

WOMAN AND LABOUR IN EGYPT
Documentary and Analytical Study

Dr. Howaida Adly

Cairo
2015



**CENTER FOR TRADE UNION
& WORKERS SERVICES (CTUWS)**

Egypt/Helwan - Mohammed Said Ahmed st.- Petrogas buildings-
Alexandria building-

Second Floor – Apartment No. (2)

Tel& Fax: +2 02 255 93 929 / +2 02 255 93 932

Mobil: +2 012 0532 488

E-mail: ctuws.ctuws@gmail.com,

Website: www.ctuws.com



**Development Support Center for
Consultancy and Training**

30 Haroun St, floor 6flat 4

Dokki, Giza

Tel: +2 02 37622413

Fax: +2 02 37629513

E-mail: info@dscegypt.org

Website: <http://www.dscegypt.org>

WOMAN AND LABOUR IN EGYPT

Documentary and Analytical Study

Dr. Howaida Adly¹

Introduction:

Women's rights are the cornerstone for the realization of equality in the society. The more the value of equality is emphasized in a society and reflected on its labor legislations and on the pertinent policies and practices, the more it will take further steps forward in realizing social justice, equal opportunities and development; and vice versa. Women are more susceptible to distress if they are poor and uneducated. They are subject to a compound stigma of sex, poverty and illiteracy altogether, i.e. the burden of class marginalization in addition to gender discrimination. Such a situation encompasses large sectors of women who suffer from extreme poverty and lack any sort of social protection, viz. women heading dependent family members, female workers in the informal sector or in the formal sector but without any job protection and women employed in other sectors. This is easily perceived, indeed, if we know that women's rights are historically the most liable to violation. Women are the least to gain access to education and training opportunities, the least to gain access to

* Professor of Political Sciences, National Center for Sociological and Criminological Research

** The Researcher appreciates with gratitude the efforts exerted by Ms. Hind Fouad in some data collection, analysis and summarizing.

the formal and protected labour market and the least to be represented in all the regulatory and institutional frameworks which defend the workers rights such as trade unions.

On the other hand, women's deteriorating labor conditions cannot by all means be separated from their severe family conditions. Poverty pressures and family burdens are amongst the main factors which force women to accept shocking work terms and conditions that, in turn, have negative impacts on women's relations with their families and their ability to take care of their families and of themselves as well.

The adoption of economic opening policies in Egypt since the mid 1970's crowned by policy packages of structural adaptation and economic liberalization since the beginning of the 1990's generated radical changes in the labor market structure. Private sector businesses owned by nationals and foreigners expanded. The Egyptian government awarded the private sector several facilities and advantages which encourage employers at the expense of workers. At the same time there was an organized tendency to sell the public sector which provided reasonable social protection for workers in general and for the working women in particular. This kind of economic policies entailed a series of distributional impacts such as redistribution of national income for the benefit of the element of capital at the expense of the element of labour. Workers, and in particular women, small owners, poor farmers and some categories of the middle class were the most heavily affected social categories by these policies. As a matter of fact, economic liberalization policies affected the working class more than any other social class. Lack of job opportunities aggravated the increasing

unemployment rates. Add to this the serious violations of the workers rights and the unfair work conditions which workers had to accept. The burden of unemployment is heavier in the countries which do not have sufficient social protection systems, unemployment benefit programs and where there are weak trade unions. In such situations, the only hope for workers is not to improve their work terms and conditions but rather to preserve their jobs. Women's modest participation in the labour market as well as their modest participation in trade union work led to further deterioration of their status regarding the right to work.

The Study Objective and Importance:

This study aims to recognize the features of research efforts concerned with the issue of "Women and Labour" in Egypt starting from 2000 to date through surveying various literatures published by Egyptian, Arab and international academic institutions as well as international and civil society organizations both in Arabic and English languages to build up a reliable technical data base. It goes without saying that literatures review constitutes the first step to any research work in order to recognize the gaps which require more research and study.

The choice of the year 2000 as a baseline year for surveying literatures was for several reasons. The Millennium Development Goals (MDG) Declaration was signed in that year. The Declaration obliges all the signatory states including Egypt to achieve the MDGs by 2015. Amongst these goals was the provision of full and productive employment and decent

work for all including the youth and women within the framework of the first MDG "to eradicate extreme poverty and hunger" and the third MDG "to promote gender equality and empower women". The MDGs put the issue of women in a comprehensive context with its economic, social and political dimensions and considered women empowerment as one of the main approaches to minimize poverty. They also dealt with 'decent work' which is the most sensitive concept for women and their needs. Studies on labour and labour markets before 2000 were limited to certain economic aspects concerned only with market analysis without any gender based considerations or putting women issues in their more comprehensive social and cultural contexts.

This study is not limited to literatures survey and analysis but seeks to exhibit an integrated picture for the status of women in the labour market from its different social, economic and legal sides. It also tackles other pivots such as the statistical folder which contains significant figures for women's participation in the labour market and the features of such a participation, the pivot concerned with the extent of the Egyptian laws' conformity with the ILO's and other labour standards. Finally, the study provides an alphabetically sorted bibliography for the related Arabic and foreign studies.

Consequently, the Study is divided into five main parts:

1. Statistical Analysis of the Extent of Women Participation in the Labour Market (the government / business sector/ private sector) and the nature of concentration in professional specializations in light of the available data and statistics.

2. Critical Presentation of the Previous Studies on "Women and Labour" such as the academic studies and reports of international or civil society organizations. Through this critical presentation the study will elaborate on the status of women in the labour market and the main violations of their rights, evaluate their status in light of the ILO standards and define the knowledge gaps which require further study and investigation.
3. Critical Reading of the Constitution and the Legal Frameworks which Regulate women employment and the Extent of their Consistency with ILO Standards.
4. Learnt Lessons from the Experiences of Other Countries and the Study Conclusion and Essential Recommendations.
5. Annexes.

Scope of the Study:

Literatures in this study are not limited to books and research works. They include available statistics on women participation in the labour market. On the other hand, the study reviews the laws regulating labour in light of international instruments, the extent of their conformity with these instruments in general and the extent of their sensitivity to the needs and conditions of women in Egypt. In other words, the study examines the legal protection umbrella for the Egyptian women's right to work.

Lastly, the analytical and critical review of the literatures represents an essential foundation from which any other

researches in the same field may embark. The review provides a knowledge base elaborating on which are the issues to be handled? How? What are the subjects that were thoroughly covered and what are the subjects that require further studies and researches?

The First Pivot

Women in the Egyptian Labour Market: Figures and Indicators²

² This part relies on labour statistics and data issued by the Egyptian Central Agency for Public Mobilization and Statistics, March 2012, pp 28:38, the Central Agency for Public Mobilization and Statistics, 2011.

This part presents a statistical dossier on female labour market in Egypt regarding employment and unemployment rates. It elaborates on interventions and intersections between the gender variant and other variants such as the rural/urban, education and economic sector as well as the different economic activities. This dossier exhibits as well limitations of data available from the essential agency responsible for information in Egypt, namely the Central Agency for Public Mobilization and Statistics "CAPMAS".

1. Female Unemployment:

Despite the relative improvement in the economic growth rates in Egypt in the years that preceded 2011, it is remarked that unemployment and particularly female unemployment remains the main challenge according to CAPMAS published data in 2012. Female unemployment rose considerably from 18.6% in 2007 to 22.6% in 2010 contrary to male unemployment rate which dropped from 5.9% to 4.9% during the same period. See Table (1).

Unemployment indicators for the first quarter of 2011 indicate that the female unemployment rate remained one way or another around 21.8% whereas it rose to 23.6% during the fourth quarter. The change which occurred to this stable figure was the rise of male unemployment rates during the last quarter of 2011 to reach 9.1% as a result of the economic repercussions of the 25th January 2011 revolution. See Table No. (2).

2. Labour Force and Unemployment Estimates According to Gender and Governorates:

With regard to the geographical distribution in Egyptian governorates, it is remarkable that the concept urban and rural governorates has changed during the last period. One cannot classify governorates as totally urban or totally rural. Most of the urban governorates have rural hinterlands. Such a classification is no longer sufficiently accurate. For this reason we monitor the labour force estimates issued by CAPMAS during 2012 according to gender and governorate for those who are more than 15 years old.

Data from 2010 show an increase in the ultimate number of female workers in several governorates. This increase was 534 thousand female workers in Beheera followed by Minia 407 thousand, Cairo 404 thousand, Menoufia 372 thousand, Sharkiya 318 thousand, Dakahliya 304 thousand. In spite of this increase as indicated in Table No. 3, female employment is lower than male employment. In Cairo for example there are 404 thousand female workers as compared with 1700 thousand male workers, i.e. 19.2% are less of the total employed people in this governorate. In Beheera there are 534 thousand female workers and 1359 thousand male workers (28.2%). In Minia it is 407 thousand against 1124 thousand (26.6%) of the total employees of the governorate. The same applies to the remaining governorates. i.e. the rates of female workers are less than those of male workers in these governorates. See Table No. 3.

3. Employees Distribution to Economic Sectors:

The 2010 data published by CAPMAS in 2012 shows that female workers are concentrated in certain economic sectors such as agriculture and fishing (2003 thousand) followed by education (976 thousand). Defence and social security (441 thousand), health and social work (346 thousand) than the other sectors by different percentages such as wholesale and retail trade, and repair of vehicles and motor cycles (327 thousand) followed by manufacturing industries (226 thousand). See Table No. 4.

4. Rural/Urban Relative Distribution of Unemployed Females According to Education:

Unemployment data shows that numbers of the unemployed people increase considerably amongst the educated and university graduates in urban governorates more than in the rural governorates and amongst females more than males. The number of urban unemployed females holding university degrees reached 388 thousand against 245 thousand males, whereas the number of rural unemployed females holding university degrees reached 184 thousand against 115 thousand males. In other words, the total percentage of unemployed rural and urban females reached 61.4% against 38.6% for males.

Unemployment rates of females with intermediate education certificates were higher than unemployment rates of males with the same certificates. The total percentage of unemployed females of this category reached 59.7% against 40.3% for males.

Unemployment rates of rural and urban females with certificates higher than the intermediate level and lower than the university level (i.e. graduates of government or private institutes which run for 2 or four years after the secondary school) were higher than unemployment rates of males in the same category. The total percentage of unemployed females of this category reached 62.1% against 37.9% for males. See Table No. 5.

5. Distribution of Employees on Different Economic Sectors in the Government Sector and the Public Business Sector in the 2010-2011 Budget:

According to CAPMAS data on 2010/2011 budget as stated in Tables 1 and 2 there is an increase in the number of males employed in different economic activities in the government, business and public sectors whereas against a decrease in the number of females employed in some economic sectors. The number of males was considerably higher than that of females in government sectors such as public services, defence, security, justice, public order and public safety affairs, economic affairs, environment protection, housing. Social utilities and education. On the other hand the number of females was higher with different percentages than that of males in other government sectors such as health, recreation, culture, religion and social protection.

However, aggregate indicators show that the number of males employed in the above mentioned government sectors rose to 3,803,006 (71.9%) whereas that of women was 1,484,241 (26.1%).

The number of males employed in the sector of public order and public safety affairs rose by 97.7% against 2.3% for females. This was followed by recreation, culture and religion by 85.5% for males against 14.5% for females and education by 60.5% for males against 39.5% for females. At the same time there was an increase in the number of females employed in health by 52.2% against 47.8% for males followed by social protection sectors by 51.4% for females against 48.6% for males. The above data shows the low levels of female employed in these sectors which enjoy social security and legal protection. See Table No. 6.

The percentage is higher in economic activities of the public and business sectors as indicated by Table No. 7. The number of males employed in all sectors rose to 87.4% against 12.6% for females. The percentage of females employed in agriculture, public works and water resources was 22.4% against 77.7% for males. The percentage of females employed in industry, petroleum and mineral resources went down to 9.1% against 90.9% for males. The same applies to the electricity and energy sector which scored 22.9% for females against 88.1% for males, to health, social and religious services which scored 37.7% for females against 62.3% for males and to the culture and information sector which scored 16.6% for females and 82.4% for males. These percentages indicate that the Egyptian labour market prefers males to females even in the government sectors which are covered by social security and legal protection.

Conclusion:

- Women remain the category most hit by unemployment in Egypt be it in hard times or in good times. Female unemployment rates are four times higher than male

unemployment rates. This indicates the presence of structural causes behind female unemployment in connection with the labour market and the education pattern of women.

- Women are concentrated in certain economic sectors such as agriculture, fishing, education, social security and health. This leads to stereotype women's role in the labour market and reduces their opportunity to access new labour markets.
- Female unemployment rates are higher for the most educated and urban women regardless of their university degrees or intermediate education certificates in comparison with males at the same level of education.
- The above presentation affirms the invalidity of the claimed feminization of the government sector because the percentage of females employed in this sector is only 28.1% against 71.9% for males.
- The problem is severer in the public sector and the public business sector where the percentage of female workers is 12.6% against 87.4% for males.
- CAPMAS, which is the agency responsible for data in Egypt, did not provide data on female workers in the private sector and the informal sector.
- Lastly, data availability and degree of quality remain one of the essential problems in Egypt. As a consequence, planning and policy making lack accuracy in targeting. Female workers in the informal sector as well as unpaid house and family work remains a prototype for female work and raise controversial estimations.

The Second Pivot

Features of the Knowledge Map for Female Participation in Labor Market Studies in Egypt

It is necessary to review pertinent literatures before starting any new research project. Through literature review, any dimensions in the concerned phenomenon that were studied or in need of further investigation and research can be clarified. In addition, critical literature review allows recognition of the prevalent approaches and sufficiency of the phenomenon studies through delving in depth in its various dimensions.

Surveys started in 2000, the year in which the declaration of the Millennium Development Goals was signed. The signatory world countries including Egypt committed themselves to achieve the MDGs by 2015. One of the MDGs was to provide opportunities for all, including women and young people to obtain full and productive employment and decent work within the framework of the first goal to eradicate extreme poverty and hunger. The third MDG emphasized the promotion of gender equality and women empowerment. MDGs put women's issue in its comprehensive economic, social and political dimensions and considered women empowerment one of the main approaches to mitigate poverty. They also tackled decent work as the most sensitive concept to women and their needs. It is natural that governments seeking the achievement of these goals should rely on sound scientific results in order to diagnose women's status at the labour market and reach solutions and alternatives. The years from 2000 to date witnessed sound scientific work on the status of women in the labour market and the extent of social protection provided for them. It is worth mentioning that interest in such studies was not limited to the academia. It extended to several civil society organizations concerned with women causes.

This Pivot is divided into a number of dimensions according to which studies were classified:

First: Female Participation in Labour Market: Status, Dimensions and Constrains.

Second: The Relationship Between Education and Labour: A Complex Gender Gap.

Third: Social Protection: Dimensions and Obstacles.

Fourth: The Extent of Commitment with ILO Standards.

Fifth: Obstacles Which Prevent Women's Participation in Labour Market.

Sixth: The Most Important Results Concluded From the Analysis of Previous Studies.

Classifying these studies according to the abovementioned pivots does not negate that many of them contain more than one pivot. But we decided to classify them on the basis of the most outstanding ideas which they contain and in particular the pivotal issue under analysis.

First: Female Participation in Labour Market: Status, Dimensions and Constrains:

This pivot exhibits studies which focused on the extent of female participation in the labour market and in which economic sectors they participate more: the state owned sector, the private sector or the informal sector. It also deals with female unemployment in Egypt: its causes, characteristics and consequences. It reviews as well a number of studies which

handled constraints of the Egyptian women's participation in the labour market whether they are connected with the labour market and the economic structure and conditions or with socio-economic and demographic conditions of women in Egypt.

- Lohman's³ study entitled **Labor Regulation and Female Labor Market Participation, A country Study of Egypt** stated that the cornerstone for realizing gender equality and women empowerment (as one of the MDGs) is securing the right to equal opportunities and all other rights to education, health, labour, etc. In spite of the improvement in several education and health indicators, the right to work is still violated from several aspects. Egypt's gross domestic production "GDP" witnessed remarkable progress during the period 2004-2008 scoring 4.9% but this progress was not accompanied by higher employment rates particularly for women. Female unemployment rates remained higher than that of males. Such a situation, as a matter of fact, was existing for long years. More important is that the problem is not limited to unemployment. It includes the extent of legal and social protection for the sectors in which female workers concentrate. Only 16.4% of employed females work in the formal sector. It is true that Egypt, similar to countries in MENA Region, experiences low levels of female employment in the

³ Lohmann, Tanja, **Labor Regulation and Female Labor Market Participation, A country Study of Egypt**, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), Economic Integration of Women – MENA, August, 2010

formal sector as compared with global levels. Women's participation in the public sector in MENA is 26% against a global level of 52% in 2008. This means that women do not have equal access opportunities to employment in the public sector.

A glance at the distribution of women by economic sectors shows that 6% of the female workers are employed in the industrial sector against 50% in services and 40% in agriculture. Women concentrate widely in the informal sector, which is neither regulated nor protected, by 58.7% against 41.8% for men.

The study indicated as well that among the major constraints to women's access to labour markets is the size of available opportunities. As a result of the scarceness of formal paid jobs particularly in rural areas women are left with low-wage informal jobs such as seasonal jobs in agriculture, retail trade or house work.

With a rising educational attainment, and in the absence of befitting employment opportunities, households often decide to withdraw from female labor if there is another earning member. Other factors which limit female access to employment include lack of means of transport and sexual harassment at work.

Private companies in Egypt consider the regulations imposed according to ILO standards and labour laws as an essential restriction to creating job opportunities.

According to a World Bank report on evaluating investment climate 27% of the surveyed private companies reported that labour regulations restrict expansion in formal regulated job opportunities for women. They think that female job opportunities are expensive due to paid maternity leave, child care leave and other leaves.

The study did not overlook cultural restrictions on female labour. It referred that women's access to the public domain is restricted by their social roles and power dynamics and authority in the family which is formed by various considerations with religious, legal and cultural backgrounds. The family, not the individual, is the first nucleus of the society. There is constitutional, cultural and religious emphasis on the importance of coordinating women's labour with their family responsibilities. Man in the family as a father or a husband can restrict a woman's right to gain access to the public domain.

- A study by Dr. Howaida Adly⁴ on the status of women in the investment sector entitled **Women at the Labour Market (2), Female Workers in the Investment Sector** revealed the degraded status of women in this sector be it owned by Egyptian capital under Egyptian management or owned by foreign capital under foreign management

⁴ Howaida Adly, **Women at the Labour Market (2), Female Workers in the Investment Sector**, Cairo, New Woman Institution, 2011.

such as in the free industrial zones at Burg el Arab in Alexandria and other free zones. The study aimed to monitor social and economic changes, their effect on women's life at work and in their communities and how to raise up their status. The study was based upon a referential rights background related to the available extent of the fundamental rights to work, compliance with the ILO standards which are well established for more than 60 years at the international level and the available extent of decent work in these zones. Accordingly, the study covered a number of pivots:

•

- 1) Monitor the status of female workers under study regarding fundamental rights at work, their major problems and how do they handle these problems.
- 2) The effect of their family conditions on their status at work and the effect of their work conditions on their social and family status.
- 3) Recognize the roles of civil society organizations and decision makers in these zones and their stand regarding female workers issues.
- 4) The appropriate and necessary measures and interventions to support female workers in industrial zones.

The field study, which used qualitative methods in data collection, in-depth interviews and focus groups,

concluded that there is complete absence and disregard for the ILO standards as well as the guarantees stipulated by Egyptian labour laws. There is no compliance with legal labour relations in contracts and social insurances. Women in these zones suffer from violations of their rights: they work overtime hours without fair pay and they are subject to discrimination in many aspects. Moreover, occupational health and safety measures are not observed. Lastly, trade union organizations are either overlooked or do not exist at all. In brief, the studied enterprises were completely void of all aspects of social and legal protection such as social insurances, health insurance, maternity leaves, nurseries and transport. In fact, as a result of their bad conditions and the violation of their basic rights at work together with their bad living conditions these workers do not attach a big value to their employment. They feel that work is a burden which they wish to get rid of one day. Family roles for them are the essential roles in life. That is why they try to adapt their employment situation according to their family conditions. Most of the interviewed women said that their seek of employment is connected with their family needs rather than self realization or other positive values related to work. Many of them accept employment in very bad conditions and inhumane sometimes in order to meet their families' needs. They work night shifts, for example, when they can ensure safety for their children. Most of them were

willing to retire as soon as they get the opportunity. On the other side of the river, businessmen in the investment sector under study regard women employment as one of the basic methods to magnify their profits because they are cheap and quiet workers and would take what male workers do not accept. The study showed that employers prefer to employ unmarried women in general and young unmarried women in particular because they do not have family obligations and are not liable to pregnancy with its related repercussions such as maternity leaves, nursing hours and other rights. This is, in fact, a global tendency but its impacts are worse in Egypt because trade unions which are supposed to raise female workers' awareness and defend their rights are either very weak or do not exist. The state was totally absent both in putting the employment strategy or supervising employers' compliance with ILO standards as enshrined even in the Egyptian labour laws.

