

DECENT WORK CHECK

EGYPT 2025

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WageIndicator Foundation - www.wageindicator.org

WageIndicator started in 2001 to contribute to a more transparent labour market for workers and employers by publishing easily accessible information on a website. It collects, compares and shares labour market information through online and face-to-face surveys and desk research. It publishes the collected data on national websites, serving as an online library for wage information, labour law, and career advice for workers/employees and employers. The WageIndicator websites and related communication activities reach out to millions of people every month. The WageIndicator concept is owned by the independent, non-profit WageIndicator Foundation, established in 2003. The Foundation has offices in Amsterdam (HQ), Ahmedabad, Bratislava, Buenos Aires, Cape Town, Islamabad and Venice.

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Bibliographical information

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I NTRODUCTION

Decent Work is the type of work to which all of us aspire. It is done under conditions where people are gainfully employed (and there exist adequate income and employment opportunities); the social protection system (labour protection and social security) is fully developed and accessible to all; social dialogue and tripartism are promoted and encouraged; and rights at work, as specified in ILO Declaration on Fundamental Principles and Rights at Work and Core ILO Conventions, are practised, promoted and respected.

WageIndicator Foundation has been working since late 2007 to raise awareness of workplace rights through a unique tool, i.e., Decent Work Check. The Decent Work Check considers different work aspects deemed necessary in attaining "decent work". The work makes the abstract Conventions and legal texts tangible and measurable in practice.

The Decent Work Check employs a double comparison system. It first compares national laws with international labour standards and the scores national regulations (happy or sad face). If national regulations in a country are not consistent with ILO conventions, it receives a sad face, and its score decreases (and vice versa). It then allows workers to compare their onground situation with national regulations. Finally, workers can compare their personal score with the national score and see whether their working conditions are consistent with national and international labour standards. The Check is based on de jure labour provisions, as found in the labour legislation.

A Decent Work Check is beneficial both for employees and employers. It gives them knowledge, which is the first step towards any improvement. It informs employees of their workplace rights while enlightening employers about their obligations. Decent Work Check is also helpful for researchers, labour rights organisations conducting surveys on the situation of rights at work and the general public wanting to know more about the world of work. For example, WageIndicator teams worldwide have found out that workers, small employers and even labour inspectors are not, sometimes, fully aware of the labour law. When you are informed - being a worker, self-employed, employee, policymaker, or labour inspector – there is a greater possibility that you ask for your rights (as a worker), you comply with rules (as an employer), and you strive to enforce these (as a labour inspector).

The work is relevant to the challenges posed to the future of work, especially the effective enforcement of legislation in financially constrained states, a rise in precarious employment and analysis of the impact of regulatory regimes.



MAJOR LEGISLATION ON EMPLOYMENT AND LABOUR

- Constitution of the Egyptian Arab Republic 2014
- 2. Labour Law, 2003
- Decree 112 of 2003 to Determine the Holidays Considered a Leave with Full Pay for Workers
- 4. Health Insurance System Law No. 2 of 2018
- 5. Social Insurance and Pensions Law No. 148 of 2019
- 6. Rights of Persons with Disabilities (Law No. 10 of 2018)
- 7. The Penal Code, 1937
- Ministry of Migration & Manpower Decree No 118 of 2003
- Ministry of Migration & Manpower Decree No 215 of 2021
- **10.** Child Law, 1996
- **11.** Trade Union Law (No. 213) of 2017 (amended by Law No. 142 of 2019)
- **12.** Prime Minister Decree No. 984 of 2003
- **13.** Decree No. 155 of 2003
- **14.** Law on Combating Human Trafficking, 2010



01/13 WORK & WAGES

ILO Conventions

Minimum wage: Convention 131 (1970)

Regular pay & wage protection: Conventions 95 (1949) and 117(1962)

Egypt has ratified the Conventions 95 & 131 only.

Summary of Provisions under ILO Conventions

The minimum wage must cover the living expenses of the employee and their family members. Moreover, it must relate reasonably to the general level of wages earned and the living standard of other social groups. Wages must be paid regularly on a daily, weekly, fortnightly or monthly basis.



Regulations on work and wages:

- Labour Law, 2003
- Constitution of the Egyptian Arab Republic 2014

Minimum Wage

ln accordance with the Egyptian Constitution, the economic system ensures equal opportunities and fair distribution of development returns, reduces the differences among incomes and adheres to a minimum wage and pension, ensuring a decent life, as well as a maximum one in State agencies for every salaried employee according to the Law.

In accordance with the Egyptian Labour Law 2003, the National Council for Wages (NCW) sets minimum wages in the country, considering the cost of living and finding a balance between wages and prices. The National Wages Council is composed of members representing 5 ministries, the national statistics agency, the national administrative agency, the national council for women, 4 employers' representatives, and 4 trade union representatives. An increase in the minimum wage is jointly decided by the government, employer and trade union representatives through the National Wages Council, which combines all these representatives.

The minimum annual increase/increment in wages must be at least 3% of the salary that is used to calculate social insurance, with a minimum amount of EGP 250 as specified by the National Council for Wages.

The Labour Law establishes a system of labour inspection and imposes fines (100-500 pounds) for non-compliance with the minimum wage provisions. The

fine multiplies with the number of workers in whose respect the crime occurred, and it is doubled in case of recurrence.

Source: §27 of the Constitution of the Egyptian Arab Republic 2014; §34 & 247 of the Labour Law 2003

Regular Pay

In accordance with section 38 of the Labour Law 2003, wage is defined as all that the worker obtains in return for his work, whether fixed or variable, in case or in kind. The following, in particular, are considered a wage: the commission within the context of Labour relation; anything that a worker may be paid in return for what he produces, sells, or collects all along his charge of the work for which this percentage is prescribed; the increments whatever the reason for becoming payable, or their kind; the in kind benefits the employer shall pay, without being necessitated by work exigencies; any bonus given to the worker in addition to his wage, and all that is paid to him due to his honesty or efficiency, once these bonuses are prescribed in the individual or collective Labour contracts or in the work articles of association, as well as that which has become customarily payable once fulfilling the qualities of generality, continuance and constancy; all that is given to the worker in exchange for specific conditions or risks the worker is liable to in performing his work; the worker's profit share; tip that the worker obtains if it becomes customarily payable and has rules allowing for its determination. percentage the customers pay in return forth service in tourist establishments is considered a tip.

Employers are obliged to pay the worker his/her wages in legal tender at the place of



work on the working day. The Labour Law regulates the payment of wages to all classes of workers. According to this law, wages can be calculated on an hourly, daily, weekly or monthly basis.

An employer is under the obligation to pay the workers' wages:

- at least once a month when the worker is appointed on monthly pay:
- once a week (commensurate with the work done during the week), if the work is paid per production but the production task takes more than 2 weeks. The balance amount is paid during the week following the completion of task; and
- once at most every week if the worker does not fall in the above two categories.

Employers are prohibited from transferring a monthly paid worker to the category of day labourers or the workers appointed with a weekly wage, or paid per hour or per production, except with the written approval of the worker on transferring him. The worker, in such a case, has all the rights he acquired during the period he was on monthly pay.

Employer may deduct wage of a worker for payment of the loan, without charging any interest. The amount of deduction must not be more than 10% of the worker's wage. The employer must not compel the worker to buy food, goods, or services from specific stores, or buy goods produced or services provided by the employer. An employer should provide pay slips comprising of items of the wage to all workers.

Source: §34-46 of the Labour Law 2003



02/13 COMPENSATION AND WORKING HOURS

IIO Conventions

Compensation overtime: Convention 01 (1919)

Night work: Convention 171 (1990)

Egypt has ratified the Convention 01 only.

Summary of Provisions under ILO Conventions

Working overtime is to be avoided. Whenever it is unavoidable, extra compensation is at stake - minimally the basic hourly wage plus all additional benefits you are entitled to. In accordance with ILO Convention 1, the overtime pay rate should not be less than one and a quarter-time (125%) of the regular rate.

Night work means all work which is performed during a period of not less than seven (07) consecutive hours, including the interval from midnight to 5 a.m. A night worker is a worker whose work requires the performance of a substantial number of hours of night work which exceeds a specified limit (at least 3 hours). Convention 171 requires that night workers be compensated with reduced working time or higher pay or similar benefits. Similar provisions fare found in the Night Work Recommendation No. 178 of 1990.

If a worker has to work on a national/religious holiday or a weekly rest day, he/she should be entitled to compensation. Not necessarily in the same week, provided that the right to a paid compensation is not.

If a worker has to work during the weekend, they should thereby acquire the right to a rest period of 24 uninterrupted hours instead. Not necessarily in the weekend, but at least in the following week. Similarly, if a worker has to work on a public holiday, they must be given a compensatory holiday. A higher rate of pay for working on a public holiday or a weekly rest day does not take away the right to a holiday/ rest.

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Regulations on compensation:

Labour Law, 2003

Overtime Compensation

In accordance with the provisions of Law No. 133, 1961, maximum working hours are 8 hours a day and 48 hours a week (excluding the meal & rest period of at least 60-minute duration each day). Working hours may be reduced by decree of the concerned Minister for certain labour categories or in certain industries or works to be determined by the minister.

