Legal commentary

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The Illusion of Reform in Egypt's 2025 Labor Law

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A Position Paper By

www.egyptwide.org
Info@egyptwide.org
@EgyptWide

Prepared by: **MOHAMED EL-ANSARY**

A human rights lawyer and researcher specializing in international law, the rule of law, and democratic governance.

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Table of Contents

Introduction

On 3 May 2025, President Abdel Fattah al-Sisi ratified the new Labor Law No. 14 of 2025, replacing Law No. 12 of 2003, which had been in effect for over two decades. The new law took effect on September 1, 2025. During Labor Day celebrations, the President praised the legislation, describing it as a major step towards improving workers' conditions, enhancing job security, and ensuring gender equality in line with international labor standards.

In contrast, the new law raises serious concerns about the weakening of fundamental labor rights, particularly amid a worsening economic situation, deteriorating living conditions, and the absence of effective mechanisms to ensure a fair balance between the interests of employers and the rights of employees.

One of the main areas warranting criticism is the restriction imposed on the right to strike. The law requires several stages of compulsory conciliation before strike action is permitted, effectively stripping this right of its substance. It also prohibits strikes in "vital establishments" without providing a precise definition, leaving their designation to ministerial decrees. This opens the door to broad and arbitrary application of the restriction, exposing workers in these sectors to severe penalties, including dismissal and referral to military courts.

The law also facilitates the use of fixed-term employment contracts and grants employers wide discretionary powers to terminate them, threatening job stability for large segments of the workforce. Moreover, it fails to provide sufficient safeguards for workers affected by downsizing or workplace closures, leaving them vulnerable to arbitrary decisions without access to effective remedies.

The law continues to exclude Egyptian domestic workers from any form of legal protection, while their foreign counterparts enjoy such protection. This omission constitutes a clear violation of the rights of one of the most vulnerable groups in the labor market, most of whom are women. This exclusion not only reflects unjustified legal discrimination but also exposes a legislative mindset that continues to treat entire categories of workers as being outside the framework of protection.

This highlights the urgent need for a unified labor law that ensures equality for all workers, including those in the informal sector and within enterprises affiliated with the armed forces, where transparency and accountability are lacking, and trade union rights are heavily restricted.

1. Arbitrary Restrictions on the Right to Strike

The right to strike is a fundamental labor right. It enables workers to defend their collective interests and negotiate for better working conditions and environments, and it is essential to maintaining a fair balance between the interests of society and those of employers.[1] When regulating the right to strike, legislators must avoid imposing burdensome restrictions that undermine or nullify the right itself. The more obstacles are placed in the way of exercising this right, the less effective it becomes as a legally recognized tool for safeguarding workers' rights.

Historically, Egypt did not recognize the right to strike until the promulgation of Labor Law No. 12 of 2003, which imposed arbitrary conditions that made it practically impossible for groups of workers to exercise this right.[2] The new Labor Law, enacted in 2025, has adopted the same philosophy of restriction, prohibition, and punishment, arguably in an even more stringent manner than Law No. 12 of 2003, by introducing procedural barriers that render the exercise of this right nearly impossible in practice.

It is worth noting, before addressing these restrictions, that peaceful labor protests continue to face repressive laws under which protesting workers and trade union activists are subjected to threats, abduction, enforced disappearance, and arbitrary pre-trial detention by security forces. Among these laws are the 2013 Anti-Protest Law and several repressive provisions in the Penal Code that curtail freedom of expression, opinion, and peaceful assembly.[3]

On multiple occasions, the state has resorted to security-based approaches in dealing with strikes, beginning with intimidation and often ending in criminal prosecution. This approach was clearly demonstrated in the case of the Samannoud Textile Workers, who faced criminal charges including "incitement to disrupt production," "assembly," and "demonstrating with the intent to undermine national security" after organising a strike in August 2024 to demand the enforcement of the minimum wage, which the company had failed to implement.[4]

The government routinely employs this tactic, using other laws to repress workers, to mislead the International Labor Organization and international observers, claiming that the Labor Law and the Trade Union Organizations Law contain no custodial penalties, while wilfully ignoring the daily use of other repressive laws designed to instil fear and suppress labor activism.

