attribute the need to work this way to the guidelines, which require that certain advisory steps are taken in a given framework.

The Evaluation Team understands that BWJ is working toward ensuring that all worker PICC members will be elected freely by workers, and that good progress has been made. In addition, it is noted that BWJ has developed extensive election procedures, which contemplate active involvement by the Garment Union in organizing elections, subject to negotiation on a case by case basis at the factory level.

The foregoing shows (a) that there are currently tensions between the specific timeline requirements and the need to form truly representative PICCs through democratic processes, and (b) the need to ensure full worker participation and EA facilitation – rather than conduct – of meetings. The Evaluation Team notes, however that these challenges are also experienced to various degrees in other BW country projects, and that EAs will need a wide array of sophisticated skills in order to succeed in realizing the Better Work vision for PICCs.

Recommendations

- BWJ and BWG should reach an agreement as to what should have priority between ensuring all the PICCs are formed according to strict democratic procedures, and the need to form a PICC within the timeframe provided by the guidelines. The work-plan should also be adapted to reflect any assumption, for example that a PICC can be democratically formed in three months.
- BWJ and BWG should consider de-coupling the issue of PICCs from the development and implementation of improvement plans. BWG should review this issue at the global level.
- BWJ should align the PICC structures with trade union committees where they coexist at the plant level, and work with the Garment Union to define roles and responsibilities of each, so that the

¹² A Tate, *Better Work and Trade Union Development and Capacity Building*, undated, p 31.

PICC does not duplicate or undermine the existing labour management relationship. In this context, BWJ should ensure that the Garment Union is conscious of the limits of Better Work's role. To the extent that the Garment Union expects BWJ to advocate directly for the ability of the union to enter factories where it does not have members (to facilitate recruitment), the limits of Better Work's mandate, and distinction from the role of the union, should be further clarified.

- BWJ should aim to improve linkages between the PICC representatives and the other workers, notably by ensuring that time and space are allocated for meeting and discussion.
- In addition, based on the direct observations of the Evaluation Team during the field mission, EAs would benefit from further targeted training on industrial relations, facilitation of meetings, advisory services, management and trade union engagement, dealing with migrant workers and interpreters, and issues related to forced labour.

The low hanging fruit strategy

The “low hanging fruit” (LHF) strategy is a standard element in the Better Work model: it consists of having the PICC focus the first year of remediation efforts on matters that are considered likely to be easier to resolve. This usually includes straightforward OSH non-compliances, such as presence and replenishment of first-aid kits, availability of soap in bathroom facilities, and clean factory floors. The rationale is that by addressing these issues first, BW can build trust with factory managers and workers, and so achieve demonstrable progress in addressing compliance gaps. It can then tackle complex and sensitive issues in the second year, and gaps in compliance with ILO core standards from the third year.

It appears to the Evaluation Team that the LHF strategy poses several challenges, in and of itself. At an abstract level, the strategy was criticized by some international buyers interviewed for this evaluation, who expressed the view that it would be better to promote management systems to achieve more sustainable compliance improvements.¹³ At a more concrete level, one source noted that according to BW methodology (about which BWJ reports having raised concerns in the OMT), there is no weighting of issues in an assessment report. This means that there can be a focus on a large *number* of issues that would be considered ‘low-hanging’, distracting attention from others which might be thought of greater importance, such as freedom of association, or the use of double books. It also appears that the LHF approach could risk undermining the credibility of the PICCs in the eyes of the workers: the worker representatives on PICCs are elected to focus on the priorities of their fellow workers, and if the strategy leads to these being overlooked, this could limit the potential to promote social dialogue as a means of avoiding and resolving disputes.

These concerns with the LHF approach have particular implications for Better Work operations in Jordan. The application of this strategy in Jordan may not, for example, be suitable to the pace of change required in order to improve working conditions for non-Jordanian workers, or to demonstrate to Jordanian citizens that garment factories offer decent jobs. Moreover, the Evaluation Team's understanding from BWJ management is that one of the reasons that BWJ has not focused on developing strategies to address issues of concern across the sector, is the very emphasis in the Better Work model on focusing on factory level improvements, drawing upon the LHF strategy in the first year.

At the same time, however, BWJ has been able to act with a degree of flexibility at the factory level; that is, it has not been completely constrained by a rigid application of the LHF strategy. Based on field interviews, and a review of a sample of progress reports from 7 factories that participated in BWJ's first year advisory service, it is clear that while many of the issues BWJ worked with PICCs to establish as

¹³ This tension is however part of the programme overall, rather than something specific to BWJ.

priorities for improvement fall in the LHF category, BWJ also went beyond LHF issues in the first year. For example, on harassment, progress reports show that in at least one factory, BWJ endeavoured, in working through the PICC to modify the body search procedure, which workers in the first assessment viewed as harassment and found to be quite humiliating. In addition, other progress reports show that BWJ EAs worked with PICCs to establish late payment of wages issues as priorities for improvement, as well as curfews. BWJ's efforts show that it is possible for BW country projects to move beyond the strict definition of priorities according to the period of time during which advisory services have been provided. Moreover, they show that it is possible to have some impact on issues that under the guidelines would go beyond what is advised during a strict understanding of the LHF approach in its first year.

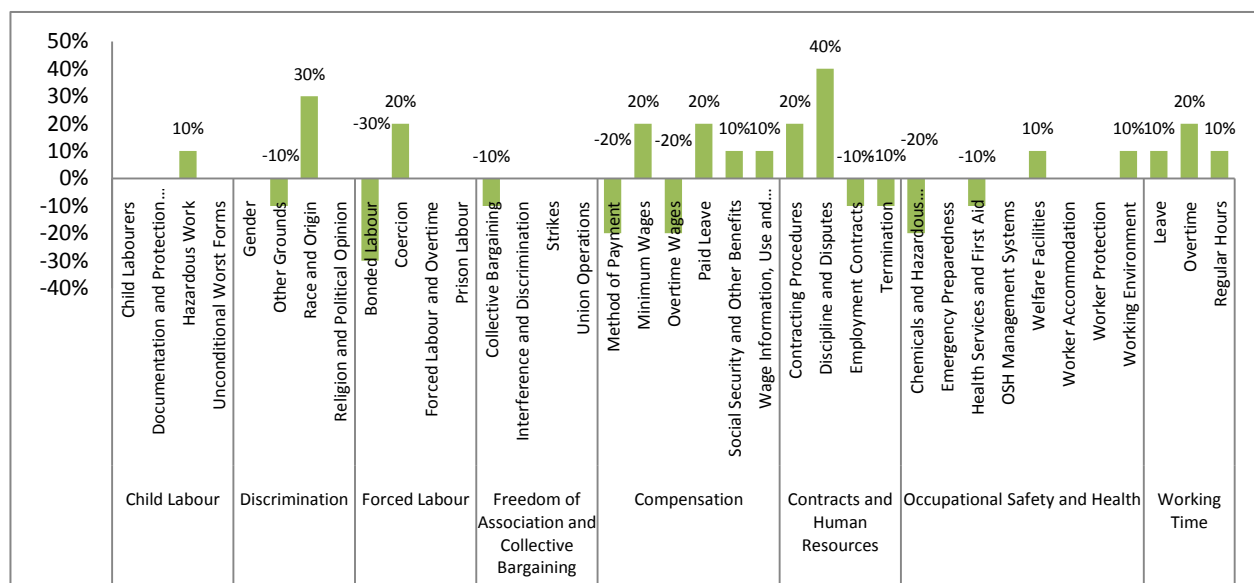
In conclusion, the LHF approach establishes a framework that risks pushing advisory services to focus on matters that are less important to labour-management relations, the BWJ national stakeholders, and international buyers. This might be distinguished from an approach that focuses immediately on priorities expressed by worker PICC representatives, such as timely payment of wages and ill-treatment by supervisors, or priorities expressed by international buyers such as curfew, and establishment of effective HR systems and grievance procedures. It appears that BWJ and BWG did not initially consider the risks of pursuing the LHF approach, or consider other strategies to advisory services that may have been able to respond to the more challenging issues facing the industry. The role of PICCs in the BW model is not, however, an obstacle to taking steps at the sectoral level to address common issues of non-compliance: this happens in other BW country projects, which (for example) run annual events and awareness-raising campaigns on key issues.

Recommendations

- BWJ, in discussion with BWG, should assess the added value of the LHF strategy, and on that basis decide whether or not it should be retained or modified.

Findings from the Synthesis Reports

When comparing the results of BWJ's First and Second Synthesis Reports, it appears that the major aggregate improvements across the 10 factories assessed twice (indicating that they participated in 1 full year of BWJ advisory services) were in discipline and disputes (40%), and in discrimination on race and origin grounds (30%). There were also improvements in accuracy of records for regular hours, paid leave, overtime, coercion (curfew), minimum wages and contracting procedures (all 20%). See the chart below.



There was limited change in a range of issues linked to migrant worker living conditions, namely welfare facilities, worker protection, health services and first aid, and food. As the chart above shows, there has been no change in compliance in emergency preparedness, OSH management systems, worker accommodation or worker protection. One factory saw improvements in welfare facilities, and another improved in relation to its working environment. At the same time, two factories had higher non-compliance rates in chemicals and hazardous substances, and one had a higher non-compliance rate in health services and first aid.

The progress reports show that the advisory services dealt with a range of issues, including LHF issues in OSH, as well as more challenging issues like curfew, timely payment of wages, and one example of action (from reports provided to the Evaluation Team) on harassment. Specifically, in one of the 10 factories assessed, there was an effort initiated through the PICC to improve the body search procedure that is intended to prevent theft of garments. Workers had found the procedure to be humiliating. Progress on this issue was noted in the progress reports, with physical patting down of workers used in fewer cases, when the employer determined there was cause for suspicion. On the other hand, the reports reviewed from the first year of BWJ advisory services do not report efforts to address findings of non-compliance concerning verbal abuse of workers by supervisors that had been found in a number of the factories.

Some improvement was made in LHF issues, but there are many issues such as first aid boxes, soap in bathrooms, and OSH dormitory issues, as well as signs for emergency exits, which were still problems a year later in several individual factory reports. As a result they reappeared in the Synthesis Report. Given the foregoing, the Evaluation Team understands that progress across categories like OSH has been uneven, many migrant worker welfare issues have continued, and although there has been measurable progress at a few of the factories on more serious issues like recruitment fees and verbal harassment, such issues remain a matter of concern.

Leaving aside any factors that are peculiar to BWJ, it should be noted that this outcome in a Second Synthesis Report is totally normal. In large part it can be explained by the greater experience that an EA team has by the time it carries out second assessment visits. Simply put: they are better at finding non-compliance. Other factors that help produce this outcome relate to the PICCs and the LHF strategy, which were explained above. For their part, international buyers mentioned on several occasions that without OSH and HR *systems* – meaning people, processes, and approaches in place to ensure follow-through and change – smaller problems like first aid boxes are likely to continue appearing.

Another factor may be the occasionally limited leverage provided by international buyers. This is illustrated by the case of one factory which demonstrated no compliance effort, and about which a number of public reports showed severe problems, but with which international buyers maintained their relationships. This case raises the question whether factories will take systemic changes seriously if there are no consequences from buyers in terms of orders and profits.

In conclusion, it should be noted that in order for advisory change to be sustainable, there have to be persons who are responsible and accountable. The worker PICC members in these factories have no power, and limited ability to leave their stations to take up issues. BWJ is currently introducing training in OSH and HR, which it is hoped can address issues of skill and competency of the responsible officials. However the leverage on factories resisting change is limited as long as international buyers do not use their influence to support Better Work's efforts in the advisory process.