Workers may be required to work overtime hours however maximum working hours in a day may not exceed ten (10) hours per day and 12 hours per day for workers hired in work of intermittent nature. This implies that overtime 2-4 hours per day is allowed, depending on the nature of establishment. Law does not specify weekly overtime hour limit in the case of general workers. Overtime may be required of workers where necessary to cope with unusual work exigencies or exceptional conditions.

The compensation for working overtime is at least:

- 135% of the normal hourly salary if overtime work is performed during the day and
- 170% of the normal hourly salary if overtime work is performed during the night

Source: §80 & 85 of the Labour Law 2003

Night Work Compensation

In accordance with the Labour Law 2003, night work is the work done between sunset and sunrise. The law does not provide for premium rate for night workers. A premium rate is allowed for those workers who perform overtime during the night hours.

Source: §1(g) & 85 of the Labour Law, 2003

Compensatory Holidays / Rest Days

In extraordinary circumstances, workers may perform work on weekly rest days and public holidays. Instead of getting higher wages for working on weekly rest days, workers get a compensatory day off in lieu of the rest day during the following week. There is no provision for compensatory holidays for workers working on a public holiday.

Source: §85 of the Labour Law, 2003

Weekend / Public Holiday Work Compensation

Workers may be required to work on weekly rest days and public holidays. In such circumstances when employees have to work on official holidays, they are entitled to receive wages at a premium rate of 300% of the normal hourly wage rate. Furthermore, if a worker is required to work on a day of rest, they are entitled to receive the equivalent of their wage for that day. Additionally, the employer must grant another rest day in lieu within the following week. In all cases, the total working hours must not exceed ten hours per day.

Source: §52 & 85 of the Labour Law 2003



03/13 ANNUAL LEAVE & HOLIDAYS

ILO Conventions

Convention 132 (1970) on Holidays with Pay Convention Conventions 14 (1921), 47 (1935) and 106 (1957) for weekly rest days. In addition, for several industries, different Conventions apply.

Egypt has ratified the Convention 14 & 106 only.

Summary of Provisions under ILO Conventions

An employee is entitled to at least 21 consecutive days of paid annual leave, excluding national and religious holidays. Collective agreements must provide at least one day of annual leave on full remuneration for every 17 days the employee worked or was entitled to be paid.

A worker should be entitled to paid leave during national and officially recognized public holidays.

Workers should enjoy a rest period of at least twenty-four consecutive hours every 7 days, i.e., a week



Regulations on annual leave and holidays:

- Labour Law, 2003
- Decree 112 of 2003 to Determine the Holidays Considered a Leave with Full Pay for Workers

Paid Vacation / Annual Leave

The Labour Law 2003 provides for annual leave on completion of a year of continuous service with an employer. A worker is entitled to 21 days of paid annual leave and 30 days for workers over fifty years of age. Annual leave is increased by 7 days for workers engaged in hard, dangerous or unwholesome work or working in the remote areas. If a worker has worked at least 6 months but less than a year, he/she is entitled to annual leave on a pro-rata basis.

Annual leave also increases with the length of service. A worker is entitled to 30 days of annual leave after 10 years of service with an employer. Annual leave is independent of public holidays, official occasions' days off and the weekly rest days.

The employer determines the dates of annual leave according to the work exigencies and conditions and worker takes the leave on the date and for the period determined by the employer. The employer may not interrupt the annual leave except for strong reasons necessitated by work interest.

The worker may also determine the date of annual leave provided that he/she notifies the employer at least 15 days prior to the date of availing annual leave. A worker is not entitled to wages during annual leave if

he/she has worked with another employer during this period.

Annual leave may be accrued during a year; however, the worker has to be granted leave of fifteen days, including at least six continuous/successive days. The employer is required to settle the balance of leaves or wages computed against the leave at most every three years. If the employment contract is terminated before the worker exhausts the balance of annual leave, he/she is entitled to a wage computed against that balance.

Workers are entitled to a maximum of 6 days of casual leave per year (maximum two days at a time) without giving a specific reason for leave. Casual leave is counted as part of annual leave.

Source: §47-51 of the Labour Law 2003

Pay on Public Holidays

Workers are entitled to paid holidays during Festival (public and religious) holidays. These include memorial holidays and religious holidays (Muslim origin). These are usually 13 in number.

Public holidays are regulated under labour law and ministerial decree No. 112/2003 regarding the identification of official leaves, which are fully paid. These are the first day of the month of Moharram (The Hejira New Year), the twelfth day of Rabi'el awwal (The Prophet PBUH Birthday), the first and second days of the month of Shawal (Lesser Bairam), The ninth, tenth and eleventh days of the month of Zul Hejah (Pre-Greater Bairam Day "Arafat Day", and the first and second days of Bairam), the 07th January (Coptic Christmas Holiday), Sham el Nessim Day (a spring festival, celebrated by the Muslims and Christians in



Egypt, falls on the Monday following Coptic Easter Sunday), the 25th April (Sinai Liberation Day), the 01st May (Labour Day), 23rd July (revolution Day), and 06th October (Armed Forces Day).

Source: §52 of the Labour Law 2003; §1 of the Decree 112 of 2003 to Determine the Holidays Considered a Leave with Full Pay for Workers (Public Holidays Decree)

Weekly Rest Days

Workers are entitled to 24 consecutive hours of rest per week after, at most, 6 continuous working days. The weekly rest period is reckoned as a paid time.

Weekly rest day may be accrued but not for more than eight weeks in areas lying away from urbanization centres, and at works which by nature or due to the conditions of labour therein require running the work without interruption.

The labour law provides an hour of unpaid rest break for meals and rest. The labour law provides an hour of unpaid rest break for meals and rests during the course of each working day, except in cases provided by the decree. Workers should not stay at work for more than 05 continuous hours and 04 continuous hours in case of a juvenile worker.

Source: §81, 83-84 & 101 of the Labour Law, 2003



04/13 CONTRACTS AND DISMISSALS

IIO Conventions

Convention 158 (1982) on employment termination

Egypt has not ratified the Convention 158.

Summary of Provisions under ILO Convention

The questions under this section measure the security or even flexibility or precariousness of an employment relationship. Although these are not clearly mentioned in a single convention (severance pay and notice requirements are provided in the Termination of Employment Convention No. 158) however, the best practices in the field require that employees be provided with a written contract of employment; workers on fixed-term contracts should not be hired for tasks of permanent nature; a reasonable probation period (ideally lower than or equal to 6 months) may be followed to assess the suitability of an employee; a period of notice must be specified in an employment contract before severing the employment relationship; and workers be paid severance allowance on termination of employment relationship.

A contract of employment may be oral or written; however, workers should be provided with a written statement of employment at the start of their employment.

Fixed Term Contract workers must not be hired for permanent tasks as it leads to precarious employment.

A reasonable probation period must be allowed for workers to learn new skills. During this period, a newly hired employee may be fired without any negative consequences.

Depending on the length of service an employee has, an employer may require a reasonable notice period before severing the employment relationship.

Employers may be required to pay a severance allowance on termination of employment (due to redundancy or any other reason except for lack of capacity or misconduct).



Regulations on employment security:

- Labour Law, 2003
- Prime Minister Decree No. 984 of 2003

Written Employment Particulars

An individual employment contract is a contract by virtue of which a worker undertakes to work with and under the management or supervision of an employer in return for a wage. The employment contract may be of definite or indefinite periods and must be concluded in writing. An employment contract, written in Arabic, is drawn up in three copies (signed by all the parties), one copy each for the worker, the employer and the concerned office of the social insurance.

An employment contract must state the following information: name of the employer and the address of the workplace; name, qualifications, occupation and address of the employee and the documents required to prove his identity and his social insurance number; nature and kind of work subject to the contract; the wage agreed upon and method and time of payment. The employer must give a receipt to the worker for the papers and certificates deposited with the employer by the worker.

Source: §31-32 of the Labour Law 2003

Fixed Term Contracts

Egyptian labour Law allows hiring fixed term contract workers for tasks of permanent nature. Employer does not have to provide valid reasons for the use of fixed term contracts and there is no limitation in the use of fixed term contracts. By express agreement of the parties, a fixed term contract may be renewed several times. A fixed-term contract terminates automatically unless renewed. Renewal for another definite term must be made prior to the expiration; otherwise, the definite-term contract automatically turns into an Contracts indefinite-term contract. concluded for the performance of a specific project terminate when the project ends, although continued employment following project's conclusion turns such contracts into indefinite-term contracts. However, this does not apply to foreign workers. There is no limit to the maximum length or terms of fixed term contracts however a worker may terminate the contract after 5 years of service after serving a 3-month notice.

Source: §104-106 of the Labour Law 2003

Probation Period

Labour Law 2003 specifies that the probation period must be determined in the employment contract, but it may not exceed 3 months. It also requires that a worker may not be appointed under probation twice with the same employer.

