

Research Article

A Legal Perspective on the Issues Arising from the Resolution of Labour Disputes in Jordanian Legislation

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Submitted: 20 July 2025 | Revised: 26 September 2025 | Accepted: 10 December 2025 | Published: 30 December 2025

Abstract: This study aims to investigate the challenges inherent in the resolution of labour disputes and to critically assess the integration of contemporary technological tools within dispute resolution mechanisms. Furthermore, it seeks to present the outcomes achieved by the disputing parties and to examine the extent to which current legislative frameworks facilitate the attainment of e-justice while maintaining equilibrium in labour relations. The research adopts a descriptive–analytical approach, involving a systematic exposition of procedures utilised in labour dispute settlement, followed by critical evaluation to identify associated constraints. It further highlights the role of technological advancement and procedural digitisation, alongside assessing the feasibility of conducting labour dispute resolution through remote modalities. The implementation of electronic dispute resolution mechanisms is directed towards ensuring equitable outcomes and achieving mutually acceptable settlements with reduced expenditure of time, effort, and financial resources—advantages that are not consistently attainable through conventional dispute resolution methods. However, the prevailing labour legislation and its regulatory execution lack explicit provisions for the prevention or effective redress of individual labour disputes, whether in traditional or digital environments. This regulatory gap contributes to the increasing frequency of disputes and prolongation in their resolution timelines. The study recommends the incorporation of digital technologies and artificial intelligence tools in the governance of labour contractual relations, alongside the establishment of a comprehensive, integrated information system to enhance the efficiency and effectiveness of labour dispute resolution processes.

Keywords: Employer, Worker, Electronic Litigation, Labour Disputes, Finance.

1. Introduction

The presence of divergent interests and instances of contractual non-compliance gives rise to multiple forms of disputes, which exert both direct and indirect effects on employer–employee relations [1], thereby influencing organisational and societal stability [2]. In response, labour legislation has undertaken substantial measures to address such conflicts [3], particularly by promoting resolution mechanisms such as direct negotiation and conciliation between the disputing parties [4].

However, a critical examination of these legal provisions reveals an inherent imbalance in dispute-handling approaches. Specifically, in matters concerning individual disputes, legislative preference has traditionally been accorded to judicial adjudication over amicable settlement. Conversely, in the context of collective disputes, conciliatory mechanisms have been prioritised, effectively reversing this orientation [5]. Despite these distinctions, conventional dispute resolution approaches continue to dominate in practice [6]. This persistence can be attributed to the limited initiative of the Jordanian legislator in embedding technological solutions within labour dispute processes, notwithstanding its proactive adoption in other legal domains. For instance, in civil litigation, the enactment of the Regulation on the Use of Electronic Means in Civil Judicial Procedures reflects a clear commitment to procedural modernisation [7]. In line with this regulatory shift, judicial institutions have undertaken significant efforts to evolve into technologically advanced systems capable of addressing contemporary demands [8].

Accordingly, labour dispute resolution frameworks comprise a structured set of procedural rules binding upon both parties. While these mechanisms exhibit a degree of flexibility in substantive terms, their multiplicity introduces procedural complexity. The digital transformation of such processes offers substantial advantages for stakeholders,

particularly in light of the expansion of remote working arrangements [9]. Nevertheless, the effective implementation of such transformation necessitates the development of appropriate legislative provisions that explicitly enable the integration of modern technological innovations into labour relations [10].

2. Significance of Study

The importance of this study stems from the urgent need to address challenges associated with labour dispute settlement mechanisms in Jordan, particularly the inconsistency in jurisdictional competencies between the Wage Authority and the Magistrate Courts, which undermines both equality and the safeguarding of workers' rights. Additionally, the significance of this research lies in its exploration of artificial intelligence (AI) as an innovative instrument for resolving such challenges, while simultaneously emphasising the continued necessity of integrating technological solutions with professional legal expertise. Accordingly, this paper aims to formulate practical recommendations directed at enhancing the Jordanian legal framework, specifically through streamlining dispute resolution procedures via remote mechanisms to minimise time, effort, and financial burdens, while fostering flexibility and facilitating reconciliation between disputing parties.