Lesson learned

- BWJ should build a follow-through mechanism to ensure that improvements made are sustainable, and should continue its efforts (begun at the April 2011 Buyers' Forum) to involve buyers in advisory services where factories are resistant to change.

Training

Progress against targets

The indicators used for the training services are the following:

- Number of new trainers trained.
- Number of factories that participated in BW training courses.
- Number of total participants that participated in BW training courses.
- Percentage of factories enrolled in any BW training within 12 months of their first enterprise assessment.

The MOL contribution to BWJ, which supports advisory and training services, was intended to serve as a base of resources for the project to develop its capacity to adapt existing BWG training materials on workplace cooperation, supervisory skills and OSH to the local context, and deliver them to participating BWJ factories. As part of its approach to establishing itself in Jordan, BWJ decided to wait until assessment and advisory services were well-established before seeking to develop BWJ's training capacity. The rationale behind this decision was that BWJ's initial priorities were to get the project up and running first by getting factories to join, building the assessment process, and building an effective system of advisory services. Training was seen as complementary to, and supportive of the advisory service.

BWG supported three missions to Jordan, which provided support to establish training programmes, and BWG began to actively press BWJ to establish advisory services, and to begin discussions on the development of external training programmes, as early as August 2009. Training modules had been developed in Vietnam with a global rollout to BW country projects in mind, with materials available on supervisory skills, grievance policies and procedures, workplace cooperation, and other areas that needed adaptation for use in other countries. As far as the Evaluation Team is aware, BWJ did not consider, nor did BWG advise BWJ to consider, introducing training earlier to enhance the project's impact on addressing issues that were being addressed in the advisory services by the EAs in supporting the PICCs.

No training activities were implemented in Y1 and Y2. Although targets were set for Y2 for four indicators (number of new trainers trained, number of factories that participated in BW training courses, number of participants that participated in BW training courses, and percentage of factories enrolled in any BW training within 12 months of their first enterprise assessment), the first three indicate a zero value for the result, and the last one shows 8% against a target of 10%.

Table 6: Training services

Activity	Output / Outcome	Reporting Period		Target 2010	Reporting Period		2010 % target (actual/target)
		January- June 2009	July- December 2009		January- June 2010	July- December 2010	
Training Services	<i>How many new trainers were trained to deliver Better Work training courses in the reporting period?</i>	0	0	2	0	0	0% (0/2)
Training Services	<i>How many factories participated in Better Work training courses in the reporting period?</i>		0	8	0	0	0% (0/8)
Training Services	<i>How many total participants participated in a Better Work Training in the reporting period?</i>	0	0	300	0	0	0% (0/300)
Training Services	<i>What percentage of factories enrolled in any Better Work training within 12 months of their first enterprise assessment?</i>			10%	0	8	80% (8/10)

A training project designed to address gaps in OSH and in HR that were identified in the First Synthesis Report, funded by the Canadian government, began on 1 April, 2010. While the development and delivery of this training is also behind, BWJ has sought a no-cost extension to 30 April, 2012. By the end of the original 18 month time frame, at least two thirds of the project outputs will have been delivered, according to BWJ estimates. BWJ also estimates that, should the extension be granted, there will be full delivery against the original project requirements by December 31, 2011, together with further outputs by the proposed new end date for the grant. Tools that have been developed within the framework of this grant have already begun to prove useful in other Better Work country projects.

The following table outlines implementation and progress on the training activities funded by the Canadian government, as at 1 June, 2011.

Table 7: Update on project implementation under Canadian funds¹⁴

Traffic light	Output achievement
	behind schedule
	on track

Expected outputs	Funding arrangement implementation timeline						Status	Traffic light	Notes
	A	M	J	J	A	S			
Mapping of current HR systems in garment factories completed							Done in cooperation with JGATE.		
Short-term HR management modules developed and translated into Arabic							Modules have been developed, but translation into Arabic will be done in a later stage, when OSH materials are finalized.		
Training providers identified and training of trainers programme delivered							The training of trainers was delivered to the EA's and some trainers. Final decision is still to be taken with regard to the training providers, with three options to be considered (working with external trainers, hiring a full time trainer, or building the EAs capacity in this respect).		
Short-term (4-5 days) HR management training programmes delivered							Completed		
Long-term HR management modules developed and translated into Arabic							A local consultant has been hired to develop the long-term HR management modules, which should be completed in September 2011.		
Long-term HR modules pilot tested in 1 industrial zone							The pilot training should be tested in September 2011.		
BW Global training modules on OSH adapted to Jordan context and translated into Arabic and other languages as needed							OSH training materials were finalized by mid June. Short-term HR and OSH materials will be subsequently translated into Arabic.		

¹⁴ See "Funding arrangement between the International Labour Organization and the labour programme of the human resources and skills development Canada for the project entitled *Training support to improve compliance under Better Work in Jordan*."

Training providers for OSH programmes identified and Training of Trainers programme delivered						The training of trainers was delivered to the EAs and some trainers. Final decision is still to be taken with regard to the training providers, with three options still standing (work with external trainers, hire full time trainer, or build the EAs' capacity in this respect).		
Series of 4 three-day training workshops on OSH delivered for managers						One workshop has been delivered. The remaining training workshops will be delivered between June and November 2011.		Yellow as some workshops expected to be delivered after the end of the current funding arrangement implementation timeline
Development of worker training materials and mapping of partner capacity completed, with translation of materials into Arabic, Hindi, Sinhalese, Bengali, Chinese, Urdu and Nepali						Done internally with EAs, but still pending with trade unions. Material will be translated after finalisation of the OSH materials for workers. BWJ EAs are delivering this training.		
Delivery of worksite training programme completed, a minimum of 48, 2-hour sessions						18 out of 48 sessions have been delivered.		
Training programme delivered by ITGLWF and industry level discussions facilitated by Better Work Jordan						BWJ CTA is working on this matter.		Not enough information to assess status of implementation
Strategy document developed based on market research and interviews						The strategy will be integrated with the broader BWG strategy to market training. BWJ CTA and BWG have agreed to prepare the project plan to deliver this task.		Activity not started nor expected to have started according to funding arrangement implementation timeline
Promotional materials developed for introducing training to international brands						The development of promotional material in partnership with BWG is in process		Not enough information to assess status of implementation
Promotional materials developed for introducing training to industry and local factories in Jordan								Not enough information to assess status of implementation

According to the Technical Progress Report for the first quarter of 2011, a strategy is being developed to market training to factories and buyers. The Evaluation Team was given no information on the content of the strategy or when it would be complete. When the Evaluation Team visited Jordan, BWJ had not completed any market survey, or developed any sort of business case in relation to training, although it is acknowledged to be related to the broad principle that BWJ will pursue sustainability, in part, through cost-recovery for services. One EA expressed the view that OSH training would potentially be viable on a fee-for-service basis, especially with appropriate OSH training certification for BWJ, and/or for the individuals who might deliver the training. The IFC advised that it had cancelled a training programme of its own (not on OSH) after market analysis showed the training market in Jordan to be saturated.

Factory managers who met with the Evaluation Team had different opinions as to whether they would pay for training. Several told the Evaluation Team that they would be willing to pay. Others noted that it would depend on the topic of the training, and expressed a preference for training on HR and/or on OSH. Some expressed reserve about paying for training in addition to the cost of being a subscribing factory. The Jordan Garments, Accessories & Textiles Exporters' Association (JGATE) expressed its willingness to act as an umbrella body in offering training to factories.

In conclusion, BWJ is behind what was planned to develop and to deliver targeted training services, particularly under the Canadian grant. It will not be possible to complete all planned activities until at least 3 months after the original project deadline. This suggests that there is limited likelihood that the project will be able to deliver measurable results in terms of the impact of training, as foreseen in the Canadian grant project document: in several cases the document identifies indicators of progress as being determined by improvements in factory Compliance Assessment Reports.¹⁵

The Evaluation Team notes that delay in a long-term strategy for delivering training services raises significant questions about the prospects for financial sustainability of BWJ training services following the expiration of initial grant periods. It should also be noted that there is an obvious risk that if BWJ does not begin delivering training services in the very near term, the consultants trained to deliver training, but without a contract with BWJ (at the time of this evaluation), will (or will have) become unavailable.

Recommendations

- BWJ should promptly address the question of the extent to which training may play a role in cost-recovery and sustainability going forward. That assessment should take into account the findings of the IFC study on the training market, and the views of the factory managers in Jordan, who would be a key priority target market.
- BWJ should assess the strategic role that training services will play in achieving impact on factory level non-compliance issues identified in the assessment process.

Stakeholder engagement and policy

Public policy, labour law, and advocacy

Freedom of association for migrant workers

The labour law in Jordan has for many years excluded non-Jordanian workers from forming or joining trade unions. The law also imposes a structure for a single trade union federation, and allows only one union per sector or occupation. For these reasons, BWJ assesses all participating factories as non-

¹⁵ Canadian Grant Project Document, Expected Results, p 22.

compliant in the areas of freedom of association and collective bargaining: while they may be compliant with national law, that law is not consistent with international standards.¹⁶

In June 2010 the GOJ, through the Cabinet, made a decision (gazetted in August 2010) to allow non-Jordanian workers to be allowed to join trade unions. The change would not allow them to form their own unions, and they could only become union officials if the union by-laws permit it. While the MOL considers the law binding and operational until such time as the Parliament may refuse to endorse it, to date there is no plan to take the matter to the Parliament, which refused to endorse a similar decision taken by the Cabinet in late 2008. A number of people suggested to the Evaluation Team that one reason for the Parliament's refusal to endorse the law was the failure of the MOL to do enough to sensitize the members of parliament. BWJ was involved in discussions with the MOL on the need to change the law to allow non-Jordanian workers the rights they would have as a result of the Cabinet decision. The CTA advised the Evaluation Team that there may be ways for BWJ to assist workers who may wish to test the scope of the new legal protection. At the time of the evaluation, BWJ had no concrete plans in this respect. Nor had it developed a vision of how it might assist the MOL to develop a strategy to attempt to secure parliamentary approval for the legal changes.

The Evaluation Team notes that BWJ played a role in securing donor funding for a capacity-building programme for the Garment Union, which will be implemented under contract by the International Textile, Garment, and Leather Workers' Federation (ITGLWF). This effort is unusual for a Better Work country project. It is however a good example of BWJ partnering with other stakeholders, following the "broad programmatic approach" foreseen in the PRODOC, to maximize the project's wider potential impact.

BWJ notes that it will be difficult in practice to increase dramatically the number of non-Jordanian workers who are union members. Language is always a complicating factor, and the fact that non-Jordanian workers come and go (to some extent) means that it effectively requires a permanent organizing campaign. This has significant implications for allocation of resources, whether by the Garment Union or by BWJ. The Garment Union confirmed this point of view. In practice, the Garment Union encourages migrant workers to serve as officers of trade union committee structures at the plant level, despite the restrictions under the national law. In addition, migrant worker organizers of the Garment Union are actively involved in handling grievances and other representational matters for migrant and Jordanian garment workers in the QIZs.

In conclusion, BWJ and the ILO played a role in the taking of the Cabinet decision to allow non-Jordanian workers to join trade unions. Nevertheless, the uncertainty around the legal framework poses challenges for BWJ outreach and advocacy, as well as for its strategy to promote improved industrial relations. As yet, BWJ has not focused on how it might assist the MOL to develop a strategy to secure Parliamentary approval for the changes to the law, or on how BWJ might play a role in that strategy.