Source: §33 of the Labour Law 2003

Employment Termination

Employment termination is regulated under the 2003 Labour Law.

The employment contracts can end in the following ways:

 expiration of the contract term or completion of the agreed work/task;



- 2. mutual agreement between employer and employee;
- 3. resignation by the worker;
- 4. termination by either party with just cause;
- 5. Retirement or death of worker;

The employer may terminate the employment contract for just cause (serious circumstances that make it morally or practically impossible to continue the employment relationship) in the following cases:

- Worker inefficiency or incompetence in the job is established;
- Gross misconduct on the part of worker;
- 3. Closing down of the enterprise or reduction in its size or activity

Article 69 of the Labour Law outlines specific cases of gross misconduct that iustify immediate termination employment without prior notice or compensation. These include identity fraud (where an employee assumes a false identity or submits forged documents), gross negligence (actions that cause significant harm to the employer), repeated safety violations (consistently ignoring workplace safety regulations, even after receiving written warnings), unauthorized absences (exceeding 20 intermittent days within a year or 10 consecutive days if the employee has received prior formal warnings after 10 days of absence in the first case and five days in the second), the disclosure of confidential information (resulting in substantial harm to the employer), engaging in competing business activities, intoxication or drug use (during working hours) and physical assault employer, manager, (against an

colleague—whether during work hours or as a result of work-related matters).

Employers must follow due process before terminating an employee for gross misconduct. This includes issuing a warning to the worker, conducting a thorough investigation, providing the employee with a chance to defend themselves, issuing a dismissal letter outlining the reasons for dismissal, and approval from the Labour Court. For dismissal on disciplinary grounds, the employer must submit a request to the Labour Court which shall decide the case within 15 days of the first hearing.

An employee may also resign for just cause if

- The employer defaults on any of the substantial obligations under the labour law, individual employment contract, collective agreement or enterprise's internal rules;
- Employer or a representative of the employer commits a hostile act (violent act or engages in immoral behaviour) against the worker or member of their family.

Termination of employment by the employee in such a case is treated as unfair dismissal.

Under Article 120 of the Labour Law, the following grounds are considered illegitimate and inadequate justifications for terminating the employment contract:

- Race, sex, social status, family obligations, pregnancy, religion or political views;
- An employee's affiliation to a union, or participation in the union's activities if it is within the framework of the laws;



- An employee that has formerly represented, is currently representing, or is seeking to represent fellow employees;
- Submitting or filing, individually or jointly, a complaint against the employer protesting against the violation of laws, regulations or employment contracts;
- Sequestration of employees' dues at the employer (meaning workers cannot be dismissed on financial disputes or unpaid wages); and/or
- The employee's exercising his right to the different leaves provided under the law;
- Employee is on maternity leave;
- Employee is on sick leave and has exhausted all sick leave entitlements, as determined by the Social Insurance Law, in addition to the annual leave; however, the employer must inform the employee of planned dismissal at least 15 days before the end of the employee's leave.

The employment contract can be terminated in case of total incapacity. However, if the incapacity is partial, the employment relationship shall not be terminated unless it is demonstrated by the employer that there is no other available work which can be satisfactorily performed by the employee.

If the labour court rejects the employer's request to dismiss an employee on disciplinary grounds (gross misconduct), it will order the employer to reinstate the employee and pay back wages. If the employer does not reinstate the employee, the dismissal is considered unfair, and the employee is awarded financial compensation, which must be equivalent

to at least two months' wages for each year of service.

Under Article 196 of the Labour Law, the employer has the right to close the establishment, fully or partially, and to downsize the workforce due to economic necessities.

In the above case, the employer must submit a request for closing the enterprise or reducing its size or activity to a committee established for this purpose under the Prime Minister's Decree No. 984 of 2003. In the request to the committee, the employer must provide information, including the reasons for the contemplated terminations and the number categories of employees likely to be affected. Other than government and employer representatives, the Committee includes representation of the General Federation of Egyptian Trade Unions. The committee must issue its decision within thirty days from the date of the submission of the request. The employer must notify the workplace-level trade union of the request (for the total or partial closure of the establishment) to the Committee and the subsequent. The decision of the local committee can be appealed against before the Central Committee, also provided under the Decree No. 984 of 2003.

In case of total or partial closure of the establishment and where the collective agreement in force in the enterprise does not provide any objective criteria for selecting the workers to dismiss, the employer must consult with trade union representatives. The criteria for selection of workers may include seniority, family responsibilities, age, vocational abilities, and skills. The criteria for selection must,



however, take into account the interests of both the enterprise and workers.

As an alternative to dismissing workers for economic reasons, the employer may propose modifications to the employment contract (alter the nature of work to be conducted by the employee as well as reduce the agreed upon salary which may not be less than the minimum wage set by law). If the worker refuses it, the worker has the right to leave the enterprise without giving any notice. In this case, the dismissal is deemed lawful, and the worker keeps his/her rights to compensation prescribed for dismissals for economic reasons (compensation equivalent to one month's salary for each of the first five years of service and one and a half of a month's salary for the years following the first five years of service).

Sources: §69-72, 110-124 & 196-201 of Labour Law, 2003; §1-4 of the Prime Minister Decree No. 984 of 2003

Notice Requirement

The labour law requires written termination notice before terminating the services of a worker.

A fixed-term contract terminates at the end of its term or on completion of the specific task for which it was concluded. An indefinite-term contract may be terminated by either of the parties by serving a written notice or paying in lieu thereof. According to the Labour Law 2003, the notice period depends on an employee's length of service as follows:

(i) 2 months if the worker's uninterrupted period of service with the employer is less than 10 years; and (ii) 3 months if the period of service exceeds 10 years

The worker must provide a legitimate and adequate cause related to his health, social or economic condition for terminating the contract. The notice period begins from the date of its receipt. The worker's service period is counted from the date of receiving his work up to the date on which the notice period ends. During the notice period, the labour contract remains intact, and both parties execute all the obligations resulting from it. The contract terminates with the expiry of that period.

Agreement related to exemption reduction of the notification period is null and void. However, the notice period may be increased by agreement. If the contract is terminated by the worker, the employer may exempt the worker from observing the whole or part of the notification period. If the contract is terminated by the employer, the worker has the right to take a day off weekly or eight hours during the week to look for another work, without a reduction in salary. The worker determines the day or hours of absence, provided that he/she notifies the employer at least a day preceding his/her absence.

The employer may not dismiss an employee without cause. The worker may not be dismissed unless he/she commits a mistake, a list of which is provided in the labour law. The employer is prohibited from directly dismissing the worker. A request of dismissal along with the reason is submitted to the appropriate labour committee authorized to dismiss the worker.

The labour committee reviews the case and determines if the dismissal is abusive. In case of abusive dismissal, the employer



must compensate the worker for a minimum of two month's salary for each year of employment with the employer. Either party may appeal the decision of the labour committee to the appropriate appeals court.

Even when the dismissed worker is a union member, labour unions are only indirectly involved in the dismissal process (i.e., a delegate from the Union of Labour Syndicates is one of the five-member panel of the labour committee).

Source: §104-122 of the Labour Law 2003

Severance Pay

The Labour Law 2003 provides severance pay to retrenched workers (terminated for economic reasons). A worker is entitled to severance pay at the rate of one month's pay for each of the first five years of service and one and a half months for each of the subsequent years. (Severance/ redundancy pay is 5 months' wages for workers with five years of service and 12.5 (5+ 7.5) months for 10 years of service. There is no provision for severance pay for non-economic dismissals.

Source: §201 of the Labour Law 2003

05/13 FAMILY RESPONSIBILITIES

ILO Conventions

Convention 156: Workers with Family Responsibilities Convention (1981) Recommendation 165: Workers with Family Responsibilities (1981)

Egypt has not ratified both the Conventions 156 & 165.

Summary of Provisions under ILO Convention

Paternity leave is for new fathers around the time of childbirth and is usually of shorter duration.

Recommendation (No. 165) provides for parental leave as an option available to either parent to take a long leave of absence (paid or unpaid) without resigning from work. Parental leave is usually taken once the maternity and paternity leave have been exhausted. For working parents, laws may define the portion of parental leave that has to be compulsorily taken by fathers or mothers.

Flexible Work Option for Parents / Work-Life Balance Recommendation 165 asks employers to look into the measures for improving general working conditions through flexible work arrangements.



Regulations on family responsibilities:

Labour Law, 2003

Paternity Leave

No provisions could be located in the labour law regarding paternity leave to fathers on birth or adoption of a child.

Parental Leave

No provisions could be located in the law allowing parental leave for new mothers after exhaustion of maternity leave. However, a female worker in an enterprise where fifty or more workers are employed has the right to obtain leave without pay for a period of two years (730 days) to take care of her child. A female worker is entitled to such leave twice during her entire tenure with the employer.

Source: §94 of the Labour Law 2003

Flexible Work Option for Parents / Work-Life Balance

No provisions could be located in the law supporting work-life balance for parents or workers with family responsibilities. The current labour law does not regulate flexible working arrangements, such as remote work, telecommuting, work sharing, etc.