3. Objectives of the Study

The objective of this research is to examine the complexities inherent in labour dispute resolution in Jordan, alongside evaluating the potential contribution of AI in optimising these processes. Furthermore, it seeks to advance recommendations aimed at strengthening justice

delivery and ensuring the protection of workers' rights through a coherent and structured legislative framework.

4. Problem Statement

The framework governing labour dispute resolution in Jordan faces substantial challenges due to the coexistence of multiple judicial and quasi-judicial bodies, coupled with inconsistencies in the procedural rules applied by the Wage Authority and the Magistrate Courts. These disparities result in unequal treatment of workers, thereby contravening the fundamental principle of equality. Consequently, such structural deficiencies adversely affect both the efficiency of dispute resolution mechanisms and the effective protection of workers' rights, particularly in situations where access to competent legal representation is limited. With the rapid advancement of AI technologies, there exists a growing opportunity to deploy such systems to harmonise procedural rules, expedite dispute resolution, and enhance procedural justice. Nevertheless, complete reliance on automated systems remains impractical, especially in complex cases where human legal judgement is indispensable.

5. Methodology of the Study

This research adopts a descriptive-analytical methodology, involving a detailed examination and interpretation of labour dispute resolution procedures, the challenges embedded within them, and the significance of integrating advanced technological tools alongside remote litigation practices.

6. The Conceptual Framework for Labour Dispute Resolution

The Jordanian legislator has adopted a relatively simple and flexible, substance-oriented approach in regulating both individual and collective labour disputes [11]. However, the multiplicity of procedural stages and the imposition of strict legal timeframes often result in prolonged resolution periods that are misaligned with the nature and urgency of such disputes, which primarily concern workers and therefore necessitate heightened legal protection [12]. This challenge can be alleviated through the implementation of electronic systems in labour dispute resolution, enabling significant improvements in efficiency, particularly in terms of reducing time and associated costs.

7. The Legal Meaning of Labour Dispute Resolution

The fundamental aim of labour dispute resolution is to achieve a mutually acceptable settlement between the parties involved, with the most favourable outcome being the preservation of the contractual relationship [13]. Such disputes should be addressed through peaceful means, ensuring that each party receives its lawful entitlements [14]. Whether conducted through traditional or digital channels, technologically enabled mechanisms represent the most accessible, rapid, and efficient approach to resolving labour disputes, particularly as many of these conflicts are civil in nature and may be effectively addressed during preliminary negotiation stages before escalating into formal disputes [15].

7.1 Practical Challenges in the Resolution of Individual Labour Disputes

In this context, an individual labour dispute may be characterised as a disagreement arising between an employee and an employer due to the breach of contractual obligations by either party [16]. Frequently, such disputes stem from a claim asserted by one party that is either denied or acknowledged yet contested by the other. The contested entitlement may originate from an employment contract, statutory provisions, or other legally binding regulations. Moreover, an individual dispute possesses the potential to evolve into a collective one, with each category being governed by distinct resolution mechanisms [17].

Notably, the legislator has not incorporated provisions concerning the virtual resolution of labour disputes within existing labour law frameworks. Consequently, disputing parties remain reliant on conventional settlement mechanisms, which, under labour legislation, proceed through two principal stages: the disagreement stage, involving negotiation processes, and the dispute stage, which commences upon

the failure of negotiations, requiring adherence to established procedures depending on whether the dispute is individual or collective [18]. The adoption of virtual dispute resolution does not diminish the substantive rights of the parties; rather, it transforms the procedural pathway through which such rights are exercised, shifting from traditional to electronic modalities [19].

In relation to virtual dispute resolution, this concept may be defined as the authority conferred upon specialised bodies responsible for adjudicating labour disputes [20], whereby procedural activities are executed through advanced electronic systems within an integrated informational framework to achieve efficient outcomes while reducing time and financial costs. As previously highlighted, the current legislative framework governing individual labour disputes lacks explicit procedural mechanisms or preventive measures aimed at minimising the incidence of such disputes. Although a limited provision exists that partially contributes to dispute avoidance, it is inadequately formulated in terms of its legal implications for non-compliance. Furthermore, several statutory provisions exhibit ambiguity, thereby contributing to an increase in disputes and prolonging their resolution periods [21].