- The study of Intsar Badr on **Women in the Labour Market: Women Workers and Privatization Policies**⁵ revealed the impact of economic restructuring programmes on work conditions and manpower rights with especial emphasis on female workers in Egypt and their work conditions in some female labour intensive

⁵ Intsar Badr, **Women in the Labour Market: Women Workers and Privatization Policies**, Cairo, the New Woman Institution, Cairo, 2007.

industries both in the business and investment sectors in shade of structural adaptation policies. The study showed that economic reform in Egypt focused on dismantling large production units. which were one of the characteristics of the mid twentieth century, through lease, sale or liquidation on one hand or dismiss employees with stable contracts on the other hand. Such an approach and the subsequent policies and laws led to reducing manpower from about 2 million to about 400 000 male and female workers. The lay off process focused on employees with stable contracts. i.e. the oldest and the most experienced and costly workers. There remained for the Egyptian industry the younger workers with temporary contracts and without legal protection.

The results of the study showed as well that female workers are increasing in number especially in labour intensive industries with low cost. Women are also subject to all sorts of non-economic exploitation such as sexual harassment particularly in the private sector which lacks any legislation or mechanism to protect them from such exploitation. The main drive for women employment under such circumstances is the dire need for salaries. One of the outstanding features in the sample of the current study is women workers' low salaries. The difference between salaries in the business sector and salaries in the investment sector is very small. Most of the women workers' salaries in both sectors fall in the range between EGP 100 and 200. As for the

difference in salary in three industries it was found that there is a slight increase in salaries of female workers in engineering industries as compared with the spinning & weaving and chemical industries. Salaries are noticeably higher in the engineering industries of the investment sector. Such a rise may be due to the professional status and education level of those workers in comparison with those in the other two industries which employ females with lower education and experience levels. The study revealed other forms of discrimination in labour relations particularly in the business sector. In addition to discrimination in appointing males as supervisors, there is discrimination in the type of work. Women are employed in low-waged marginal jobs which do not require skills. Similar to the business sector, the private investment sector assign men as supervisors even in departments where all the workers are women. There is a remarkable absence of women workers' awareness even of their internal regulations which are supposed to protect their rights but they do not care to know. However, there are other mechanisms which women workers use to call for their rights such as filing complaints, filing lawsuits and joining strikes and sit-ins. Trade union committees (plant unions) are of no importance for female workers who have a negative regard to them. Many of them think that unions acted against the workers interests and helped to liquidate their companies. Women are subject to occupational health hazards especially those working in the textile industry (shaking cotton) and in chemical industries. Case studies

on several factories showed that women suffer from serious occupational diseases including abortion and cancer. They lack any sort of monitoring or supervisory tool to help them protect themselves from these hazards or to obtain appropriate compensation. In spite of these problems, difficulties, stresses and hazards most of the female workers appreciate their jobs because they are the only way to improve their living conditions. Job satisfaction is linked with the changes which take place in the female worker's life. Studies showed that such economic, social or psychological changes are connected one way or another with the worker's self esteem. They also showed that satisfaction may be due to the absence of alternatives in case a worker loses her job. Employment in such a case is the last resort without which suffering will be aggravated.

- In her study entitled **Survey of the Youngsters and the Youth in Egypt**, Maya Siferding examined the challenges which face women at the Egyptian labour market from the youth perspective. She found that Egypt ranked 122 from 135 countries regarding women's participation in economy and the opportunities made available for them. This low rank is due to the challenges in the Egyptian labour market particularly to choose a decent job opportunity from the low-level jobs made available to them. According to the study, the participation of young females in the labour force is lower than that of males. 82.1% of the girls who are not

registered in the education system are outside the labour force in comparison with 13.6% of males in the same category. This means that 6.5 million young girls do not go to school and do not work and that human resources in Egypt are not fully utilized. The study showed as well that female unemployment rates are higher and that their durations are longer than those of males. Unemployment rates for uneducated young females in the age bracket 15-29 years reached 30.7% , i.e. 2.4 times higher than males (12.6%) in the same age bracket. This percentage means that about 426 thousand young females do not go to school and are not employed. It is true that only a small number of young females join the labour market in comparison with young males because they face several difficulties to find jobs. Unemployment rates of females from all levels of education are higher than males. Unemployment gender gap is maximal in the lower education levels. Illiterate female unemployment rate is three times the males' and is two times higher in case for university graduates. Unemployment rate rises to about 40% for graduates of high institutes after the secondary stage. Female university graduates reported that they do not work because they do not find suitable jobs for their qualifications. This indicates the importance of work conditions for this category. The average females unemployment period reached 2.7 years in comparison with 109 weeks for males. The unemployment period for females (171 weeks) is longer than that of married females (123) which means that married females find more difficulties to get the desired jobs. Young females

suffer from limited networking and transportation restrictions while seeking employment. This may be one of the causes behind the high rate and long period of unemployment. The public sector, which employs 52% of the young married females, is still more attractive to them in general. On the other hand, young females especially wage earners in the informal sector are less fortunate in the private sector. Most of the interviewed referred this to the bad working conditions in the private sector "long work hours, hard and troublesome conditions, inconvenient treatment including sexual harassment, overcrowded places and stealing". The study recommended the necessity to make available female friendly work environment and policies including measures to help married females coordinate their role as workers and their social role as mothers and housewives, face harassment, ensure job security and protect female workers rights. In addition, it is necessary to formalize the private sector, to make it female friendly and to support young female job seekers.

- The study of Abeer Yaseen⁶ on the **Egyptian Woman and Decision Making in the Private Sector** analyzed the status of the Egyptian woman in the private sector as compared with other government and public sectors, the

⁶ Abeer Yaseen, **The Egyptian Woman and Decision Making in the Private Sector, The Status of Women Status in Egypt: Study on Representation Levels in Leading Positions**. Edit. Amany el Tawil, Cairo, Al Ahram Center for Political and Strategic Studies, 2009.

development of labour indicators in shade of the state's retreat from providing job opportunities for women and the non-supportive legal, social, cultural and economic developments in Egypt which led, among other factors, to concentrate female workers in the private informal sector.

The study handled most of these issues with a vision seeking to clarify the size of change that occurred on the role of women and their participation in the private sector and how far this role was affected by the official efforts to support the private sector on one hand and their reflections on the role and participation of women on the other hand. The study showed that supporting women's role in the private sector requires several interconnected efforts which, in turn, include efforts in the media and cultural fields as well as efforts at the supervisory aspects:

- a) Activate media and cultural efforts to change the picture of the private sector for women, change the picture of women labour in the private sector for the society and change the picture of women for employers. Achieving such objective requires balanced movement in more than one field.
- b) It is necessary to deal with the factors restricting female employment in the private sector and enhance factors to support increasing female job opportunities through combating female illiteracy

and facing discrimination in education (such as focusing on theoretical sciences rather than technical education with its prospective in labour market) which determines in a direct or indirect manner the trends of female education which, in turn, affects the availability of job opportunities. It is also linked with developing the labour force skills through reconsideration of investments in education and directing them towards quality rather than quantity.

- c) Presentation and support of the profile of successful female entrepreneurs and businesswomen in order to emphasize women's ability to bear responsibilities and to encourage women to get involved in private business. This requires a societal approach to change the private sector's culture and to change the Egyptian private sector's mechanisms so as to provide job security and promotion opportunities and to manage it on the basis of efficiency and experience while observing employment policies and encouraging the private sector to employ women who have the required skills.
- d) The supervisory side remains in the necessary governmental measures to ensure enforcement of the law and constitution provisions regarding equality in rights, duties, employment and education and to activate the measures followed

by the government and the public sectors to ensure law enforcement. The successful experiment of establishing units for equality in opportunities in ministries can be a model to be adopted by the private sector. These units have to observe that efficiency and experience are observed in promotion and compensations without gender discrimination. It is also necessary to build up gender-driven data basis for the Egyptian labour market to provide updated data and statistics which reflect the actual participation of the Egyptian women in economic activities and include the social dimension as well. It is also necessary to achieve social and economic development for the informal sector and to provide the necessary protection for female workers in this sector.

- The study of Outi Karkkainen⁷ entitled “Women and Work: Access, limitations and Potential in Tourism and ICT, Egypt, Jordan and Tunisia” focused on the status of labour in tourism and information and communication technology (ICT) sectors. The study was initiated on the assumption that the weak presence of female employment in the labour market as compared with that of males' is a global phenomenon. The percentage of active females in the global labour market was 53%

⁷ Karkkainen, Outi, **Women and Work: Access, limitations and Potential in Tourism and ICT, Egypt, Jordan and Tunisia**, Italy, European Training Foundation, 2010.

against 78% for males according to the ILO (2010). The remarkable growth achieved by women in education was not accompanied by similar growth in the labour market. The study aimed to support gender equality in education, training and employment in Egypt, Jordan and Tunisia and focused on employment in the formal sector and particularly on the private sector which is supposed to provide decent job opportunities. Thus, it tried to answer the following questions:

- a) What is the effect of education on female employment in general and in tourism and ICT sectors in particular?
- b) How to provide females with the appropriate education to meet the labour market requirements?
- c) What are the available opportunities and potentials for women in tourism and ICT sectors?
- d) What are the obstacles which prevent women from gaining access to the labour market and particularly to these two sectors?

The study reached the following conclusions:

- a) There are high opportunities in both sectors for female employment even though women's presence in the ICT sector is higher than their presence in tourism sector. Nevertheless, both of

them are service sectors capable of creating jobs. Employers, in spite of the economic crisis, are optimistic in their future outlook to their businesses in both sectors.

- b) The problem of highly qualified female labour remains one of the obstacles hindering women from getting more job opportunities in these sectors.
- c) Employment patterns in both sectors reveal horizontal and vertical discrimination between males and females. It is harder for a woman to reach leading or highly technical positions. Most women workers in ICT are concentrated in the administrative, financial and sales departments but not in technical positions. In tourism they are mostly employed for internal service in hotels. This discrimination in job opportunities' availability establishes a fixed stereotype for females potentials and the jobs suitable for their capabilities. This leads in most cases to unequal and inequitable treatment at work and restricts females' promotion opportunities.
- d) In addition to lack of equal opportunities at work, employers are not keen to provide the necessary utilities and services such as nurseries, transportation, etc. which help women coordinate their family and work responsibilities. That is why

a considerable percentage of women withdraw from the labour market after marriage and childbirth.

- In her study entitled **Towards Decent Work in the Informal Sector: the Case of Egypt**⁸ Alia El Mahdi focused on female workers in the informal sector.

Government bodies. NGOs and international organizations showed obvious interest in the informal sector since the 1990's after the Egyptian government ceased to employ graduates of the education system in the government and public sector. The study adopted a specific concept for the informal sector as "projects which do not conform with formal rules for employment and work such as obtaining licenses, commercial/industrial registration, bookkeeping or accounting systems". This is, in fact, the case with the majority of the micro and small enterprises. Data contained in El Mahdi's study indicate that 82% of the enterprises in Egypt fall under this definition. The concept of informality refers to the "relative or ultimate absence of the institutions and rules which support, supervise and examine enterprises and employment in these enterprises as well as examine the contained non conformity with the labour standards enshrined in

⁸ Alia El Mahdi, **Towards Decent Work in the Informal Sector: the Case of Egypt**, International Labour Office Geneva, series on the Informal Economy, Employment Paper 2002/5, 2002

international conventions or national labour laws". The concept of informality extends to include the formal economy where some workers do not have labour contracts and others sign their resignation together with signing their contract of employment so that the employer gets more flexibility in the labour market and evade the application of any labour standards and laws. The study handled a number of elements such as the legal, institutional and economic environment surrounding the informal sector, the characteristics of the informal economic unit and of the informal labour, the required government policies and the interventions required from all the other social actors. The study concluded that the informal sector is an indivisible part of the economy, that it plays an essential role for the sustenance of a considerable number of Egyptian families and that the concerned state institutions should draw policies to protect this sector and formalize it in such a manner that helps it without threats.

- The study of Amira El Haddad⁹ entitled "**Women's Weak Participation in the Labour Market and the Official Discrimination Against Them**" examined two issues: the weak participation of women in the formal sector and wage discrimination. The participation of the Egyptian women in the formal labour market is weak. It

⁹ Amira El Haddad, Women's Weak Participation in the Labour Market and the Official Discrimination Against Them, Policies Paper, Social Research Center, the AUC, 2009.

reached in average less than one fifth (19%) of the total employment in Egypt from 2001 to 2007 which reached 21.7 million workers. This percentage is lower in the private sector in particular as it reached 16% only in comparison with 26% in the public business sector and the government sector. The low participation of female workers in the formal sector is met by relative higher participation in the informal sector. The most important factor in the formal sector is that its employees are covered by social and legal protection. The second issue is related to discrimination in wages against women. The problem is not limited to the weak presence of women workers in the private sector as mentioned earlier. Women get lower wages than men due to gender discrimination. The average difference between males wages and females wages reached LE 168 in 2006. This means that the Egyptian female worker gets 70% in average of the male worker's wages with the same qualifications. There are various reasons why the private sector is reluctant to employ women but all of these reasons revolve around one pivot: to evade the rights stipulated for women by Law No. 12 (2003). The most important of these rights are: the maternity leave for 90 days with compensation equivalent to the employee's full wages twice throughout her period of service (Article 91), paid nursing breaks for half an hour twice daily during the 18 months subsequent to childbirth (Article 91) and establishing a nursery in establishments employing one hundred female workers or more. These rights raise the cost of female employment in

comparison with males. As a consequence, employers either go around these laws and avoid signing official labour contracts with women or refrain completely from employing women.

- In her study **Women and the Labour Market**¹⁰, Heba Nassaar considered economic empowerment of the Egyptian woman the most important item at the top priorities of the Egyptian government and the various actors (the government, research centers, NGOs and donors). In spite of the efforts exerted to support the economic empowerment of Egyptian women, several challenges continue to affect negatively the ability of the Egyptian woman to participate effectively in the economic life. The major obstacles include: women's low participation in the labour market, high female unemployment rate in comparison with males (female unemployment rate is 24% or three times that of males (8.6%)), retreat of female work conditions in the labour market particularly in the informal private sector in which women are deprived of contractual protection, labour rights and special benefits and the double burden imposed on women's life and efficiency at work.

There is increasing interest to study the impacts of globalization on women's economic participation and whether it will provide new opportunities to boost their participation or will add to their burdens particularly that

¹⁰¹⁰ Heba Nassaar and others, **Women and the Labour Market**, Policy Papers series, the Social Research Center, the American University in Cairo, November 2009, Cairo, P.63.

women are amongst the most affected categories by these economic changes. All these changes presented opportunities and challenges at the same time for women empowerment and increasing women's role in the economic life. Consequently, there is need to continue research to investigate the impact of all these difficulties, changes and challenges to empowering the Egyptian woman. The study reached some definite and clear recommendations which serve decision makers in drawing policies for women's economic empowerment: equal remuneration through legislations which prohibit gender-based discrimination in employment, position or promotion. expansion in nonconventional types of work which help women strike the balance between their different roles, allow part time work, increase women's share in ICT through professional qualification and skills which qualify them to work in the ICT sector, promote the role of women not only as user of ICT but also as a producer in this sector, and encourage women employment in novel ICT spheres.

- The study of Ranya Rushdy and Mai Gadalla entitled **"The Informal Sector and Labour Market Dynamics during the Economic Slowdown: Evidences from Egypt¹¹"** exhibited and analyzed the development of the

¹¹ Ranya Rushdy and Mai Gadalla "The Informal Sector and Labour Market Dynamics during the Economic Slowdown: Evidences from Egypt, Policy Papers series, Gender and Labour in the Middle East and North Africa, Cairo, 2012.

Egyptian labour market during the global financial crisis. The study relied on data of the quarterly samples of labour surveys conducted from 2007 to 2009. That period witnessed medium decrease in unemployment rates accompanied by a slight increase in female participation in the labour force and the employment percentage in relation to the census. Slight changes were noticed in the informal sector, work hours and sectoral structures during that period. In spite of these limited changes some workers were more seriously affected than others during the 2008/2009 global financial crisis and women were the most affected by it. Unemployment rates witnessed remarkable decrease during 1998-2006 in comparison with the increase during the period 1988-1998. Unemployment rate was not stable during 2007-2009 particularly for women. It dropped noticeably by the end of 2008 in comparison with 2007 but started to rise again during the third quarter of 2008. A comparison of unemployment rate averages before and after the crisis in general shows that it dropped from 10.5% in average before the crisis to 9.3% during and after the crisis. Elderly women and young females of low education levels were the most affected categories by the negative impacts of unemployment during 2009. Unemployment rates amongst these two categories rose by three times during the first and second quarters of 2009.

The study concluded that there were slight changes in the labour market during the crisis. The impact of the global

financial crisis on the Middle East was limited in comparison with other regions. Nevertheless, some categories of the workers were more affected than others. This conclusion comes in agreement with the historical fact that certain categories such as the youth, elderly workers, female workers and unskilled workers are the most affected during the economic slowdown period.

- The study of Aly Galaby, Amal Helal and others entitled **"The Informal Sector Growth Through Studies of Household Units in Informal Areas"**¹² aimed at defining the main features of the household units as an economic, social and cultural unit and its relationship with the growth of the informal sector in some of the informal urban areas in Egypt through exploring the dimensions of women's participation in economic activities inside the household unit, its social constraints, the impacts on its empowerment and its participation in the growth of the informal sector.

The results of the study indicated an increase of women's participation in the economic activities inside the household unit and that such a participation is a mechanism for survival due to poverty and low income together with the rising cost of food, clothing, health and

¹² Aly Galaby, Amal Helal and others entitled **"The Informal Sector Growth Through Studies of Household Units in Informal Areas"** The National Center for Social and Criminal Research, the Fourth Quarter, Cairo, 2011.

education. Women seek alternatives to increase income and to help their husbands. A woman could be the only breadwinner of the family because the husband's death, illness or imprisonment. She takes the decision to work and, after negotiations with the family members she may take an area of the household residence to be her workplace. Thus, they lose their privacy. She has to make a sort of compromise between the time allocated for her economic activity and the time necessary for the house and the family. She may seek a work which can be easily done inside the household unit. Choices are limited due to low education level and lack of skills and training. She seeks the business that requires simple tools rather than complicated technology. There is similarity in the activities performed in a routine manner inside the household unit. They include production and marketing of articles made from palm tree fibers and leaves, food materials, cooked meals, bread and sewing. Women practice simple commercial activities such as selling certain products which suit their income and economic conditions as well as the nature of the informal area in which they live. All the activities are directed to the internal market subject to demand and supply, serve the informal community and conform with its specificity.

A woman may get involved in more than one economic activity at the same time and/or in a seasonal work in order to increase her income from these multiple activities. This means that she has to double her efforts and participate at the same time in developing the

informal sector as an essential source for the poor to find work and income. Women organize and manage time between housework and their several economic activities. A woman worker inside her household unit in an informal community feels she is strong because her economic activity generates income and consequently she becomes in a higher status. She also realizes a degree of independence and participation in taking family decisions. A woman who helps her husband feels she is able to assist in generating family income and uses this ability as a counter mechanism against the husband's attempt to impose decisions. She feels more empowered if the husband is old, sick or is not present for any reason. When she becomes the head of the family, she becomes more independent and more capable of taking several family and business decisions. Her participation in economic activities helps to broaden her knowledge of the community affairs, the neighbours' news, the goods prices and supply and demand opportunities within her field.

The study concluded that performing economic activities in the household unit boosts women's self esteem and economic, social and knowledge empowerment even though there are obstacles to realize a higher degree of empowerment. Such economic activities face several challenges related either to business or to labour such as high prices of raw materials, limited capital investments, cost ineffectiveness and narrow work space in addition

to the problems related to occupational safety and work environment conditions.

- The study of Nadya Halim "**Women Heading Families in Informal Areas: Study on Slums Occupants in Cairo**"¹³ highlighted the dimensions of the phenomenon of female-headed families for its importance in the Egyptian society in general and particularly in informal communities where this phenomenon is concentrated. It also showed the major variations among the female-headed families and the male-headed families. The main features of women heading their families reflected the size of their suffering, low capabilities, material poverty and poverty of capabilities and subsequent consequences and their inability to benefit from services provided to them or opportunities made available for them to improve their conditions. Those women lack the essential requirements such as education, training, suitable job opportunities or convenient health and environmental conditions. Most of them resort to the informal sector seeking jobs which do not require much education or training. They may accept jobs at the lowest rank of the structure in the formal sector. Female headed families in informal communities suffer several problems such as the low income which does not satisfy the daily living requirements, problems of overcrowded

¹³ Nadya Halim Solaiman, **Women Heading Families in Informal Areas: Study on Slum Occupants in Cairo**, National Center for Social and Criminal Studies, Cairo, 2004.

housing, low nutritional level, education and health services, etc. However, the majority of those people use some mechanisms to coexist with poverty such as borrowing from neighbors and relatives to meet their daily needs, diversifying income sources (through child labour) and seeking aid from governmental and non governmental bodies, reducing their daily living cost and paying the value of their purchased goods by installments while postponing any items of expenditure which can be postponed.