06/13 MATERNITY & WORK

ILO Conventions

An earlier Convention (103 from 1952) prescribed at least 12 weeks maternity leave, 6 weeks before and 6 weeks after birth. However, a later convention (No. 183 from year 2000) requires that maternity leave be at least 14 weeks of which a period of six weeks compulsory leave should be after childbirth.

Egypt has not ratified both the Conventions 103 & 183.

Summary of Provisions under ILO Convention

A worker should be entitled to medical and midwife care during pregnancy and maternity leave without additional cost.

During pregnancy and while breastfeeding, a worker should be exempt from work that might bring harm to you or your baby.

The total maternity leave should last at least 14 weeks.

During maternity leave, a worker's income should amount to at least two-thirds of your preceding salary.

During pregnancy and maternity leave, a worker should be protected from dismissal or any other discriminatory treatment.

Workers have the right to return to the same or equivalent position after availing maternity leave.

After childbirth and re-joining work, a worker must be allowed paid nursing breaks for breast-feeding the child.



Regulations on maternity and work:

- Labour Law, 2003
- Code of the Child for 1996
- Constitution of Egyptian Arab Republic 2014
- Social Insurance and Pensions Law No. 148 of 2019

Free Medical Care

In accordance with the Social Insurance Law 2019, a worker (subject to certain qualifying conditions) is entitled to medical benefits during maternity, and these include prenatal, childbirth and post-natal care.

No Harmful Work

The Labour Law 2003 requires the issuance of a decree determining the type of work that is unwholesome and morally harmful to women, as well as the type of work in which women may not be employed.

Labour Law 2003 and Child Law 1996 place various restrictions on the employment of pregnant women (decrease in working hours, no overtime) to protect the health of mother and child.

Source: §90 of the Labour Law 2003; Law no. 12 for 1996 for the Code of the Child.

Maternity Leave

The Egyptian constitution ensures the care and protection of motherhood. Maternity leave is provided and regulated under the labour law.

Female employees are entitled to at least 90 days of fully paid maternity leave after at least 10 months of service. Of these 90 days,

45-days leave has to be taken after confinement. Pregnant workers must provide a medical certificate indicating the expected date of delivery. Female workers are entitled to maternity leave twice during the tenure of their service.

Source: §11 of the Constitution of the Egyptian Arab Republic 2014; §91 of the Labour Law 2003

Income

In accordance with the Labour law, maternity leave is a fully paid leave and workers are entitled to a comprehensive wage during the period of leave. However, such paid leave is available only twice during the entire term of service of a female worker. The employer may deprive a female worker of her wage during the maternity leave period or recover the paid amount if the said worker has worked during the leave period with another employer.

The Social Insurance System provides 75% of the last daily wage for 90 days. It is paid for a maximum of three pregnancies. The minimum monthly benefit is the minimum monthly contributory wage which is EGP 2300 (January 2025). The maximum monthly contributory earnings are EGP 14,500. Maternity benefit is paid daily, weekly, or monthly, depending on the frequency of the insured's wage payments.

Source: §91 & 92 of the Labour Law 2003; §77 of the Social Insurance and Pensions Law No. 148 of 2019



Protection from Dismissals

Labour law states that a woman worker cannot be dismissed during the period of her maternity leave.

Source: §92 of the Labour Law 2003

Right to Return to Same Position

There is no specific provision in the law granting a worker the right to return to the same position after taking maternity leave. However, art. 92 of Labour Law implies that a worker can't be dismissed during her maternity leave, which means that the right to return to work is guaranteed under the law. However, the right to return to the same position is not.

Source: §92 of the Labour Law 2003

Breastfeeding

Female workers are entitled to two paid nursing breaks, each of 30-minute duration, for new mothers to breastfeed their child(ren) until the child is twenty-four (24) months old. The breast-feeding/nursing breaks are in addition to the normal breaks a worker receives during the working day. Exact timing of breast-feeding/nursing breaks is agreed between the mother and the employer.

Source: §93 of the Labour Law 2003



07/13 HEALTH & SAFETY

ILO Conventions

Most ILO OSH Conventions deal with very specific Occupational Safety hazards, such as asbestos and chemicals.

Convention 155 (1981) is the relevant general convention here.

Labour Inspection Convention: 81 (1947)

Egypt has ratified the Convention 81 only.

Summary of Provisions under ILO Conventions

The employer, in all fairness, should make sure that the work process is safe.

The employer should provide protective clothing and other necessary safety precautions for free.

Workers should receive training in all work-related safety and health aspects and must have been shown the emergency exits.

In order to ensure workplace safety and health, a central, independent and efficient labour inspection system should be present.



Regulations on health and safety:

- Labour Law, 2003
- Constitution of the Egyptian Arab Republic 2014

Employer Cares

In accordance with Labour Law 2003, an employer is required to provide the means of vocational safety & health and labour environment security in the workplace in order to ensure protection from physical risks.

Preventive and precautionary measures should be taken to protect a worker from the danger arising from work tools and machines comprising tagging and lifting equipment; articles; apparatuses and means of transport; handling and power transmission; construction, building and digging works; and risk of collapse and downfall.

Safety conditions of an establishment should also be monitored regarding risks of infection with bacteria, viruses, fungi, parasites and the rest of the biological risks involved in dealing with infected animals, their products and their wastes; and mixing with sick people and carrying out care services for them including medical analysis and examinations. Safety must be ensured from chemical dangers involved in dealing with solid, liquid and gaseous chemical substances.

The employer is obliged to protect the worker's health and safety by providing rescue, first aid, and clean-up means, arranging and organizing the workplace, and ensuring that the workers in places where food is cooked, meals are served, and drinks are served carry health certificates

indicating that they are free of epidemic and contagious diseases.

Source: §208 & 214 of the Labour Law 2003

Free Protection

Labour Law requires employers to provide protective equipment (means of protection) to workers involved in hazardous work. In accordance with the 2014 Constitution, the State has a duty to protect workers' rights and strive to build balanced work relationships between both parties to the production process. It shall ensure means for collective negotiations, protect workers against work risks, guarantee the fulfilment of the requirements of security, safety, and occupational health, and prohibit unfair dismissal, all as regulated by Law.

Employers must provide workers with proper training on the correct use of Personal Protective Equipment (PPE) and ensure that workers understand the importance of wearing it for their safety. To maintain its effectiveness, PPE must be properly maintained, cleaned, and replaced when necessary. The cost of providing PPE falls entirely on the employer.

Though the legislation does not provide an exhaustive list of required PPE, the common types of PPE include:

- 1. safety glasses and goggles for eye protection
- 2. helmets for head protection
- masks and respirators for respiratory protection
- 4. earplugs and earmuffs for hearing protection
- 5. gloves for hand protection
- 6. safety shoes for foot protection



Source: §13 of the Constitution of the Egyptian Arab Republic 2014; §211-212 & 217-218 of the Labour Law 2003

Training

Employers must train workers on the proper and safe ways to do their jobs and inform workers about any risks involved in their work before they start. The Labour Law requires employers to ensure that workers have been trained in dealing with dangerous chemical materials and cancercausing substances. Employers are also required to prepare an emergency plan for the protection of the establishment and its workers in the event of a disaster and to train the workers for emergency situations.

Source: §211,215 & 217 of the Labour Law 2003

Labour Inspection System

Labour Law 2003 provides for a labour inspection system (part V).

The specialized agency for inspection is responsible for controlling the implementation of the provisions of vocational safety and health and labour environment, and inspection of workplace. The agency provides the measuring instruments and equipment and all potentials necessary for inspection.

The national legislation provides inspectors the power to carry out inspection within suitable periodical periods; carry out medical and laboratory examinations; take samples; use the equipment, instruments, cameras and others for analysing the causes of accidents; review the emergency plan and analyse the risks of the establishment;

review the results of technical and administrative reports received by the establishment on the kinds and causes of grave accidents; review the quantities of dangerous materials in stock which pose a threat to the establishment.

Based on the report of Vocational Safety and Health and Labour Environment Inspection Agency, the concerned administrative authority may order the closure of establishment, totally or partially, or stopping the use of one or more machines, in case of sudden emergency or threat to the health or safety of labour environment. The authority may issue the cancellation order of stoppage or closure upon removal of the causes of danger.

The inspection rights for the vocational safety and health and labour environment inspectors are in accordance with the provisions of the laws and decrees regulating them.

Source: §224-226 of the Labour Law 2003

08/13 SICK LEAVE & EMPLOYMENT INJURY BENEFIT

ILO Conventions

Convention 102 (1952), Conventions 121 (1964) and 130 (1969) concerning Social Security, Employment Injury Benefits and Medical Care and Sickness Benefits

Egypt has not ratified the above-mentioned Conventions.

Summary of Provisions under ILO Conventions

A worker's rights to work and income should be protected when illness strikes. The national labour law may provide that sickness benefits may not be paid during the first 3 days of your absence. Minimally, a worker should be entitled to an income during the first 6 months of illness. This income should be at least 45 per cent of the minimum wage. (Countries are free to opt for a system which guarantees 60 per cent of the last wages during the first 6 months of illness or even during the first year). A worker must be entitled to paid sick leave.