Additionally, the legislator has not established preventive or remedial internal mechanisms within enterprises for addressing individual labour disputes, whether through conventional or digital means, particularly in relation to broader issues such as working conditions and employee productivity. Finally, the absence of a tripartite or joint labour court model for handling individual disputes reflects another institutional gap. While the implementation of such a model may be administratively and financially demanding under traditional systems, it could be more feasibly realised within a virtual framework [22].

7.2 A Legal Perspective on Collective Labour Dispute Resolution

A collective labour agreement may be defined as a written instrument regulating working conditions between an employer or an employers' association on one side and a group of workers or a trade union on the other [23]. Notably, such agreements do not mandate that workers engage in negotiations exclusively through trade unions, as direct negotiations may also occur between workers and employers or their respective representatives. In contrast to the Jordanian Labour Law of 1960, the current framework does not restrict direct negotiations to situations where no trade union exists. This shift effectively diminishes the influence of trade unions by enabling employers to negotiate directly with workers.

It is important to recognise that certain scholars argue that direct negotiations between workers and employers should only occur in the absence of a trade union. Accordingly, where a union is present, negotiations ought to be conducted through it. However, this interpretation does not fully align with the provisions of the Jordanian Labour Law [3; 24]. Another limitation of collective labour agreements lies in the minimal degree of governmental intervention. The state neither amends nor substantively reviews the provisions of such agreements, thereby placing the responsibility on both parties to ensure that workers' interests are adequately protected during negotiations. The governmental role is largely confined to registering the agreement and, where appropriate, extending its applicability to specific employers or sectors [25].

Collective labour disputes may arise from a variety of factors, including substandard working conditions, inadequate workplace safety measures, and disputes over wages and benefits. These issues not only reduce organisational efficiency but also create conditions under which individual grievances may escalate into collective disputes. Such developments exert significant pressure on employers. Initially, workers may present their demands either individually or through trade unions; however, failure to satisfy these demands may lead to escalatory actions, including strikes. A collective labour dispute can thus be defined as any disagreement arising between a group of workers or their trade union and an employer or employers' association concerning the interpretation or application of a collective agreement, or relating to working conditions and terms of employment [26].

At the initial stage, the Ministry of Labour assumes responsibility for safeguarding workers' rights and facilitating dispute resolution through mediation. The provisions governing the resolution of collective labour disputes under Jordanian Labour Law clearly indicate that the prescribed mechanism constitutes the exclusive pathway available to the disputing parties. Accordingly, parties are restricted from pursuing alternative methods of resolution, whether through independent mediation, direct negotiation, or arbitration, irrespective of the stage of the dispute.

7.3 Mechanisms and Procedures for Resolving Labour Disputes

Labour disputes are distinguishable from collective disputes in both their substantive dimensions and the procedural mechanisms applied for their resolution. This differentiation originates from the nature of the contractual relationships governing the parties, whether based on individual employment contracts or collective labour agreements. The distinction can be clarified through the following classifications.

7.4 Traditional Mechanisms for Resolving Individual Labour Disputes

The employer is required to hold at least two annual meetings with representatives of workers' organisations with the objective of enhancing working conditions and improving productivity. At this preliminary stage, direct negotiation constitutes the primary procedural avenue available for addressing potential labour disputes. Its significance is twofold: from a professional standpoint, it strengthens mutual trust between the contracting parties and promotes higher productivity levels; from a legal perspective, it serves as a preventive mechanism against potential claims being initiated against the employer.

This procedural approach is primarily designed to address general matters associated with productivity, and in certain instances, it may facilitate the resolution of issues linked to workers' interests. However, direct negotiation is not specifically structured to resolve existing disputes, thereby limiting its effectiveness in addressing concrete conflicts once they have materialised. In cases involving wage-related claims, jurisdiction is assigned to the Wage Authority (where such an authority is established within Jordan). Conversely, disputes concerning other matters fall under the jurisdiction of the Magistrate Court. The determination of jurisdiction is contingent upon the nature of the claim presented [27].