Recommendations

- BWJ, BWG and the ITGLWF should agree on the level of priority that should be given to addressing the issue of freedom of association for migrant workers in the project. They should also agree on the levels – factory, zone, or sectoral – at which the issue should be addressed.
- BWJ should develop a plan to support the MOL to work to secure endorsement of the law by the Parliament. It should do this together with ROAS, and when needed with the expertise of ILO technical units.

¹⁶ Jordan has not ratified ILO Convention No. 87 on Freedom of Association and the Right to Organise.

Forced labour/curfew/hours of work

As noted, in May 2006 the NLC published a report on labour conditions in the garment industry in Jordan. It was entitled *US-Jordan Free Trade Agreement Descends into Human Trafficking and Involuntary Servitude*.¹⁷ The publication of the report is widely acknowledged to have been the impetus for the establishment of BWJ. The Government of Jordan requested ILO technical assistance in direct response to the NLC report, with several interviewees for this evaluation noting that the expectation was that Better Work would address the issue of perceived conditions of forced labour at a factory and sectoral level as a matter of urgency, in order to improve the working conditions in the industry, change perceptions about Jordan's industry, and indirectly encourage more Jordanians to consider employment in the sector.

The CTA expressed the view that for BWJ to focus on a systemic issue would be 'against all the models'. That is, the model of factory-based assessments followed by advisory services in keeping with the LHF strategy. In the CTA's view, broader, systemic issues were always on the table. But they needed to be dealt with more urgently following a further NLC Report, on Classic Fashions (September 2010).

All persons with whom the Evaluation Team discussed forced labour emphasized that the matter is complex and multi-faceted, with legal, cultural and economic considerations all contributing to the various practices that amount to what is colloquially considered 'forced labour'. The practical issues include maximum working hours, curfews for workers, recruitment fees, and retention of passports. At the national level, a particular problem is posed by the fact that the Labour Law does not include a maximum limit on overtime work. This is compounded by the fact that many migrant workers will work very long hours in order to earn higher wages. Many people with experience in the garment industry explained that the imposition of curfews on workers is for cultural reasons. Most were referring to Jordanian culture, which would not welcome young women out in the evening.¹⁸

The matter of workers not possessing their own passports is also complex: in some cases the reason has been confiscation by factory management, although the number of cases has fallen dramatically through BWJ intervention. In other cases the reason is that the GOJ takes time to renew a work permit. Payment of recruitment fees and a requirement to repay an employer who pays a recruitment fee on behalf of a worker is also complex, often involving parties outside Jordan.

The question of how to make progress on these matters is not made easier by the fact that the GOJ is reluctant to acknowledge working conditions in the garment industry as being affected by conditions that arguably foster violation of migrant workers' rights, including forced labour.

Nevertheless, the determination that some of the practices persist in a particular factory has significant ramifications for the factory itself: after a second assessment, for example, the factory would be publicly named in a Synthesis Report. Before that, factory reports could have been transmitted to a buyer, raising serious commercial risks. In turn, the determination that there is forced labour has a significant impact for the entire country. Among other things, BWJ findings about the practice of forced labour influence the composition of the list kept by the United States Department of Labor (USDOL) of countries and products that are made with child labour or forced labour.¹⁹ Garments made in Jordan appear on that list. The criteria for preparing the list are more or less purely quantitative, which means that there is little or no scope to take into account progress in compliance shown in BWJ factory compliance reporting. For all

¹⁷ At http://www.globallabourrights.org/admin/reports/files/Jordan_Report_2006.pdf. The AFL submitted a petition under the FTA around this time.

¹⁸ BWJ EAs noted also matters such as managers thinking that a curfew will help to protect workers; the fact that some Sri Lankan workers were found to have been working as prostitutes; a real or perceived threat of HIV infection; and the fact that some workers had been found to have pawned their passports.

¹⁹ The list is mandated by the 2008 reauthorization of the Trafficking Victims Protection Reauthorization Act of 2005: see <http://www.dol.gov/ILAB/programmes/ocft/tvpra.htm>.

these reasons, the persistence of forced labour, or the perception of its persistence, raises significant reputational risks also for BW, both globally and in Jordan.

By the end of its second year of operations, BWJ had addressed the issue of forced labour almost exclusively at factory level. During the course of the evaluation it was reported that BWJ then intended to raise the issue of forced labour at the 2011 Buyers' Forum. The CTA also reported that BWJ aims to develop a 'protocol' that would include elements such as a 60 hour work week,²⁰ zero tolerance on document confiscation, consideration of whether or not a factory has a curfew, and promotion of factories using double shifts of workers to maintain production without resort to excessive working hours. He did not indicate how the proposed protocol would relate to the MOL's Golden List initiative, to which it would clearly be similar. It should be noted that the Golden List is often criticized because of the lack of rigorous criteria for factories being added to the list and staying on the list, from the perspective of encouraging employer accountability to labour standards.

In conclusion, the identified strategy of BWJ to develop a protocol on issues related to forced labour that will address the matter in a systemic way appears to be appropriate in the circumstances, and in particular given the lack of a strong national legal framework. The elements of the strategy, and the protocol, are however not yet fully developed. As a voluntary protocol may be similar to the MOL's Golden List, the matter of potential overlap would need to be addressed. It would also be necessary to account for the fact that the Golden List has many critics, including among key informants for the evaluation.

Recommendations

- BWJ should urgently develop a sectoral approach to forced labour, in parallel to BWJ's factory level operational work. The above mentioned protocols could provide a valuable contribution in this respect and should be developed in the near future. In doing so, BWJ should involve the Garment Union in any discussion of how to address the systemic issue. The PAC and international buyers should also be included in the process.
- The sectoral approach that is developed should take account of the institutional and reputational risks of perceptions of widespread forced labour continuing in the industry. It should build on BWJ's strategic position in the industry and its strong resource base. At the same time, it should take into account the roles and responsibilities of other actors in this difficult policy area, and the capacity of BWJ to add unique value.
- BWJ should make a proposal for discussion and agreement with BWG on the level of priority that should be given to addressing issues related to migrant workers, including forced labour, but also broader issues related to migrant workers' living and working conditions, in the project. This proposal should include prioritisation of the levels for project intervention to ensure effective impact, i.e. – factory, zone or sectoral.

Industrial relations

A sound picture of the industrial relations climate and framework is related to several other key BWJ activities and priorities. First, it can serve as a basis for focused factory assessments in relation to freedom of association and collective bargaining. Secondly, it is important knowledge for developing a strategic approach to advisory services. Thirdly, it is part of the CTA's view of how BWJ's impact will be measured, that is, by its ability to improve industrial relations in a sustainable way.

²⁰ Assuming a five-day working week, this would establish a total consistent with the MOL Golden List criterion of 4 hours' overtime per day.

Industrial relations are not well developed in Jordan. There is little or no tolerance for union operation, and no habit or tradition of social dialogue. Following some 80 or so strikes in the QIZs in 2007, which employers believed the Garment Union to have organized, a number of employers did develop reasonable relations with the Garment Union, signing agreements on provision of health care, check-off arrangements and other matters. Nor do the Labour Law and government policy contribute positively to a sound industrial relations culture. The law imposes a monopoly structure for trade unions, with a single trade union federation permitted.²¹ Moreover, the government provides significant subsidies to the official union federation, which means that it is not independent as a representative of workers' interests.²²

BWJ appears to have good relations with the Garment Union, both institutionally and in terms of individual relationships between BWJ staff and Garment Union officials. At the institutional level, the relationship is founded in part on BWJ protocols for election for worker members of PICCs. The Garment Union is satisfied with the contribution that BWJ makes to the lives of workers in the garment industry, but sees a lot of scope for BWJ to improve how it forms PICCs, as this affects or relates to union operations.

The Garment Union also sees BWJ having the potential to play an important role in promoting sound industrial relations, in a sector where (in their view) many employers are resistant to trade unions. More generally, the Garment Union is enthusiastic about the launch of the trade-union capacity-building programme with the ITGLWF, and its likely contribution to improving industrial relations in Jordan. The CTA generated the concept for this programme, in discussion with the Garment Union; subsequently developed it in collaboration with the programme officer at BWG; and sought funding for it. This programme is an important innovation in BW operations, and a potential model for other BW countries.

While relations between the EAs and Garment Union officials appear to be cordial, it is apparent that the EAs – none of whom has ever been a member of a trade union – know little or nothing about industrial relations, either in theory or in practice. The CTA acknowledged the EAs' lack of IR experience and knowledge. It is also true that in their remarks about unions (in general) and the Garment Union (in particular), EAs suggested no hostility toward either. More than one acknowledged the Garment Union's need for resources, and for capacity-building. One noted, in particular, the need to support the Garment Union in its ability to work toward genuine collective bargaining with employers. As described by the EAs, it appears that their training has paid relatively little attention to the matter of industrial relations.

In conclusion, BWJ is naturally focused for the most part on industrial relations issues at particular factories, and then in the garment sector. It has strong relations with the Garment Union, and with the Jordanian union movement generally, especially through the PAC. The BWJ CTA has a long history of work with and for trade unions. Nevertheless, BWJ has the opportunity to contribute in a strategically significant way to improving industrial relations at the sectoral level. In particular, it could focus on synergy between the workplace cooperation committees and the garment union capacity-building activity being implemented by ITGLWF. In addition, EAs' knowledge of industrial relations has scope for improvement, in particular related to the factory level assessment and advisory services.

Recommendations

- BWJ should develop and deliver a strategy in the area of industrial relations. This should include a clear plan of action on how to work effectively with the Garment Union in order to draw on its long experience in the industry in Jordan to enhance BWJ's own operations. BWJ should also build on its relationships with key employers, through JGATE and the Foreign Investors' Association (FIA), to try to enlist broader employer support for improving industrial relations' practices in the industry.

²¹ Employer organizations are similarly regulated.

²² The Garment Union is affiliated to the federation, but does not receive government funding itself, and is autonomous in its operations and political positions.

- BWJ and BWG should enhance the capacity of the EAs in the field of industrial relations, with a particular view to improving the relationship between the Garment Union and PICCs.

PAC Effectiveness

As defined in the project document the purpose of the tripartite PAC is to provide advice to the ILO in the operations of BWJ. In addition, the Targets and Triggers framework specifies that the PAC should have met a total of 3 times at the end of Y2.

Table 8: Project Advisory Committee meetings

Activity	Output / Outcome	Reporting Period			Reporting Period		2010 % target (actual/target)
		January- June 2009	July- December 2009		January- June 2010	July- December 2010	
Stakeholder Engagement	<i>How many PAC meetings were there in the reporting period?</i>		3	3 (target&trigger)	2	1	>100% (6/3)

The PAC has operated effectively. PAC meetings were described as an opportunity to review progress, and as a forum in which there is a lot of discussion and debate. The PAC had met 6 times in total by the end of Y2, with its first meeting held on 25 July 2009, approximately one year after the CTA was in place. The CTA has strong relations with the PAC members, and engages with them effectively, both formally and informally. The stakeholders appreciate these strong relations.

The minutes of the PAC meetings however tend to focus on the presentations made by BWJ; they do not sufficiently capture such discussion as takes place. Important elements which, according to the information gathered by the Evaluation Team were discussed at PAC meetings, are not included. Among these is the fact that the PAC contributed to the policy decision to make participation in BWJ mandatory.

Buyers and BSR expressed the notion, based on their interaction with national stakeholders at the buyers' forums, that the PAC might operate as a more deliberative forum than at present. That is, the PAC might be used not only as an advisory committee but also as a platform on which consensus on specific topics can be forged and used in policy making.