The study concluded that a female who is not qualified psychologically, socially and economically to solely head a family in poor communities "slums" is subject to several economic and social problems. The main causes behind this phenomenon are divorce and widowhood in addition to other causes such as the husband's refusal to sustain his family due to sickness or unemployment, etc. or due to deserting the wife or marrying another woman.

The study concluded as well that the income of female-headed family does not suffice to meet the minimum necessary needs or to protect the health of the family against diseases caused by malnutrition on one side and by environment pollution on the other side. Women in this category do not have the power to protect their families or help them get out of the poverty circle due to their fragility, the volume of problems which they face and lack of mechanisms to overcome such problems either due to unawareness or to ignorance of their rights.

- Heba Handousa¹⁴, in a report issued by the UNDP entitled "**Situation Analysis: The Main Development Challenges which Face Egypt**" stated that micro and small enterprises represent 99% of the private enterprises in Egypt and accommodate 85% of labour in the non-agricultural private sector and 40% of the total labour force. The participation of women in this sector is limited. The female owned micro and small enterprises do not exceed 18% of the total number of these enterprises. The current position of women in this sector reflects their low participation in the labour force in general. More than one million females are willing to work but cannot find employment. The picture seems better for micro finance where women represent about 74% of the active clients who borrow from the Social Fund for Development. It is possible to encourage more women to benefit from this sector provided the removal of the obstacles which prevent women from benefitting from this sector such as: social traditions, cultural norms, low education or illiteracy, low training, unavailability of business development services, inability to access markets, weak property rights and difficulty of dealing with the organizational authorities. In addition, there are other factors related to enterprise management. The legal and regulatory framework of this sector is complicated, bureaucratic and non-responsive to current operation conditions. The other remarkable issue is that in spite of

¹⁴ Heba Handousa, **Situation Analysis: The Main Development Challenges which Face Egypt**, UNDP, 2010.

the increasing number of these enterprises poverty rates did not decrease but increased. This raises another question about the material benefit from these enterprises.

- The study of Spierings & Smits¹⁵ entitled **“Women’s Labour Market Participation in Egypt, Jordan, Morocco, Syria & Tunisia: A three –level Analysis”** focused on the constrains which restrict women's access to the labour market. The study started with defining its research problem which is that "women's participation in the labour market in the Middle East and North Africa (MENA) is the lowest at the global level". It used some statistical analyses, such as the multiple declivity, to analyze data obtained from national surveys conducted in the countries under research. It depended mainly on data from the health analysis in Egypt (2003) and concluded that several constrains and restrictions control women's accessibility to the labour market. They were classified into personal constrains and structural constrains connected with the labour market structure in each country. They were also classified according to three conditions necessary for women's access to the labour market: the need, the opportunity and the capability. Need means women's need to work and the

¹⁵ Spierings, Niels & Smits, Jeroen, **Women’s Labour Market Participation in Egypt, Jordan, Morocco, Syria & Tunisia: A three level analysis**, Paper prepared for the IZA-World Bank Conference on Employment and Development, June 8-9, 2007, Bonn.

market's need for women's work, or in other words the socioeconomic and demographic factors which make it necessary to gain access to the labour market. Opportunity means the availability of the conditions which create an encouraging climate for women to participate in the labour market such as stimulating legislation, the available facilities such as nurseries and transportation, the social norms which recognize women involvement in the labour market, etc. Capabilities are linked with training provided by governments to help women access the labour market. The significant conclusions of the study include the following:

- a) Labour demand is linked with the conditions of the economy. Demand on qualified male workers rises in flourishing economies. As a consequence, demand on skilled female workers rises.
- b) The structure of the economy and the weight of the formal sector in comparison with the informal sector affect the demand on labour. The labour market requires less labour in case its formal sector is limited. Priority is generally given to male workers. Female workers are considered auxiliary and are employed when there are no male workers. The limited and weak formal labour market means less opportunities for women.

- c) Women's need for work depends on the family structure, the number of children, their ages and the person who is responsible mainly for sustaining them. The higher the number of the children in a family is the higher will women be in need of more income, but this does not mean that they can work. The need for income is directly faced by the need to take care of the family. As a consequence, the conflict rises between family responsibilities and employment. Such a conflict is mitigated if the children are grown ups and can take care of themselves or in case there is someone to help the mother take care of them.
- d) There are personal constraints linked with women's education level and social class. Women with higher education levels from high social classes have more opportunities to join the labour market.
- e) Women get more job opportunities in inflated bureaucratic regimes.
- f) Women's opportunities to work increase in the case of liberal social and cultural norms which promote women employment and vice versa. Traditional and radical interpretation of religion, paternal culture and authoritative regime mitigate

to a considerable extent women's opportunities to access the labour market.

- Sayre & Hendy's¹⁶ study entitled **Female Labor Supply in Egypt, Tunisia and Jordan** dealt with the constraints which limit women's access to the labour market. It focused on the institutional features of the labour market which limit women's participation in the labour force in MENA. The study started by emphasizing that in spite of the improvement of women's indicators in many fields particularly in education and the resulting reduction of the pertinent gender gap, the level of women's participation in the labour market in MENA is less than the global level. Education achievements helped increase women's demand on the scarce job opportunities. Female participation in the labour market in MENA is 21% with different variations from one country to another. It reaches 52% in one country where women are concentrated in the government, health and education sectors. Women monopolize certain occupational sectors in shade of gender segregation at work in some countries. The lowest contribution percentage is in Syria (13%). Comparison with other regions reveals the depth of the crisis. Women's participation in the labour market is 63% in African Sub Sahara and 53% in Latin

¹⁶ Sayre, Edward & Hendy Rana, Female Labor Supply in Egypt, Tunisia and Jordan, a paper submitted to workshop entitled "The Socio-economic Status of Youth on the Eve of the Arab Spring", Issam Fares Institute at the American University of Beirut, Dec 7-8, 2012

America. Women's inability to get involved in the labour market is linked to a great extent with the limited available job opportunities. Young female university graduates suffer a higher percentage of unemployment. About 30% of the holders of certificates higher than the secondary school are jobless. More than one half of female graduates under 30 years are jobless due to demand and supply factors. In spite of the high education level, the economy is unable to create new jobs. The recession of the public sector in these countries increased the severity of the problem. Amongst the institutional factors which explain this situation are the cultural approaches towards decent work for women, mixed work places for males and females and females' personal priorities regarding employment and marriage. The difference in working conditions and environment between the public and the private sectors is another important factor in determining whether a female worker will continue to work after marriage or not. The social protection which the public sector provides for women make it more attractive for women.

Second: The Relationship Between Education and Labour: A Complex Gender Gap

The effectiveness of education as a tool for women's economic empowerment in Egypt depends upon women's education level, quality and specialization through education women's economic participation is supported across three channels: 1) increasing women's participation rate in the labour force, 2) improving the

manner of job seeking, and 3) the possibility to find a job. This part of the study reviews some literatures which analyzed the relationship between education and employment and to which level was education a tool for social mobility through helping women to gain access to the labour market.

- Ghada Barsoum, Mohamed Ramadan and Mona Mustafa investigated the problems which face male and female youths while moving to the labour market in their field study "**Transfer of Egyptian Male and Female Youths to the Labour Market.**"¹⁷ The study discussed the relationship between the extent of qualifying the youth to join the labour market through education with emphasis on the gender gap against young females. The youth find several severe obstacles when they enter the labour market because the Egyptian economy is currently suffering from the consequences of two important events: the continued political instability after the revolution of January 2011 and the global economic slowdown after the 2008 global economic crisis. These two events had serious negative impacts on job opportunities creation. The fact that about one fifth of the population in addition to a large number (600 000) of new comers from the youth to the labour market every year puts more stress on the available opportunities. In the framework of defining the challenges to youth employment in particular and supporting policy makers

¹⁷ Ghada Barsoum and others, **Transfer of Egyptian Male and Female Youths to the Labour Market**, the Youth Employment Series, No. 16, Geneva. ILO 2014.

to design policies capable of supporting the youth transfer from school to work, the ILO designed the School-to-Work Transition Survey as an instrument that generates relevant labour market information on young people aged 15 to 29 years. The survey was conducted in Egypt in 2012 as an initial instrument to monitor the impact of national policies and programmes on the youths' transition from school to the labour market. The report emphasized two main issues in the labour market in Egypt. First: the low participation of females in the labour market which means high rates of female unemployment. Second: the low quality of the jobs available for male and female youths in the labour market. The study reached a number of important conclusions:

- a) In spite of the high education attainment of the youth in comparison with their parents, there is still a failure to utilize the youth as a human capital as about one sixth of the youth in the labour market (15.7%) are unemployed. This is higher than the global rate which was 12.4% in 2012.
- b) The burden of unemployment is heavier on young females and in particular on the highly educated ones. Young female unemployment was five times that of males (38.1% to 5.2%). Youth unemployment increases with the rise of their education level. The highest unemployment rate

is that of the secondary school graduates (34%) in comparison with 2.4% only for those who are less than the primary education.

- c) In spite of the large steps taken to bridge the gender gap in education, young females, outside education or training, are more liable to be unemployed than males (49.5% to 9.3%).
 - d) Young female workers in the household without pay are higher than males. One third (or 28.9%) of young females work without pay in households against 14.2% for males.
 - e) Young females have less opportunities than young males to get stable or satisfactory jobs. Only 16.3% of young females of the sample achieved this goal against 51.7% for youth males. Females failed to have the required criteria to achieve this goal.
- The study of Mohamed Hafez and Mohamed Ezz el Arab¹⁸ **"Education and Women Empowerment: Effective Factors in Females Education"** discussed

¹⁸ Mohamed Hafez and Mohamed Ezz el Arab, Education and Women Empowerment: Effective Factors in Females Education, presented in "The Case of Women in Egypt: A Study on Representation Levels I Leading Positions", Edit. Amany el Taweel, Al Ahram Center for Political and Strategic Studies, 2009, pp 230-263.

females education in Egypt and the development of young girls' position in the primary, secondary and university education and how far they were affected by the education system's plans and goals either through the state policies or as a result of factors connected with the young female and the economic, social and cultural environment around her. The study aimed as well, to discover the nature of relationships between these factors and the trends of girl education in the secondary stage and the university, define the laws and regulations governing this process, define the factors which affect the type of education which girls prefer and examine the relationship, if any, between illiteracy and girl education in Egypt and the governing relationship between expenditure on education and girls educations trends. The study concluded that there is gender inequality in education concerning the scope and type of education. Although a girl can join the public and higher education, she is usually directed to certain faculties which prepare her for professions which do not contradict the prevalent social trends. For example, girls join literary, education and medicine faculties in an attempt to accommodate both the current status quo and what is acceptable by the prevalent social value system. On the other hand, education and training enhance females' ability to work, promote their life expectations, weaken traditions and increase their employment opportunities. This is proved by statistical data. Women's participation in economic activities increase with the increase of their scientific qualifications. When the female obtains a scientific

degree she abhors routine monotonous jobs and tries to benefit from her certificate without compromising her family responsibilities. The study suggested a number of policies to support young females in Egypt and to bridge the gender gap in education through activating the media role in raising the family's awareness with the importance of girl education, prevention of school dropout and eradication of all sorts of illiteracy through all legible, heard and seen media, evaluate NGOs' role and successful experiments in supporting girl education in particular, provide assistance to generalize such experiments and secure their sustainability and success, expansion in building community schools for girls and providing the necessary finance for them and continuously monitor and supervise the implementation of all the stages of the project together with the various responsible bodies. In addition, the media should participate in fighting the phenomenon of early marriage in rural areas in order to reduce the phenomenon of girls dropout from schools. Formal and informal institutions should communicate with girls in the different stages of education particularly in the secondary and university stages, provide them with all sorts of support and raise their awareness with scientific studies and access to the labour market.

- Sumaya Ahmed's study "**Supporting Education as a Means for Economic Empowerment in Egypt**"¹⁹ dealt with the relationship between education and work. Education gained more importance for females because the government retreated from appointing new employees in the government and public sectors and due to the need to magnify the competitiveness of young females in the labour market. Some figures and percentages clarified the positive effect of education on females' ability to access the labour market. The difference between male and female participation in the labour market dropped to 4.3 for non holders of certificates to 1.5 for university graduates. Job seeking behaviour improved. Job seeking density of university female graduates rose 3 times more than non holders of certificates. The third aspect is related to the possibility to find a job. In spite of the high unemployment rate of all the educated, the rate decreases for the educated females with the increase of their educational level (25.6% for university graduates and 34.6% for secondary school graduates). It was found that specialization has a considerable effect at the university and intermediate levels. For example: the rate drops to 1.4% for nursing faculties graduates. The gender gap in labour market participation for female university graduates drops to less than 1.5% in comparison with 4.3%, 6.3% and 2.2% for the non educated, below

¹⁹ Sumaya Ahmed, "**Supporting Education as a Means for Economic Empowerment in Egypt**" Policies Paper, Social Research Center, the AUC, 2009.

secondary and secondary school female graduates respectively. At this point, an essential questions is raised: what are the problems in education which affect females and their ability to access the labour market? They are as follows: the high rate of female school dropout in the high stages of education in some border governorates such as Matrouh and in some governorates in Upper and Lower Egypt. The average dropout rate is 2.2%. it is more than double for the age bracket 16-18 years due to economic constrains. The second problem is the stereotype specializations. Analysis of female distribution to intermediary and university stages shows concentration in theoretical specializations which the labour market does not require. In the intermediate education more than 50% of the females are registered in commercial schools against 25% for males. The remaining numbers are distributed to industrial and agricultural schools. In the universities female represent about 3/4 of the literary faculties graduates. This reflects a typical social picture for the suitable jobs for females. This stereotyped percentage reduces women's status in the labour market.

- The study of Ahmed el Sayed el Naggar²⁰ "**Economic and Social Cost for Discrimination Against Women in Education and in the Labour Market**" dealt with

²⁰ Ahmed el Sayed el Naggar, **Economic and Social Cost for Discrimination Against Women in Education and in the Labour Market**. Cairo, Al Ahram Center for Political and Strategic Studies, 2011.

women's education and employment issues and the personal, family and societal economic cost for wasting the opportunities of women education and discriminating against them in the labour market. The study aimed to exhibit and analyze the current situation for women's education and women's status in the Egyptian labour market compared with previous stages and with other countries. The study aimed as well at identifying the various local, regional and international causes behind such a status, the comprehensive economic cost of wasting the education opportunities of young females and women, the equivalent cost of gender discrimination in the labour market and methods to confront such a situation with all of its obstacles which restrict the realization of gender equality in education as a basis to improve life quality and the available options for women at the individual and family levels and open the scope for actual and active women's participation in making the future of the country at all levels. The results of the study emphasized that lack of education for women represents economic, social and political costs at the personal, family and society levels which exceed the education costs for women on equal footing with men. Calculating the economic cost in this concern is a very difficult and, in many cases, a discretionary process because it depends on the type, level and stage of education which they would have received. The cost of learning how to read and write is far different from education to obtain an intermediate, university or higher education. However, the economic cost for wasting females' education

opportunity and excluding an important portion of women from education can be determined through several indicators which are summed up as follows:

- 1) Low participation of women in the labour force: A large number of uneducated women prefer to remain at home in stead of working as domestic or agricultural workers which are difficult and subject to all sorts of harassment, lack of education is a barrier between women and better jobs with higher income and more security. It also participates in reducing women's participation in the labour market in addition to other sorts of gender discrimination for social considerations.
- 2) High female unemployment rates and high cost on women and society: lack of education leads to increasing female unemployment rates in comparison with men. The labour market in industry and service sectors (with the exception of domestic and cleaning services) prefers educated workers in shade of the new technologies and the global scientific and technological progress which is transferred partly to Egypt and other Arab countries.
- 3) The high rates of educated and uneducated female unemployment lead to high dependency rates in the family as compared with international rates. It participates in impoverishing the families which are obliged to sustain their unemployed females most of whom are not calculated as unemployed but as non-job seekers in underdeveloped and non democratic countries according to the mechanisms they use to reduce their unemployment rates. Uneducated women are forced to

accept physically troublesome and low-wage jobs such as cleaning, crop harvesting and domestic work. This leads to poverty feminization or increasing poverty concentrations among women in comparison with men. Poverty is, in fact, a product of the capitalist system both in poor countries with in capita income less than the poverty line and in rich countries in which poverty spreads due to misdistribution of income.

- 4) Lack of education makes women subject to family exploitation in unpaid work in farms or family enterprises. The females' percentage of unpaid family workers is several times higher than that of males' in Egypt and in the Arab countries. CAPMAS' statistics show that the number of female workers in Egypt reached 4.466 million in 2008 and that 32.6% of them (i.e. 1.456 million) are unpaid family workers. It is known that female unpaid family workers are mostly uneducated or of low-level education and that they work in the agricultural sector. This shows that lack of women education is one of the main factors for family exploitation and unpaid work.
- 5) Lack of education entails additional cost to a woman's future family which will be obliged to hire tutors for the children. It is customary that the educated mother plays the tutor's role for her children in the primary and preparatory education stages.
- 6) Uneducated women feel that their families, society and government did not give them their right to education and as a result they may be less loyal to these planes.

Non-education is a serious violation of women's core rights in any respectable and sustainable social contract. The absence of female education or preventing girls willing to continue their education from doing so leads to concentrating leading, administrative and technical posts as well as political, executive and legislative positions in males. This means that decision makers will not give substantial attention to the issues related to women's education and rights unless there is ideological belief in these issues.

- 7) The state and civil society organizations bear the financial costs and make big efforts to eradicate the illiteracy of those women who had dropped out of education. Only a few of them would reach the minimum level of reading and writing which does not qualify them to take remarkable goods but keeps them within the framework of low-waged jobs which do not require any skills related to education.

Third: Social Protection for Women Workers: Dimensions and Obstacles

This pivot deals with social protection in Egypt from a wide perspective which includes the already existing social protection systems in addition to the extent of applying social protection rules at work. There are several social protection systems in Egypt which go back to the 1950s and 1960s. They range between social insurance, health insurance and social aids. Employers are required to conform with the international

standards related with social protection at work. This pivot deals with studies on the two systems.

- The Study of Maya Siferding²¹ **"Outlook of Social Protection Throughout the Life of the Poor Working Class in Egypt "** dealt with the role of social protection as one of the instruments for mitigating poverty in countries of the South. The concept and role of social protection expanded from being a social security net accompanying structural adaptation and economic reform programmes to a more integrated approach to minimize vulnerability and oppression in general. This study aims to investigate how poor families in Egypt benefit from different social protection programmes and to know how much they are aware of the value of such programmes. It also aims to define the main weaknesses which face different population categories who benefit from social protection. Egypt, as a case study, is interesting. This study poses a group of questions in a stage full of economic and social changes. Egypt has a broad and comprehensive official social protection mechanisms but their effectiveness was affected by the economic liberalization and the change of the labour market to the informal sector. The study depends on 53 in-depth interviews conducted in rural and urban areas on old workers who are about retirement age and young workers recently graduated who face challenges to enter

²¹ Maya Siferding, Outlook of Social Protection Throughout the Life of the Poor Working Class in Egypt, Research Papers, Gender and Labour in MENA Region, Population Council, 2012.

the labour market after the application of the privatization programme. The study concluded that workers from both age brackets and from both sexes suffer common oppression practices:

1. Interrupted presence in the labour force of the private and informal sectors. Labor turnover is high, and consequently employers do not care to pay social insurance contributions regularly. It is suggested to raise the awareness of workers with the entitlement conditions to the pension in which they contributed including the 120 months and how to deal with the periods for which no contributions were paid.
2. Women depend heavily upon death (survivors) pensions: Due to women's low contribution in the labour force, the possibility of getting individual pensions in the contributory system is very low. In order to provide social protection for women directly in stead of depending upon the possibility of getting death pension, it is necessary to increase the social assistance provided to women under 65 years in vulnerable families.
3. Pension value reduced: Most of the interviewed men and women and particularly the elderly ones reported that their pensions are insufficient to meet their needs and that non-contributory pensions do not suffice to keep families above the poverty line. Accordingly, it

is necessary to raise the value of non-contributory pensions to cope with the living cost.