Jurisdiction over individual labour disputes varies according to the subject matter of the claim. Non-wage-related disputes are submitted to the Magistrate Court, which is expected to adjudicate such cases expeditiously and without financial burden on the claimant. However, the absence of clearly defined procedural rules or statutory time limits contributes to delays in adjudication, thereby undermining the principle of timely protection in labour disputes. Wage-related disputes, on the other hand, are handled by the Wage Authority, an administrative body vested with quasi-judicial powers comparable to those of the Magistrate Court. Its members, appointed by the Minister of Labour, are specialists in labour matters, and its territorial competence is determined by administrative boundaries. Disputes falling outside its jurisdiction are automatically referred to the Magistrate Court. For a claim to be admissible before the Wage Authority, certain conditions must be satisfied: the claimant must either be currently employed or must submit the claim within six months of termination.

Failure to meet these conditions results in the transfer of the claim to the Magistrate Court. Furthermore, cases involving not only wage claims but also additional entitlements—such as compensation for unfair dismissal—are likewise directed to the Magistrate Court. The legislative framework also affords certain procedural advantages to the Wage Authority, including expedited decision-making and the absence of stringent procedural formalities, such as the requirement to present witnesses or documentary evidence. Nevertheless, the absence of a defined timeframe for adjudication remains a significant limitation. Additionally, the Wage Authority's jurisdiction extends beyond adjudication to include mediation functions. When acting in a mediatory capacity upon workers' request, it operates in accordance with the Mediation Law for the Resolution of Civil Disputes.

It is evident that the legislator has not adequately distinguished between the functions of mediation and adjudication, instead conferring both responsibilities upon the same authority. Moreover, the imposition of mandatory jurisdiction of the Wage Authority for a six-month period following termination appears disproportionate. During this timeframe, workers are effectively precluded from initiating proceedings before the Magistrate Court. Although the worker retains the right to file a claim before the Magistrate Court within a two-year limitation period, the requirement to first approach the Wage Authority introduces an unnecessary procedural burden.

Finally, the current framework governing jurisdiction over wage disputes in Jordan raises concerns regarding compliance with the principle of equality before the law. Identical disputes—such as delayed or unpaid wages—may be processed through different mechanisms depending on geographical factors, particularly the availability of the Wage Authority. Where such an authority exists, disputes are resolved through administrative procedures in accordance with labour law provisions. In its absence, the matter is automatically referred to the

Magistrate Court, where proceedings are conducted under civil procedural rules. Although this divergence arises primarily from organisational arrangements rather than explicit legislative intent, it produces tangible consequences in terms of procedural duration, the legal nature of outcomes (judicial judgments versus administrative decisions), and the scope of legal safeguards available to workers, including claims for delay-related compensation.

7.5 Traditional Mechanisms for Resolving Collective Labour Disputes

The legislator recognises the possibility of conducting collective bargaining between employers and employees or their respective unions on matters related to improving working conditions and enhancing productivity. The initiating party is required to provide written notification to the opposing side, specifying the subject matter and underlying reasons for the negotiations, while simultaneously submitting a copy of such notice to the Minister within 48 hours. This procedural step operates as a preventive mechanism aimed at reducing the likelihood of collective disputes prior to the commencement of formal dispute resolution processes. Where negotiations fail, the involvement of a mediator appointed by the Minister of Labour becomes a potential next step. However, the wording "the Minister may appoint" introduces procedural ambiguity, as it renders the appointment discretionary rather than obligatory. Additionally, the legislator has not clarified the precise circumstances triggering mediation—whether it should occur upon the request of the parties or automatically once the Minister becomes aware of the dispute.

In instances where negotiations are successful, the designated official retains a copy of the agreement duly executed by the parties. Conversely, if negotiations do not yield a resolution, the official is required, within 21 days, to submit a report outlining the causes of the dispute, the measures undertaken during mediation, and the reasons underlying the failure to achieve settlement. Thereafter, responsibility shifts to the Minister to attempt resolution of the conflict. If these efforts prove effective, the dispute is considered resolved. Notably, the legislator has not prescribed a specific timeframe for ministerial intervention nor clarified the legal implications of a successful outcome at this stage. Should the Minister's intervention fail to produce a resolution, the process advances to the Conciliation Board, composed of representatives of both employers and workers. This body is tasked with attempting to resolve the dispute within a period of 21 days. In the event of failure, the Board must prepare a report recommending referral of the matter to the Labour Court.