In conclusion, at the end of Y2 the PAC had met a total of 6 times which is a very good result in a quantitative sense, as compared to the target of a total of 3 meetings at Y2 end drawing on the Targets and Triggers framework. Stakeholders have described BWJ PAC meetings as a useful opportunity to review progress and to discuss and debate constructively. The only caveat noted by the Evaluation Team is that minutes do not sufficiently capture the points debated and the interventions made by non-BWJ members.

It should be noted that although the PAC fulfils its mandate as an advisory body, there is a view among many national and international project stakeholders that more could be done with the PAC, in particular in terms of being the focal point for industry level discussions on the key headline issues affecting workers and employers in the industry, as a means toward generating policy ideas.

Recommendations

- BWJ and BWG should clarify the extent to which they would like the PAC to engage in active deliberation over policy and implementation in Jordan.

- Minute-taking should be improved to fully record the discussions held during the PAC meetings.

Buyer participation and commitment

The PRODOC stipulates that a Jordanian Buyers' Forum is to be established, bringing together international buyers to discuss issues arising from the project, and to provide advice. This is to be done with a combination of electronic and actual meetings in coordination with the global Better Work buyers' consultative mechanism. The BWG M&E matrix indicators include:

- The number of buyer organizations represented at the most recent buyer's forum.
- The number of buyers that have subscribed for any factory reports in the reporting period.
- The number of factory subscriptions purchased in the reporting period.
- The percent of international buyers registered with BW are not duplicating BW assessments.

The CTA job description also clearly refers to the responsibility of engaging with international buyers.

Table 9: Stakeholder engagement

Activity	Output / Outcome	Reporting Period		Target 2010	Reporting Period		2010 % target (actual/target)
		January-June 2009	July-December 2009		January-June 2010	July-December 2010	
Stakeholder Engagement	<i>How many buyer organizations were represented at the most recent buyer's forum?</i>	6	6	9	9	9	100% (9/9)
Stakeholder Engagement	<i>How many total buyers have subscribed for any factory reports in the reporting period?</i>	3	6	10	5	5	100% (10/10)
Stakeholder Engagement	<i>How many total factory subscriptions were purchased in the reporting period?</i>		8	50	14	11	50% (25/50)
Stakeholder Engagement	<i>What percent of international buyers registered with Better Work are not duplicating Better Work assessments?</i>			50%	60%	100%	>100% (100/50)

It is widely acknowledged that buyer participation is critical to the success of BWJ. To date at least 5 international buyers are participating in the BWJ project.²³ At least two of these (Jones and Gap) no longer carry out their own audits in BWJ factories. Even if only a few buyers participate, it should be noted that they represent a significant proportion of the garment buying in Jordan for the US market. Only one buyer (Jones) has a resident representative in Jordan which poses challenges for developing relationships.

²³ BWJ Newsletter No 1 refers to the following 'Participating Buyers': American Eagle Outfitter, Inc.; Gap, Inc.; Jones Apparel Group, Inc.; L.L.Bean; Marks & Spencer; Patagonia, Inc.; Sears Holding Corporation; Talbots; and Wal-Mart Stores, Inc.

Five buyers were present at the Buyers' Forum in April 2011: Gap, JC Penney, Jones Apparel, Sears and Wal-Mart. This compares with eight at the first BWJ Buyers' Forum in February 2009, and nine at the second, in April 2010.

The 2011 Buyers' Forum appears to have been well-received. BSR and buyers were both positive about the fact that certain preparatory materials were distributed in advance of the meeting, which BSR reported is a first for BWJ. Both BSR and buyers agreed however that the second day of the forum could have been better used. It appears the first day involved only buyers, who discussed the materials sent in advance, and agreed on a course of action, including aspects of the key policy agenda facing BWJ, such as recruitment fees. BSR, the CTA and buyer representatives were all satisfied with this outcome. The second day involved participants from all stakeholder groups and it was reported that there appeared to be less scope for deliberation.

Almost all factories, and JGATE, expressed a desire for the forum to function also as an opportunity for buyers and factories to make contact with each other. JGATE, for example, would be interested to have the opportunity to meet buyers for the European market, in light of an anticipated free trade agreement between Jordan and Turkey, which would provide factories in Jordan the potential for some preferential access to the European market.

Apart from this year's Buyers' Forum, international buyers expressed mixed views about BWJ to the Evaluation Team. One buyer representative said that BWJ is 'missing a huge opportunity by not leveraging the brands' relationship with the factories.' It should be noted that there are no BW protocols for BWJ engagement with buyers. In that context, BSR considers that BWJ does well, especially with the major buyers such as Sears, Wal-Mart and Jones, and Gap, where BSR sees BWJ as being proactive. However, the Evaluation Team understands that there are also expectations in BWG for BWJ to take a leading role in building relationships with international buyers, as occurs in other BW country projects.

The Evaluation Team understands that BWJ has no formal communication strategy. BWJ did however recently start publishing a Newsletter, in advance of the 2011 Buyers' Forum.

In conclusion, the buyers contacted by the Evaluation Team, and BSR, are strong supporters of BWJ. All have long experience of BW and are committed to participation globally. They have significant goodwill toward BW, and toward BWJ; they appreciate the CTA for the quality of some of the work that BWJ has done; and they are positive about the Buyers' Forums. Nevertheless, they clearly see significant untapped potential among themselves, as a resource to help to take BWJ to another level of achievement. In terms of achievement against targets, two agreed targets made relatively good progress, namely number of buyer organizations represented at the most recent buyer's forum, and percentage of international buyers registered with BW that are not duplicating BW assessments. One target was reached to a limited extent, namely the total number of buyers that have subscribed for any factory reports.

Recommendations

- BWJ should develop a detailed international buyer engagement strategy, in collaboration with BWG, and aligned with BW global negotiations with buyers. International buyers are a key stakeholder group to ensure that BWJ is a success both in the short and long term.

Engagement with MOL, ILO and IFC

The BWJ project has developed and maintains strong relations with the MOL. Key achievements due to strong cooperation are the development of a protocol concerning labour inspection (how BWJ will handle information on human rights violations) and the arrangements that have been made for regular exchanges

between BWJ and the MOL. The first planned quarterly meeting was held, and successfully from the point of view of both sides. There has also been joint participation in training.

At the same time, relations with government can be challenging, especially as a result of the frequent turnover of Ministers. Nor has it been easy to identify a reliable proxy interlocutor in the MOL. While there has been a USAID-funded advisor to the Minister throughout most of BWJ's operation, that position has also been somewhat contingent, and, naturally, affected by the changes of Ministers.

In terms of relations with the ILO, at the time of the evaluation, BWJ had been for some time the only ongoing ILO project in Jordan. In this sense, there is potential to further leverage BWJ to contribute to the implementation of broader ILO objectives in Jordan. The ILO indicated the importance, for it, of seeing BWJ move beyond its focus on compliance in particular factories, to developing broader policy interventions, on the basis of the evidence it develops in the course of its operational work. The Evaluation Team does note that BWJ participated actively in the meetings and discussions related to the development of a new DWCP for Jordan, as well as in meetings related to Global Jobs Pact activities in Jordan. In terms of the ILO's capacity to contribute to the delivery of BWJ objectives, the Evaluation Team also notes that ROAS specialists are available to participate in BWJ activities and to provide expert advice. Indeed, both the Labour Migration and Gender specialists have provided advice in recent times.

Beyond ROAS, BWJ has ad hoc connections with various specialists elsewhere in the ILO, predominantly in ILO Headquarters in Geneva. This happens in some cases at BWJ's initiative, and in other cases through BWG. A number of suggestions were made to the Evaluation Team that BWJ could make a useful contribution in terms of development of strategy in Jordan if it were to draw more heavily on ILO technical experts on particular topics.

Relations between BWJ and the IFC are not of great significance. BWG staff reported that this is not uncommon, and may stem from limited IFC interest in the garment sector. The local IFC representative does however participate in BWJ administrative processes from time to time, receives BWJ documentation and reports, has attended PAC meetings and other BWJ events, and appears to have a good understanding of the BWJ project and its progress.

In conclusion, there are strong and regular relations with the MOL despite the challenge of a high turnover of ministers. BWJ could be better leveraged in the implementation of broader ILO objectives in Jordan. Conversely, the ILO and particularly ROAS could contribute useful technical expertise in the elaboration of defined policies for BWJ at sectoral and national level in Jordan. The IFC follows BWJ implementation remotely, but consistently.

Recommendations

- BWJ should deepen its engagement with ROAS, both in terms of how BWJ can contribute to the implementation of ILO programme objectives for Jordan, and in terms of how ROAS staff (many of whom have deep knowledge of Jordan) can contribute to BWJ's operations.

A sustainable garment industry for Jordan

A key element of the CTA's perspective on BWJ's priorities for the medium term is that it will be able to make a contribution to the transformation of the garment industry in Jordan, in particular by promoting employment of a greater proportion of Jordanian workers. The pursuit of that objective depends in large part on the findings of a study being carried out by Tufts University on the Value Added to the Jordanian economy by the garment sector (the idea for which came from JGATE). The CTA wants BWJ to aim to

help the garment industry to offer decent jobs, meaning those that offer the minimum wage, and in factories where workers may exercise their rights to form and join unions, and to bargain collectively.

The BWJ presentation to the Buyers' Forum in 2011 explains that BWJ is pursuing a two stage strategy: first, seeking to reach consensus on the value-add of the apparel sector, and secondly, trying to reach agreement on the likely effects of various policy scenarios (including trade, tax, labour and migration policies). A methodology round-table for the Value Added study was conducted in November 2010. At the time of preparing this evaluation report, data analysis was continuing, and there were hopes that the final report would be ready by mid-2011. The first BWJ Newsletter notes that the PAC statement of 24 March 'encourages BWJ to facilitate a process involving all key stakeholders to develop and implement a coordinated strategy for increasing Jordanian employment and investment in the garment sector.' The Newsletter goes on to refer to the Value Added study, which it says 'will lay a strong foundation upon which to build this sectoral strategy.'

The characteristics of the garment industry in Jordan are unusual, and complex. There is a multitude of reported reasons why many factories do not engage more Jordanian workers. All factory managers with whom the Evaluation Team spoke, and JGATE, reported that they would be happy to engage more Jordanian workers, but that it is very difficult to do so. Some of them described very significant efforts to attract Jordanian workers, including participation in MOL Job Fairs, and in one case, knocking door-to-door in surrounding villages. The Garment Union, among others, was sceptical about this. Many believe that factory managers prefer non-Jordanian workers because they work harder for less money, are generally more inclined to focus on production, and are enthusiastic to earn extra money during their sojourn in Jordan.

Among the reasons for Jordanian workers not taking jobs in the sector, the following were suggested to the Evaluation Team:

- The wage is too low – even though Jordanian workers receive the legal minimum of 150 Jordanian Dinars per month, whereas non-Jordanian workers receive only 110 Jordanian Dinars.
- There are cultural obstacles for more conservative Jordanians, who do not wish to see young women and men working together in a factory; some referred to unwillingness to see young Jordanians working alongside non-Jordanians.
- Transport is very difficult outside of the major cities, which is where the factories are generally located, and while employers frequently provide transport for Jordanian workers, the journeys are long.
- Jordanians would prefer to work in the public sector where employment is secure and offers a pension.
- GOJ social welfare payments are such a high proportion of the wage that is paid in garment factories that there is insufficient incentive to take up employment.
- The industry is perceived not to offer real prospects of advancement.
- There is stigma associated with the industry given that it has its origins in the creation of a trade agreement as part of the peace with Israel.