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[1] The right to strike is not explicitly mentioned in the International Labour Organization's conventions; however, it is nonetheless considered an integral part of the right to organize. This legal opinion has been internationally recognized as a well-established principle. For more, see: Bernard Gernigon, Alberto Odero, and Horacio Guido, *"ILO Principles Concerning the Right to Strike,"* International Labour Organization, first published in the *International Labour Review*, Vol. 137 (1998), No. 4,http://bit.ly/3Wt3Hki

[2] Labor Law No. 12 of 2003, Articles (192–198).

[3] See, for example: "Egypt: Relentless Assault on Rights of Workers and Trade Unionists," Amnesty International, 30 April 2017, http://bit.ly/4nHc6fZ

[4] The Egyptian Initiative for Personal Rights: The Initiative welcomes the release of workers from Samannoud Textiles and calls for the immediate release of those still detained and the dismissal of all charges against the strikers.

1.1. The Monopoly of Trade Unions over the Right to Strike

Although Law No. 14 abolished the requirement that two-thirds of the general union's or workplace union committee's board members approve a strike (a condition that had long been an obstacle preventing workers from exercising their right to strike), it nevertheless maintained the exclusive authority of trade union organizations (or a workers' representative in their absence) to declare and organize strikes. This perpetuates a form of trade union guardianship that does not necessarily reflect workers' will or interests.

While this condition does not directly contravene ILO Convention No. 87 on Freedom of Association, its implementation in Egypt presents serious challenges to the exercise of the right to strike. This is particularly true given the repressive legislation and arbitrary practices that obstruct the registration of trade unions and limit their independence. Many unions are managed by unelected bodies or through elections that lack genuine competition, transparency, and equal opportunity,[5] a recurring concern raised by the International Labor Organization, which has repeatedly criticized such practices as restrictions on trade union freedom.[6]

This situation exists within a broader environment marked by restrictions on trade union freedoms and the tightening control of the state and employers over union activity. Such policies are incompatible with the principles of freedom of association enshrined in ILO conventions, particularly Convention No. 87.

In practice, these restrictions have weakened the role of trade unions in protecting workers' rights, turning them instead into instruments used to suppress labor movements while acting towards workers as an extension of the government. A clear example of this occurred on February 25, 2024, when the workplace union committee at the Misr Spinning and Weaving Company in Mahalla, affiliated with the official government-controlled federation, intervened to dissuade workers from striking and instilled fear of its consequences, which led workers to expel their representatives from the company grounds.[7]

In July 2025, the Minister of Labor issued Decree No. 133, requiring unions to update their membership data before October 2025 in preparation for the Parliamentary elections for the 2026–2030 term. The decree stipulated that such data must be verified by the employer or the Social Insurance Authority. This requirement prevented many independent unions from completing the process due to these bodies' refusal to cooperate, raising concerns that they might be excluded from the elections. The decree also failed to clarify the consequences of the inability to update records or the mechanisms for reviewing and appealing such decisions. Independent trade unionists have criticized this requirement as a new obstacle

[5] Elhami El-Merghani, The Conditions of Egyptian Workers 2025, Sifr for Economic Journalism, 1 May 2025.

[6] See, for example, the comments of the ILO Committee of Experts on Freedom of Association in Egypt, criticising both the legal restrictions and the arbitrary or obstructive practices that undermine these rights in practice, such as: Observation (CEACR) - adopted 2023, published 112nd ILC session (2024), available at: http://bit.ly/3KJeEf6 ; Observation (CEACR) - adopted 2020, published 109th ILC session (2021): Follow-up to the conclusions of the Committee on the Application of Standards (International Labor Conference, 108th Session, June 2019), available at: http://bit.ly/3KJeEf6

[7] Egypt: "Committee for Justice" monitors the strike of workers at the Misr Spinning and Weaving Company (Mahalla) and calls for an end to security pressure against them and for their legitimate demands to be met, 26 February 2024.

not provided for in the implementing regulations, one that effectively places them under employers' control.[8]

The right to strike is closely linked to the right to organize, and it is often difficult to separate the two, especially under laws that make the existence of a union a precondition for exercising the right to strike, as is the case under both the old and new Egyptian Labor Laws. When the law vests the right to strike wholly or almost wholly in trade union organizations, while simultaneously imposing restrictions that limit their formation, constrain their elections, and subject their activities to security interference, the right to strike loses its substance and becomes a right extinguished before it can ever be exercised.[9]

1.2. Linking the Right to Strike to the Exhaustion of Dispute-Resolution Procedures

In a further step restricting the right to strike, the new law introduces additional stages to the mandatory amicable settlement process before workers may legally resort to strike action. This unduly prolongs the required procedural timeline, adds layers of complexity, and raises legitimate concerns about encroaching upon the essence of the right to strike.[10]

The process begins with collective bargaining, which may last up to one month,[11] followed by a conciliation stage lasting 21 days. This is preceded by five days for the administrative authority to schedule a session and at least three days to notify both parties.[12] In effect, the process can take up to two months, excluding bureaucratic delays or instances of obstruction by the employer or administrative authorities.