If resolution remains unattained within the Conciliation Board, the report must comprehensively detail the causes of the dispute, the steps undertaken to address it, and the factors contributing to its persistence. Subsequently, the dispute is formally referred to the Labour Court. Upon receipt, the Court is required to consider the matter within seven days and issue a decision within 30 days thereafter. Finally, the legislative framework does not mandate legal representation for workers during the dispute resolution process, thereby permitting them to engage in negotiations without professional counsel. Nonetheless, scholarly perspectives emphasise the importance of legal representation in collective disputes—particularly those with significant implications—as it promotes balance between the parties and mitigates the risk of misinterpretation or procedural disadvantage [28].

7.6 Extent of Applying Electronic Justice Tools to Reduce Challenges in Labour Dispute Resolution

The resolution of disputes between employees and employers is contingent upon the availability of established procedural mechanisms that facilitate the attainment of mutually acceptable outcomes through conciliation or mediation. Labour disputes are generally characterised by procedural flexibility, as they often revolve around financial claims or issues that are amenable to negotiated settlement.

7.7 The Legal Dimensions of Virtual Labour Dispute Resolution

The effective implementation of remote labour dispute resolution requires a robust legislative framework alongside adequate infrastructural capacity. These elements constitute the foundational prerequisites for the successful adoption of electronic dispute resolution systems, particularly through the utilisation of digital tools in addressing legal conflicts. It is important to emphasise that the transition from traditional dispute resolution mechanisms to electronic platforms

represents a crucial step in modernising judicial processes and enhancing procedural efficiency within the justice system.

7.8 The Rationale and Importance of Virtual Labour Dispute Resolution

Virtual mechanisms for labour dispute resolution are relatively recent when compared with traditional adjudicatory systems. By their nature, labour disputes are well-suited to both conventional and digitally enabled procedures, as they typically involve civil rights arising from employment contracts and are therefore amenable to structured negotiation and procedural flexibility. Contemporary trends in both global and domestic labour relations increasingly emphasise the maintenance of stable and constructive employer–employee relationships, with the broader objective of enhancing professionalism and productivity. In this context, dispute resolution processes are expected to facilitate the attainment of contractual objectives in accordance with applicable legal frameworks, while minimising financial and temporal costs for both parties.

Within virtual dispute resolution systems, cases are processed through secure, integrated digital platforms that enable competent authorities—whether dealing with individual or collective disputes—to review submissions, examine evidence, and carry out procedural steps without requiring physical attendance. This digitalised framework accelerates decision-making processes, streamlines procedural requirements, and contributes to the overall stability of labour relations by reducing delays and administrative burdens. It is further evident that existing statutory mechanisms governing labour dispute resolution—encompassing Wage Authority proceedings, Magistrate Court jurisdiction, negotiation stages, conciliation processes, ministerial intervention, and conciliation boards—possess an inherent degree of procedural adaptability. The dispute resolution process typically begins with the identification of the nature of the conflict, followed by the presentation of documentary evidence and the submission of legal defences. These procedural components are readily transferable to digital environments without substantive alteration.

Moreover, the electronic submission of claims and the conduct of virtual hearings constitute significant procedural advancements that simplify case management and enhance efficiency in dispute resolution. These developments not only expedite proceedings but also contribute to the stabilisation of labour relations by ensuring timely and accessible justice. International labour law principles similarly underscore the protection of workers' rights and the preservation of workplace stability—objectives that are increasingly achievable through the adoption of virtual dispute resolution mechanisms. Accordingly, the Ministry of Labour, as the primary governmental authority responsible for enforcement of labour legislation, plays a pivotal role in facilitating the transition towards digital dispute resolution systems. This includes overseeing the electronic submission of documentation, notifications, employment contracts, legal defences, and evidentiary materials within a structured digital framework.