- Workers' skill levels in Jordan are too low; moreover a government training institution that is funded in part with a levy on employers for each non-Jordanian worker they engage is seen to be contributing little to addressing this issue.

In conclusion, BWJ has focused much of its efforts on operations at factory level, and not at the sectoral level. While the CTA has ideas about how to promote and support the transformation of the industry, BWJ does not as yet have a defined strategy, beyond the Value-Added research and the policy discussions that should emerge from it. Two major challenges exist at the sectoral level: (1) the questionable durability of the industry in Jordan given its high cost margins in a middle income economy, and its reliance on the US-Jordan FTA to export to the US market duty free; and (2) the capacity to attract more Jordanian investment and employment to the industry.

Recommendations

- Given the complexity of the issues – culturally, economically, and socially – BWJ should set for itself very realistic objectives as to what it can achieve and the means to be used to that end. In further developing its policy and interventions in this area, BWJ should consult with BWG, and reach out to and draw upon relevant experts in the ILO, especially those in ROAS.

Conclusions and way forward

BWJ is a high profile project that has had considerable success. It has strong relations with its key stakeholders, both individually, and collectively through the PAC. Although fewer factories have been participating than projected for a mandatory participation program, factories that do participate represent nearly two thirds of the workers, and three quarters of the exports, in the garment industry in Jordan.

The CTA is to be commended for establishing the project, and for building a team of staff, at a time when BWG was not as well-equipped as it is now to support a new BW country project. The CTA deserves special credit for his efforts to locate the highly qualified and highly motivated members of the BWJ team. They in turn also deserve particular recognition for their innovation and hard work: BWJ developed the first versions of key BW tools and methodologies, in order to carry out their own work. Several of these, in turn, served as the models that BWG developed into the global tools that it uses today.

The design of the initial BWJ PRODOC took place prior to the appointment of the BWJ CTA. However, the framework provided by the initial PRODOC should serve as a guide from which a vision is developed to serve as the driving force throughout the project's implementation and, as such, guide the interpretation and adaptation of the project strategy. If the CTA does not develop a clear vision for the project, or if project priorities differ among key players, then the task of defining and ranking strategic goals and related activities according to priorities becomes much more difficult.

The capacity and need for adaptation and flexibility are illustrated in other ways. The project is to move from voluntary to mandatory participation. It has evolved to include a union capacity-building programme, and the Canadian government-funded training activities (under the leadership of the CTA). Thus the project's scope and priorities have evolved. Similarly, while the core outputs and related activities were agreed amongst Better Work and donors while the BWJ project was not yet established, there is (demonstrated) scope for flexibility and evolution in project management. In particular, the annual setting of targets by the CTA for the M&E matrix enables the CTA to have a significant degree of input into the planning, management and evaluation of the project as it develops over time. And these targets can also be adjusted.

The CTA expressed strong reservations about some of the BWJ strategic objectives as outlined in the PRODOC (e.g. regarding cost recovery and sustainability). This may explain an apparent reluctance to commit to these project goals.

In other areas, it is the view of the Evaluation Team that the CTA has the opportunity to do more to fully realize the potential of the project's impact. This is particularly true in relation to sector-wide advocacy on forced labour, freedom of association for migrant workers, and sound industrial relations.

BWJ project management should thus take the lead in the development and articulation of a clear vision for the project based on the country circumstances, which can be supported and endorsed by BWG. The CTA will also need to pro-actively seek clarification on ways forward for sector level engagement. For some issues, such as the vision of sustainability, the dialogue may need to go beyond BWG to a wider group, for which lessons from other country projects may be informative.

BWJ and BWG will need to aim to work more closely together, and to exchange in a more constructive way to advance a set of shared and endorsed objectives for the BWJ project.

In addition, the Evaluation Team presents the following key recommendations to guide a way forward:

- The need for a **shared BWJ vision, developed by BWJ and endorsed by BWG**, accompanied by **a detailed strategic plan to realize it**.
- A shared vision should include such themes as forced labour, freedom of association, the sustainability and cost recovery of BWJ, relations to international buyers, the increase of Jordanian investment and workers in the garment industry, extension into other sectors such as tourism and construction, and the appropriate balance between factory-level and sectoral approaches.
- The need for a **detailed international buyer engagement strategy**, in collaboration with BWG and aligned with BW global negotiations with buyers. International buyers are a key stakeholder group to ensure that BWJ is a success both in the short and long term. This needs to include working with BWG to address the challenge of bridging the divide among international buyers between compliance and ordering operations. It also should include a vision for how to turn the Buyers' Forum into a much larger event for the industry, and for BWJ.
- The need for BWJ to develop **a business plan** including a clear strategy and objectives and allocation of human and financial resources for its main services and activities to address **sustainability and cost recovery**. This should include an assessment of the extent to which training can play a role in BWJ becoming sustainable.
- The need for BWJ, in the context of developing its shared vision of the project, to develop **a sectoral approach** to addressing industry-wide issues of importance. These include in particular:
 - Issues raising concerns about forced labour;
 - Legal and practical freedom of association for non-Jordanian workers;
 - Industrial relations; and
 - The prospects for a sustainable garment industry in Jordan that relies significantly less on non-Jordanian workers and non-Jordanian investment.

- The need for BWJ to adopt a **results-based approach** in which planned outcomes are the pillars of the planning process and which should be defined up front. Indicators and targets from the M&E framework should be integrated into the work-plan, to measure the level of achievement in reaching the intended outcomes.
- The need for BWJ to take the lead in a discussion with BWG to **define roles and responsibilities and work-planning** to deliver the BWJ project objectives while anticipating increased workload linked to participation becoming mandatory, with a view to an additional 57 factories, including many sub contractors with a large number of compliance issues.
- The need for BWJ to develop, with BWG input, **quality assurance mechanisms** to ensure that global guidelines are duly implemented at country level, to ensure high quality BWJ reporting and consistent use of STAR, and to limit the proportion of inaccurate data.
- The need for BWJ management and staff to develop a common and **shared understanding and interpretation of non compliance key definitions** and guidelines, with ILO and BWG input, to ensure transparency and consistency across the assessments, including bonded labour, freedom of association, forced labour and others.
- The need for BWJ, in collaboration with BWG, to urgently **develop a protocol on forced labour** and ensure involvement of the Garment Union, the PAC and international buyers.
- The need for BWJ to expand the number of **highly skilled and experienced EAs** to ensure reporting to the highest standards, and to meet the need for improvement in the efficiency and effectiveness of the work undertaken by EAs, in the targeted improvement areas highlighted in the report.

BWJ and BWG should agree a very short **time-line within which BWJ should take** the lead on this strategy development process. It should later include BWG, and key stakeholders, both in Jordan (preferably through the PAC) and beyond. The conclusion of the process might be a validation workshop involving both BWJ and BWG, and at which there should be key representation and participation from ROAS.

The Evaluation Team notes that this strategy should be developed starting from the assumption and principle that BWJ can play a key role as a central node in a knowledge network. That is, BWJ can and should leverage its unique position within the garment industry in Jordan, and within Jordan more broadly to facilitate and to promote focused, and action-oriented discussions among the key stakeholders to address the major issues of strategic importance for the garment industry in Jordan. Several persons interviewed identified and emphasized the key characteristics of this unique position: BWJ is not allied to any single stakeholder in the industry, and is not a for-profit monitoring entity. Its relationships to the ILO and to the IFC are important in this respect, as they give it both credibility and independence that others playing a similar role might lack.

For the sake of clarity, the Evaluation Team notes that it does not intend to suggest that BWJ should travel beyond a fair reading of its objectives as specified in the PRODOC, and as they have evolved and will evolve. Nor does it intend to suggest that BWJ either could, or should carry out programmatic work that is more properly the responsibility of the ILO (or the IFC, for that matter). What BWJ might do better is to capitalize on its unique situation in terms of experience, resources and institutional connections to take its activities and impact to another level, in keeping with other institutional activities and objectives.

Appendices

Appendix A – List of interviewees

Better Work Global	
Amy Luinstra	Head of Global Tools Unit
Anne Ziebarth	Technical officer (legal support)
Arianna Rossi	Technical officer (M&E)
Chandra Garber	Communication and Marketing Officer
Conor Boyle	Global Training Manager
Dan Rees	BWG Director
Daniel Cork	Programme Officer MENA
Esther Germans	Technical officer stakeholder engagement and sustainability
James Martin	Knowledge Management Officer
Joakim Vincze	Business system analyst
Laetitia Dumas	Senior Programme officer
Susanna Harkonnen	Technical officer
Yun Gao-Böhmer	Programme Officer Asia
Better Work Jordan	
Hazem Al-Nammari	Enterprise advisor
Phil Fishman	Project manager & chief technical adviser
Rebal Daoud	Enterprise advisor
Roa'a Alkhudairi	Enterprise advisor
Tareq Abu Qaoud	Deputy project manager & BWG technical officer (training and capacity building)
Thoraya Al-Rayyes	Training officer and knowledge management specialist
Zainab Yang	Enterprise advisor
Business for Social Responsibility	
Alison Colwell	Associate, advisory services
Ayesha Barenblat	Director, advisory services
Donors	
Paul Bruning	USAID representative
Elizabeth Litchfield	Political officer, US embassy
Kate Skarsten	Deputy chief, economic section
Kathryn Kiser	Political officer, US embassy
Employers associations	
Ali Imran	Chairman, Foreign Investors Association
Farhan Ifram	Board member, treasurer, Jordan Garment, Accessories & Textiles Exporters' Association (JGATE)
Mohammad Khourma	Chairman, Jordan Garment, Accessories & Textiles Exporters' Association (JGATE)
International buyers	
GAP: Catherine Dix	Manager global responsibility
GAP: Serkan Tanka	Regional manager Middle East
JNY: Desta Raines	Compliance manager
JNY: Dina Charianka	Compliance analyst
JNY: Kesava Murali	Regional manager Middle East
Wal Mart: Leslie.S.Durairaja	Regional manager Middle East
Wal Mart: Sridevi.Kalavakolanu	Director ethical sourcing

International Finance Corporation	
Wafa Aranki	Project manager business regulatory reform, IFC resident mission in Jordan
Factories management	
Al Masera	
Apparel Concept	
Classic Fashion	
Classic Jeans	
EAM Maliban	
IBG	
Needle Craft	
Government of Jordan	
Adnan Rababa	Director of workers affairs and inspection directorate & PAC Chairman
Atef Al-Majali	National Center for Human Rights
Gina Farraj	Advisor to Min. of Trade and Industry (paid by USAID)
Lejo Sibbel	USAID advisor to Ministry of Labour
Others	
Ragad Al-Hadeed	Executive Director, Garment Design and Training Services Centre Executive Director
Zaki Al Ayoubi	Board member, director general, Jordan Chamber of Industry
Regional Office for the Arab States	
Amin Alwreidat	Labour inspection project manager (and former PAC chairman)
Azfar Khan	Senior migration specialist
Jean-François Klein	Chief regional programming service
Mary Kavar	Senior skills and employability specialist
Maurizio Bussi	Deputy regional director
Nada Al-Nashif	Regional director
Rasha Tabbara	Programme unit
Walid Hamdan	Employee specialist
Zafiris Tzannatos	Senior regional advisor, employment policy and macroeconomics
Trade Unions	
Arshad Ali Khan	Union representative, Textile Trade Union
Fathalla Omrani	President, Textile Trade Union
Khaled Habahbeh	General Federation of Jordanian Trade Unions (PAC representatives)
Mohamed Al-Hadede	Vice president, manager Al-Dulayl office, Textile Trade Union
Workers	
Al Masera	
Classic Jeans	
EAM Maliban	
Needle Craft	