A worker should be entitled to medical care without any additional cost during illness. Employees and their family members should have access to the necessary minimal medical care at an affordable cost.

During the first 6 months of illness, a worker should not be fired.

If a worker is disabled due to an occupational disease or accident, they must receive a higher benefit. In the case of temporary or total incapacity/disability, a worker may at least be provided 50% of his average wage, while in the case of fatal injury, the survivors may be provided 40% of the deceased worker's average wage in periodical payments



Regulations on sick leave & Employment Injury Benefits:

- Labour Law, 2003
- Social Insurance and Pensions Law No. 148 of 2019

Income

In accordance with the Labour Law 2003, a worker whose sickness is established and determined by the concerned medical authority is entitled to sick leave. The sickness benefit is paid as specified under the Social Insurance Law. Workers are entitled to sick leaves as follows:

- 75% of wages during the first 90 days of sick leave; and
- 85% of wages during the next 90 days of sick leave

The sickness benefit is paid for a maximum of 180 days per year. 100% wages are paid in case of specified chronic diseases for unspecified time periods. The minimum monthly benefit is the minimum monthly contributory wage, which is EGP 2,300 (January 2025).

A worker may be entitled to benefit from his accumulated annual leave in addition to leave of sickness and he/she also has the right to request his leaves of sickness to be transferred to the annual leave balance.

Health Insurance System Law No. 2 of 2018 covers all workers residing inside Egypt. It is optional for Egyptian citizens working and residing abroad with their families. It covers both public and private sector employees, whether seasonal or permanent, and their families. The coverage of medical benefits to all citizens, regardless of their ability to contribute, is being gradually implemented.

Source: §54 of the Labour Law 2003; Art. 2 Health Insurance System Law No. 2 of 2018; Table 1, 2, 3, 4, and 5 of Health Insurance System Law No. 2 of 2018; §70 & 71 of the Social Insurance and Pensions Law No. 148 of 2019

Medical Care

The insured workers have access to comprehensive medical care, including preventive, diagnostic, and therapeutic services for both work and non-workrelated illnesses. Workers are entitled to free medical care in case of work-related injuries. Medical benefits are provided to the insured workers, and these include "general & specialist care, surgery, hospitalization, maternity care, dental laboratory services, medicine, rehabilitation services, and appliances". Employees on medical leave due to a workrelated injury or illness are entitled to full coverage of their medical expenses, including hospitalization, medication, and rehabilitation. If necessary, additional support measures such as home care and physiotherapy may also be covered.

Source: §70-75 of the Social Insurance and Pensions Law No. 148 of 2019; Health Insurance System Law No. 2 of 2018

Job Security

Employment of a worker is secure during the paid sick leave (180 days). An employer can't terminate a labour contract due to a worker's sickness unless the worker has exhausted his sick leave, as determined under social insurance law, in addition to his annual frozen leave due to him.

An employer is required to notify the worker of his intent to terminate the worker within



15 days from the date the worker has exhausted his leave. If a sick worker recovers before such notification is made, the employer shall not be allowed to terminate the employment contract due to a worker's sickness.

Source: §127 of the Labour Law 2003

Disability / Work Injury Benefit

Work injuries are divided into four categories: (i) permanent total incapacity, (ii) permanent partial incapacity, (iii) temporary incapacity, and (iv) fatal injury leading to the death of a worker.

In the case of <u>permanent</u> <u>incapacity</u>/disability, the benefit is 80% of the average monthly earnings in the year before the disability began. If the insured person requires the constant attendance of others to perform daily functions, 20% of the pension is paid as an allowance. The maximum monthly base earnings used to calculate the base permanent disability pension are EGP 14,500(January 2025).

In the case of <u>partial disability</u>, if the assessed degree of disability is between 35-100%, a percentage of the total disability pension is paid according to the assessed degree of disability. If the assessed degree of disability is less than 35%, a lump sum based on 48 months of pension is paid according to the assessed degree of disability.

In the case of temporary disability, 100% of the worker's daily wage is paid from the day the disability began until full recovery or certification of permanent disability. The benefit is paid daily, weekly, or monthly, depending on the frequency of the wage payments of the insured persons.

In the case of <u>fatal injury</u>, dependents (widow/disabled widower, children, parents, brothers and sisters) receive survivors' pension. 80% of the average monthly earnings in the last year before the insured worker's death is paid as survivors' benefits. Survivors' pension can also be paid as a lump sum. Survivors' benefits also include death grants and funeral grants.

Source: §51-56 of the Social Insurance and Pensions Law No. 148 of 2019

09/13 SOCIAL SECURITY

IIO Conventions

Social Security (minimum standards): Convention 102 (1952). For several benefits, somewhat higher standards have been set in subsequent Conventions Employment Injury Benefits: Conventions 121 (1964), Invalidity, Old age and survivors' benefits: Convention 128(1967) Medical Care and Sickness Benefits: Convention 130 (1969) Unemployment Benefits: Convention 168 (1988).

Egypt has not ratified the above-mentioned Conventions.

Summary of Provisions under ILO Conventions

In the normal circumstances, the pensionable age may not be set higher than 65 years of age. If retirement age is fixed above 65 years, it should give "due regard to the working ability of elderly persons" and "demographic, economic and social criteria, which shall be demonstrated statistically". Pension can be set as a percentage of the minimum wage or a percentage of the earned wage.

When the breadwinner has died, the spouse and children are entitled to a benefit, expressed as a percentage of the minimum wage, or a percentage of the earned wage. This must at least be 40% of the reference wage.

For a limited period of time, the unemployed has a right to unemployment benefit set as a percentage of the minimum wage or a percentage of the earned wage.

Invalidity benefit is provided when a protected person is unable to engage in a gainful employment, before standard retirement age, due to a non-occupational chronic condition resulting in disease, injury or disability. Invalidity Benefit must at least be 40% of the reference wage.



Regulations on social security:

- Law No. 99 of 2018 Pension Increment and amending (Law No. 10 of 2018) Amendment
- Social Insurance and Pensions Law No. 148 of 2019

Pension Rights

Social Insurance Law provides for both full and early pension. For a full pension, a worker must have attained 60 years of age with at least 120 months (10 years) of contributions. Early pension is available at any age level with 240 months (20 years) of contributions.

The pension is 1/45 (1/40 for arduous & 1/36 for dangerous work) of the reference base earnings and is paid for each year of contributions up to 36 years. The minimum total pension is 50% of the average monthly earnings, while the maximum total pension is 80% of the average monthly earnings. The maximum monthly base earnings used to calculate contributions are EGP 14,500 (January 2025).

Old age settlement is paid if the insured person does not meet the qualifying conditions for an old age benefit at the age of 60 or at any age if emigrating or for an insured woman aged 51 or older (married, divorced, or widowed) who does not qualify for an old age pension.

A special supplement is paid for a contribution period of more than 36 years.

Source: Law No. 99 of 2018 Pension Increment and amending (Law No. 10 of 2018) Amendment; §5, 19, 21, 24 & 26 of the Social Insurance and Pensions Law No. 148

of 2019

Dependents' / Survivors' Benefit

When an insured person or pensioner passes away, their dependents-including spouses, children, parents, and siblingsare entitled to a survivors' pension based on the deceased worker's contributions. To qualify, beneficiaries must meet legal conditions, such as a spouse not having remarried and children being under a certain age. If multiple survivors exist, the pension is distributed according to a set formula. To ensure financial stability, pensions are adjusted periodically to account for inflation and economic changes. Eligibility also depends on the deceased having met the minimum contribution period under the social insurance system, with priority given to the spouse, minor children, and dependent parents. Survivors' Pension is calculated similarly to the old age pension.

If a beneficiary qualifies for multiple pensions, they receive either the highervalue pension or a combination that does not exceed a legal cap. If circumstances change, such as a child reaching adulthood or a widow remarrying, the pension is redistributed among the remaining survivors. Additionally, a lump-sum funeral grant, equivalent to three months' worth of the deceased's last old-age or disability pension or salary, is provided to cover burial expenses. In cases where the deceased was the sole provider, additional allowances may be granted under exceptional circumstances. There is also a provision for a death grant, equivalent to three months' worth of the deceased's last old-age or disability pension or salary.

Source: §32-33, 98-106 of the Social Insurance and Pensions Law No. 148 of 2019



Unemployment Benefits

In accordance with the Social Insurance Law, a worker is entitled to unemployment benefits for up to 12 weeks if he/she has at least 6 months of contribution, including the three consecutive months before unemployment. The benefit may be extended to 28 weeks if contributions have been paid over the previous 36 months. The unemployment benefit after an 8-day waiting period.

The unemployment benefit is higher at the start (75%), gradually decreasing to 45% after the first 12 weeks. During the period of unemployment, the compensation is estimated accordingly:

- 75% of the worker's last monthly wage for the first four weeks;
- 65% of the worker's last monthly wage for the second four weeks;
- 55% of the worker's last monthly wage for the third four weeks; and
- 45% of the worker's last monthly wage for the remaining weeks

The insured person must be able and willing to work and register with and report regularly to the Manpower Office. Unemployment must not be the result of voluntary leaving, misconduct, or the refusal of training or a suitable job offer.