This may then be followed by a mediation stage, if both parties to the employment relationship agree to it. The mediator must be selected within seven days of submitting the dispute to the Mediation and Arbitration Center, or within ten days if the parties fail to agree on a mediator, at which point the Centre appoints one within a maximum of three days.[13] The mediation phase concludes within one month from the date the dispute is referred,[14] but either party may request the replacement of the mediator, effectively restarting the process.[15] Although this stage is not mandatory, workers may still pursue it in an effort to reach a resolution without escalation, since striking is not an end in itself, but rather a last resort after all other options have been exhausted.

Given Egypt's context, decades of repression and pervasive security control, there are serious concerns that the state and its institutions, which have historically sided with

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[8] Mada Masr, "Union Sources: 'Data Update' Is the Government's Gateway to Obstruct Independent Unions in the Upcoming Elections," 6 August 2025. http://bit.ly/4nLSpnw.

[9] For further legal detail on the relationship between the right to organize and the right to strike, see: Bernard Gernigon, Alberto Odero, and Horacio Guido, "ILO Principles Concerning the Right to Strike," International Labor Organization, first published in the International Labor Review, Vol. 137 (1998), No. 4, http://bit.ly/4pY1T0x.

[10] Article 231

[11] Articles 194-198

[12] Articles 215-217

[13] Article 222

[14] Article 223

[15] Article 224

employers at the expense of workers, may use the principles of "conciliation" and "mediation" as a pretext to undermine or neutralize the right to strike.

These concerns are further compounded by the provisions establishing the so-called "Mediation and Arbitration Center", which oversees conciliation and arbitration processes. The Center operates under the authority of the competent Ministry, and its head is appointed by the Prime Minister, making it a state-controlled, rather than independent, body. Consequently, its policies can be expected to align with and reinforce those of the government, given the absence of administrative, financial, and operational independence.

The ILO Committee of Experts has addressed these concerns clearly and explicitly, noting that mediation and arbitration mechanisms should not be complex or slow, and must be neutral and efficient so as not to undermine or nullify the right to strike.[16]

Similarly, the ILO Committee on Freedom of Association has affirmed that the legislature cannot make negotiation a compulsory substitute for strike action, except in exceptional circumstances—such as in essential services where strikes are legitimately prohibited, for example, hospitals. Compulsory negotiation cannot be imposed unless all parties request it. Nor can workers' organizations be forced to enter into negotiations initiated by employers' organizations as a precondition for authorising a strike. These observations underscore that the new law once again breaches Egypt's international obligations.[17]

These issues are directly linked to Article 233 of the law, which prohibits workers from "calling for or declaring a strike to amend a collective labor agreement during its validity period." Chapter Three of the law addresses collective agreements, outlining the procedures for their negotiation and registration, and stipulates that such agreements shall remain in force for at least three years. Article 233 stands in complete contradiction to the right to strike and effectively undermines it. It may even complicate the process of collective bargaining itself: in many cases, it is not possible to reach a comprehensive settlement between employers and workers on all disputes, leading the parties to conclude partial agreements on certain issues while deferring others for later resolution.

By stipulating that a collective labor agreement remains binding for a minimum of three years and cannot be challenged through strike action during that time, the law adopts an excessively restrictive and arbitrary interpretation of the concept of a collective agreement, one that blatantly and unmistakably contravenes international law.

Furthermore, Article 202 of the law obliges the parties to a collective agreement to engage in collective bargaining to renew the agreement three months before its expiry. If they fail to reach an agreement, the matter is referred to mediation. This means that, in practice, the right to strike to amend a collective agreement is restricted not only during its validity but also during the renewal process. Taken together, these constraints undermine the very essence of the right to strike and are fundamentally inconsistent with international labor standards.