4. Low-level health insurance system: The study showed that only permanent government employees and contract workers in the public and private sectors have health insurance. Most of the young families do not have access to health insurance. The service in health insurance institutions is of a low quality. Many people seek medical care outside the health insurance system and when they get older health care expenses become a heavy burden.
 5. Low-level awareness: In spite of the increasing confidence in the public sector pension system and the recognition of the value of formal social protection, low awareness of the presence and effectiveness of social protection systems in Egypt is still one of the main obstacles which hinder covering all population categories with these systems.
- The study of Siferding and Selwance investigated the issue of social protection in their study entitled " **Social Protection in Egypt: Outlook on Adopted Policies**"²². The comprehensive social protection system in Egypt is one of the most important cornerstones for the state-driven social policies. The system which includes social

22 Siferding and Selwance, Social Protection in Egypt: Outlook on Adopted Policies, Research Papers Series: Gender and Labour in MENA Region, Cairo, Population Council. September 2012.

insurance, health insurance and social assistance started in 1950's and 1960's and is still functioning to date without any essential reforms. The expansion of the social protection system depended considerably upon the growth in government employment and broadening the scope of its benefits to the public sector employees. But it was proven that the model based on the public sector is not sustainable. Employment in the public sector decreased severely since the 1990s within a larger programme for economic liberalization. The transfer of the labour market towards the informal sector and the shrinkage of social protection coverage together with the failure of social assistance programmes to reach a large percentage of the poor raised many questions concerning the effectiveness of the current social protection system and the state's ability to provide the citizens with basic care. Thus, the study aimed to give a general outlook to the already existing social protection mechanisms and to suggest new social protection procedures. After reviewing the three vital components of social protection system (social insurances, health insurances and social assistance), the study concluded, that there are serious challenges and that the major challenge is not in the legal framework but in the effective and fair management of the social protection system. In shade of the insufficient coverage and inequality of the umbrella for the different population groups and the deteriorating value of its presented benefits and aids, the social protection system in Egypt is not only suffering from big financial challenges but also from the feeling that contribution in

the system is inutile and incapable of meeting family needs. This makes citizens evade the already decaying coverage by the social and health insurance systems. One of the most serious issues in Egypt is leaving the poorest and the most vulnerable population groups without the social protection mechanisms necessary for their survival. In spite of the reform recommendations provided by several studies regarding social and health insurance and to a less degree the social aids system, it should be noted that the three systems are interrelated. Any changes in one of them may cause unintentional effects on the other two systems. Designing a new system for social aids to target the categories uncovered by the current contributory social protection programmes may reduce the motive to register in the social insurance system. Several studies conducted in Latin America, for example, found that the reforms which provided free of charge health care were accompanied by negative effect on registration by female workers in Mexico and by workers in general in several Colombian cities in social security and health insurance respectively. So, it is important to deal with social protection reform mechanisms in a comprehensive manner and to carefully consider the impacts of any changes on these three systems. The suggestions provided to improve the social insurance system included: strengthen the linkage between contribution levels and benefits, expand the scope of coverage and improve system management as a whole. Suggestions to improve the health insurance system included: restructure the system as a whole and

unite the Egyptian health insurance system in order to promote its efficiency and effectiveness. The process should include a comprehensive revision of the role of the Health Insurance Organization in providing health care and bearing its cost. Scope of coverage expansion should be one of the important objectives in addition improving service quality as well. As for social aids, it is necessary to expend the coverage scope in order to reach the poor and to make sure that the aids go to those who deserve them. It is also important to expand the scope of entitlement so as to include all the poorest families even if they are headed by able- to-work men.

- Saber Barakat²³ conducted a study on "**Woman and Social Insurances**" which exhibited the importance of social protection along the development of human action and production forces. There is a consensus that development in any society is connected with the progress extent of its social protection systems as a condition and appearance and result of development for the benefit of the people and with their positive participation. The study reviewed various social insurance systems and objectives as one of the human rights and of the citizenship rights. It also discussed the legal framework of the system, different types of social insurances guaranteed by the public order such as old age, disability and death pension and work accidents,

²³ Saber Barakat, **Woman and Social Insurances**, Tiba Magazine, Women and Work, 8th edition, December 2006, pp. 115-125.

sickness and unemployment insurances and social care for pensioners. The study concluded that women's status is going from bad to worse starting from decrease of available job opportunities, passing by reduced opportunity for promotion and ascending the occupational hierarchy or graduation in their professions and ending by their low wages, pensions and economic, social and cultural rights in general in addition to the already existing deprivation of political and civil rights in the society as a whole even in case of equality in the legal status. In fact, working women suffer from exploitation and discrimination at work, during work and due to work. They suffer the same in insurances, social security and pensions. Moreover, they suffer at home and inside the family from the burdens of house work and family care which they bear without assistance or appreciation in most cases. It is unpaid and non-insured work. Add to this deprivation from the human right to education, knowledge and culture, the right to a decent standard of life and the right to enjoy good health and reproductive health care. This deprivation is a public phenomenon which affects all the poor particularly in rural areas where women suffer considerably from gender-gap, masculine bias and the prevalent culture. This is manifested in women's rights violations and discrimination against them. It urges us to act for changing the working woman's status, confronting discrimination, respect human rights and refuse gender discrimination.

- Within the framework of weak social protection umbrellas and mechanisms comes the study of Amal Farag²⁴ "**Housemaids: Exploratory Study**" to deal with a social group deprived of social protection, namely housemaids as a category of the workers in the informal sector not covered by any social protection system and subject to the worst forms of violation. This field study was conducted in the framework of the legal protection project for housemaids. It is divided into 6 chapters which discuss the status of housemaids, and their basic rights between the law and the actual situation and the relationship between housemaids employment and human trafficking. The last 3 chapters present the adopted methodology of the field study and its results. The Unified Labour Law No. 12 (2003) excluded housemaids from its umbrella although they are among the main categories forced by poverty to domestic work in spite the violation of their rights. Thus the main objective of the study was to reveal the status of domestic female workers seeking to provide them with legal protection by annulling the article in the Egyptian labour law which excludes them from social protection. This main objective is divided into the following sub-objectives:

²⁴ Amal Farag, **Housemaids: Exploratory Study**, the Egyptian Society to Enhance Societal Participation, 2011.

- Reveal to which extent was the trade unions law No. 35 (1976) applied to establish trade unions for domestic workers.
- Determine the minimum age for domestic workers at 16 years enacting a legislative provision.
- Monitor the primary criteria for human trafficking and how far the basic elements of this crime exist regarding housemaids.
- Define the violations of housemaids' women's rights at work.
- Define the relationship between poverty, unemployment and domestic work.

The most outstanding results which the study reached were that poverty and lack of technical and educational skills are among the main causes behind domestic work, child labour is a common phenomenon and that the percentage of divorced, widow and deserted wives in domestic work is high.

The interviewed complained that they miss all sorts of legal and social protection and that the society regards them with contempt. The study reached a good number of recommendations such as criminalization of child labour in domestic work, fighting school dropout and the necessity to write official labour contracts between the housemaid and the employer, enact a law to regulate domestic work, organize them in trade unions, etc.

- Yasmin Ibrahim²⁵ in her study "**The Basic Rights of Female Workers Between Actuality and the Law**" discussed the ILO Declaration on Fundamental Principles and Rights at Work adopted in 19 June 1998 and several domestic Egyptian pertinent laws in relation with the actual situation of the Egyptian female workers. The Declaration is an expression of the four fundamental principles and rights at work:

- 1) Freedom of association and the effective recognition of the right to collective bargaining.
- 2) Elimination of all forms of forced or compulsory labour.
- 3) Effective abolition of child labour.
- 4) Elimination of discrimination in respect of employment and occupation.

The study revealed the gap between the female workers fundamental rights according to ILO core conventions on one side and the domestic law on the other side and between both of them and the actual status of female workers in Egypt. This is represented in the bad working conditions, discriminatory treatment between men and women on one hand and between women and other women on the other and. Working conditions of women in rural areas are worse than those of women in urban areas because they are far from cities which are

²⁵ Yasmin Ibrahim in her study, *The Basic Rights of Female Workers Between Actuality and the Law*, Tiba Magazine, Women and Work, 8th edition, December 2006, pp. 96-114.

development centers. Female workers in agriculture suffer from bad working conditions and lack of legal protection. Married women, and mothers in particular, suffer from heavier family burdens in addition to performing other care, reproductive and productive roles. Uneducated women are paid less and work under worse conditions in comparison with educated women, many of them are either unpaid or legally unprotected because they work within the framework of the family. Rural illiterate women heading their families are on the lowest rank of labour in Egypt. Add to this the weak representation of women in trade unions which affects the call for their rights, the need to work driven by poverty which weakens their wills and forces them to accept bad working conditions and the employment of young females in agriculture and domestic work without legal protection and under the related risks in these sectors. To change, or try to change, this position, and to guarantee the fundamental rights enshrined in the Declaration, the study reached several recommendations such as:

- 1) To establish a special ILO Committee to follow up complaints concerning gender discrimination in employment and occupations.
- 2) To raise the awareness of the legal staff with the ILO agreements which form a component of the domestic laws.
- 3) To raise the awareness of female workers with their legal rights and help them organize in trade unions.

- 4) To mainstream gender in development issues.
- 5) To raise the awareness of the media staff with the important role of female workers and the need to highlight their causes.

- Haniya Shalkamy's²⁶ study "**The Future of Women Empowerment and Employment Promises**" aimed to recognize the available sources to provide security for women in a paternal system and the future of social insurance with emphasis on markets and labour in Egypt. The paternal system considers a woman's work outside her house a threat to the system itself. Feminists consider women's work and independent income as channels for liberation. However women are already working, but their jobs are classified from the outlook of paternal values:. Woman are obliged to work outside their houses driven by certain circumstances or considerations and if their problems are solved they will stay at home. But financial need is not the only drive for poor females' work. Their wages are mere short term benefits which help them perform their role as wives and mothers. A working woman has to bear all the difficulties which face her at work. Her employment remains a necessary evil which should be avoided if she can survive without it. The basket of work difficulties includes severe

²⁶ Haniya Shalkamy, **The Future of Women Empowerment and Employment Promises**, translated by Shahrat el Aalem, Tiba Magazine, Women and Work, 8th edition, December 2006, pp. 7-30

conditions, reduced rights. Lack of social insurance and job hazards including occupational health. This means that there are paternal bargaining at work and that women may waive their right at work in order to obtain additional income. The low unemployment rate does not mean that women do not work. In fact, they work in the informal sector, serve their families, get overtime work and work without pay. They work very often without social insurance. The flexible production patterns which contribute in generating income for female workers at the short run do not provide them with any advantages or social insurances at the long run.

Social insurance for female workers is expected to face future threats backed by the paternal circumstances resulting from the state and the market. Even if women and their families have social insurance at the present time, the circumstances to regain social citizenship rights are not yet built up so as to achieve future security and welfare. All the countries which suppose that males are the only bread winners and source of social income for their family members put obstacles in front of the females' future social security. The same applies on countries which have policies to provide social and health insurances for all of their previous employees but provide less of these services to informal or temporary workers or to those who are not connected with the market. At the same level of negligence are those countries which depend upon the family and upon private initiatives to provide and promote welfare and to

confront risks and shocks. Unluckily Egypt could be one of them.

The study made some recommendations which included the need to review the current plans for combating discrimination, perceive women's need for income, appreciate the familial role of women and provide mechanisms to secure their present and future (such as credits for housework and child care in order to pay insurance contributions), facilitate full social citizenship for women through equal gender rights, raise gender awareness and sensitivity at all levels (among women themselves, inside their communities and among policy and decision makers), provide insurance throughout life and take procedures to help women overcome periods of insecurity. These procedures are either protective to enhance women's capabilities (improve health services, education services and work conditions) or preventive in order to avoid deprivation (such as insurance plans).

Fourth: Extent of Conformity with ILO Standards

Non conformity with several ILO standards is one of the essential challenges which face the successive Egyptian governments and lead to listing Egypt with other countries which violate trade union freedoms. More important is that conformity is not only limited to making labour and trade union freedoms laws compatible with ILO standards but Egyptian employers should abide by these standards as stipulated by law or by international conventions. In fact such violations are committed by the successive governments as well as the employers in Egypt.

- The International Trade Union Confederation "ITUC" issued a report on the extent of Egypt's conformity with ILO standards entitled the "Internationally Recognized Core Labour Standards in Egypt"²⁷. The report evaluated the respect of internationally recognised core labour standards in Egypt according to the core 8 conventions ratified by the Government of Egypt through several issues:
 - a) Freedom of Association and the Right to Collective Bargaining.
 - b) Discrimination and equal remuneration.
 - c) Child labour.
 - d) Forced labour.

Egypt ratified ILO Conventions No. 87 on the Freedom of Association, and No. 98 on the Right to Organize and Collective Bargaining. The former regime violated many of the standards enshrined in both conventions and allowed only one recognized national trade union centre, the Egyptian Trade Union Federation (ETUF), representing 2,980,000 members out of the 25 million workers in Egypt. The ETUF had close ties with the then ruling party (the National Party) , lacks the criteria of neutrality and transparency in its election procedures. The first independent trade union, the Real Estate Tax Authority Union (RETA) was formed to break ETUF's

²⁷ International Trade Union Confederation, Internationally Recognized Core Labour Standards in Egypt, Report for the WTO General Council Review of the Trade Policies of Egypt, Geneva 26 and 28 July 2011.

authority to the establishment of any new union by virtue of the Trade Unions Law No. 35/1976. Several trade unions broke away from ETUF during 2011 and on 30th January 2011 the Egyptian Federation of Independent Trade Unions (EFITU) was established but it has not yet been legally recognized. Provisions of the Labour Law No. 12/2003 exclude large categories such as domestic workers. Collective bargaining does not exist in the private sector. The National Council for Wages, which is responsible for collective agreements concluded through collective negotiations in the public sector, has failed completely to play its role. There are several restrictions on the right to strike. The law regulating the export processing zones exempted employers and investors from ILO standards and resulted in rights abuses and poor working conditions there.

The report referred as well to discrimination against women in the labour market and particularly in equal wages. Egypt ratified ILO Convention No. 100 on Equal Remuneration and ILO Convention No. 111 on Discrimination . The law prohibits discrimination in employment on various grounds, including gender. But the law does not provide for “equal remuneration for men and women for work of equal value”. Furthermore, the anti discrimination provisions in the Labour Law did not cover all aspects of employment: it only prohibits discrimination in terms of wages and termination of employment. The Labour Law did not contain provisions prohibiting sexual harassment at the workplace but such

cases are prosecuted under other laws. According to government statistics women's participation in the labour force is about 22 % and occupy 29 per cent of the public sector. The number of women employed in managerial functions is seven times lower than men. According to government statistics from 2007, women in the private sector earned 90 per cent of men's wages.

- The New Woman Foundation²⁸ issued a report entitled **"Remarks on the United Labour Law No. 12/2003 and its Amendments"** which monitored violations of the female workers rights in the labour market in Egypt. The report started by listing the laws regulating labour relations in Egypt:
- Labour relations in Egypt are regulated by a number of laws according to the ownership and management of each economic or service sector as follows:
 1. Law No. 47 of 1978 governing civil servants in the Public Service. This law applies to employees of ministries, services, state organs with independent budgets, local government units and public authorities.
 2. Law No. 48 (1978) governing the Public Sector Employees. It applies to state-owned companies which are not privatized or transferred to the public business sector.

²⁸ The New Woman Foundation, Remarks on the United Labour Law No. 12/2003 and its Amendments, Cairo, 2014.

3. Law No. 203 (1991) of the Public Business Companies which entitled every company to issue its internal regulations which govern its relations with its employees.
4. The Unified Labour Law No. 12 (2003) which replaced Law No. 137 (1981). It applies to employees in the formal private sector and is considered the unified law which regulates labour relations in the private sector in Egypt.

The provisions regulating the relationship between the working woman and the employer according to Law 12/2003 came in three essential places:

I. The provisions related to protection against discrimination in remuneration:

Article 35 prohibits discrimination due to sex, language, religion or creed. Although this Article did not provide prohibition of discrimination in wages between women and other workers, its provision was clear in prohibiting discrimination in wages for any reason including sex. But in spite of this provision and the contained prohibition, the penalty for non-commitment - as stipulated by Article 246 which provides that an employer or the representative of an employer who violates Article 32 of this law shall be subject to a fine of not less than EGP 100 and not

more than EGP 500 - is a very weak penalty and does not deter the employer who violates the law. There is still clear gender discrimination in remuneration.

II. Article 88 provides that all the provisions regulating the employment of workers shall apply to women workers without discrimination among them, once their work conditions are analogous:

This is the article which explicitly prohibits discrimination between women and other workers once their work conditions are analogous but it is still defective because it does not provide penalties for its violators and because it contains contradictions with some provisions of Article 89 which restrict the employment of women in certain occupations. Although the provisions of the two previous articles are based upon the concept of women protection they represent a form of discrimination against women because they confiscate the will and freedom of women to take by themselves such a decision which may differ from one woman to another according to her circumstances and needs. Giving the concerned minister an almost ultimate authority to assess when to license and when to abolish changes the rationale of protection to that of realizing the interests of the labour market.

Protection should have been left to women to assess by their own will. It was sufficient to ban forcing women to work at night or in harmful jobs, particularly that the ILO has revised its pertinent conventions. There is a wide gap between law provisions and what takes place on the ground. Work conditions in private sector enterprises in the 10th of Ramadan City, 6th October City, el Sadat and New Ameriya prolong work hours to about 12 hours daily even in holidays. They do not observe such law provisions. A worker who objects is told that "the door is wide enough for him/her to go out". Moreover, Article 196 of the current labour law gives the employer (for economic necessities) the right to "close down the establishment wholly or partly or shrink its size or activity which might affect the labour therein" after notifying the concerned authorities.

III. The right to safe work conditions and clean and healthy work environment:

Labour accidents and occupational diseases cause the death of many male and female workers both nationally and internationally because employers do not provide the proper safety equipment and safe working practices. Workers contract serious occupational diseases from their work environment. The workers of Misr Spain

Asbestos Co. at 10th Ramadan City were handling asbestos raw materials which are internationally banned for making pipes. Tens of the workers of this factory were either dead or seriously injured. The situation is repeated in many other enterprises where protective occupational health and safety equipments²⁹. The Ministry of Manpower and the Ministry of Environmental Affairs do not announce the numbers of annual deaths and fatalities resulting from environmental abuse. The current labour law allocated a separate chapter for ensuring work environment security and another one for inspection of occupational safety in conformity with the international standards which are adopted by environment laws. But provisions are something and facts on the ground are something else.

IV. Provisions concerning maternity protection:

a) Delivery Leave: Article 91 provides that a female worker shall have the right to maternity leave of ninety days with a compensation equal to her comprehensive wage, comprising the period before delivery and parturition, and shall not be

²⁹ Health hazards for women working in zinc and raw and processed lead for electric batteries and women in other hazardous occupations.

required to work during the forty five days following childbirth. A female worker shall not be entitled to maternity leave more than twice throughout her period of service. The Article provided that the female worker should spend ten months or more in the service of the employer in order to be entitled to this leave, which is another constrain on her. Delivery leave is not the right of the working mother alone but the a right for childhood and a social role and duty in which women are participating and the law has to protect and guarantee.

Article 92 stipulated the prohibition to discharge a female worker or terminate her service during the maternity leave. But this Article is usually violated. Employers just compensate a victim for terminating her contract because this Article did not contain ant penalty for those who violate its provisions³⁰.

b) Breastfeeding Break: Article 93 stipulated that a female worker nursing

³⁰ As an example of this discrimination and oppression: Aesha Abu Samada, a leading trade unionists who worked at Al Hennawy Tobacco Factory, was arbitrarily discharges for her trade union stands. Amal el Saeed and Wedaad el Demerdash are two leading female trade unionists were also discharged.

her child shall have the right during the 24 months following the date of childbirth to two periods for breast feeding, each of not less than half an hour or add the two periods together. These two additional periods shall be counted as working hours and shall not result in any wage reduction.

c) Child care leave: Article 94 stipulated that a female worker in an establishment where 50 workers or more are employed shall have the right to obtain a leave without pay for a period not exceeding two years, to care for her child. Employers try to evade this obligation by discounting the numbers of temporary and non-insured female workers in contravention of the law. Employers, in most cases, do not apply the provisions of this Article.

d) Nurseries: Article 96 stipulated that "an employer employing one hundred female workers or more in the same place shall establish a nursery or assign to a nursery caring for the female workers' children according to the conditions and terms to be determined by decree of the concerned minister. Establishments employing less than one hundred female

workers each in the same area shall participate in implementing the obligation prescribed in the previous clause according to the conditions and terms to be determined by decree of the concerned minister". Restriction by this number makes employers keen to avoid reaching it in order to avoid the application of this Article.

Excluding female workers in sheer agricultural labour from the application of these provisions is a flagrant violation and discrimination, an unjustified retreat from the provisions of the Child Law and a continuation of the historical inequality of female agricultural workers. The other excluded categories include female workers in the informal sector, domestic services, etc. This exclusion stands in contradiction with and violation of all international conventions which Egypt has ratified. Rural women live a case of legal discrimination. The labour law excluded them from protection. The state did not recognize them in reports of development and national income calculations. Civil society organizations are now collaborating with rural women. The Earth Center issues periodical reports on their status. The Egyptian Center for

the Right to Development creates links between female workers in rural areas to raise their awareness of their rights. The New Woman Foundation put on its agenda activating Article 14 concerning the rural woman and eradicating all sorts of discrimination.

- The right to organize is one of the international labour standards. The study of Muna Ezzat "**Women and Trade Union Work**"³¹ was one of the first studies to monitor the extent of women's participation in independent trade unions. It aimed at monitoring why women refrain from participation in trade union work and how to empower them to reach decision making centers. The study was the product of several workshops for a number of independent female trade unionists within the framework of a campaign called "Partners in Struggle Partners in Decision". Both the Egyptian Federation of Independent Trade Unions (EFITU) and the Egyptian Democratic Labor Congress (EDLC) adopted that campaign. To answer the main questions, the study depended on discussion groups, organized with a number of female trade unionists in 12 governorates, as a tool for data collection. The study reached two groups of conclusions. First: the status of the independent trade unions. The most important challenges facing the

³¹ Muna Ezzat, Women and Trade Union Work, New Woman Foundation, Cairo, 2014.

independent trade unions are their weak structures, lack of membership data, irregularity of board meetings, lack of strategic plans, reliance on individual initiatives, financial resources scarcity and shortage of skilled trade union cadres. Second: the status of women in independent unions. In this respect reference was made to a number of results such as masculine domination of independent trade union managements and the subsequent refusal of women's upholding leading positions. Moreover, the unions did not adopt a demands program which puts into account women's needs and did not provide mechanisms to empower women with fair representation in their union boards.