7.9 The Extent to Which Remote Litigation Applies to Labour Disputes

The Jordanian legislator defines “electronic means” in the Regulation on the Use of Electronic Means in Civil Judicial Procedures as: “the tools approved under this regulation for initiating lawsuits and claims, submitting memoranda, presenting evidence, issuing notifications, paying court fees, correspondence, hearing witnesses, and conducting all procedures before courts and enforcement units.” On the basis of this broad formulation, it may be inferred that the legislator has effectively extended the scope of electronic litigation to encompass civil proceedings, including individual labour disputes adjudicated by the Magistrate Courts. In contrast, wage-related labour disputes before the Wage Authority are not currently integrated within e-litigation procedures due to the absence of an explicit legal foundation in the Labour Law and its implementing regulations. Consequently, virtual hearings cannot be formally conducted within the Wage Authority framework.

Nevertheless, given that the Wage Authority is not strictly bound by the procedural codes governing ordinary courts, it possesses considerable discretion in determining its own procedural rules for handling disputes. This institutional flexibility enables it to adopt ordinary judicial procedures or to implement alternative approaches, including electronic dispute resolution methods, depending on its interpretative stance. In principle, its authority is sufficiently broad to accommodate both traditional adjudication and technologically mediated processes. Accordingly, it would have been more coherent for the legislator to expressly regulate electronic dispute resolution within the Labour Law, similar to the framework governing civil litigation, thereby providing clear legal grounding for the Wage Authority as a specialised quasi-judicial

body operating within a defined regulatory structure.

With respect to labour dispute resolution mechanisms involving multiple sequential stages—namely negotiation, the conciliation officer, ministerial intervention, the Conciliation Board, and the Labour Court—it is evident that the system comprises numerous procedural layers for resolving disputes that are fundamentally civil in nature. Despite this, parties are required to navigate these structured mechanisms rather than engaging in more direct forms of resolution. Importantly, the Labour Law does not explicitly clarify whether these procedures may be conducted electronically, notwithstanding their apparent suitability for digital transformation and the substantial advantages associated with virtualisation. Both the conciliation officer and the Conciliation Board function primarily as mediation-based mechanisms in terms of purpose and institutional design.

It is further evident that mediation and conciliation processes are largely social in character rather than strictly legal or adjudicative, as their primary objective is to preserve employment relationships that may otherwise deteriorate due to conflict. However, the effectiveness of such mechanisms depends fundamentally on the voluntary consent and free will of the parties involved, without coercion or undue pressure. Parties must be guided towards equitable compromise solutions rather than being directed towards predetermined outcomes. In practice, this essential requirement is not fully realised in the functioning of the conciliation officer and Conciliation Board, particularly given the procedural complexity imposed by the legislative framework. As a result, these mechanisms do not consistently deliver the level of flexibility required for fair and efficient dispute resolution. This reinforces the need for structural reform aimed at enabling more effective virtual dispute resolution, which may achieve outcomes that are difficult to realise through conventional procedures.

In conclusion, the labour dispute resolution system under Jordanian law is characterised by procedural complexity due to the multiplicity of available mechanisms, despite the inherently flexible and civil nature of the disputes themselves. A more coherent approach would involve the establishment of a unified specialised body—such as a “Labour Dispute Settlement Committee” under the Ministry of Labour—responsible for handling all individual and collective labour disputes, regardless of their nature or underlying cause. This body should be composed of professionals with expertise in labour law and legal practice, and operate under a dedicated regulatory framework defining its mandate, procedures, and requirements.

Furthermore, an integrated electronic information system should be developed to support this institutional structure, enabling full digitalisation of dispute resolution processes, including complaint submission, document management, party notification, remote hearings, and decision issuance, with outcomes either directed to the ordinary courts or escalated to the Minister of Labour for further action, including the establishment of a Labour Court where necessary. Mandatory exhaustion of amicable settlement procedures prior to judicial referral would also enhance efficiency, reduce judicial backlog, and help preserve ongoing employment relationships.

Finally, AI technologies represent a significant advancement in labour dispute resolution mechanisms, offering practical solutions to longstanding challenges such as jurisdictional fragmentation between the Wage Authority and Magistrate Courts. AI-enabled systems can accelerate dispute processing through data-driven analysis of legal information and the provision of more consistent and balanced mediation outcomes, thereby enhancing equality and procedural fairness for workers regardless of geographic location. However, the role of human legal representation remains indispensable, particularly in complex disputes requiring nuanced legal interpretation and robust protection of parties' rights.