Appendix B – List of documents

BW documents
1st Compliance synthesis report
2nd Compliance synthesis report (draft)
Baseline matrix (other countries)
Baseline matrix Jordan
BW Advisory process guidelines
BW M&E matrix
BW statement on Classic Fashion Factory Allegations
BW Targets and Triggers
BWG organigramme
BWJ Brief on Classic Fashion Apparel Industry
BWJ draft organigramme
BWJ list and contact of staff
BWJ Newsletter N°1 (Jan.- Mar. 2011)
BWJ scaling up for industry-wide participation (budget)
CAR - Apparel Concept L.L.C
CAR - Classic Fashion Apparel
CAR - Classic Jeans Apparel
CAR - EAM Maliban Textile Jordan
CAR - Fine Apparel
CAR - Galaxy
CAR - Hi-Tech Textile L.L.C
CAR - International British Garments (IBG)
CAR - Jerash Garments and Fashions Manufacturing
CAR - Needle Craft
CAR - Vega Textiles
Compliance Assessment Report (CAR) - Ivory Garment factory
Donor report AprJun09
Donor report JanMar09
Donor report JulSept08
Donor report OctDec08
Draft workplan 2011
Human Resources Mapping Questionnaire
Human Resources Mapping Questionnaire - results
JD CTA (Lesotho)
JD manager, Jordan
JD technical officer
Job description prog officer
M&E matrix Jan 2011
M&E matrix managed by BW
Progress report 1 - Classic fashion
Progress report 1 - Classic Jeans
Progress report 1 - EAM Maliban
Progress report 1 - Needle Craft
Progress report 2 - Al Masera
Report on 1st BWJ - MoL quarterly meeting
Technical Progress Report (quarterly)
Technical Progress Report July-Sept 09

Technical Progress Report Oct-Dec 09

ToR General Trade Union for the Textile and Garment Industry (GTUTI)

Workplan 2010

Workplan Canada funding

Donors and partners documents

BSR 2010 Final report

Collaboration Plan MoL - BWJ

Funding arrangement HRSDC (Canada)

Letter of agreement ILO - MoL

MoL instruction (Eng translation)

USAID & MoL Project document

USAID modification of assistance (budget)

External reports

Request by American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and the national textile association (NTA) to the US to invoke consultations under the US-Jordan FTA to address Jordan's violations of the agreement's labour rights provisions

Dirty Clothes - National Labour Committee

Solidarity Center report "the struggle for workers' rights in Jordan"

Systematic gross violations of human and workers rights. Institute of Global Labour and Human Rights (formerly NLC)

ILO ROAS

Comments on Model Contract for migrants in Jordan

Global Jobs Pact Country Scan for Jordan

Other stakeholders' documents

Article Jordan Times on new investment law

BSR Report -Jordan apparel industry

Contract summary of TUFTS conceptual framework

JGATE Human resources mapping report

JGATE offer to conduct the human resources mapping in Jordan

MoL response to NLC report (embassy of Jordan)

Temporary changes in Art 98 of Jordanian Labour Law

TUFTS baseline report on Forced Labour and Human Trafficking

Appendix C – Evaluation mission agenda

Dates: February 26 to March 8, 2011

Evaluation team:

- Colin Fenwick, Industrial and Employment Relations Department (DIALOGUE)
- Blaise Burnier, M&E Specialist, PWC
- Daniel Cork, Programme Officer, Better Work Global

Time	Meetings
Saturday, February 26	
Check in at Bristol Hotel, Amman	Arrival in Amman, Jordan
Sunday, February 27	
8:00 – 9:00	Planning meeting for Evaluation Team at hotel
9:30 – 11:30	Introduction to BWJ Staff and 1 st Interview with Phil Fishman, BWJ Programme Manager
11:30 – 12:30	Break for lunch
12:30 – 13:45	Interview with Tareq Abu Qaoud, Technical Officer
13:45 – 16:00	Focus group discussion with Enterprise Advisors (with 15 minute break)
16:00 – 17:00	Interview with Training Officer / Knowledge Management – Thoraya Al-Rayyes
18:00 – 19:00	Debrief for Evaluation Team at hotel and planning for next day
Monday, February 28	
9:00 – 9:20	Courtesy Visit with Minister of Labour
9:30 – 11:30	Interview with Head of MOL Labour Inspectorate and PAC Chairman, Adnan Dhababa
11:30 – 13:00	Interview with Leo Sibbel, MOL
13:00 -14:00	Break for lunch
14:00 – 16:30	Interviews with Ministry and Industry and Trade Officials
16:45 – 17:45	Interview with National Human Rights Committee (migrant worker issues)
17:30 – 18:30	Debrief for Evaluation Team at hotel and planning for next day
Tuesday, March 1 – Industrial Zone visit – day 1	
8:00 -9:30	Travel to industrial zone
9:30 – 12:30	Factory visit – assessment & discussions with factory management
12:30 – 13:30	Break for lunch
13:30 – 15:30	Factory visit – advisory & observation of PICC meeting
15:30 – 17:30	Visit to trade union office in zone and interviews with either Fathallah Omrani or trade union organizers (Arshad Khan, and others)
17:30 – 19:00	Return from industrial zone to Amman
20:00 – 21:00	Debrief from Evaluation Team
Wednesday, March 2	
8:00 – 9:30	Travel to industrial zone
9:30 – 12:30	Factory visit – assessment and discussions with factory management – majority Jordanian workers?
12:30 – 13:30	Break for lunch
13:30 – 15:30	Factory visit – advisory & observation of PICC meeting with largely Jordanian workforce
15:30 – 17:30	Visit to trade union office in zone and interviews with trade union staff
17:30 – 19:00	Return from industrial zone to Amman
19:30 – 20:30	Debrief from day at hotel – Evaluation Team
20:30 – 22:00	Dinner and 2 nd interview with Phil Fishman, BWJ CTA
Thursday, March 3	
9:00 – 10:30	Interview with USAID Mission – BWJ & Embassy staff as appropriate
11:00 – 13:00	Interview with JGATE (employers association)
13:00 – 14:00	Lunch break
14:00 – 16:00	Interview with Foreign Investors Association (employers' association)
16:00 – 17:30	Courtesy visit to General Federation of Jordanian Trade Unions (PAC representative)
18:00 – 19:00	Debrief for Evaluation Team at hotel
Friday, March 4	
10:00 – 12:30	Evaluation team – discussion and report writing

12:30 – 13:30	Lunch break
13:30 – 14:30	Report drafting and planning for following interviews
15:00 – 18:00	Free time
Saturday, March 5	
9:00 – 12:00	2 nd Interview with Tareq Abu Qaoud and EAs (if available on a Saturday)
12:00 – 13:00	Lunch break
13:00 – 15:00	Interview with Trainers for HR training
15:00 – 17:00	2 nd interview with Fathallah Omrani, President of Garment union – with senior staff
17:00 – 18:00	Courtesy meeting with IFC representative
Sunday, March 6	
9:00 -12:00	EAs + training officer – 2 nd focus group interview and strategy discussion session
12:00 – 12:30	Lunch break
12:30 – 14:30	Unplanned interview (in case need arises)
14:30 -16:00	Closing interview with Phil Fishman, BWJ CTA
Travel to Beirut	
Monday, March 7 – Regional Office for Arab States	
09:00 – 10:00	Interview with Nada Al-Nashif
10:00 – 11:00	Interview with Maurizio Bussi
11:00 – 12:30	Interview with Jean Francois Klein and Rasha Tabbara – Programming Unit
12:30 – 13:00	Lunch break
13:00 – 14:30	Interview with ACTRAV Specialist Walid Hamdan
14:30 – 16:00	Interview with Migration Specialist Azfar Khan
16:00 – 17:30	Interview with ACTEMP Specialist
17:30 – 19:30	Interview with Employment Specialist
20:00 – 21:00	Debrief from Beirut visit
Tuesday, March 8	
5:00	DC and BB depart for return to Geneva

Appendix D – Terms of reference for the evaluation



Better Work Jordan

Mid-term Evaluation

February 2011

Terms of Reference

1. Introduction and Rationale for Evaluation

Better Work Global will partner with the Dialogue department of the International Labour Office (ILO) to conduct a mid-term evaluation of the Better Work Jordan (BWJ) project. The rationale for the evaluation is that after two full years of implementation, the country programme should have sufficient input from assessment and advisory services, as well as broader activities linked to stakeholder engagement, to review progress made towards the achievement of its objectives, and draw lessons, including good practices. This evaluation will be carried out by Better Work Global with support from another ILO specialist and an external consultant. Its findings will be shared with a limited audience, in a way that allows the programme to adjust its services and strategies and make mid-course corrections, well in advance of a final evaluation whose results would be distributed to a wider audience. This exercise was scheduled in year 3 of the original project document, a point which the project has currently reached. It is expected that this mid-term evaluation will suggest ways in which the project strategy may be adjusted as it moves from a voluntary to government-mandated, industry-wide programme in 2011, the fourth year of the initial 5-year funding cycle.

2. Background on project and context

Developed at the request of the Ministry of Labour of Jordan, the aim of the *Better Work Jordan* project is to improve labour standards and enterprise performance in Jordan's export and labour intensive industries in global supply chains. It is a partnership between the International Labour Organization (ILO) and the International Finance Corporation (IFC). During the design phase, it was intended to collaborate closely with existing related initiatives in Jordan, including relevant ILO activities in Jordan and IFC priorities.

Better Work Jordan is a 5-year project with the following three components: (1) enterprise assessments against (a) the principles of the ILO Declaration on Fundamental Principles and Rights at Work, 1998 ("the ILO Declaration")²⁴ and Jordanian labour law, (b) quality and productivity; (2) enterprise advisory and training services designed to support practical improvements; and (3) stakeholder engagement and sustainability. The project document explains the background to the project; the project strategy; and describes each component in more detail. It highlights how *Better Work Jordan* will incorporate gender equity into the project and discusses reporting and evaluation processes. Finally, the document proposes

²⁴ The ILO Declaration refers to core international labour standards covering freedom of association and collective bargaining, child labour, forced labour and discrimination.

a draft project budget and how this would be shared between the Ministry of Labour (MoL), USAID and private sector.

It was originally proposed that *Better Work Jordan* have two donor partners who would fund different components. The original break-down of funding support was as follows:

Component	Title	Donor
Component 1	Enterprise assessments	USAID
Component 2	Training and Remediation	Ministry of Labour
Component 3	Stakeholder Engagement and Sustainability	USAID

Details are provided in the budget section of the Project Document in the funding requirements for each donor.

In the years leading up to the project design and launch, Jordan had been undergoing a period of reform, economic openness and global integration, as evidenced by trade agreements with the European Union and the United States, and successful accession to the World Trade Organization. Growth has averaged over 6% per year since 2001. One of the fastest growing sectors of the Jordanian economy prior to the project launch was the garment and textiles sector, which amounted to almost 30% of total exports during 2005.

Despite reforms and strong growth, the Jordanian labour market has faced numerous challenges. Unemployment decreased from 14.5 % in 2003 to 12.5 % in 2004, but is still especially high for young people between 18 to 35 years and more specifically for educated young women. Disparities exist between urban and rural areas. Migration is significant, both in terms of (a) out-migration of educated people and (b) in-migration of people to take low-skilled jobs in which Jordanians are not interested.