Fifth: Obstacles Restricting Women's Participation in the Labour Market:

Several obstacles restrict women's participation in the labour market. Some of them are related to the labour market itself, its structure and economic conditions. Others are connected with social traditions and norms, women's education levels, specializations and other factors.

- The study of Sakr and Shehata³² "**Women Economic Empowerment: Obstacles and Suggested Solutions**" investigated the obstacles which restrict women's access to the labour market and listed the as follows:

³² Hala Sakr and Abdalla Shehata. **Women Economic Empowerment: Obstacles and Suggested Solutions**, Policy Paper, AUC, Social Research Center, 2009.

- a) Social conditions and beliefs: The conservative thought which is based on traditional division of male and female roles is still existing. It means that the issue of employment for women is not on the same degree of importance like men. The double effort made by women and coordination of their work and family obligations increases women's hesitation to be employed on one hand and reduces their job opportunities in the private sector on the other hand.
- b) Gender discrimination is one of the structural problems in the labour market in many forms such as job division and at wage levels. Discrimination reduces women's impetus for participation.
- c) Women find difficulties to access sufficient information on market requirements, job opportunities and training programmes. They also face difficulties to find sufficient funding for their projects, access to market their products and sufficient networks.
- d) Insufficient and ineffective alternatives such as SMEs to increase women's employment and secure the generated job opportunities.
- e) Women's weak participation in the labour market is a burden not only on women themselves but also on the state. Women's limited participation in the labour market is a doubled high economic

burden and cost in the absence of the economic growth (which could have been realized).

- f) Women's suffering from violating their right to work either in job opportunities or in deteriorating working terms and conditions contradicts with the announced political discourse regarding women's economic empowerment which was translated into essential changes in public policies and public culture. The case was dealt with in a partial manner just to show that Egypt is keen for this file before the international community. Efforts made by some civil society organizations either individually or jointly with governmental organizations did not make tangible and comprehensive changes regarding the right to work. In addition, there is the forgotten important part related to the gap between labour market needs and education quality and the need to develop education policy to benefit labour market needs.
- In shade of the constitutional and legislative framework for women empowerment in upper management the study of Ahmed Abdel Hafeez "**The Constitutional and Legislative Framework for Women Empowerment in Upper Management**"³³ showed that Egyptian women

³³ Ahmed Abdel Hafeez, The Constitutional and Legislative Framework for Women Empowerment in Upper Management presented in **The Case of Women in Egypt: A Study on Representation Levels in Leading**

live in social, cultural and economic constrictive conditions which deprive them from their right to work, promotion and leading positions. Paradoxically, this constrictive environment was not created by legislative or legal conditions or by historical hereditary factors including the proper Islamic traditions but rather by other practices which appeared later in Islamic history in Arab and Islamic societies after the first period of Islamic civilization and particularly in countries under the domination of the Ottoman state which was far from the proper sense of Islam and lasted for a long period marked mostly with stagnation and public drowsiness. The study showed that the legal environment in Egypt is theoretically free from gender discrimination which prevents women from promotion to high leading positions at work. But there are scarce and limited provisions which hamper women's progress and reduce their competitiveness. The total sum of social and cultural conditions, i.e. the social environment in which laws are enacted reduces considerably women's technical ability to benefit from the rights granted to them on equal footing with men. Consequently, it reduces their ability to compete and reach leading positions. The study emphasized also that social environment gives some legal provisions a greater chance to negatively affect women's competitiveness at work either because these provisions are bad or unluckily and sorrowfully because they entail rights and benefits during pregnancy, delivery

Positions, edit. Amany el Taweel, Cairo, Al Ahram Center for Political and Strategic Studies, 2009, pp 15:42.

and nursing which make employers refrain from employing women or providing them with training programmes necessary for their promotion. Paradoxically labour laws in shade of economic reform, privatization and market mechanisms reduce women's employment opportunities and may reduce as well the number of women in leading positions because they deprived them from the right to resort to the judiciary in case they do not get their due promotions. The study suggested to review some labour legislations in order to introduce some guarantees for the training necessary for raising skills and competitiveness, establish the employee's right to appeal the decisions of promotion and choice for higher leading positions, put more rules for transparency and disclosure which would benefit all the employees in general and the working women in particular because they are more liable – due to societal environment - to gender discrimination while choosing people for leading positions or promotion. The study suggested to allocate a percentage in leading positions in the government, public and the private sectors for women pro rata their numbers therein and to choose for promotion the most efficient and most qualified candidates. The allocation of such a percentage will develop a supportive and encouraging work environment for women because they will be represented at the top management. This suggestion enhances the status of working women in society, encourages working women at the intermediate and low levels to remain employed,

develop their skills and their legal competitiveness for promotion and reaching top management positions.

- About the case of women in leading positions in the formal sector, the study of Amany el Taweel "**Women in the Administrative Body of the State: the Case of Representation and Participation in Leading Positions**"³⁴ explored the main indicators of women status in the government and the administrative body, the growth realized in employment levels and in leading positions as well as the growth in indicators related to participation in decision making, discover the nature of thematic and personal challenges which prevent women from reaching leading positions. The study focused on women in the formal sector because it is the main sector which employs females and the governing sector in making general state policies which affect the society as a whole. Moreover, it is the most responsive sector to the state policies. The study showed a negative social stand towards women undertaking leading positions. Such a stand is not supportive to the modern development approaches which consider women a part of the comprehensive human resources development process. The social stand is utilized in a discourse referring to specific cultural impediments in Egypt and the Arab

34 Amany el Taweel, **Women in the Administrative Body of the State: the Case of Representation and Participation in Leading Positions**, edit. Amany el Taweel, Cairo, Al Ahram Center for Political and Strategic Studies, 2009, pp 43:86.

region; a discourse to provide sufficient justification for failure to adopt a package of active interrelated and sustainable policies in education and information capable of making qualitative change in the social stand towards women and opening the road for equal opportunities in all the spheres of labour. The study suggested policies related to developing education stages with emphasis on the university stage which is often a fertile land for fundamental thought of the political Islamist groups which have far reaching effect on women's self initiative to retreat from the labour market. These policies should also take into account gender sensitivities regarding equal capabilities of both men and women, encourage individual initiatives of girls in the early stages of education and support a women's positive profile in various curricula to reflect their presence in the public domain. Media play an important role in presenting women empowerment agenda to the public opinion. It is necessary to employ the media to raise public awareness that women empowerment is linked with modern development on one hand and the vast disparities in the share of men and women in human resource development. So, it is necessary to raise the awareness of media staff with women causes and their relation with development causes. It is also important to stop the phenomenon of disseminating religious opinion (fatwa) through the media by certain people with narrow vision of religion who return religious jurisprudence to the decadent ages of the Islamic state. Their discourse is against women's human rights in general. The study

suggested as well to issue legislations which oblige labour organizations to raise up women to the leading positions in equal percentages with their participation in the labour force, provide training and increase the skills necessary for occupying leadership positions. The study emphasized that the success of empowerment in general must be connected with a comprehensive perspective, planning and effective and continuous policies which guarantee improving the environmental, cultural and social conditions for women in particular within a holistic project for economic and social development.

- The study of Hala Shukralla³⁵ entitled "**From the House to the Work Site: A Study on Women's Work Conditions**" considered the conditions which drive women to work, women distribution to the labour force, the labour market driving ideology, labour legislations and several other causes of female labour.

The study showed that the effect of women's increasing need for waged labour in Egypt in shade of the existing criteria is not restricted to their limited choices and low position but extends to include all their ever-expanding role in all walks of life. They also became a vast source for cheap and flexible labour. Women employment is limited to certain occupations. Deprivation of legal protection and violation of women's reproductive rights

³⁵ Hala Shukralla, From the House to the Work Site: A Study on Women's Work Conditions, Tiba Magazine, issue No. 8, December 2006, pp 31:52.

are not the only problems resulting from the unified labour law. The biggest achievement for the private sector was that it obtained the right to hire and fire as needed. But this was – more than anything else – a considerable burden in working conditions especially in shade of very weak and semi governmental trade unions. As a result of the various mechanisms which control social relations and labour relations, women became one of the cheapest, flexible and temporary labour resources. They became subject to all sorts of exploitation and discrimination at work. Female workers were more required for jobs which lack protection mechanisms and where that can be exploited easily. Women who depart from their traditional roles are subject not only to economic exploitation but also to sexual harassment in public places as well as at work. This situation helped maintain the paternal authority and supervision and participated in the creation of a discriminatory labour market.

The increasing deterioration of women's status in the labour market, which is partly due to the general transfer from the luxury seeking technique of the 1960s to the growing religious conservative environment and to the economic restructuring and privatization programmes led to inconvenient conditions for women at work. It affected negatively the relationship of women at work and the status of work in their life. The hostile environment in most of the public places and the domination of the free market look at women as a

"secondary labour force" with decreasing value. As a consequence, women were left with few choices outside the "conventional" family life let aside the attempt to reach a better life quality. One cannot consider the condition of women at work in isolation of their conditions and rights at home. Deprivation of rights will always push women to accept the worst conditions at work in order to protect their families from total collapse.

Sixth: The Major Results from the Analysis of the Previous Studies:

- In spite of the improvement and progress of female conditions in large sectors of education and health, there is still a wide gap in the right to work. Women's participation in the labour market is weak in comparison with men, this means that female unemployment rates are higher (about 4 times) than men's rates. Strange enough, this situation is not linked with economic prosperity or slow down. It is a fixed tendency with some tiny differences. Women's participation in the labour market is limited both in time of prosperity and slow down. This indicates that there are strong structural causes for female unemployment.
- The phenomenon of limited female participation in the labour market is not in Egypt alone but is found in all MENA region countries, Women's participation in the labour market is less than the global rate and that of Europe, Asia or Africa. Female participation in MENA

region is 26% in comparison with the global rate which is 52%.

- Female employment is concentrated in the informal sector (58.7%) against 16.4% in the formal sector. This means that women are concentrated in the informal sector which does not contain any form of legal or social protection. It also means that women are subject to the worst kinds of violations of their work rights and human rights .
- Women concentrate in sectors such as services and agriculture with low participation in industry. The service and agriculture sectors are the least organized sectors with the lowest level of awareness.
- Female workers' conditions in the private sector, both of Egyptian or foreign ownership, are seriously deteriorating. Employers are not in conformity with the ILO standards or the provisions of the labour law No. 12/2003. The state institutions are far from their supervisory role. There is complete absence of legal and social protection in this sector. Labour relations are not observed in contracts and social insurances, women are forced to work extra hours without fair pay. Occupation health and safety do not exist. The criteria of maternity and childhood protection, and nursing hours are not observed. Trade unions do not exist in such enterprises to protect the female workers' rights.

- The deteriorating conditions of women at work made a large sector of women feel that their work has no value to keep, but a burden they wish to get rid of any time. This means that work has lost its cultural and value dimensions which make it a source for pride and empowerment. This has become, in fact, one of the factors which minimize women's access to the labour market and reduce their ability to continue in this market.
- Although women concentrate in some promising economic sectors capable of job creation (such as the ICT and tourism sectors) which are parts of the services sector, women's participation is less than that of men. Due to their lower qualifications, women concentrate in secondary sectors and are difficult to reach leading positions or technical occupations. This establishes a stereotype for women employment which leads to unequal treatment at work arising from unequal skills and capacities.
- The informal sector is an indivisible part of the Egyptian economic activity. It is important for creating jobs and minimizing the negative impacts of unemployment. Work in the informal sector is the only way for the most fragile categories to survive. Women need such jobs more than any other categories particularly if they are the heads of tier families. The formal sector does not have vacancies for the least educated and the poorest women. Nevertheless, they face serious challenges in the

informal sector such as the high price of raw materials, low invested capital, occupational health and safety problems and bad work conditions. Although this sector absorbs large numbers of workers, it is still very far from any social or legal protection. There is no government policy to organize this sector, support it, protect it and refrain from terrifying it. There is a need for a policy that organizes this sector, protects it, raises the capacity of its workers and links its outputs with the formal sector (not only to register it in order to become one of the sectors which pay taxes). The other side of the issue is that the formal private sector started lately to be nearer to the informal sector in non conformity with labour contracts or rather non conformity with the established rules and criteria which regulate labour in Egypt under the pretext of seeking flexibility to meet the market demands.

- The same problem is found in women's participation in SMEs. Women represent about 18% of the total number of these enterprises. This reflects the low participation in the labour market as a whole. It is necessary to remove the obstacles which keep women from benefitting from small and micro credit such as low education levels, lack of training, lack of enterprise development services, complicated legal and regulatory credit system in addition to other problems related to non availability of the required skills for these enterprises.
- There are many obstacles which restrict women's access to the labour market. They fall in two categories:

obstacles related to the economic structure and conditions and the labour market with its structure and obstacles related to socio-economic, cultural and demographic factors related to women. Obstacles related to the economy and the labour market include economic growth and slowdown, expansion of the formal sector particularly the government sector which provides female workers with a good umbrella of social protection, child nurseries, etc. The socio-economic obstacles include education levels and types, family structure including children number, ages and dependency and other factors which determine to a great extent women's ability to gain access to the labour market. Cultural values and norms differ from one geographical area to another and may also determine women's access to the labour market.

- Illiteracy and low education levels incur high social, economic and political cost. This cost is translated into lower participation of women in the labour market, higher unemployment rates and higher dependency in the family together with the related decline of the economic condition of the family. Women, at last, become subject to family exploitation in unpaid work.
- One of the most serious obstacles which negatively affect women's access to the labour market and young women in particular is the counter-relation between education and finding a job opportunity. The highest rates of female unemployment are luckily concentrated

in the highest educated females. This raises the paradox relation between education and employment. Education is supposed to be one of the essential methods for social mobility and the main gate to employment. But there are other factors which affect this assumption such as low education quality, and lack of qualifications required by the market in general. Another point is that the available job opportunities for female employment are low-level jobs which do not require the more educated girls. Thirdly, the educated girls are mostly graduates of arts and theoretical faculties whereas the market needs more technological and scientific specializations.

- Broadening and supporting social protection umbrellas is one of the basic strategies in poverty combating efforts in the countries of the South including Egypt. Although the social protection umbrella was established in Egypt since the 1950s and the 1960s with its various tributaries which include social insurance, health insurance and social aid, its effectiveness was negatively considerably affected by economic liberalization policies and the transfer from the formal to the informal labour market. In other words, domination became for the features of the informal labour market especially in the private sector.
- Irregular payment of social insurance contributions is one of the results of the quick turnover of manpower in Egypt and the quick movement of workers from one enterprise to another was. Employers tend to evade the

payment of their contributions in the social insurance system.

- Elderly women rely heavily on death pensions - after the death of their husbands/relatives – as a main source for sustenance due to their low participation in the labour market.
- Non-contribution pensions are considerably low and insufficient to pull those pensioners above the poverty line.
- The health insurance umbrella does not cover all those of its deservers. The low quality service provided by this quality increases the burdens incurred by families when they are forced to resort to private clinics.
- Low level of public awareness. In spite of the increasing confidence in the public sector pensions system and recognition of the value of formal social protection the low level of public awareness of the present social protection systems and their effectiveness is still one of the main obstacles which restrict public benefitting from these systems.
- Social protection systems require comprehensive reconsideration through an integrated vision between its three elements: social insurance, health insurance and social aids. Amongst the challenges that need to be considered and treated while a social protection strategy

is envisaged are the proper coverage and targeting of the deservers, fair and efficient management, new and additional financial resources (because people evade contribution in the system due to the insufficient pensions which deservers get) and reaching the poorest and most fragile categories of the population.

- The problem of non conformity with international labour standards is not limited to the legal frameworks which regulate the right to work and trade union freedoms. It extends to include serious violations of these standards on the ground and the failure of successive governments to enforce the law.
- Regarding non conformity of legal frameworks with international labour standards particularly the labour law No. 12/2003 and the trade unions law No. 35/1976, there is an urgent need to amend these two laws to be in conformity with the international standards.
- Sufferings of female workers increase with the continuous violations of their rights because employers feel that recognition of these rights would increase the job opportunities for women. The choice is very difficult. Women have to accept unfair working conditions or to lose job opportunities. Those who will suffer more are the less educated women, the elderly and the women heading families.

- The trade union organization represented in the Egyptian Trade Union Federation with its 23 general trade unions are too weak to defend the interests of all the workers, males and females, in the private and the investment sectors due to the organization's historical links with the state organs in one hand and due to its absence from the private sector. In such a situation, there is no trade union umbrella to protect workers' rights in these enterprises. The situation is not much different in the case of independent unions. In spite of the efforts of the Center for Trade Union and Workers' Services "CTUWS" to support women's participation in these independent unions through the annual conference of the working women and its various activities, masculine domination continues clearly on their decision making positions.

The Third Pivot

Women's Status Between National Legal Frameworks and International Standards

This pivot aims to analyze the status of women in the labour market between the national legal frameworks and the international standards and actual practices at work based upon the concept that the mere presence of legal frameworks is not sufficient by itself even though these legal frameworks are, one way or another, in conformity with the international standards. State institutions must have the will and the capacity to conduct law enforcement firmly. Moreover, there must be strong trade union organizations capable of defending the rights of their members. Hence, this pivot aims to view the standpoint of the 2014 Constitution towards women's rights and the right to work because the Constitution is the essential reference for drafting a new labour law and a new law for trade union freedoms. It also aims to view the international standards which regulate the right to work and which constitute the second reference which governs the legal frameworks regulating the right to work in Egypt. In light of these two references, this study will read the labour law and will conclude by tackling actual law enforcement on the ground and monitoring the actual violations at work.

The national and/or international legal frameworks which regulate the right to work represent the general rules which determine the relation between the parties of the production process namely both the workers and the employers in one hand or the trade unions and the employers organizations in the other hand. The presence of these legal frameworks is essential for realizing economic development and social welfare. Labour laws must aim at striking the balance between the two parties of production through achieving the interests of both parties and should represent a mechanism to establish encouraging

environment for creating job opportunities and supporting social justice.

The 2014 Constitution:

The Constitution is the essential governing framework for regulating the relationship between the state and the society. It guarantees a package of human, economic, social, political and civil rights. It is also the essential reference according to which all the different laws are drafted.

The provisions which regulate the right to work and regulate other related issues were more advanced in the Constitution of 2014 in comparison with that of 1971 which tackled this right in a very brief manner and that of 2012 which restricted most of women's rights by the provisions of Islamic Shari'a.

The 2014 Constitution was more detailed than that of 1971 in tackling the right to work. It referred to holistic provisions which govern the philosophy of economic and social rights. Amongst these governing provisions are Article (8) and Article (9). Article (8) provides that " The society is based on social solidarity. The state commits to achieving social justice, providing the means to achieve social solidarity to ensure a decent life for all citizens, in the manner organized by law." Article (9) provides that " The state ensures equal opportunity for all citizens without discrimination."

Regarding the right to work Article (13) provides that " The state commits to protecting workers rights, and works on building balanced work relationships between the two sides of the production process. It ensures means for collective

negotiations and works on protecting workers against the risks of work, ensures that conditions for professional security, safety and health are met, and prohibits arbitrary dismissal. All the foregoing is as organized by law". Article (14) provides that "Public posts are a right for citizens on the basis of merit, with no favoritism or mediation. Public posts are an assignment in service of the people. The state ensures the rights and protection of civil servants, and that they shall perform their duties in service of the interests of the people. They may not be dismissed outside of disciplinary action except in those situations set out by law".

Article (17) focused on regulating social security services for the workers. It stipulates that "The state provides social security services. All citizens who have no access to the social insurance system have the right to social security to ensure a decent life, if they are unable to support themselves and their families in the event of incapacity to work, old age or unemployment. The state works to provide appropriate pensions to small farmers, agricultural workers, fishermen and informal labor in accordance with the law. Insurance and pension funds are private and enjoy all forms of protection afforded to public funds. Together with their returns, they are a right of their beneficiaries. They shall be invested in a safe manner and managed by an independent entity, in accordance with the law. The state guarantees funds for insurance and pensions."

Article (42) tackles a very important subject which is regulating the workers' participation in managing their companies and establishments. It provides that "Workers have a share in the management of projects and their profits. They are committed to

developing production and implementing the plan in their production units as per the law. Maintaining the tools of production is a national duty. Workers' representatives on the boards of public sector units are 50 percent of the number of elected members. Their representation on the boards of public business sector companies takes place in accordance with the law. The law regulates the representation of small farmers and small craftsmen that is no less than 80 per cent of the boards of directors of agricultural, industrial and trade cooperatives."