7.10 Guiding Principles for Virtual Labour Dispute Resolution

Innovative mechanisms grounded in modern technological tools may be effectively utilised in the resolution of labour disputes, either as alternatives to or in conjunction with traditional dispute settlement methods. Their application within digital environments does not result in the deprivation of any party's substantive legal rights or procedural safeguards guaranteed under conventional labour dispute resolution frameworks. Instead, the deployment of virtual mechanisms introduces additional procedural and practical advantages within the dispute resolution process.

7.11 Safeguards for the Proper Use of Digital Environments in Labour Dispute Resolution

Efficient digital dispute resolution requires the establishment of a

fully integrated information system capable of facilitating complaint submission, electronic uploading of documents and evidentiary materials, and audio-visual communication between the adjudicating authority and the relevant parties. Such a system must also ensure effective administrative control over virtual proceedings, enabling the decision-making body to manage all procedural and technological tools within a secure and structured digital environment. Furthermore, an effective digital framework should be designed to minimise opportunities for procedural evasion or unjustified delay. In this regard, it is essential to eliminate the possibility of parties invoking alleged technical malfunctions as a means of avoiding participation or delaying responses. The quality and reliability of audio-visual communication must therefore meet robust technical standards to guarantee uninterrupted hearings and ensure seamless interaction among all participants.

As the institution responsible for enforcing labour legislation, the Ministry of Labour bears a direct obligation to provide the necessary technological infrastructure to support virtual proceedings. Accordingly, it must allocate adequate resources for the establishment of dedicated virtual hearing facilities and supply the required technological equipment in accordance with standards of security, efficiency, and confidentiality. In addition, electronic dispute resolution systems offer the important advantage of safeguarding documents against alteration or manipulation, thereby reinforcing procedural integrity. This aligns with the confidentiality principles enshrined in the Mediation Law for Civil Disputes. Data protection in this context includes the secure storage, handling, and processing of sensitive personal information belonging to both employees and employers, ensuring that such data is used exclusively for case-related purposes and is backed up securely for recovery when necessary.

In conclusion, the effectiveness of any virtual dispute resolution system is fundamentally dependent on the existence of a clear and comprehensive legal framework. Without such regulation, other components of digital justice cannot function effectively. Accordingly, the legal framework should define the applicable technological tools, regulate their procedural use, and establish appropriate sanctions for misuse or abuse of digital dispute resolution mechanisms.

7.12 Advantages of Virtual Labour Dispute Resolution

It should be noted that virtual mechanisms for resolving labour disputes exhibit a degree of simplicity and procedural flexibility that is often absent in traditional adjudicatory models. Conventional dispute resolution methods are typically characterised by procedural rigidity, formality, and extended timelines. In contrast, digitally enabled mechanisms, supported by advanced communication technologies, substantially reduce many of the logistical and procedural barriers commonly encountered in in-person proceedings. These attributes provide a basis for the concept of “electronic justice”, as they promote greater procedural openness, enhance the willingness of parties to reach compromise, reduce interpersonal tensions, and mitigate excessive procedural formalism. Moreover, flexibility in virtual proceedings is reflected in several operational dimensions, including simplified attendance at hearings, streamlined submission of evidence and documentation, efficient service and notification of procedural documents, and secure digital storage and retrieval of case-related information.

From this perspective, direct negotiation and virtual dispute resolution share complementary objectives, as both approaches facilitate more accessible dialogue, encourage consensus-building, and support continued cooperation between employers and employees. In addition, electronic mechanisms can ensure a higher degree of confidentiality, with restricted access limited strictly to authorised parties involved in the dispute. Virtual hearings further enhance procedural reliability by enabling the automatic recording of all communications, submissions, and oral exchanges in an accurate and unaltered form, thereby minimising the risk of distortion or misinterpretation by adjudicating authorities. This ensures the preservation of an authentic procedural record, which in turn supports the issuance of well-founded and transparent decisions. The primary objective of labour legislation is the protection of employees, who are generally regarded as the weaker party in the employment relationship, alongside the preservation of contractual stability.