Source: §85-93 of the Social Insurance and Pensions Law No. 148 of 2019

Invalidity Benefits

The Social Insurance and Pensions Law No. 148 of 2019 above laws provides for invalidity benefits in the case of non-occupational accident/ injury/ disease

resulting in permanent invalidity. Law provides for both the invalidity pension and disability settlement. The invalidity pension is calculated similarly to the old age pension. The minimum invalidity pension is 65% of the reference earnings. The maximum monthly base earnings used to contributions calculate are **FGP** 14,500(January 2025). The maximum invalidity pension is 80% of the average monthly earnings. There is also a provision for constant attendance allowance, payable at the rate of 20% of the invalidity pension.

Source: §57-61 of the Social Insurance and Pensions Law No. 148 of 2019



10/13 FAIR TREATMENT

ILO Conventions

Convention 111 (1958) lists the discrimination grounds which are forbidden.
Convention 100 (1952) is about Equal Remuneration for Work of Equal Value.
Convention 190 (2019) is about elimination of violence and harassment in the world of work.

Egypt has ratified the Conventions 100 and 111 only.

Summary of Provisions under ILO Conventions

At workplaces, equal pay for men and women for work of equal value is a must, regardless of marital status. Pay inequality based on race, colour, sex, religion, political opinion, national extraction/place of birth or social origin is also forbidden. A transparent remuneration system and a clear matching of pay and position should be in place to help prevent wage discrimination.

Convention No. 190 recognises the right of everyone to a world of work free from violence and harassment. It defines violence and harassment as "a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aims at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment". This definition covers physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, among other things.

An employer can't discriminate against a worker in any aspect of employment (appointment, promotion, training and transfer) on the basis of union membership or participation in union activities, filing of a complaint against an employer, race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin, temporary absence due to illness, age, trade union membership, disability/HIV-AIDS, or absence from work during maternity leave. (Conventions 111, 156, 158, 159 and 183)

People have the right to work and there can't be occupational segregation on the basis of gender.



Regulations on fair treatment:

- Constitution of the Egyptian Arab Republic, 2014
- Labour Law, 2003
- The Penal Code, 1937, as amended by Law No. 185 of 2023
- Rights of Persons with Disabilities (Law No. 10 of 2018)
- Decree No. 155 of 2003

Equal Pay

Labour Law 2003 prohibits discrimination in wages because of sex, origin, language, religion or creed. However, this provision does not explicitly require equal pay for work of equal value.

Source: §35 of the Labour Law 2003

Sexual Harassment

Sexual harassment is prohibited under the Penal Code. In accordance with the Penal Code, any person who harasses others by engaging in sexual or obscene gestures, insinuations, or acts, whether through gestures, speech, actions, or any means, including wired, wireless, electronic, or other technological communication or if the harassment involves repeated stalking or pursuit of the victim, the perpetrator is punishable with imprisonment ranging between 3 to 5 years and a fine ranging between EGP 200,000 to EGP 300,000 or either of these penalties. If the same individual repeats the act of sexual harassment, the punishment imprisonment and fine will be doubled.

If the perpetrator has authority over the victim through their position or any other form of influence, the punishment shall be

imprisonment for at least 7 years.

Source: §30 bis (A) and 306 bis (B) 6 of the Penal Code 1937, as amended by Law No. 185 of 2023

Non-Discrimination

accordance with the Egyptian Constitution of 2014, the state ensures equal opportunity for all citizens without discrimination. The Constitution further states that all citizens are equal before the Law. They are equal in rights, freedoms and general duties, without discrimination based on religion, belief, sex, origin, race, colour, language, disability, social class, political or geographic affiliation or any reason. Discrimination other incitement of hatred is a crime punished by Law. The State takes necessary measures to eliminate all forms of discrimination, and the Law shall regulate creating an independent Commission for this purpose.

The Labour Law also prohibits discrimination in wages on the basis of sex, origin, language, religion or creed. Under Article 120 of the Labor Law, colour, sex, social status, family obligations, pregnancy, religion, or political views are insufficient grounds for termination of employment

In accordance with the Rights of Persons with Disabilities (Law No. 10 of 2018), the State should provide equal employment opportunities, prohibit forced labour, and provide protection for them. The law requires a reduction of working hours for persons with disabilities by one hour per day. It further prohibits any kind of discrimination and deprivation of any rights in recruitment, promotion and remuneration on the basis of disability.



Public and Private sector employers employing more than 20 workers must hire 5% of their total workforce, workers with disabilities. The Ministry of Labour is assigned the responsibility of creating a registry of persons with disabilities who wish to be part of the labour market.

Source: §9 &53 of the Constitution of the Egyptian Arab Republic 2014, §35, 88 & 120 of the Labour Law 2003; §20-24, 27 of Rights of Persons with Disabilities (Law No. 10 of 2018)

Equal Choice of Profession

Women cannot work in the same industries as men. The Labour Law prohibits the employment of women in certain professions and also prohibits the employment of women in night work (from 07 pm to 07 am) and work that is hazardous (either physically or morally) to their health. Nearly 30 different occupations/works, such as working in underground mines and furnaces, welding works, fertiliser industry, etc., are prohibited for women under Decree No. 155 of 2003.

Source: §89-90 of the Labour Law 2003;

Decree No. 155 of 2003

11/13 MINORS & YOUTH

ILO Conventions

Minimum Age: Convention 138 (1973)

Worst Forms of Child labour: Convention 182 (1999)

Egypt has ratified the Conventions 138 and 182.

Summary of Provisions under ILO Conventions

At workplaces, children may not be forced to perform work that could harm their health and hampers their physical and mental development.

All children should be able to attend school. Once this is safeguarded, there is no objection against children performing light jobs between the ages of 12 and 14. The general minimum age is 15 years; however, developing countries may set this at 14 years. The minimum age for hazardous work, which is likely to jeopardise young persons' health, safety or morals, is 18 years. It can also be set at a lower level of 16 years under certain circumstances

Children should not be employed in a work that is likely to harm their health, safety, or morals. It is considered one of the worst forms of child labour. The minimum age for such hazardous work is 18 years.



Regulations on minors and youth:

- Constitution of the Egyptian Arab Republic, 2014
- Labour Law, 2003
- Child Law, 1996
- Ministry of Migration & Manpower Decree No 118 of 2003
- Decree No. 215 of 2021

Minimum Age for Employment

The minimum age for employment is 14 years. The labour law permits children as young as 12 years to work as apprentices. The Child Law sets the minimum age for employment for regular employment as 15 and vears for vears 12 seasonal employment. If a juvenile worker under the age of 16 years is hired, the employer is required to grant him a card mentioning that the worker is employed by him. A picture of the juvenile worker is stuck on the card and approved by the concerned manpower office.

Children under 14 years old are not allowed to receive vocational training except under strict supervision, provided they are not given actual work tasks. No child may be employed before completing basic education or before reaching 15 years of age, whichever is higher.

Before employing a child, a medical examination must be conducted to ensure the child is fit for the assigned work. These examinations must be repeated at least once a year, as specified by the By-laws. Under no circumstances should the work cause physical or mental harm to the child, hinder their education, or prevent them from engaging in recreational and developmental activities suited to their abilities and talents.

A young worker is entitled to seven (7) days of annual leave beyond the standard annual leave granted to adults. This leave cannot be postponed or withheld for any reason.

A juvenile worker cannot be made to work for more than six hours a day, and the worker is provided meal and rest breaks (not less than an hour). The breaks have to be arranged in such a way that the juvenile worker does not work for more than four continuous hours. A juvenile worker is prohibited from working overtime or working on weekly rest days and official holidays. Infant workers can't be required to work at night times (to 07 am the next day). According to the Decree No. 215 of 2021, a child is any person under the age of 18 years.

Employers must conduct pre-employment medical examinations for children at their own expense as well as annual medical check-ups.

Source: §98-103 of the Labour Law 2003; §59 & 64-69 of the Child Law, 1996

Minimum Age for Hazardous Work

The minimum Age for Hazardous Work is set at 18 years. The Constitution of Egypt prohibits the employment of children before the age of completing their preparatory education (six years of primary and three years of preparatory) or in jobs which subject them to danger. The employment of children in any type of work that, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children is prohibited, in particular, the employment of children in all which work as outlined in the ILO Convention No. 182 of 1999 on the Worst Forms of Child Labour.

According to Ministerial Decree No. 118 of



2003, mining and construction considered as hazardous industries. The occupations designated as hazardous include nursing, construction, metal work, glassmaking, pottery and machine operation, driving of motor vehicles, street vending, shoe cleaning, and garbage collection, among others. In addition to the 44 occupations, children cannot be occupied in jobs or occupations having an impact on their mental, physical or moral health, neither can they be occupied in activities exposing them to mechanical, biological, physical or chemical hazards. For these occupations, the minimum age for employment is 16 years.