The contradiction between high unemployment rates and increasing numbers of migrants working in the export zones is evident. Jordanian research conducted in 2006 indicates perceived poor working conditions are a significant reason that Jordanians are not interested in working in the Qualifying Industrial Zones (QIZs). The government has taken serious measures to improve the working conditions in the QIZs and to increase the number of Jordanian workers in the industry but additional effort is required.

According to the statistics issued by the Ministry of Labour for April, 2006, the total workforce in the QIZs during the design phase of BWJ was over 54,000. Of these, 33% were Jordanians. The remaining workers were migrants from various countries, including Bangladesh (25%); China (18%); Sri Lanka (17%), India; (7%) and others (1%). There has been a rapid increase in the use of migrant labour in the QIZs. In 2001, the majority of workers in the zones, 64%, were Jordanian.

In the preparation phase of the project, there were reports of alleged violations and abuse of migrant workers rights in the QIZs. A report by the National Labour Committee (NLC), a US-based NGO, in May 2006 alleged that migrant workers face abusive working conditions in the Jordanian QIZs and that employers are not complying with labour standards. Some of the abuses mentioned include: non-payment (or delay) in wages; confiscation of passports; long working hours; non-payment for overtime and violence and abuse in the workplace.

Fit with ILO and IFC Strategic priorities

Better Work Jordan falls within the framework of the first ILO Decent Work Country Programme (DWCP) which was signed by the Jordanian Prime Minister, Mr. Marouf Bakhit and ILO Director General, Mr. Somavia in August of 2006. The first DWCP integrated a combination of measures in the areas of employment promotion, rights at work, social protection and social dialogue based on the national policy framework and the social partners' commitment. The goals of this programme are to reduce the decent work deficits and strengthen national capacity to integrate decent work objectives within social and economic policies. BWJ has been involved in the discussions for Phase II of the DWCP for Jordan, facilitated by the Regional Office for Arab States (ROAS) in Beirut. The Better Work programme has also been associated with the development of the Global Jobs Pact (GJP) country scan for Jordan, and other ILO activities.

Better Work Jordan was originally envisaged to be closely coordinated with the ongoing work of the IFC to support the Government of Jordan in implementing a comprehensive licensing and inspection reform programme in Jordan. However, the interaction between BWJ and the IFC in Jordan has been limited to collaboration on recruitment and other Human Resource needs of the BWJ project.

Better Work Jordan Strategy

The goal of *Better Work Jordan* is to reduce poverty in Jordan by expanding decent work opportunities in global supply chains. It will do this by improving competitiveness of enterprises in Jordan which are part of global supply chains by promoting economic and social performance, the principles of the ILO Declaration and compliance with Jordanian labour law. The project is an industry-based scheme that works at the enterprise level. It uses transparent public reporting to promote accountability and measure progress over time. Local factories can use the project reporting to demonstrate compliance performance and remediation plans to their international buyers. The project includes training opportunities for workers and supervisors. It will be advised by a tripartite committee and international buyers, provide for broader stakeholder engagement, and be rigorously evaluated.

Project Management Set-Up:

Better Work Jordan is managed by an expatriate Programme Manager / Chief Technical Advisor, based in Amman, with responsibility for political, technical, and administrative aspects of the project. As with other Better Work country programs, a great deal of autonomy is granted to the Better Work Project Manager on operational matters. The Programme Manager directly oversees a complement of nine technical and administrative staff members, including an experienced Technical Officer, who directly supervises the Enterprise Advisors. The Programme Manager reports on a quarterly basis on the project's progress to a tripartite Project Advisory Committee (PAC), composed of key sectoral and national stakeholders relevant to the country's garment and textile industry.

The Better Work Programme Manager reports directly to the Better Work Global Director on technical matters. The Programme Manager liaises directly with the Regional Office for Arab States (ROAS) office in Beirut on matters related to the Decent Work Country Programme, as well as matters of coordination with other ILO initiatives. The project's financial administration has been based on a hybrid model of centralized oversight of the project budget in Geneva, with decentralized control of particular finance functions, with the intention of eventual transition to the financial pilot model introduced by Better Work in Vietnam. The project is backstopped by a Programme Officer in Geneva who has responsibilities for strategy and overall programmatic and administrative matters, as well as specific technical area of trade union engagement. Technical support on assessment and advisory services, training, evaluation and sustainability are provided by the other Better Work Global Technical Units.

Key Project Achievements to date:

Since the Programme Manager arrived in Jordan in June of 2008, the Better Work Jordan (BWJ) project has established a programme of assessment and advisory services that now serves 27 out of approximately 85 factories in the export garment and textile industry. Many of the participating factories have now begun their second 12-month cycle, with compliance gaps initially identified made in addressing non-compliance findings in many areas, including Occupational Safety and Health (OSH), wages and working hours, Freedom of Association, and Forced Labour. BWJ issued its first public synthesis report in May 2010, which included findings based on the first 16 assessments conducted by the program.

The Canadian Government contributed 495,000 USD to Better Work Jordan in March 2010 for a 18-month targeted training initiative designed to help Better Work Jordan develop and deliver a set of training initiatives to directly address key gaps identified in the first synthesis report related to OSH and Human Resource Development. This complementary project is linked to the BWJ core project's strategic framework and outcomes, and for example is intended to help BWJ in the furthering of its cost-recovery strategy, by marketing the training as a service to both international buyers and garment manufacturers in Jordan.

The BWJ programme has held two international buyers' forums, which were facilitated by Business for Social Responsibility (BSR) and made possible noteworthy strategic discussions between international buyer representatives and the business community in Jordan, as well as other project stakeholders.

The Government of Jordan, recognizing the important role of Better Work Jordan to date in addressing the compliance and economic performance of the industry, issued a regulation in December 2010 making the programme mandatory for all export garment and textile manufacturers and their sub-contractors.

The U.S. Agency for International Development (USAID) increased its financial support to the programme by \$2.1 million as of October 1, 2010 over the remaining years of the program, in order to enable the programme to scale up to cover the entire industry. This scale-up support will also provide capacity building assistance to the General Trade Union for the Textile Industry (GTUTI), to enable the union to maintain its operational presence in the QIZs, and also to strengthen the union's ability to represent both Jordanian and migrant garment workers.

In August 2010, the Ministry of Labour signed a Cooperational Protocol with BWJ, intended to encourage mutual support among the BWJ enterprise advisor team and the national labour inspectorate.

3. Purpose, scope and clients of the evaluation

The overall purpose of this evaluation is to review the progress made towards the achievement of the immediate objectives of the project and identify lessons learned from the its key services implemented to date. An important contextual point for this evaluation is the fact that the BWJ programme is one of 3 pilot programs of Better Work. Better Work was launched as a partnership initiative of the ILO and IFC in 2007, building on the success of the Better Factories Cambodia (BFC) project. In this respect, Better Work Jordan has been the testing ground of the Better Work integrated package of assessment and advisory services.

Out of Scope:

The scope of this evaluation does not include finance and administration related matters, as they are the subject of a separate process linked to the evaluation of the program's readiness to adopt the Better Work financial pilot.

Objective 1: Review progress made towards the achievement of the immediate objectives of the project in terms of establishment and delivery of core services and stakeholder engagement.

Objective 2: Identify good practices and assess areas for improvement in delivering Better Work Jordan services among participating factories, in influencing policy decisions, and in engaging national stakeholders.

The evaluation will consist of a one-week to ten-day field mission to Jordan, where the Evaluation Team will conduct interviews with the BWJ project staff, conduct shadow visits to BWJ factories and observe assessments and advisory visits; as well as conduct interviews with members of the Project Advisory Committee (PAC). Site visits should include visits to all industrial zones where Better Work Jordan participating factories are located, including factories that have been the subject of international NGO reports. Additional interviews should be conducted with key international buyers participating in Better Work Jordan, as well as ILO and IFC staff-members who have been involved in the project's implementation. Interviews should also be conducted with relevant members of the Regional Office for Arab States (ROAS) management and technical units.

The primary audience of the report is Better Work; both the Better Work Jordan programme and other Better Work country programs.

4. Key evaluation questions / analytical framework

A) Programme strategy and implementation

1. Progress Against Targets

-Is the project on track to complete all project targets according to schedule? If not, what have been the obstacles to achievement and how can the schedule of activities be adjusted to maximize the effective use of resources?

2. Effective Use of Resources

-How effectively have project resources been used in reaching the key achievements to date, in terms of staff effectiveness?

-How effective has the project been in allocation of staff time and work in order to meet the key objectives for each year of the project?

3. Vision and Strategy

-Is financial sustainability a key element of the project strategy, i.e. capacity to continue the provision of services after the initial 5-year incubation period? What has been the progress achieved on cost recovery? How is this reflected? What are the challenges?

-How did the Government of Jordan come to the decision to mandate the Better Work Jordan programme for the entire garment and textile industry? What are the key lessons to be learned for other BW country programs?

-How effective has Better Work Jordan (BWJ) been in marketing its services to the garment and textile industry in Jordan, and to international buyers?

4. Relationship to DWCP and / or other ILO initiatives ILO and (programs

-What have been the areas of strategic collaboration and coordination between the BWJ programme and the ILO Decent Work Country Programme and / or other ILO programs in Jordan? To what degree have the goals of the original project document been pursued with respect to linkages to the larger ILO plans for the country?

-What is the relationship between the BWJ programme and other ILO technical units and their interventions in Jordan, such as NORMES, LAB/ADMIN, the Declaration, ACTRAV, ACTEMP, EMPLOYMENT, and DIALOGUE?

-What have been the areas of strategic collaboration and coordination between the BWJ programme and the International Finance Corporation (IFC) programme in Jordan? To what degree have the goals of the original project document been pursued with respect to linkages to the larger IFC plans for the country?

B) Core Services

1. Assessments (+ Public Reporting)

-What are the key strengths of the technical team responsible for the assessment services? What are the areas for improvement?

-How effective have the Enterprise Advisors been in identifying gaps in compliance, both in terms of number and depth? (*measurements need to be developed*)

-What are international buyers' views of BWJ assessment services, in terms of quality and efficiency?

2. Advisory

-What are the key strengths of the technical team responsible for the advisory services? What are the areas for improvement?

-How effective have the Enterprise Advisors been in addressing the challenges of the migrant worker labour force in the advisory process? (*measurements need to be developed*)

-Has the nature of social dialogue in the participating factories in the project changed as a result of the implementation of the project advisory activities? To which extent? What are the challenges?

-To what degree have migrant and Jordanian workers participated in the Performance Improvement Consultative Committee (PICC) formation and implementation process? What are the challenges to worker participation, and how might they be overcome as the project scales up to industry wide participation?

-Has the Better Work 'low-hanging fruit approach' (a strategy focused on first addressing simple, easy to fix problems such as ensuring soap in bathrooms, first-aid kits provided, etc.. before tackling more complex rights issues or systems' issues), used in Jordan and other countries, had the desired impact of building relationships of trust with the factories? Are there disadvantages to the strategy? Has it helped open the door toward addressing more challenging issues?

-What are international buyers' views of BWJ advisory services, in terms of quality and efficiency?

3. Training Services

-What are the key strengths of the technical team responsible for the training services? What are the areas for improvement?

- What was the nature of training received by factories and has it been effectively applied? Were the training services provided relevant?

-What is the current plan for factory training, under MOL and Canadian grants, and how will it address the key gaps identified in compliance?

-How might the training programme need to be adjusted in light of evolving programme needs and factory demands?

-How will the worker PICC training be implemented in Jordan, in order to address the priorities of involving migrant workers more in the advisory services?

-What are international buyers' views of BWJ training services, in terms of quality and efficiency?