Article 78 regulates the right of association. It provides that "The establishment of federations and trade unions on a democratic basis is a right guaranteed by law. Such federations and trade unions will possess legal personality, be able to practice their activities freely, contribute to improving the skills of its members, defend their rights and protect their interests. The state guarantees the independence of all federations and trade unions. The boards of directors thereof may only be dissolved by a judicial ruling. Trade unions may not be established within regulatory bodies."

Articles (92) and (93) put controls to protect rights and freedoms and to commitment with international conventions, agreements and charters on human rights. Article (92) provides that "Rights and freedoms of individual citizens may not be suspended or reduced. No law that regulates the exercise of rights and freedoms may restrict them in such a way as infringes upon their essence and foundation." Whereas Article (93) provides that "The state is committed to the agreements, covenants, and international conventions of human rights that were ratified by Egypt. They have the force of law after publication in

accordance with the specified circumstances". Thus the Constitution restricted the legislator while drafting laws. The legislator shall observe the essence and foundation of rights and shall be restricted by the international obligations of Egypt.

The only article that tackled women's rights in a direct manner was Article (11) which stipulates that "The state commits to achieving equality between women and men in all civil, political, economic, social, and cultural rights in accordance with the provisions of this Constitution. The state commits to taking the necessary measures to ensure appropriate representation of women in the houses of parliament, in the manner specified by law. It grants women the right to hold public posts and high management posts in the state, and to appointment in judicial bodies and entities without discrimination. The state commits to the protection of women against all forms of violence, and ensures women empowerment to reconcile the duties of a woman toward her family and her work requirements. The state ensures care and protection for motherhood and childhood, and for women supporting dependents, elderly women, and women most in need."

The 2014 Constitution is considerably more advanced than its predecessors in handling economic and social rights issues. It obliges the state to achieve social justice and equal opportunities for all citizens without discrimination. As regarding the right to work, the Constitution emphasized the state's commitment with preserving the workers' rights, building balanced labour relations between the two sides of production, guaranteeing the means for collective bargaining, protecting the workers against

work hazards, providing professional safety and occupational health and banishing arbitrary dismissal. It is commendable that the Constitution stipulated all these provisions, emphasized the state commitment to guarantee a number of rights and left the detailed regulations to be stipulated by law. The framework of the details provided by the Constitution regarding the right to work makes it very difficult for the legislator to manipulate these provisions especially when we consider the aforementioned Articles (92) and (93). The 2014 Constitution dealt as well with the issue of social protection although it did not refer in the article regarding social protection to poor and illiterate women, such as small farmers, and fishermen who represent the most fragile categories of the society. Moreover, it did not refer in Article (42) regarding the workers representation in the boards of their institutions to a specific share or a quota for women representation.

Article (76) regarding the establishment of trade unions is far advanced and is considered indeed one of the articles which treated many of the current problems of the trade union organization. It did not impose the formula of a single trade union organization but gave workers the freedom to establish their organizations and emphasized the independence of such organizations from the Ministry of Manpower. This Article nullifies completely all the provisions of the Law on Trade Unions No. 35 and its various amendments and makes it necessary to issue a new law for trade union freedoms³⁶.

³⁶ Howaida Adly, Professional Syndicates and Trade Unions Between the 2012 Constitution and the 2014 Constitution in Amr Hashim Rabee' (Editor),

The general feature which came out during the analysis concerning the right to work is the Masculine Form which prevailed the Arabic writing style. Although it is well known that addressing persons in the masculine form in Arabic serves both males and females, it was clear at the level of political analysis that the Constitution was not sensitive to the right of women to work and did not perceive women's specificities sufficiently. It did not express gender sensitivity except through one single article which is the aforementioned Article (11) which combined all the women's economic, social, political and civil rights altogether as if it emphasizes such rights in form but does not integrate them actually in the different articles of the Constitution which deal economic, social, political and civil rights. Neither the philosophy nor the style of the Constitution was gender-sensitive at all. This may be emphasized by the fact that the Constitution did not specify any share or quota for women in trade union and other institutions' boards. However, this can be overcome by adding provisions in the new labour law and in the new trade union freedoms law to allocate shares or quotas for women in decision making positions.

International Labour Standards

The International Labour Organization (ILO) develops and maintains a system for labour standards to promote the opportunity for men and women to decent and productive work in free, equal, safe and honorable conditions. These standards

were made by the three parties of the ILO, i.e. governments, workers and employers. There are 189 ILO conventions eight of them are core conventions. Egypt ratified the 8 core conventions which cover the essential sides related to the right to work and the other pertinent aspects such as the right of association, collective bargaining, child labour, forced labour and discrimination³⁷.

ILO's standards designated a package of rights for the working women to ensure gender equality in employment and wages and banned women employment in certain professions and industries which are not suitable for the nature of women. The standards support women to harmonize their personal and family responsibilities with their occupational responsibilities through some conventions and recommendations which protect motherhood and childhood.

Amongst the 8 core conventions which affect women directly are Convention 100 (1951) concerning Equal Remuneration and Convention 111 (1958) concerning Discrimination in Employment and Occupation. Convention 100 (1951) stipulated equal remuneration for men and women workers for work of equal value, without direct or indirect discrimination based on sex. It also provided that governments shall co-operate with the employers' and workers' organisations concerned for the purpose of giving effect to the provisions of this Convention. Remuneration in this Convention includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in

³⁷ Yousef Qaryouti, www.amcham.org.eg

kind, by the employer to the worker and arising out of the worker's employment. Recommendation 50 stated that ILO member states shall take the appropriate procedures to ensure the application of the principle of equal pay for equal work for both men and women.

On the other hand, Convention 111 (1958) concerning Discrimination in Employment and Occupation stipulated that "Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in:

- Access to vocational training.
- Access to employment and to particular occupations.
- Terms and conditions of employment.

Each member state undertakes in particular:

- to seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy;
- to repeal any statutory provisions and modify any administrative instructions which are inconsistent with the policy;
- to enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;

- to ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority;
- to indicate in its annual reports on the application of the Convention the action taken in pursuance of the policy and the results secured by such action.

The following 3 measures shall not be deemed to be discrimination according to the Convention:

- Measures designed to meet the particular requirements for certain occupations.
- Measures to protect the security of the state.
- Measures designed for special protection or assistance".

The Convention defines discrimination as any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin (or any other distinction as may be determined by the Member concerned), which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation³⁸. This was emphasized in the Convention which stated that each member undertakes to declare and pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination.

The international standards protecting women rights are not limited to the ILO standards. There was emphasis on non

³⁸ ILO, International Training Centre, Manual of ILO Standards. Geneva, 2006, pp 31-32.

discrimination between men and women in all walks of life. Guaranteeing equality of opportunity in all spheres became one of the established rules upon which the International Covenant on Human Rights was construed with its celebrated declaration of 1984 and the two core covenants on Political and Civil Rights and on Economic and Social Rights.

On a third plane, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which Egypt ratified in 1981 is a basic reference for women rights. Article 1 of CEDAW states that " For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." Article 3 provided that " States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women , for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."

Articles 10 and 11 focused on women's right to education and work. Article 10 stated that "States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education" and the first paragraph of the same Article stated that "The same conditions for career and vocational guidance, for

access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training ".

Article 11 focused on the right to work: " States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- a) The right to work as an inalienable right of all human beings;
- b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
- d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

- f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction."

At the level of measures, it was emphasized that in order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
- d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

Legal and Social Protection for Women in ILO Standards

The care of women in ILO standards was not limited to the aforementioned two conventions Nos. 100 and 111. Throughout its history, the ILO showed interest in women's issues which evolved and matured over time. Legal and social protection for women included the following:

1. prohibiting employing women in occupations that may cause occupational diseases.
2. Motherhood and childhood protection.

The ILO Conference in its 18th Session in 1934 adopted Convention 42 for the year 1934 concerning Workmen's Compensation for Occupational Diseases which entailed prohibiting the employment of women in occupations which may cause occupational diseases. The Maternity Protection Recommendation 95 for the year 1952 provided that "Employment of a woman on work prejudicial to her health or that of her child, as defined by the competent authority, should be prohibited during pregnancy and up to at least three months after confinement and longer if the woman is nursing her child." The Recommendation provided as well that " A woman ordinarily employed at work defined as prejudicial to health by the competent authority should be entitled without loss of wages to a transfer to another kind of work not harmful to her health."³⁹

³⁹ Abdel Baset Abdel Mohsen, Paper on Legal Protection of Women in Arab Labour Legislations, Study of the Current and Prospective in Light of ILO and ALO Standards: the **1st Workshop of the Conference on Women**

ILO standards attached importance to maternity and childhood through a number of conventions and recommendations which developed through a long period of time starting from Convention No. 3 (1919) concerning Maternity Protection to Convention No. 183 (2000) concerning maternity protection as well. To complete legal protection for women in employment, and in order to provide women with job security and stability, protect their health and help them undertake their family obligations, the ILO standards prohibited the dismissal of a working woman for marriage, pregnancy or nursing. ILO Convention No. 103 (1952) concerning maternity protection prohibited the dismissal of a working woman during maternity leave or during an illness arising from pregnancy or nursing. This prohibition was emphasized by Convention No. 158 (1982) which stated that it shall be unlawful for an employer to terminate the employment of a woman during her pregnancy or leave or nursing leave. Convention No. 183 (2000) provided that it shall be unlawful for an employer to terminate the employment of a woman during her pregnancy or absence on leave or during a period following her return to work.

Convention No. 3 (1919) concerning Maternity Protection provided that the employed woman is entitled to 12 weeks maternity leave which include the prenatal and the postnatal period. The maternity leave shall be paid either by the employer or by the social insurance system. Then the ILO Convention No. 103 (1952) concerning maternity protection emphasized the provisions of the previous convention and expanded the base of

beneficiaries to include women employed in industrial undertakings and in non-industrial and agricultural occupations, including women wage earners working at home. Convention No. 183 (2000) provided more protection by extending the pre and postnatal leave to not less than 14 weeks. Moreover, the working woman is entitled to additional leave in the case of illness, complications or risk of complications arising out of pregnancy or childbirth.

ILO conventions concerning maternity protection emphasized the right of the working woman to have a break for nursing during working hours. In its Article 3 the ILO Convention No. 3 provided that a working woman nursing her child shall be allowed a break during her working hours for this purpose. ILO Convention No. 103 (1952) emphasized that If a woman is nursing her child she shall be entitled to interrupt her work for this purpose at a time or times to be prescribed by national laws or regulations and that interruptions of work for the purpose of nursing are to be counted as paid working hours. The same protection was also emphasized in Convention 183 (2000) which provided in its 10th Article that a woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child.

The period during which nursing breaks shall be determined by national law and practice. These breaks shall be counted as working time and remunerated accordingly.

In spite of the importance attached to maternity protection in international labour standards by several conventions and in particular by Convention 183 (2000), nursing facilities and nurseries were not awarded the same interest. Instead, the ILO

issued some non binding international recommendations because such facilities require financial costs from employers. Recommendation 95 (1952) referred to provision that should be made for the establishment of facilities for nursing or day care, preferably outside the undertakings where the women are working; wherever possible provision should be made for the financing or at least subsidising of such facilities at the expense of the community. It added that the equipment and hygienic requirements of the facilities for nursing and day care and the qualifications of the staff should comply with adequate standards laid down by appropriate regulations, and they should be approved and supervised by the competent authority.

On the other hand Recommendation 123 (1965) concerning the Employment of Women with Family Responsibilities provided that "The competent authorities should, in co-operation with the public and private organisations concerned, in particular employers' and workers' organisations, and in accordance with national and local needs and possibilities to encourage, facilitate or themselves undertake the development of services to enable women to fulfil their various responsibilities at home and at work harmoniously, and themselves organise as well as encourage and facilitate the provision of adequate and appropriate child-care services and facilities, at reasonable charge or free in case of need, developed along flexible lines and meeting the needs of children of different ages and of their working parents".⁴⁰

⁴⁰ *ibid*

The Concept of Decent Work: A Step Forward in the Protection of Women

The concept of decent work appeared in 1999 as a reaction to the new liberal policies which returned the capitalist system to its original nature which totally ignores the social dimensions of the market economy. The concept of decent work was also a part of the so called counter globalization which aims to establish a more human world and an economy with a social vision more just and more sensitive to the needs of women and marginalized categories.

The starting point in this framework was to reemphasize some of the principles which were the foundation for international labour standards. One of these principles was that work is very important for one's welfare not only because it generates income but also because it paves the way for more economic and social progress through the empowerment of the workers, their families and their communities. The achievement of such a mission requires what is called 'decent work'.⁴¹

Globalization led to substantial changes in the conditions of the workers and their trade unions in the four corners of the world. With the beginning of a massive movement to transfer factories from the northern to the southern countries seeking cheap labour and other cheaper elements of production, unemployment rates rose in the North. The workers' situation in the South was not better because they were subject to exploitation in the form of

⁴¹ Howaida Adly, Women in the Labour Market (2): Women Workers in the Investment Sector.

minimal wages, longer working hours, lack of any professional or labour guarantees, women and child labour, etc.

Having perceived the negative burden of globalization on the workers, the ILO sought after ensuring the importance of committing with the stable standards and putting new standards to protect workers rights in the framework of globalization. The ILO coined the term 'decent work' in 1999 as the objective of development. It meant that all the peoples and the countries have the right to gain the fruits of the development process in the world; and that latent defects in the global economic system and its sub national branches should be avoided.⁴²

The ILO laid down this concept, within the framework of formulating its goals. to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equality, security and human dignity. The ILO adopted this concept for regulating its work to provide a comprehensive framework for engagement in the dimensions of economic and social development. The concept of decent work deals with the opportunities of productive work which generates fair wages and security at work, social protection for the workers' families, better prospects for self development and for community involvement, freedom of expression, freedom of association and participation in taking the decision which concern their lives in

⁴² Ibrahim Awad, The ILO and Workers' Protection, Concept of Decent Work in Etimad Allaam (edit.) **The Workers and the Economic, Political and Social Transformations.** Cairo, The Developing Countries Studies and Researches, 2004, p.87.

addition to equality in opportunities and treatment for men and women⁴³.

The ILO adopted this concept in light of the problems which face the peoples of the world at work and other social exclusion and marginalization practices represented in unemployment, partial employment, non-productive and bad job opportunities, non-secure jobs, irregular income, non-recognized workers' rights, inequality between men and women, exploited migrant workers and lack of trade union representation. Hence, the endeavor to face such problems can only take place through the provision of decent work in the aforementioned sense.

The concept of decent work was, in fact, a response to the critical changes which affected the labour market due to globalization. In shade of the dominating market economy the differences between the regulated or formal labour market and the unregulated or informal labour market became very slight. To defend the necessity of the labour market flexibility and its adaptation to the requirements of multinational companies, businessmen and investors, the position of the formal sector was not very much different from that of the informal sector. Job guarantees and social protection for the workers rights retreated in order to reach a higher degree of competition. The first victims of such a transformation were, of course, the weakest link in labour, i.e. women who lack a heritage of trade union and labour struggle to strengthen their resistance and steadfastness. It is this situation which interprets the sensitivity of 'decent work' to women and their needs.⁴⁴

⁴³ Howaida Adly, *ibid.*

⁴⁴ Howaida Adly, *ibid.*

The decent work concept came to address women's needs and to complete the deficiency in ILO standards. The concept is not limited to the formal sector which is historically the domain of men, but it comprises as well the informal sector which is the main scope for women. However, as mentioned earlier, there are no big differences between the formal and the informal sectors. Both of them are flexible and aim to get rid of ILO's conditions and standards.⁴⁵

In its endeavor to disseminate and apply the concept of decent work the ILO moved on four pivots which sum up the workers rights. The first pivot is regarding a strategy for creating productive and permanent job opportunities particularly to reduce poverty, invest in training and skill development and create jobs in small and medium enterprises and cooperatives. The second pivot focuses in diffusing the standards, core principles and rights at work. Those include, among other rights, occupational health and safety, wages, equality in employment opportunities and treatment, etc. The third pivot deals with social protection which includes job security, social insurances, health insurances, etc. The fourth pivot deals with providing mechanisms of social dialogue which include collective bargaining, labour and trade union organizations and dispute settlement.

The gender sensitivity of the concept of decent work appears in a number of dissertations such as recognizing that the priorities of women at work are different from those of men because women have to meet harmonize family responsibilities with

⁴⁵ Franck, A., Key Feminist Concerns Regarding Core Labour Standards, Decent Work and Corporate Social **Responsibility**, WIDE Network, 2008

work responsibilities. Women are also subject to certain problems such as sexual harassment. Moreover, the standards of decent work must guarantee the rights of the pregnant women and the mothers as well.

The National Legal Frameworks

The constitution and the international conventions are the essential referential instruments according to which laws regulating the right to work are formulated and the extent of their conformity with the constitution provisions and the international standards is assessed. Labour regulation is not limited to labour laws, but there are tax laws, international agreements and collective agreements between workers and employers which result from collective negotiations. Because Egypt historically does not have concrete experience in collective negotiations, labour legislations are considered the essential basis for labour regulation.

Labour relations in Egypt are regulated by a number of laws according to the ownership and management of each economic or service sector as follows:

1. Law No. 47 of 1978 governing civil servants in the Public Service. This law applies to employees of ministries, services, state organs with independent budgets, local government units and public authorities.
2. Law No. 48 (1978) governing the Public Sector Employees. It applies to state-owned companies which are not privatized or transferred to the public business sector.

3. Law No. 203 (1991) of the Public Business Companies which entitled every company to issue its internal regulations which govern its relations with its employees.
4. The Unified Labour Law No. 12 (2003) which replaced Law No. 137 (1981). It applies to employees in the formal private sector and is considered the unified law which regulates labour relations in the private sector in Egypt.

emphasis in this Pivot will be put on the Unified Labour Law of 2003 because it is the basic law in Egypt which governs labour relations in the regulated private sector. It comprises a number of chapters regarding the employment of Egyptians and foreigners, individual labour contracts, wages and leaves, workers' duties, labour relations' termination, collective labour relations, occupational health and safety, work environment security, labour inspection and judicial arrest, work hours and break time, and women and child employment.

The most important articles related to women in this law are as follows:

- Article 35 which prohibited all sorts of discrimination including discrimination due to sex. It provides that "Discrimination in wages because of sex, language, origin, religion or creed shall be prohibited".
- The law allocated a chapter for the employment of women which comprised articles from 88 to 97.

- Article 88 contained a provision which prohibits discrimination. It reads "Subject to the provisions of the following Articles, all the provisions regulating the employment of workers shall apply to women workers without discrimination among them, once their work conditions are analogous".
- Articles 89 and 90 concerned the nature of women's works and their impact on women's health and lives. Article 89 provides that "The concerned minister shall issue a decree determining the cases, works and occasions for which women shall not work during the period from 7 pm to 7 am " while article 90 provides that "The concerned minister shall issue a decree determining the works which are unwholesome or morally harmful to women as well as the other works which women may not be employed to work".
- Articles from 91 to 96 regulate the women workers' t]rights related to maternity and childhood and the pertinent delivery leaves, child care, breast feeding times and nursery facilities. Article 91 provides that "A female worker, having spent ten months or more in the service of an employer shall be have the right to maternity leave of ninety days with a compensation equal to her comprehensive wage, comprising the period before delivery and parturition, providing she shall submit a certificate indicating the date on which the delivery will take place.

A female worker shall not be required to work during the forty five days following childbirth.

A female worker shall not be entitled to maternity leave more than twice throughout her period of service".

Article 92 stipulates that "The employer shall be prohibited to discharge a female worker or terminate her service during the maternity leave indicated in the previous Article.

The employer may deprive her from the compensation of her comprehensive wage on the leave period or recover the amount paid by him to her if it is proved that she has worked during the leave with another employer. This shall be all without prejudice to the disciplinary impeachment".

Article 93 regulated breastfeeding periods as follows: "A female worker nursing her child shall – in addition to the determined rest periods – shall have the right during the eighteen months following the date of childbirth to two other periods for breast feeding, each of not less than half an hour. The female worker shall also have the right to add the two periods together.

These two additional periods shall be counted as working hours and shall not result in any wage reduction".

Article 94 regulated the child care leave: "... A female worker in an establishment where 50 workers or more are employed shall have the right to obtain a leave without pay for a period not exceeding two years, to care for her child. This leave shall not be entitles more than twice throughout her period of service".

Article 95 provides that "The employer, in case of employing five female workers or more, shall put up at the places of work or of work gatherings a copy of the women employment system."

- Article 96 regulated the establishment of nurseries. "An employer employing one hundred female workers or more in the same place shall establish a nursery or assign to a nursery caring for the female workers' children according to the conditions and terms to be determined by decree of the concerned minister.

Establishments employing less than one hundred female workers each in the same area shall participate in implementing the obligation prescribed in the previous clause according to the conditions and terms to be determined by decree of the concerned minister".

- Articles 97 and 98 defined the categories excepted from applying the aforementioned articles who are the female workers in sheer agricultural labour, domestic workers and the like.