Source: §80 of the Constitution of the Egyptian Arab Republic 2014; §35 of the Ministry of Migration & Manpower Decree No 118 of 2003; Decree No. 215 of 2021

12/13 FORCED LABOUR

ILO Conventions

Forced labour: Conventions 29 (1930)

Abolition of Forced labour: Conventions 105 (1957)

Forced labour is the work one has to perform under threat of punishment: forfeit of wages, dismissal, harassment or violence, even corporal punishment. Forced labour means violation of human rights.

Egypt has ratified both Conventions 29 & 105.

Summary of Provisions under ILO Conventions

Except for certain cases, forced or compulsory labour (exacted under the threat of punishment and for which you may not have offered voluntarily) is prohibited.

Employers must allow workers to look for work elsewhere. If a worker is looking for work elsewhere, he/she should not be shortened on wages or threatened with dismissal. (In the reverse cases, international law considers this forced labour.)

If the total working hours, inclusive of overtime exceed 56 hours per week, the worker is considered to be working under inhumane working conditions.



Regulations on forced labour:

- Labour Law, 2003
- Constitution of the Egyptian Arab Republic, 2014
- Law on Combating Human Trafficking, 2010

Prohibition on Forced and Compulsory Labour

In accordance with the Constitution, the state guarantees that work is a right, duty and honour. A citizen may not be forced to work except as required by Law and for the purpose of performing a public service for a fixed period in return for a fair consideration and without prejudice to the basic rights of those obliged to carry out such work. The Constitution further states that all forms of slavery, oppression, forced exploitation of human beings, sex trafficking and other forms of human trafficking are prohibited and criminalised by Law.

Furthermore, the 2010 Law on Combating Human Trafficking stated that human trafficking is defined as any form of dealing with a person, such as selling, buying, transporting, or sheltering, through force, threats, fraud, abuse of power, or exploiting vulnerability, for purposes exploitation, including prostitution, sexual exploitation, forced labour, slavery, begging, or organ removal. A victim's consent is irrelevant if such means are used, and for children or individuals without legal capacity, consent is invalid regardless of the methods employed. The crime is punishable by rigorous imprisonment and a fine equal to the benefit gained. In aggravated cases, such as involvement of organised criminal groups, use of severe threats, weapons, or if the perpetrator is a relative, guardian, or public official exploiting their authority, or if the crime leads to the victim's death, disability, or affects a child or disabled person, the punishment is life imprisonment and a fine.

Source: §12 & 89 of the Constitution of the Egyptian Arab Republic 2014; §2,3, 5, and 6 of the Law on Combating Human Trafficking, 2010

Freedom to Change Jobs and Right to Ouit

Workers have the right to change jobs after serving due notice to their employer. For an indefinite-term contract, the notice period is two months for workers who have worked less than 10 years. The length of the termination notice rises to three months if the length of service exceeds 10 years. For more information on this, please refer to the section on employment security.

Source: §111 of the Labour Law 2003

Inhumane Working Conditions

Working time may be extended beyond normal working hours of forty-eight hours per week and eight hours a day. However, total hours of work inclusive of overtime must not exceed ten (10) hours per day and 12 hours per day for workers hired in work of an intermittent nature. This implies that overtime of 2 hours is generally allowed.

For more information on this, please refer to the section on compensation.

Source: §80 & 85 of the Labour Law 2003



13/13 TRADE UNION

ILO Conventions

Freedom of association and protection of the right to organize: Convention 87 (1948) Right to Organize and Collective Bargaining: Convention 98 (1949)

Egypt has ratified both Conventions 87 & 98.

Summary of Provisions under ILO Conventions

Freedom of association means freedom to join a trade union. This is part of the fundamental human rights. Employees may not be disadvantaged when they are active in the trade union outside of working hours. The list of exclusions for sectors of economic activity and workers in an organisation should be short.

Trade unions are entitled to negotiate with employers on terms of employment without hindrance. The freedom of a trade union to negotiate with employers to try to conclude collective agreements is protected. (The ILO has a special procedure for handling complaints from unions about violations of this principle.)

Workers have the right to strike to defend their social and economic interests. This right is incidental and corollary to the right to organize provided in ILO Convention 87.



Regulations on trade unions:

- Labour Law, 2003
- Constitution of the Egyptian Arab Republic, 2014
- Trade Union Law (No. 213) of 2017 (amended by Law No. 142 of 2019);

Freedom to Join and Form a Union

Constitution and labour law provide for freedom of association and allow workers and employers to join and form unions. This right is regulated by the labour law.

In accordance with the Constitution, Law guarantees that the establishment of syndicates and federations on a democratic basis is a right. Syndicates and federations acquire legal personality, have the right to practice their activities freely, improve the level of efficiency among their members and defend their rights and interests. The State guarantees the independence of all syndicates and federations, and their boards of directors may only be dissolved by a court judgment. No syndicate or federation may be established in the police agencies". military or Constitution further states that the Law regulates the establishment of professional syndicates and the administration thereof on a democratic basis, guarantees their independence, specifies their resources and the manner of recording their members and holding them accountable for their conduct in practising their professional activities according to the codes of ethics and professional conduct. More than one syndicate may not be allowed for the regulation of its affairs in any profession. Receivership may not be imposed on any syndicate. Administrative bodies may not interfere in the affairs thereof. The board of directors of any syndicate may not be

dissolved save by a court judgment. The opinion of the syndicate shall be sought on draft legislation pertaining to it.

Trade Union and the Protection of Freedom of Association Law (No. 213) of 2017 (amended in 2019) provide workers with the right to establish trade unions and protect freedom of association. Except for the Armed Forces, the Police Authority and other statutory bodies, the law is applicable to Civil servants, Employees of public sector companies, the public business sector, employees of economic activities, Employees in the investment sector, Agriculture workers, Domestic workers, Irregular and seasonal employees.

The 2017 law repealed the earlier 1976 law on trade unions. The new law provides for three levels of trade unions in the country:

- 1. Trade Union Committee: workers can form the Committee at enterprise level with a membership of at least 50 workers. Where number of workers and trade union members are lower than the above number, trade union committees can be established at city or governorate level;
- 2. General Labor Union: At least 10 trade union committees with a membership of at least 15,000 workers can establish a General Labour Union;
- 3. Labor Union Federation: At least 7 General Labour Unions representing 150,000 workers/members can form a Labour Union Federation.

Workers have the right, without discrimination, to form trade union organizations and to join or withdraw from trade union activity. The establishment or formation of trade unions on religious, ideological, partisan, ethnic or political



grounds is prohibited. Trade unions should not include any discriminatory provisions in their constitutions or byelaws through which they discriminate amongst their members on the ground of religion, creed, sex, origin, race, colour, language, disability, social level, age, or Political affiliation and any other reason.

Workers have the right to form a trade union committee within their establishment. provided they have at least 50 members. If an establishment has fewer than 50 employees or does not meet this threshold. workers, including independent professionals and craftsmen, can establish a professional trade union committee at the city or governorate level. This can be done in collaboration with other workers engaged in similar professions, crafts, or industries interrelated, that are complementary, or share common production processes, following internationally recognized labor standards. Trade unions have the right to defend and promote the economic interests of their members and resolve individual and collective disputes. Discrimination from employer side in all employment related matters (including hiring, remuneration and termination) is prohibited on trade union activity or lack thereof.

Source: §76 & 77 of the Constitution of the Egyptian Arab Republic 2014; §1, 2, 4, 6, 11 & 76 of Trade Union Law (No. 213) of 2017 (amended by Law No. 142 of 2019);

Freedom of Collective Bargaining

The right to collective bargaining is recognized and regulated by the Labour Code. According to the Constitution, the state ensures means for collective negotiations and works on protecting workers against the risks of work.

Collective bargaining is the dialogue and discussions carried out between the trade unions organisations and the employers or their organizations towards improving the terms and conditions and employment provisions; cooperating between the labour parties towards realising workers development for of the establishment; and settling the dispute between the workers and employers. A collective labour agreement an agreement regulating labour conditions and terms and employment provisions, signed between one or more trade union organizations and the employer or a group of employers or one or more of their organizations.

The CBA is concluded for definite time period of 3 years or for the period necessary for executing a specific project. In the latter case, if the duration exceeds three years, both parties negotiate to renew it for next three years considering the economic and social conditions that might take place.

The CBA, drawn in Arabic, is submitted within fifteen days from the date of signing it to the board of the general trade union or the General Federation of Egypt. It is approved by either of these organizations within a period of 30 days from the date of signing the agreement. The default of any of the foregoing conditions results in invalidating the agreement.

Provisions in CBA must not contradict the provisions of the law, public order or the public morals. In case a provision in an individual labour contracts contradicts the collective agreement, the provision with better benefit is applied exclusively.

The employer puts up on prominent place at the workplace the collective agreement comprising its texts, those signing it, and the



date of depositing it with the concerned administrative authority.