C) Stakeholder Engagement and Policy

1. Public Policy, labour law, and advocacy

a. Freedom of Association for Migrant Workers

-Why did the Jordanian Government decide to provisionally lift the restrictions in the national law for non-Jordanians to join existing trade unions? What was the process and key factors that resulted in the decision? What was the role of the ILO ROAS in this process?

b. Forced Labour/Curfew/Hours of Work, etc.

-How has the project thus far pro-actively addressed the more challenging aspects of migrant worker rights in the industry, including forced labour, no limit on working hours, recruitment fees, and curfews? ?

2. Industrial Relations

-With the change in the law, how can the project work with the trade union in the sector to encourage more mature industrial relations, at both the factory and QIZ levels?

-What are the views of the stakeholders as to the results of the programme to date with respect to contributing toward more mature industrial relations?

3. PAC Effectiveness and Project's Interactions with PAC

-How effective has the Project Advisory Committee been as a tripartite forum for addressing the key project priorities and in offering strategic guidance to the BWJ team?

-To what degree does the project help with project implementation?

-What is the role of the employers, garment union, and government ministries respectively in the implementation of the project's activities?

-For example, have the employer associations been involved in the factory registration process? If so, what has been the nature of the involvement, and what affect has their involvement had to date?

-Also on the employer associations, what has their role in proposing and implementing ideas to promote employer interests, such as the JGATE Human Resources Development Survey, the Value-Added survey, etc?

-What role has the garment sector union played in support of the program's key objectives, and what is the union's vision for contributing to the programme via the separate capacity building programme to be implemented?

-What has been the government's role in participating in the project's set up and initial implementation?

-To what degree has the Ministry of Labour, most notably the labour inspectorate begun to benefit from the collaboration plan signed in 2010, in terms of exchange of knowledge and building the capacity of the inspectorate, for example?

4. Buyer Participation and Commitment

-Which buyers have participated in BWJ buyers' forums?

-Which buyers have encouraged their suppliers to join BWJ, and what was the process involved? How responsive were the factories to buyer efforts at persuasion?

-What has been the level of ongoing involvement of international buyers in the advisory process?

-What has been the involvement of buyers in broader policy issues of the program?

5. Main outputs of evaluation

-Draft report (by late April, 2011)

-Final report (by May 30, 2011)

6. Methodology

-Key Informant interviews with members of Project Advisory Committee, held individually.

-Use of professional interpreter for interviews with non-English speakers, in particular for project stakeholders.

-In-depth discussions, via a focus group format, with BWJ enterprise advisors, focused on tactics, strategies, lessons learned, and challenges.

-Individual interviews with BW Global key staff, including Dan Rees, Amy Luinstra, Conor Boyle, Susanna Harkonnen, Daniel Cork, Jim Martin, and Laetitia Dumas.

-Individual interviews with Project Manager in Jordan.

-Specific questions for evaluation should be developed in advance of mission by Evaluation Team.

-Review of list of all participating factories and identification of appropriate case studies and selection of factories for shadow visits.

-Site visits, to shadow Enterprise Advisors, to at least one assessment visit, and at least one advisory visit.

-Collection and review of factory assessment data via STAR, as well as impact assessment data from Tufts University.

-Key Informant interviews with a few key international buyers active in Jordan, both international and local representatives.

-Key informant interviews with IFC representatives in Jordan.

-Interviews with relevant ILO Technical Units in Geneva and Beirut, including DIALOGUE, LAB/ADMIN, ACTRAV, ACTEMP, MIGRATION, and ILO field programs in Jordan, including Forced Labour and Gender.

7. Management arrangements, work plan and time frame

-Lead Evaluator – M&E Consultant – will develop method and structure of evaluation framework, and will be responsible for overseeing the report writing process.

-Evaluator - Colin Fenwick, ILO Dialogue Unit – focus on Freedom of Association, advisory services, and broad policy areas

-Evaluator – Dan Cork, Programme Officer, Better Work Global – Provide regional expertise and add to reflections on evaluation as linked to next steps on project, with responsibility for drafting specific sections of report.

Mission to Jordan in late February through early March 2011

Interviews with key informants in advance of mission.

Final report submitted by May 30, 2011

8. Outline for Evaluation Report with proposed assignments (Lead evaluator – overall responsibility for writing the report)

1. Executive Summary

2. Objectives and Rationale for Evaluation (adapted from TOR)

3. Explanation of Methodology

4. Better Work Jordan Strategy (from TOR)

5. Key Achievements to Date (adapted from TOR)

6. Key Findings

a. Programme strategy and implementation

i. Progress against targets

ii. Effective workplanning systems

iii. Vision and Strategy

b. Core Services --

i. Assessments (+ Public reporting)

Appendix E – Evaluation questionnaire and interview protocol

Better Work Jordan: Mid-term evaluation (Feb.-Apr. 2011)		Evaluation Questions
Interviewee & background information		<ul style="list-style-type: none"> ■ Role and function. Details if different functions held. ■ Since when involved with project ■ What are the reporting lines ?
Programme strategy and implementation	Progress against targets	<ul style="list-style-type: none"> ■ Are we on track ? ■ If not, what have been the major obstacles? ■ How can the schedule and targets be adjusted?
	Effective workplanning systems	<ul style="list-style-type: none"> ■ How has the workplan been developed & who has got what responsibility in that? What's the timeline? How do you prioritize? ■ Have there been changes, which ones? ■ How frequently do they revise the workplan? ■ What the role and responsibility of BWG in drafting workplan? Who finally determines the workplan? ■ Does each EA have his/her own workplan? ■ How aligned has the project implementation been with the workplan? ■ How effective has the project implementation been? ■ Have there been major obstacles in the implementation? If yes, where? ■ How effective is the use of staff and allocation of resources?
	Vision and strategy	<ul style="list-style-type: none"> ■ What's your vision of the programme? What's your strategy for realising it? Where can you see BWJ be in 5 years time? ■ Who is responsible for elaborating the strategy? ■ Were there changes since the project inception? ■ Is financial sustainability a key element of the project strategy? What are the challenges? ■ What progress have been made on cost-recovery? What is the readiness of factories to contribute financially? What subsidies can the government offer? ■ Why did the Government decide to make the programme mandatory for the entire garment industry? ■ What are key lessons learned from other BW countries?
	Relationship to DWCP and other ILO initiatives	<ul style="list-style-type: none"> ■ Areas of strategic collaboration and coordination with ILO Decent Work Country programme and other ILO programmes (f.eg: Global job pacts, ...). Have goals of original project document been pursued with respect to linkages to the larger ILO plans for the country? ■ Relationship between BWJ and other ILO technical units/programmes and their interventions in Jordan, such as NORMES, LAB/ADMIN, Declaration, ACTRAV, ACTEMP, EMPLOYMENT and DIALOGUE? ■ Areas of strategic collaboration and coordination with IFC? Have goals of original project document been pursued with respect to linkages to the larger IFC plans for the country?
Core services	Assessments (+public reporting)	<ul style="list-style-type: none"> ■ Key strengths and areas of improvement for technical team? ■ How does he monitor the quality of the assessments? ■ How effective have the EA been in identifying gaps in compliance, both in terms of number and depth? ■ To what extent is the assessment process capable of enabling the EA to take into account cultural differences (bucket and shower)? ■ What are international buyers' views of BWJ assessment services, in terms of quality and efficiency?
	Advisory	<ul style="list-style-type: none"> ■ Key strengths and areas for improvement of the technical team responsible for the advisory services? ■ How the EA addressed the challenges of the migrant worker labor force in the advisory process? ■ Has the nature of social dialogue in the participating factories in the project changed as a result of the implementation of the project advisory activities? To which extent? What are the challenges? ■ To what degree have migrant and Jordanian workers participated in the PICC formation and implementation process? What are the challenges to worker participation, and how might they be overcome as the project scales up to industry wide participation? ■ What the process for getting the workers on the PICC? ■ What are the stages in the PICC formation? How is it decided that the union might run the election? What is done before the elections for the worker to understand the role? ■ What is the connection between the union committees and the PICC? ■ Relationship between the PICCs? ■ How do you see that evolving with the union capacity building programme? ■ What if the factories refuse any form of election for the workers on the PICC? What if they refuse the union involvement in the election process? ■ What the purpose of the PICC? How does it relate to the performance improvement? Is supporting the workers (workers empowerment) a purpose? Is supporting the union a purpose? ■ What kind of role do you the EA play the formation and facilitation? Are they supposed to have a neutral, or an advocacy role? ■ Is there a focal person for the PICC in the factory? What happens in between the PICC sessions? ■ How is the communication shared with the other workers? ■ Has the Better Work 'low-hanging fruit approach' had the desired impact of building relationships of trust with the factories? Are there disadvantages to the strategy? Has it helped open the door toward addressing more challenging issues? ■ What are international buyers' views of BWJ advisory services, in terms of quality and efficiency?
	Training	<ul style="list-style-type: none"> ■ Key strengths and areas for improvement of the technical team responsible for the training services? ■ What was the nature of training received by factories and has it been effectively applied? Were the training services provided relevant? ■ What is the current plan for factory training, under MOL and Canadian grants, and how will it address the key gaps identified in compliance? ■ What the timeframe for the HR and the OSH training? Who is responsible for what? Where will the trainings be delivered? ■ Are the factories ready to pay for the trainings? How much are they going to be charged? The buyers? ■ How are the trainings linked to assessment and advisory? ■ How might the training program need to be adjusted in light of evolving program needs and factory demands? ■ How will the worker PICC training be implemented in Jordan, in order to address the priorities of involving migrant workers more in the advisory services? ■ What are international buyers' views of BWJ training services, in terms of quality and efficiency?
		<ul style="list-style-type: none"> ■ Why did the Jordanian Government decide to provisionally lift the restrictions in the national law for non-Jordanians

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**Better Work Jordan
Mid-Term Evaluation
February 2011**

Information Note

Introduction

As part of Better Work Jordan project cycle, a mid-term evaluation is currently being undertaken. The aims are to review progress made towards the achievement of the project's objectives and to draw lessons and identify best practices for Jordan and other countries. This mid-term evaluation will take place in Geneva, Amman and Beirut between February and April 2011.

The following three evaluators will lead the assessment:

- 1) Colin Fenwick, Labour Law Specialist, Social Dialogue, International Labour Organization
- 2) Blaise Burnier, Consultant, PwC.
- 3) Daniel Cork, Program Officer, Better Work Global

Coverage of the interviews

Better Work Global, Better Work Jordan, ILO Regional Office for the Arab States, International Finance Corporation, donors, Jordan Ministry of Labour, Jordan Ministry of Industry and Trade, Jordan garment industry (management and workforce), Jordan employers associations, trade unions, international buyers and civil society organizations.

Use of data

Data will be gathered on confidentiality basis. The evaluation team will make no links to data and interviewees in any of their analyses.

Main themes of the interview

The questions will cover the following themes:

- the alignment of the project implementation with the project's strategy
- the progress made in achieving the project's targets
- the project management, organizational set up and linkages with other initiatives
- the effectiveness, efficiency, strength and weaknesses of the core services
- stakeholder engagement and policy
- sustainability
- adaptation to contextual changes

Way of interviewing

The interview will combine specific questions on the above mentioned themes with open questions allowing spontaneous feedback and comments. The methods will consist of individual or phone semi-structured interviews and focus group discussions. An independent interpreter will assist the team whenever required.

Output

The mid-term evaluation findings will be compiled in a report for Better Work Jordan, Better Work Global, and the ILO Regional Office for the Arab States in a way that allows the program to adjust its services and strategies and make mid-course corrections, well in advance of a final evaluation.