Comparison between Law No. 12 (2003) and the previous Law No. 137 (1981) shows that they contain some positive and some negative differences as follows:

1. Maternity leave was 50 days in Law No. 137 (1981) and was increased to 90 days in Law No. 12 (2003).

2. Law No. 12 (2003) contained a provision prohibiting the employer to terminate the service of a working woman during the period of her maternity leave.
3. Child care leave was one year in Law No. 137 (1981) and was increased to 2 years in Law No. 12 (2003). A female worker in the government is entitled to child care leave three times during her service and the government pays the due social insurances for her.
4. Law No. 12 (2003) restricted the right of a female worker to child care leave for 2 times throughout her period of service whereas she was entitled to 3 times according to Law No. 137 (1981).
5. Law No. 12 (2003) restricted the working woman's entitlement to maternity leave by stating that she must have been employed by that employer for not less than 10 months.

Based upon the above information, it is possible to reach some conclusions concerning the extent of conformity of the Unified Labour Law No. 12 (2003) with ILO standards. Other conclusions are concerned with the extent of law enforcement, the state's ability to enforce the law and the employers' commitment with the provisions of the law.

- First of all, it was apparent that drafting Law No. 12 (2003) was governed by 2 contrasting considerations: the first is to encourage employers to employ women and the second is to try to preserve the minimum level of social and legal protection for women to the extent that employers do not hesitate to employ women when they find that the cost of their employment is high.

- The legislator did not try to mainstream women causes in the Law No. 12 (2003) but allocated a chapter for women employment. Linguistically, the style of the law addresses the masculine form. This is, in fact, the problem of all law makers in Egypt because all the time they address men since this masculine form in Arabic covers both men and women at the same time. Nevertheless, it hides a great deal of bias against mainstreaming gender in the constitution and the laws.
- The Law excepted large sectors of women workers in agriculture and domestic service.
- The Egyptian law did not discriminate between men and women in wages but the available data indicate that women's wages are 20% less than those of men. This phenomenon is the outcome of qualitative division in economic activity. Women in Egypt and in the developing countries are employed in low-productivity sectors.
- In spite of the importance of Article 35 which prohibits discrimination in wages, the penalty for non-commitment to this Article is very weak and helps the employer to evade enforcing this law. Article 246 provides that an employer or the representative of an employer who violates this Article shall be subject to a fine of not less than EGP 100 and not more than EGP 500, that the penalty shall be enumerated

according to the number of the affected workers and that the fine shall be doubled in case of repetition.⁴⁶

- Article 88 prohibits gender in employment once their work conditions are analogous, but this Article is blemished because it did not penalize its violators. Moreover, it stands in contrast with Article 89 which determines occupation in which women shall not be employed.⁴⁷
- Regarding some provisions in Articles 89 and 90 which protect women against night work or works which are unwholesome or morally harmful to women in Articles 89 and 90, Article 89 provides that the concerned minister shall issue a decree determining the cases, works and occasions for which women shall not work during the period from 7 pm to 7 am. It is remarked that although the provisions of these two articles aim to protect women, they represent one of the forms of discrimination against women. They confiscate the will and freedom of women to decide by themselves. Such a decision may differ from one woman to another according to her circumstances and needs. Giving the concerned minister an almost ultimate authority to assess when to license and when to abolish changes the rational of protection to that of realizing the interests of the labour market. Protection should have been left to women to assess by their own will. It was sufficient to ban forcing women to work at night or in harmful jobs,

⁴⁶ The New Woman Association, Remarks on the Unified Labour Law No. 12 and its Amendments, Cairo, 2014.

⁴⁷ Ibid.

particularly that the ILO has revised its pertinent conventions.

- There is no penalty for those who violate Articles 91 and 92 which allow maternity leave for a woman "having spent ten months or more in the service of an employer" and prohibited the dismissal of a woman during nursing leave.
- The condition that "An employer employing one hundred female workers or more in the same place shall establish a nursery or assign to a nursery caring for the female workers' children .." is a prohibitive condition. Most of the establishment will keep the number of their female workers less than one hundred in order to waive this Article.
- Excluding 'female workers in sheer agricultural labour' from the application of these provisions is a flagrant discrimination and a continuation of the historical inequality of female agricultural workers. It stands in contradiction with the direct provisions of the ILO conventions regarding women workers in agriculture.

Law Enforcement ... the Most Serious Issue:

- The problem, as mentioned in the Introduction, is not limited to the numerous gaps contained in law provisions which lead to violations of the workers' rights. The most serious problem is the inability to enforce the law on the ground. Law enforcement in most cases takes place only in the public sector and in few private sector companies.

Records are full of the worst kinds of violation against women in the labour market and particularly in the private sector which some deem as formal but in fact it is nearer to the informal or the non-regulated sector in dealing with both male and female workers. Women suffer more because they are the weakest ring in the production process, the least organized in trade unions and the least aware of the situation. Moreover, women are mostly employed in low-level jobs. This situation which we will take some of its features is governed by a single rule: to preserve, by all means, the flexibility of the labour market in order to realize maximum possible level of profits for the employer. Worse than ever is that state institutions fail to see such violations lest investors should escape. At the end of the day, we are left with disfigured labour relations biased to the employer all the time.

- Two field studies conducted on female workers in the investment sector and the private sector concluded that labour standards are not observed and that the Law No. 12 (2003) is not enforced and that this happens before the eyes and the ears of the concerned state authorities.

The outstanding violations which were monitored include the following:

In Contractual Relationships:

1. The individual labour contracts are the basis for contractual relationship between workers and employers. They are annual contracts renewable according to the

employer's will. Nevertheless, most of the women workers reported that they work without contracts, or that several months would pass before they get a signed contract. Some of them reported that they did not have copies of their contracts.

2. The salaries written in the contract are far less than the actually received salaries.
3. Some women workers discovered that they are not covered by social insurances or that their insurance contributions are not settled regularly.

In Wages, Work Hours and Leaves

1. Women's wages are less than men's wages doing equal work and are far less than the minimum wages. The official work hours level is not observed. Work hours may reach 12 hours in some cases.
2. Manipulation of the changing wages and delayed wage payment.
3. Less compensation for overtime work.
4. Forced work in holidays.

Lower wages and increasing living demands hit the concept of decent work at its most vulnerable spot because women are forced to give more sacrifices for a small amount of money.

The Absence of Trade Union Organizations and Any Mechanisms to Defend Women's Rights

1. The absence of trade union committees (plant unions) at work sites.
2. Inactive Labour Offices do not consider the complaints they receive.

Women's Health, Safety and Rights

1. Lack of occupational health and industrial safety equipments in the establishments.
2. Lack of means of transport for women workers or poor conditions of the available means of transport (if any).
3. Lack of health insurance for women workers.
4. Lack of child nurseries. The present nurseries (if found) are understaffed and do not expand their working hours for those who are working overtime.

Conclusion and Recommendations:

- The Constitution of 2014 was very much concerned with establishing packages of economic and social rights such as the right to work and the right to education, etc. but did not aim to mainstream gender or address gender issues in its various economic and social provisions. Authors of the Constitution may interpret this by rightly asserting that the Constitution addresses all the citizens without discrimination. But the fragile status of large sectors of vulnerable women in the Egyptian society –

due to occupational, educational and cultural restrictions imposed on them – makes it difficult for them to enjoy such rights. It was necessary that the Constitution consider in depth and address their sufferings. So, Article No. 11 of the Constitution addressed most of the women's economic, social and political issues in addition to its reference to the fragile and vulnerable categories and their needs. However, this Constitution is far better, in its outlook towards women, than the Constitution of 2012 (known as the Muslim Brotherhood's constitution) which was very conservative in handling women's rights.

- The international standards which Egypt is committed to, include a wide range of issues starting from women's rights at work until the rights which guarantee for them the possibility to harmonize their occupational obligations and their family duties. The sources of these standards are not limited to those issued by the ILO. They include standards contained in the International Covenant on Human Rights as well as in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The problem with the government of Egypt is that it does not object signing and ratifying such conventions but it does commit itself in many cases to these instruments while drafting laws. For this reason, it was subject to international criticism and was placed on ILO's blacklist as one of the countries which violate trade union rights. Moreover, the practices of the successive Egyptian governments were not limited to non-commitment for several decades to international

standards which it has ratified, but extended to include non-commitment with the provisions of the constitution of 1971. The question is: Could such practices continue in shade of Articles 92 and 93 of the 2014 Constitution which restrict the legislator while drafting laws? It is not permissible to draft a law which does not observe the essence and foundation of rights and freedoms. Article 93 emphasized the state's commitment to the agreements, covenants, and international conventions which it ratifies and which take the force of law. The continuation of such practices will get the Egyptian State entangled in many international problems as well as in a serious constitutional dilemma.

- Although the International standards contained a wide range of rights for the working women, they were not sensitive to the status of women in shade of the global economic transformations which caused the historically regulated formal labour market share several features with the informal or unregulated labour market as a result of magnifying the concept of labour market flexibility and the resultant waiver of many of the working women's gains in the field of labour. The concept of decent work was the alternative solution for getting out of this dilemma by recovering women's rights enshrined in the international standards and trying to restore balanced relations between the employer and the workers in the endeavor to reach secure work environment and fairer and more equitable positions. In

fact, any scientific or technical effort to defend women's rights must start from decent work standards.

- It is evident that there is a gap between the international labour standards which Egypt has signed and ratifies and the laws which regulate the labour market and trade union organizations in Egypt. Law No. 12 (2003) tried to conciliate two opposing ends: preserving women's right at work on one hand and encouraging employers to employ women on the other hand. For this reason there is a remarkable deficiency in women's rights as stipulated by this law. The problem is that the rational which governs decision makers in Egypt perceives incorrectly that law is the only solution for such a dilemma. Building a more balanced relations between men and women workers and the employer requires a holistic vision which starts with the core policies of labour, employment and investment and ends with drafting the laws which are supposed to express these policies. A law which is biased to one party against another is not required. What is required is a law initiated from a vision to regain balance between the two parties of production, i.e. the workers and the employers; and realizes economic efficiency and effectiveness and social justice altogether. It may be beneficial to mention that some of the basic problems are the ineffectiveness of social dialogue and the absence of the resultant collective agreements which regulate labour relations in many other countries. There is no doubt that lack of trade union freedoms and the absence of true and

representative trade union organization are among the main obstacles in this respect.

- The gap is not limited to the nonconformity of the Labour Law No. 12 (2003) and the Trade Union Law No. 35 (1976) with international labour standards. There is a more serious gap between the provisions of the law regarding the rights of working women and the blatant violations of these rights in the labour market and exploiting the fragile status of women in general. More serious is that the concerned state institutions turn a blind eye to such violations for the sake of investment. Consequently, we find ourselves before government institutions concerned with labour but do not seek to enforce the law.
- The assessment of the working women status in the Egyptian private sector reveals the absence of the aforementioned standards of decent work due to the disinclination of the concerned parties (such as the concerned government institutions or the trade union organizations which are still masculine in construction and management) to perform their roles. However, more important is that the starting point should be to draw a comprehensive balanced vision for the relations between the workers (males and females) and the employer based upon win-win principles in which the state institutions and trade unions play an essential role. It is not feasible to talk about a new labour law which observes international labour standards unless it preceded by drafting a comprehensive vision for the healthy relations

between the two parties of production and defining the roles of the concerned government institutions and the trade unions.

- In this respect, it is essential to issue a new trade union law in conformity with the international labour standards related to trade union freedoms. It is also essential to put into effect the provision of Article 76 of the constitution regarding trade unions. It is important and necessary that the new law provides the allocation of certain seats for women in trade union boards.
- Amongst the issues that the legal frameworks regulating trade unions should settle in the future is the issue of the relations among the multiple trade union organizations on one hand and between them and the state on the other hand. In this framework, the relations between the Egyptian Trade Union Federation "ETUF" on one hand and the independent trade unions on the other hand must be regulated. The legislator should regulate the relations among the multiple trade unions in a manner that secures equality to access political, economic and institutional resources. This includes disengaging the organic and historical connection between ETUF and the state organs and requires that state institutions stand at equal distance from all trade unions. All trade union organizations seek to build their labour bases in the framework of a pluralistic trade union system. One of the advantages of the pluralistic trade union system is to divert the attention of the concerned state organs from trade unions

to the labour bases. With regard to the management of the trade unions' internal affairs, the origin of things is that the laws regulating trade unions are limited to the basic principles while other details are left to the organs entrusted with the management of these organizations such as their general assemblies or boards of directors. This is the most important guarantee of the independence of trade union work. The importance of this point is linked with the criticized historical intervention of the legislator in regulating all the details of trade union life in such a manner that facilitates control of the trade union action by the state. The Ministry of Manpower, for example, has wide authorities on trade unions which deprive them managing their internal affairs freely. While amending the trade union law, the legislator should, indeed, observe the international standards as well as the provisions of the Constitution which provide that the administrative authority is not entitled to interfere in the management of trade union affairs and that such intervention should be limited to the basic principles only while other details are left to the concerned bodies such as the general assemblies and the boards of directors of these trade union organizations.

- In addition to the importance of providing legal guarantees for trade union autonomy, the law should promote trade unions' capacity to negotiate with all the other parties in defence of the professional interests of their members and establish the institutional frameworks to guarantee their participation in making laws and

policies related to their affairs and their members. Within the framework of seeking to correct the relation of the state with the civil society, legal frameworks are not sufficient by themselves but should be accompanied by institutional structures and arrangements for participation in laws and policy making. It is worthy noting that such institutional structures are one of the essential mechanisms for managing political conflicts in democratic societies.

The Fourth Pivot

Learnt Lessons, Conclusion and Recommendations

The Fourth Pivot consists of two main parts. The first part presents learnt lessons from Latin America and the Caribbean countries which represent distinguished experiences in the transfer of communities from the severest forms of social injustice to a case of clear political will to minimize this injustice through adopting economic and social policies to empower the marginalized categories and women in particular. In spite of the novelty of reform experiments in Latin America and the Caribbean countries which do not exceed two decades, the results analysis in light of the strong social and economic disparities in these countries indicates that real achievements were realized but still need more struggling and more efforts in order to be completed.

The second part of this pivot focuses on the most important results and recommendations according to the previous pivots of the study. Linkage is made with the need for a package of political, economic and social structural changes which transfer women issues from partial handling to the core of economic and social reforms in Egypt.

Learnt Lessons From Latin America

The experiences of countries, with their successes and failures, provide other countries with learnt lessons worthy of deliberate and critical consideration for extracting examples and building on the successful experiences taking into account the disparity in social, economic and cultural contexts.

The experience of a number of Latin American countries represent a good example for the change from certain economic

and social circumstances in which wide disparities were the main feature together with high poverty rates and extensive social marginalization to a different position. Through one decade (2000-2010) poverty rates dropped down and social disparities were reduced. More important is that these changes led to improvement of the conditions of the most fragile social categories and of women in particular.

The change was driven by a package of economic and social policies adopted by the successive governments from 2000 to date. Economic growth rates in Latin America and the Caribbean region increased considerably and caused historical reduction in poverty rates and socioeconomic disparities. It is worthy to note an empirical fact which is that the countries of this region suffered the highest levels of socioeconomic disparities.

On the other hand, the global economic crisis which started in 2009 could not hamper the economic progress which had started in the region nor could it negatively affect it. This raises the question: why this region was not seriously affected by the crisis similar to other regions? This change was backed by a group of structural forces resulting from certain economic and social policies based upon the following:⁴⁸

1. More inclusive labour markets capable of absorbing different types of labour and poor women in particular.
2. Expanded safety nets.
3. Improved educational outcomes.

⁴⁸ The world Bank, The Effect of Women's Economic Power in Latin America and the Caribbean, Washington DC, August 2012, pp 9-11

4. Macro-stability and relatively high rates of economic growth.
5. More equal distribution policies.

This package of changes which included increased participation of women, especially of poor women, in the labour market and pension expansion led to increasing women contribution in the labour market by 15% during 2000-2010, reducing abject poverty rate by 30% and reducing Gini inequality index by one third.

The increase in women's income from labour was reflected on increasing school enrolment, reducing the gender gap in education (which almost disappeared) and girls' even outperforming boys at the secondary and tertiary level in the last decade

These economic and social changes were linked with political changes in more than one half of the countries of the region during the past 15 years: the left came to power. Women's status improved considerably. The political discourse of the ruling leftists in several countries focused on women as political, economic and social actors in the process of change.

In addition, the cultural and social contexts in Latin America were not adversarial to women in comparison with countries in MENA region for example. In the contrary, they recognized women's right to ownership and employment, but this does not negate the presence of marginalization and discrimination. The difference is that cultural contexts in Latin America did not justify discrimination nor did they give it any legitimacy.

Literacy is another very important factor in Latin America. About 90% of the adults can read and write. Another factor is the strong feminist movement capable of defending women's rights and presenting alternatives for social and economic policies.⁴⁹

Brazil as a Model:

Brazil is one of the models that combine opportunities and risks. It is the largest country in Latin America both in area and population. Its area is 8 514 877 Sq Km with 191 241 714 population. Brazil joins other countries of Latin America and the south in the large economic gap that reached 20% of the population own more than 60% of the wealth. It is not uncommon in these countries to find sky scrappers side by side with shanty slums. Brazil is one of the countries which witnessed leftist movements throughout the past years which brought a leftist government to authority.

Brazil and Women Inclusion in the Labour Market

Several policies were adopted to promote women's contribution in the labour market and achieve gender equality. These policies increased women's contribution in the labour market by more than 15 points percent to reach about 60% of the labour force. They also increased girl education rates which have become higher than males. Girls enrolment at the tertiary level is higher

⁴⁹ Goodman, Donna, The Struggle for Women's Equality in Latin America, Dissident Voice, March 13th 2009.

than boys. In spite of this progress in some indicators related to women's status, there are still some challenges in the gender gap in the labour market. Women face income disparities in comparison with men. This seems natural because introducing drastic changes to women's status on equal footing with men requires long term struggle and cannot be resolved in two decades.

Brazil has implemented targeted reforms to remove restrictions in access to resources and entitlements for women:⁵⁰

- 1) The National Documentation Program for Rural Women Workers helps rural female workers obtain the necessary documentation to get access to land, credit and government services, which resulted in an increase in the share of women who own land titles from 13 to 56 percent between 2003 and 2007.
- 2) The Bolsa Familia direct cash transfer program was launched in 2003 as a merger of the federal government's existing conditional and unconditional cash transfer programs and covered around one fourth of Brazil's population by 2007. It distributes most of its payments directly to women. The program has increased women's financial independence and has also had a positive effect on women's labor force participation.

⁵⁰ IMF. Woman, Work and the Economy, Macro Economics Gains from Gender Equality, Discussion memorandum for IMF Experts. September 2013.

- 3) Social security reform helped reduce gender gap in education. Benefits received by women increased the school enrollment of girls.
- 4) The Brazilian authorities adopted the National Plan for Women's Policies In 2004 to address specific needs of mothers, including health care during pregnancy, as well as child care and education.
- 5) Brazil's maternity benefits policies include 120 days of paid leave at 100 percent of their salary, which is paid by the employer but reimbursed by Brazil's Social Security Institute.
- 6) In 2003, the authorities introduced the Pronaf-Mulher credit line targeting women in rural areas. As a result, women's credit share in rural development financing programs increased by some 15 percent between 2001 and 2006 to almost 26 percent at the present time.

In brief, increasing women's participation in the labour market must take place on the basis of gender equality on one hand and on the background that no increase can be realized without drastic structural reforms in public policies to include women causes in the heart of the social reform process.

Conclusion and Recommendations

- The majority of the research works and studies concerned with women in the labour market were basically economic studies which touched one social aspect or another. On the other hand, the cultural or social studies interested in the obstacles that prevented women from accessing the labour market were few. In both cases, women were regarded as an object not an actor. We did not find, for example, a study concerned with how women deal with violations of their rights in the labour market or their stand regarding social marginalization which they are subject to.
- Field studies trying to discover the hidden facts and test the relationships between different variables were few as well in spite of the fact that more field studies are required to follow up women's status in the labour market, discover the problems and difficulties facing them and the relationships between the related social or cultural changes.
- The study and analysis of women's status in this research disclosed the defects of this society which are formed deliberately in conjunction with decision makers advocating free economy and the new Egyptian/foreign capitalists who share the same objective to magnify their profits at the cost of the consumer and the public good for the society as a whole. In the absence of an economic policy with clear social objectives and dimensions, everything becomes accessible without limits or restrictions. The biggest problem is not only the absence of the state's role and the capitalists' avidity but extends to include the masculine paternal materialistic culture which gives legality to these practices. In the above context, the status of female workers discloses all the defects

of the society through the exploitation of women because they are women and because they are poor. They carry the burden of discrimination because of their sex and the burden of oppression due to their social and economic status. Globalization negatively affected the status of women in the labour market, women were the most affected category by inclusion in the global capitalist market. Globalization seeks flexible markets which make thin differences between the formal and the informal sectors. Social protection is absent from both of them.

- The study showed the complete absence of the concept of decent work. Regarding the strategy of creating permanent productive job opportunities, the previous studies showed that the investigated female workers in the national and foreign investment sector as well as in the informal sector are not subject to any governing standards from the state. States do not have employment strategies across the private sector companies nor do they have a vision for dealing with the informal sector. Employment strategies, when found, do not focus only on job creation but also on improving workers capacities and guaranteeing their rights. The state in most of the capitalist countries does not leave the labour market without controls, guarantees or standards under the pretention of investment encouragement. It provides all of this in order to serve the economy, reduce poverty and establish balanced relations between workers and employers. There is no contradiction between standards and controls in one hand and investors freedom on the other hand. The more the investor feels that he works in a regulated and controlled labour environment the more he is sure that his investments

are safe and is willing to continue. The contrary is true for the non-controlled environment which gives the investor unlimited freedom. He will try to realize big profits in a short time without the will to remain or continue.