Consultative Council for Work, established in 2003, provides advice concerning draft laws on work relationships and ratification of international conventions; methods to avert collective labour disputes and to enhance cooperation between workers' organizations and employers' organizations; vocational and productive relations; and proposals made by the Ministry of Manpower and Immigration concerning work relations.

In 2012, the Constitution established the Economic and Social Council to support the participation of social groups in the drafting of economic, social, and environmental policies, as well as aims to strengthen societal dialogue. The Council consisted of at least 150 members, elected by syndicates, unions, and associations of farmers, workers, professionals, and other social groups. Workers and farmers' representatives must make up half the members. However, in 2014, the Constitution removed the provisions regarding the Economic and Social Council.

Source: § 13 of the Constitution of the Egyptian Arab Republic 2014, §145-167 of the Labour Law 2003

Right to Strike

The right to a peaceful strike is recognized under the constitution and is regulated under the Labour Law. The list of "vital or strategic establishments" exceeds the ILO's list of essential services, thereby frustrating the right to strike.

The strike must be announced and organized through trade union

organisations in defence of their vocational, economic and social interests, within the limits and according to the controls and procedures prescribed in the law enforce.

Compulsory recourse to arbitration and long and complex mediation procedures prior to strike actions generally restrict the right to strike. The strike is prohibited in strategic or vital establishments where work interruption may result in disturbing national security or the basic services provided by them to the citizens. The Prime Minister's Decree determines these establishments.

The strike must be approved by two-thirds of members of the board of the concerned general trade union, and they must notify the employer and the concerned administrative authority by registered letter with acknowledgement receipt at least 10 days prior to their intention to strike. The notification comprises the reasons that encouraged the strike and the time limit determined for it.

The employer is not obliged to pay the wages of the worker on strike.

Source: §15 of the Constitution of the Egyptian Arab Republic 2014; §192-195 of the Labour Law 2003



QUESTIONNAIRE



Check

DecentWorkCheck Egypt is a product of WageIndicator.org and www.rawateb.org

National Regulation exists
National Regulation does not exist

01/	13 Work & Wages	NR	Yes	No
1.	I earn at least the minimum wage announced by the Government	•		
2.	I get my pay on a regular basis. (daily, weekly, fortnightly, monthly)	•		
02/	13 Compensation			
3.	Whenever I work overtime, I always get compensation (Overtime rate is fixed at a higher rate)	•		
4.	Whenever I work at night, I get higher compensation for night work			
5.	I get compensatory holiday when I have to work on a public holiday or weekly rest day			
6.	Whenever I work on a weekly rest day or public holiday, I get due compensation for it	•		
03/	13 Annual Leave & Holidays			
7.	How many weeks of paid annual leave are you entitled to?*	e	D 1	3
8.	I get paid during public (national and religious) holidays	•	1 2	□ ₄₊
9.	I get a weekly rest period of at least one day (i.e. 24 hours) in a week			
04/	13 Employment Security			
10.	I was provided a written statement of particulars at the start of my employment	•		
11.	My employer does not hire workers on fixed terms contracts for tasks of permanent nature	2		
12.	Please tick "NO" if your employer hires contract workers for permanent tasks My probation period is only o6 months	e		
	My employer gives due notice before terminating my employment contract (or pays in		_	П
13.	lieu of notice)			
14.	My employer offers severance pay in case of termination of employment Severance pay is provided under the law. It is dependent on wages of an employee and length of service		Ш	ш
05/	13 Family Responsibilities			
15.	My employer provides paid paternity leave This leave is for new fathers/partners and is given at the time of child birth			
16.	My employer provides (paid or unpaid) parental leave This leave is provided once maternity and paternity leaves have been exhausted. Can be taken by either parent or both the parents consecutively.	•		
17.	My work schedule is flexible enough to combine work with family responsibilities Through part-time work or other flex time options			
06/	13 Maternity & Work			
18.	I get free ante and post natal medical care	•		
19.	During pregnancy, I am exempted from nightshifts (night work) or hazardous work			
20.	My maternity leave lasts at least 14 weeks			

^{*} On question 7, only 3 or 4 working weeks is equivalent to 1 "YES".

 21. 22. 23. 24. 07/ 25. 	During my maternity leave, I get at least 2/3rd of my former salary I am protected from dismissal during the period of pregnancy Workers can still be dismissed for reasons not related to pregnancy like conduct or capacity I have the right to get same/similar job when I return from maternity leave My employer allows nursing breaks, during working hours, to feed my child 13 Health & Safety My employer makes sure my workplace is safe and healthy			
26.27.28.	My employer provides protective equipment, including protective clothing, free of cost My employer provides adequate health and safety training and ensures that workers know the health hazards and different emergency exits in the case of an accident My workplace is visited by the labour inspector at least once a year to check compliance of labour laws at my workplace 13 Sick Leave & Employment Injury Benefits	•	_ 	0
29. 30. 31. 32.	My employer provides paid sick leave and I get at least 45% of my wage during the first 6 months of illness I have access to free medical care during my sickness and work injury My employment is secure during the first 6 months of my illness I get adequate compensation in the case of an occupational accident/work injury or occupational disease 13 Social Security	 		
33. 34. 35. 36.	I am entitled to a pension when I turn 60 When I, as a worker, die, my next of kin/survivors get some benefit I get unemployment benefit in case I lose my job I have access to invalidity benefit in case I am unable to earn due to a nonoccupational sickness, injury or accident 13 Fair Treatment	•	0	
37· 38. 39·	My employer ensure equal pay for equal/similar work (work of equal value) without any discrimination My employer take strict action against sexual harassment at workplace I am treated equally in employment opportunities (appointment, promotion, training and transfer) without discrimination on the basis of:* Sex/Gender Race Colour			
	Religion Political Opinion	e		

 $^{* \}textit{For a composite positive score on question 39, you must have answered "yes" to at least 9 \textit{ of the choices}.}\\$

	Nationality/Place of Birth			
	Social Origin/Caste			
	Family responsibilities/family status			
	Age			
	Disability/HIV-AIDS			
	Trade union membership and related activities	•		
	Language			
	Sexual Orientation (homosexual, bisexual or heterosexual orientation)			
	Marital Status			
	Physical Appearance			
	Pregnancy/Maternity			
40	I, as a woman, can work in the same industries as men and have the freedom to choose my profession	e		
11/	13 Minors & Youth			
41.	In my workplace, children under 15 are forbidden	•		
41. 42.	In my workplace, children under 15 are forbidden In my workplace, children under 18 are forbidden for hazardous work	e		
42.		•	_	_ _
42.	In my workplace, children under 18 are forbidden for hazardous work	•	_	
42. 12/	In my workplace, children under 18 are forbidden for hazardous work 13 Forced Labour	•		
42. 12/ 43.	In my workplace, children under 18 are forbidden for hazardous work 13 Forced Labour I have the right to terminate employment at will or after serving a notice	•••••		
42. 12/ 43. 44.	In my workplace, children under 18 are forbidden for hazardous work 13 Forced Labour I have the right to terminate employment at will or after serving a notice My employer keeps my workplace free of forced or bonded labour	 		
42. 12/ 43. 44.	In my workplace, children under 18 are forbidden for hazardous work 13 Forced Labour I have the right to terminate employment at will or after serving a notice My employer keeps my workplace free of forced or bonded labour My total hours of work, inclusive of overtime, do not exceed 56 hours per week			
12/ 43. 444. 13/	In my workplace, children under 18 are forbidden for hazardous work 13 Forced Labour I have the right to terminate employment at will or after serving a notice My employer keeps my workplace free of forced or bonded labour My total hours of work, inclusive of overtime, do not exceed 56 hours per week 13 Trade Union Rights	•		
42. 12/ 43. 44. 45. 13/	In my workplace, children under 18 are forbidden for hazardous work 13 Forced Labour I have the right to terminate employment at will or after serving a notice My employer keeps my workplace free of forced or bonded labour My total hours of work, inclusive of overtime, do not exceed 56 hours per week 13 Trade Union Rights I have a labour union at my workplace	•		

Results

Your personal score tells how much your employer lives up to national legal standards regarding work. To calculate your DecentWorkCheck, you must accumulate 1 point for each YES answer marked. Then compare it with the values in Table below:



Egypt scored 42 times "YES" on 49 questions related to International Labour Standards

If your score is between 1 - 18

This score is unbelievable! Does your employer know we live in the 21st century? Ask for your rights. If there is a union active in your company or branch of industry, join it and appeal for help.

If your score is between 19 - 38

As you can see, there is ample room for improvement. But please don't tackle all these issues at once. Start where it hurts most. In the meantime, notify your union or WageIndicator about your situation, so they may help to improve it. When sending an email to us, please be specific about your complaint and if possible name your employer as well. Also, try and find out if your company officially adheres to a code known as Corporate Social Responsibility. If they do, they should live up to at least ILO standards. If they don't adhere to such a code yet, they should. Many companies do by now. You may bring this up.

If your score is between 39 - 49

You're pretty much out of the danger zone. Your employer adheres to most of the existing labour laws and regulations. But there is always room for improvement. So next time you talk to management about your work conditions, prepare well and consult this DecentWorkCheck as a checklist.