In the context of digital transformation, legislators are increasingly positioned to incorporate technological tools and artificial intelligence into labour relations, dispute resolution frameworks, and administrative processes. Through such integration, earlier resolution of disputes, reduced costs in terms of time and resources, enhanced workplace stability, and improved employer–employee relations can be achieved. Collectively, these outcomes contribute positively to productivity while simultaneously reducing the incidence of workplace conflict. Accordingly, the adoption of digital litigation mechanisms offers significant benefits by

fostering a more constructive working environment, improving communication between parties, and promoting cooperative labour relations. Ultimately, such systems help minimise interpersonal conflict and misunderstanding, thereby supporting both organisational efficiency and social harmony within the workplace.

8. Conclusion

The resolution of labour disputes constitutes a fundamental component in safeguarding workers’ rights and promoting social justice within the labour market. In the Jordanian context, however, the dispute settlement framework is characterised by a range of structural and procedural challenges, particularly arising from the multiplicity of competent authorities and the variability of applicable procedures. Certain disputes fall under the jurisdiction of the Wage Authority, while others are adjudicated by the Magistrates’ Courts. This fragmented jurisdictional arrangement may result in inconsistent treatment of employees, depending on geographical and institutional factors associated with their place of employment. In light of the rapid advancement of modern technologies, the integration of AI presents a viable opportunity to enhance uniformity and efficiency in dispute resolution processes through the establishment of digitally enabled environments. Such systems have the potential to streamline procedures, reduce delays, and promote consistency in decision-making. Nevertheless, the essential role of qualified legal practitioners remains indispensable, particularly in complex cases requiring precise interpretation and application of legal provisions, as well as the protection of parties’ procedural and substantive rights.

Findings

- The conventional framework for handling labour disputes is rendered complex due to the categorisation of disputes alongside the involvement of multiple procedural stages.
- Remote (virtual) mechanisms for labour dispute resolution are designed to secure equitable outcomes and facilitate mutually acceptable settlements within reduced timeframes, effort, and financial cost—advantages that are largely absent in traditional dispute settlement systems.
- The existence of multiple competent authorities exercising jurisdiction over labour disputes contributes to unequal application of justice, which varies depending on the worker’s geographical and institutional location.
- AI constitutes a significant technological tool capable of standardising and accelerating labour dispute resolution procedures while mitigating disparities arising from geographical jurisdictional differences.
- The provision of legal assistance to workers remains essential for the effective protection of their rights, particularly in complex disputes requiring advanced legal interpretation and expertise.
- The integration of technological innovations with professional legal expertise enhances the likelihood of achieving procedural justice in labour dispute management systems.
- The current labour legislation lacks explicit provisions aimed at reducing the incidence of individual labour disputes, while existing direct negotiation mechanisms contain insufficiently defined legal consequences in cases of non-compliance.
- The prevailing legal framework does not adequately provide preventive or internal resolution mechanisms for individual labour disputes, thereby contributing to an increase in dispute frequency and prolonged adjudication timelines.
- Neither procedural rules nor institutional mechanisms are sufficiently defined in existing legislation to support or expedite the timely adjudication of cases before labour adjudicatory bodies.

Recommendations

- The study recommends establishing an independent institutional committee dedicated to the resolution of labour disputes, irrespective of their classification as individual or collective, or alternatively consolidating jurisdiction over wage-related disputes within a single judicial authority, such as the Magistrates’ Court or a specialised Labour Court, in order to ensure uniformity and equality of treatment across all regions without geographical disparities influencing outcomes.
- The study further recommends leveraging advancements in digital technologies and AI to strengthen and optimise contractual labour relations and associated regulatory processes.

- It also proposes the revitalisation of amicable dispute resolution mechanisms through the creation of an autonomous system specifically designed to manage labour disputes in a conciliatory and efficient manner.
- Another key recommendation is the development and implementation of an integrated information system for labour dispute resolution, encompassing both procedural and institutional dimensions to enhance efficiency and coordination.
- The study additionally recommends the formation of a specialised labour dispute settlement committee responsible for addressing conflicts prior to referral to the competent judicial authority, while ensuring that modern technological tools are fully integrated to maximise efficiency and minimise delays, costs, and procedural burdens.
- Finally, it recommends allowing workers the right to self-representation in collective labour disputes, while simultaneously safeguarding their ability to engage legal counsel in complex cases where specialised legal expertise is required for adequate protection of rights and interests.

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