- There is semi complete absence of labour rights represented in correct contractual relations, legally determined work hours, optional overtime work, leaves and other motherhood and childhood rights. The absence is not limited to the state bodies but includes trade union organizations which do not play their natural role in the field of organizing the non-organized and defending the workers rights.
- There is no integrated policy for social protection to protect women from risks through pensions as well as poverty reduction mechanisms through real training and employment policies.
- The increase in women's participation in the labour market was not due to gender-driven or gender equality policies. The severe economic crisis drove women to the labour market under inconvenient conditions and economic policies which gave investors incentives but did not provide the workers with social protection and under a conservative religious culture which calls women to stay at home. As a result, women became subject to the worst forms of exploitation.

Interventions and Measures Required for Improving Women's Status in the Labour Market:

Dealing with the different violations and marginalization of female workers in all aspects requires an integrated strategy focused on two essential issues: women's rights and social marginalization which increases in the weakest rings of the

society namely women. The strategy should be based upon a crystallized economic, social, political and cultural vision according to clear objective. It should be drafted with the participation of all the stakeholders: the government, the private sector and the civil society. The strategy should define the roles of all the actors in implementation and follow up.

In this framework, the following guiding ideas may be useful for the strategy:

There is no doubt that remedies for the existing policies and interventions require a package of long term, medium term and short term changes provided that the basic reference for such policies and interventions should be the concept of decent work. This concept addresses women's needs and complements international standards. It is not limited to the formal sector which is historically the sphere of men but includes as well the informal sector which is the basic sphere for female workers. As mentioned earlier, globalization removed the essential differences between the formal and the informal sectors. Both of them became flexible and seek to get rid of the international labour standards and conditions⁵¹. The sensitivity of the decent work concept for women appears in several assumptions. Priorities for women at work are different from men's priorities. Women have to coordinate their family obligations and their occupational responsibilities. They are also subject to certain problems such as sexual harassment. Decent work standards

⁵¹ Franck, A., Key Feminist Concerns Regarding Core Labour Standards, Decent Work and Corporate Social Responsibility, WIDW Network, 2008,

should guarantee protection for the pregnant women and mothers as well⁵². As a consequence, it is necessary to have a comprehensive political vision for the related public policies as follows:

- There is need for an employment policy with clear and defined objectives to address the problems of the Egyptian labour market to guarantee the highest percentage of employment and to put controls to secure workers rights with more emphasis on women, i.e. the employment policy should be gender-driven.
- Synchronized with the employment policy there should be a comprehensive policy for social protection based upon rights and deals with female workers from the perspective of their empowerment through legislations which guarantee their right to social and health insurances and other related rights. Employers in the investment sector should be obliged to observe these rights. Legislations alone are not enough. There should be the capacity to oblige the investment sector to observe these rights. The social protection policy should include other dimensions such as capacity building for male and female workers, training, labour market monitoring and so on. At the end of the day, social protection policies aim to prevent or manage the situations which negatively affect workers welfare. Risk mitigation is an essential objective for any social protection policy. There is no doubt that social protection policies cannot be separated from the employment policy. Both policies are supposed to achieve two objectives: increase employment and manpower in one hand and

⁵² Ibid.

increase social protection for all the workers in the other hand.

- It is not possible to draft employment policy or social protection policy without reconsidering the role of the state. This role, in shade of the free economy, is not to give investors incentives without controls such as the case in Egypt. It should formulate clear economic and social objectives to serve the public good and minimize poverty and income misdistribution and consequently utilize all the economic tools to achieve this objective. The successive governments in Egypt announce amongst its objective the reduction of poverty but all of these tools take a different direction.
- The civil society objectives and roles must be changed from mere partial solutions or tranquilizers for a phenomenon or a problem to macro objectives which put the phenomenon in its context and deals with the causes instead of the symptoms. It is difficult to talk about an integrated vision to deal with the female workers' status in the investment sector without dealing with investment policies and the role of the state with its different institutions. This move requires redrafting the relationship between the state and the civil society in a manner that guarantees the civil society's freedom and independence and lays the foundation for real partnership between the state and the civil society.

These essential policy changes require a long time and reconsideration of the strategic approached of all the concerned governmental and non governmental parties. In addition, it is also required to consider **definite interventions which directly**

address women's problems regarding the right to work on the short and the medium term such as:

- Support school enrolment rates and continuation in higher educational levels through increasing the demand on female education by removing social and economic obstacles through awareness campaigns, law amendment to effect heavier penalties in case of non enrolment or dropout from school, programmes for conditional cash transfers and other tools which promote demand on education. On the side of offer, it was found that the remoteness of high schools is an obstacle for girls. It is required to redistribute investments in the pre-university schools, establish secondary and girls schools in the deprived areas, expand the establishment of regional universities, introduce new applied specializations and provide more investments for girls' hostels, etc.
- Redirect the education system so as to cope with the labour market requirements through recognition of the required specializations and expansion in training programmes for the educated women.
- Expansion in providing auxiliary social services such as early-age child nurseries, child care centers, health care and activate the pertinent laws.
- It is necessary to observe transparency in providing information on market needs, the available opportunities and requirements, the training and education centers and how to join them. This needs a high degree of coordination the different governmental bodies and

private sector and requires qualified cadres to present data and information in a comprehensible manner.

- Expansion in non conventional work patterns such as part time work which allows a degree of flexibility according to the conditions of women and their role in the care economy.
- Training programs on how to establish, run and manage small enterprises especially in geographical areas where women are deprived of education and job opportunities such as Upper Egypt and the borders governorates.
- Inclusion of the informal sector so that women in this sector can gain access to credit and other services.
- Activists from the civil society organizations should support the efforts to organize women in trade unions in all the economic sectors especially the private and the investment sectors.

Annexes

First: Bibliography

Second: Tables

First: Bibliography

First: Arabic References:

1. Ibrahim Awad, ILO and Workers Protection, Concept of Decent Work, Etimad Allaam (edit) **Workers and Economic, Political and Social Changes**, Cairo, CSDC.
2. Ahmed el Sayed el Naggar, **Economic and Social Cost for Discrimination Against Women in Education and in the Labour Market**. Cairo, Al Ahram Center for Political and Strategic Studies, 2011.
3. Ahmed Abdel Hafeez, The Constitutional and Legislative Framework for Women Empowerment in Upper Management presented in **The Case of Women in Egypt: A Study on Representation Levels in Leading Positions**, edit. Amany el Taweel, Cairo, Al Ahram Center for Political and Strategic Studies, 2009.
4. Amany el Taweel, **Women in the Administrative Body of the State: the Case of Representation and Participation in Leading Positions**, edit. Amany el Taweel, Cairo, Al Ahram Center for Political and Strategic Studies, 2009.
5. Amal Farag, **Housemaids: Exploratory Study**, the Egyptian Society to Enhance Societal Participation, 2011.
6. Amira El Haddad, **Women's Weak Participation in the Labour Market and the Official Discrimination Against Them**, Policies Paper, Social Research Center, the AUC, 2009.

7. Intsar Badr, **Women in the Labour Market: Women Workers and Privatization Policies**, Cairo, the New Woman Foundation, Cairo, 2007.
8. CAPMAS, **Egypt in Figures**, 2012.
9. Ranya Rushdy and Mai Gadalla "The Informal Sector and Labour Market Dynamics during the Economic Slowdown: Evidences from Egypt, Policy Papers series, Gender and Labour in the Middle East and North Africa, Cairo, 2012.
10. Sumaya Ahmed, "**Supporting Education as a Means for Economic Empowerment in Egypt**" Policies Paper, Social Research Center, the AUC, 2009.
11. Saber Barakat, **Woman and Social Insurances**, Tiba Magazine, Women and Work, 8th edition, December 2006.
12. IMF. **Woman, Work and the Economy, Macro Economics Gains from Gender Equality**, Discussion memorandum for IMF Experts. September 2013.
13. Abdel Baset Abdel Mohsen, Working Paper on **Legal Protection for Women in Arabic Labour Legislations .. in Light of ILO and Arab Labour Standards**, 1st Workshop for Conference on Women Issues and New Challenges, Towards an Arab Instrument for Women Rights, Bahrain, 2013.
14. Abeer Yaseen, **The Egyptian Woman and Decision Making in the Private Sector, (at) The Status of Women Status in Egypt: Study on Representation Levels in Leading Positions**. Edit. Amany el Tawil, Cairo, Al Ahram Center for Political and Strategic Studies, 2009.

15. Aly Galaby, Amal Helal and others **"The Informal Sector Growth Through Studies of Household Units in Informal Areas"** The National Center for Social and Criminal Research, the Fourth Quarter, Cairo, 2011.
16. Amr Hashim Rabei, **"Egypt Between Two Constitutions"**, Al Ahram Center for Political and Strategic Studies, 2014.
17. Ghada Barsoum and others, **Transfer of Egyptian Male and Female Youths to the Labour Market**, the Youth Employment Series, No. 16, Geneva. ILO 2014.
18. Maya Siferding, **Outlook of Social Protection Throughout the Life of the Poor Working Class in Egypt**, Research Papers, Gender and Labour in MENA Region, Population Council, 2012.
19. Maya Siferding & Eriny Selwance, **Social Protection in Egypt, Overview on Adopted Policies, Research Papers, Gender and Labour in MENA Region**, World Population Council, September 2012.
20. Maya Siferding, **Female Challenges in the Egyptian Labour Market**, Youth Survey in Egypt, Policies Summary No. 4, World Population Council, Information and Decision Making Support, Cairo. 2012.
21. Mohamed Hafez and Mohamed Ezz el Arab, **Education and Women Empowerment: Effective Factors in Females Education**, presented in **"The Case of Women in Egypt: A Study on Representation Levels I Leading Positions"**, Edit. Amany el Taweel, Al Ahram Center for Political and Strategic Studies, 2009.
22. ILO. International Training Center, **Guidebook of ILO Standards**, Geneva, 2006.

23. Muna Ezzat, **Women and Trade Union Work**, New Woman Foundation, Cairo, 2014.
24. New Woman Foundation, **Remarks on the Unified Labour Law No. 12.2003 and its Amendments**, Cairo, 2014.
25. Nadya Halim Solaiman, **Women Heading Families in Informal Areas: Study on Slum Occupants in Cairo**, National Center for Social and Criminal Studies, Cairo, 2004.
26. Hala Sakr and Abdalla Shehata. **Women Economic Empowerment: Obstacles and Suggested Solutions**, Policy Paper, AUC, Social Research Center, 2009.
27. Hala Shukralla, From the House to the Work Site: A Study on Women's Work Conditions, Tiba Magazine, issue No. 8, December 2006.
28. Haniya Shalkamy, **The Future of Women Empowerment and Employment Promises**, translated by Shahrat el Aalem, Tiba Magazine, Women and Work, 8th edition, December 2006.
29. Heba Nassaar and others, **Women and the Labour Market**, Policy Papers series, the Social Research Center, the American University in Cairo, November 2009.
30. Heba Handusa, **Situation Analysis: The Main Development Challenges which Face Egypt**, UNDP, 2010.
31. Hwayda Adly, **Women at the Labour Market (2), Female Workers in the Investment Sector**, Cairo, New Woman Foundation, 2011.
32. Yasmin Ibrahim, The Basic Rights of Female Workers Between Actuality and the Law, Tiba Magazine, Women and Work, 8th edition, December 2006.

Second: Foreign References

33. El Mahdi, Alia, Towards Decent Work in the Informal Sector: the Case of Egypt, International Labour Office, Geneva, series on the Informal Economy, Employment Paper 2002/5, 2002.
34. Franck, A., Key Feminist Concerns Regarding Core Labor Standards, Decent Work and Corporate Social Responsibility, WIDE Network, 2008
35. Goodman, Donna, The Struggle for Women's Equality in Latin America, Dissident Voice, March 13th 2009
36. Karkkainen, Outi, Women and Work: Access, limitations and Potential in Tourism and ICT, Egypt, Jordan and Tunisia, Italy, European Training Foundation, 2010.
37. Lohmann Tanja , Labor Regulation and Female Labor Market Participation, A country Study of Egypt, Deutsche Gesellschaft fur Technische Zusammenarbeit (GTZ), Economic Integration of Women MENA, August , 2010.
38. International Trade Union Confederation, Internationally Recognized Core Labour Standards in Egypt, Report for the WTO General Council Review of the Trade Policies of Egypt, Geneva 26 and 28 July 2011.
39. A.,Key, Franck, Feminist Concerns Regarding Core Labour Standards, Decent Work and Corporate Social Responsibility, WIDW Network, 2008.
40. Qaryouti ,Yousef, www.amcham.org.eg
41. Spierings, Niels & Smits, Jeroen, Women's Labour Market Participation in Egypt, Jordan, Morocco, Syria & Tunisia: A three level analysis, Paper prepared for the

IZA-World Bank Conference on Employment and Development, June 8-9, 2007, Bonn

42. Sayre, Edward & Hendy Rana, Female Labor Supply in Egypt, Tunisia and Jordan, a paper submitted to workshop entitled "The Socio-economic Status of Youth on the Eve of the Arab Spring", Issam Fares Institute at the American University of Beirut, Dec 7-8, 2012.
43. The world Bank, The Effect of Women's Economic Power in Latin America and the Caribbean, Washington DC, August 2012

Second: Tables

Table (1)

Labor				
Annual Estimates of Labor & Unemployment Rates (15 years old and over) (2007-2010)				
Unit : 000				
Item	*2010	2009	2008	(1) 2007
<u>Labor Force</u>				
Male	20140	19410	19120	18167
Female	6040	5943	5531	5692
Total	26180	25353	24651	23859
<u>Employed Persons</u>				
Male	19153	18397	18041	17090
Female	4676	4578	4465	4634
Total	23829	22975	22506	21724
<u>Unemployed Persons</u>				
Male	987	1013	1078	1078
Female	1363	1365	1065	1058
Total	2350	2378	2143	2135
<u>Unemployment Rate</u>				
Male	4.9	5.2	5.6	5.9
Female	22.6	23.0	19.3	18.6
Total	9.0	9.4	8.7	8.9

(1) Data for individuals (15 - 64 years)

Egypt in Figures 2012

Table (2)

Labor

Quarterly Estimates of Labor Statistics (15 years old & over) 2011 *

Unit : 000

Item	Q4	Q3	Q2	Q1
<u>Labor Force</u>				
Male	20737	20692	20391	20366
Female	6047	5972	5951	5973
Total	26784	26664	26342	26339
<u>Employed Persons</u>				
Male	18842	18901	18619	18539
Female	4620	4600	4615	4671
Total	23462	23501	23234	23210
<u>Unemployed Persons</u>				
Male	1895	1791	1772	1827
Female	1426	1372	1336	1302
Total	3321	3163	3108	3129
<u>Unemployment Rate</u>				
Male	9.1%	8.7%	8.7%	8.9%
Female	23.6%	23.0%	22.5%	21.8%
Total	12.4%	11.9%	11.8%	11.9%

Egypt in Figures 2012

Table (3)

Labor

Estimates of Employed Persons (15 years old and over)
By Sex, Gov. 2010 *

Unit : 000

Governorate	Total	Female	Male
Cairo	2104	404	1700
Helwan	476	58	418
Alexandria	1230	195	1035
Port-Said	195	47	148
Suez	163	34	129
Damietta	378	44	334
Dakahlia	1641	304	1337
Sharkia	1696	318	1378
Kalyoubia	1356	204	1152
Kafr-El-Sheikh	959	231	728
Gharbia	1342	283	1059
Menoufia	1298	372	926
Behera	1893	534	1359
Ismailia	314	63	251
Giza	912	137	775
6 October	761	55	706
Beni-Suef	951	335	616
Fayoum	828	125	703
Menia	1531	407	1124
Asyout	966	124	842
Suhag	956	73	883
Qena	754	147	607
Aswan	338	37	301
Luxor	314	51	263
Red Sea	97	8	89
ElWadi ElGidid	86	30	56
Matrouh	114	31	83
North Sinai	109	16	93
South Sinai	66	8	58
Total	23829	4676	19153

Egypt in Figures 2012

Table (4)

Labor

Estimates of Employed Persons (15 years old and over)
By Sex & Economic Activity 2010 *

Unit: 000

Economic Activity	%	Total	Female	Male
Agriculture, Hunting, Forestry ,Cutting of wood trees&Fishing	28.2	6728	2003	4725
Mining & quarrying	0.2	47	2	45
Manufactures	12.1	2882	226	2656
Electricity, Gas, Steam & Air Conditioning Supplies	1.1	266	23	243
Water Supply, Sewerage, Waste Management and Remediation Activities	0.6	150	10	140
Constructions	11.3	2694	16	2678
Wholesale & retail trade, repair of motor vehicles & motorcycles	11.3	2695	327	2368
Transportation, storage	6.2	1471	31	1440
Accommodation & Food Services	2.2	528	21	507
Information & Communications	0.9	211	41	170
Financial& Insurance Activities	0.8	192	49	143
Real estate activity & Renting	0.1	16	0	16
Professional Scientific & Technical Activities	1.7	396	64	332
Administrative & Support Services Activities	0.7	169	13	156
Public Administration & Defence Compulsory Social Security	7.8	1857	441	1416
Education	8.8	2093	976	1117
Health & Social work	2.6	612	346	266
Art& Entertainment & Recreation Activities	0.4	104	17	87
Other Services Activities	2.3	539	24	515
Services of home service for private households	0.6	140	42	98
International Organizations & Authorities and Embassies	-	3	1	2
Unclassified Activities	0.2	37	4	33
Total	100	23829	4676	19153

Egypt in Figures 2012

Table (5)

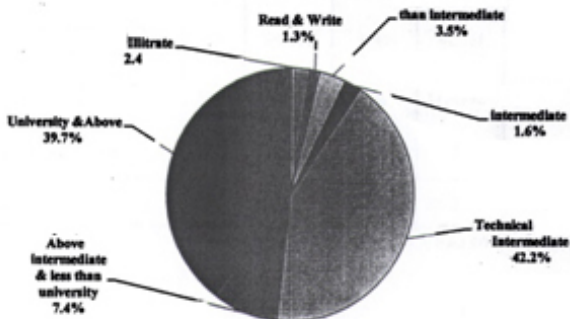
Labor

Unemployed Persons By Sex & Educational Status in Urban & Rural Areas 2010 *

Unit: 00K

Geographical Area Educational Status	Total			Rural			Urban		
	Total	Female	Male	Total	Female	Male	Total	Female	Male
Illiterate	57	16	41	14	4	10	43	12	31
Read & Write	30	9	21	10	5	5	20	4	16
Less than Intermediate	82	31	51	31	17	14	51	14	37
Intermediate	52	15	37	22	9	13	30	6	24
Technical Intermediate	991	592	399	511	331	180	480	261	219
Above intermediate & less than university	206	128	78	70	46	24	136	82	54
University & Above	932	572	360	299	184	115	633	388	245
Total	2351	1363	988	957	596	361	1394	767	627

Percentage dist. of Unemployed Persons by Educational Status 2010



Egypt in Figures 2012

Table (6)

Labor

Governmental Employees by Economic Sectors According to state budget (2010/2011)* ⁽¹⁾

Unit : No.

Sectors	%	Total	Female	Male
Public Services	8.5	447390	111976	335414
Defense, security & justice	2.6	138965	36758	102207
Public order and public safety Affairs	18.4	971732	22145	949587
Economic Affairs	7.6	403059	89438	313621
Environmental Protection	0.3	16953	2902	14051
Housing and community facilities	0.7	35440	7491	27949
Health	11.5	606656	316790	289866
Entertainment, culture and religion	12.4	657814	95453	562361
Education	36.7	1940984	766192	1174792
Social Protection	1.3	68254	35096	33158
Total	100	5287247	1484241	3803006

(1) Includes Gov. Localities & Service authorities Employees

Source : Central Agency for Organization and Management

Egypt in Figures 2012

Table (7)

Labor

Civil Employees in Public & Public Business Sectors By Economic Sectors & Sex in 1/1/2010*

Unit : No.

Economic Sectors	%	Total	Female	Male
Agriculture, Public Works & Water Resources	3.5	27308	6099	21209
Industry, Petroleum and Mineral Abundance	27.4	213708	19311	194397
Electricity & Energy	15.1	117310	14004	103306
Transportation	7.0	54936	4327	50609
Supply and Internal Trade	4.7	36328	6604	29724
Money and Economy	8.3	64334	14286	50048
Housing and Construction	21.0	163366	12436	150930
Health, Social and Religious Services	3.6	28311	10677	17634
Culture and Information	0.3	2054	341	1713
Tourism and Aviation	5.7	44535	7812	36723
Defence, Security and Justice	3.5	27072	2190	24882
Total	100	779262	98087	681175

Egypt in Figures 2012