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[16] For further legal detail on the relationship between the right to organize and the right to strike, see: Bernard Gernigon, Alberto Odero, and Horacio Guido, "ILO Principles Concerning the Right to Strike," International Labor Organization, previously cited, p. 26.

[17] Ibid, pp. 27-28.

1.3. Setting a Fixed Duration for Strikes Undermines Their Negotiating Function

An element of arbitrary restriction to labor rights contained in Law No. 14 is the requirement for workers to announce in advance the strike end date. This provision contrasts with the fundamental principles of freedom of association enshrined in ILO Conventions No. 87 and 98, which state that open-ended strikes should be legally permissible.[18] Therefore, the interpretation and practical application of this provision will be crucial, as it may result in the imposition of an unjustified restriction that conflicts with the principles of freedom of association and collective action guaranteed under International Labor Organization standards.

The ILO Committee on Freedom of Association has concluded that setting a maximum duration for a strike in advance undermines its function as a bargaining tool. A strike is the workers' last resort in defending their interests, and its effectiveness depends on their ability to maintain pressure until their demands are met.[19]

1.4. Strikes in 'Vital' Establishments: Between Suppression of Rights and Military Trials

Law No. 14 maintains the prohibition on striking, calling for, or announcing strikes in "vital establishments" that provide essential services to citizens and whose suspension would, according to the law, endanger national security. A previous decree by the Prime Minister defined such establishments as including those related to national security and military production; hospitals, medical centers, and pharmacies; bakeries; passenger and freight transport; civil defence; water, electricity, gas, and sanitation services; telecommunications; ports and airports; and educational institutions.[20] Moreover, the definition may be further expanded by future decrees to include additional sectors whose strikes could, in the government's view, disrupt citizens' daily lives or threaten national security.

While the ILO permits certain restrictions or prohibitions on strikes in specific sectors, it sets clear and narrowly defined conditions for doing so. These limitations apply only to public servants exercising authority on behalf of the state, and to essential services whose interruption would pose an imminent threat to the life, safety, or health of the population or part of it. It is therefore inappropriate to group all "vital" facilities under a single category and subject them to the same restrictions on the right to strike, as this broadens the scope of prohibition to include sectors that do not meet the ILO criteria.

In particular, the ILO Committee on Freedom of Association has identified hospitals, electricity and water services, telecommunications, and air traffic control as essential services that cannot be interrupted. However, this does not mean, for instance, that all airport workers should be prohibited from striking, since many airport services can be halted without endangering life or safety. Indeed, strikes in transport, railway, and airport sectors are common across many countries as a means for workers to improve their conditions.

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[18] Ibid.

[19] ILO, Committee on Freedom of Association, Digest of decisions, 2018, para 815.

[20] Prime Ministerial Decree No. 1185 of 2003 on Defining Vital or Strategic Establishments in Which Strikes Are Prohibited, 17 July 2003.

In stark contrast to this targeted approach, the new Egyptian law imposes broad and ambiguous restrictions on strikes in "vital" establishments. Instead of providing a clear and exhaustive list, the law leaves it to the Prime Minister's discretion to determine which entities fall under this category, despite this being a matter that should be explicitly defined by legislation. This delegation of authority has already led—and will continue to lead—to the classification of a potentially ever-expanding number of entities as "vital", thereby depriving a larger number of workers of their right to strike.

In addition, the law fails to define what is meant by "national security," despite the term's multiple dimensions—political, military, economic, geographical, and ideological. This omission reflects a lack of awareness that suppressing the right to strike perpetuates social injustice, particularly given the rising proportion of citizens living below the poverty line and the worsening crises of unemployment, healthcare, education, and social security. Such an unjust legal framework ultimately undermines social national security, which can only be achieved through a system of social justice that seeks to reduce class inequalities.

Consequently, the law fails to strike a balance between protecting the public interest and safeguarding workers' right to strike. The Parliament should have permitted strikes in these sectors while ensuring the maintenance of a minimum level of service, thereby preventing serious harm to the population. The International Labor Organization has similarly stressed the need to provide alternative mechanisms for workers in sectors where strikes are completely prohibited.

The new law also introduces an additional restriction not found in the previous legislation: a prohibition on strikes under "exceptional circumstances," without offering any clear or precise definition of the criteria that identify such circumstances. Although international principles allow for temporary restrictions on strikes during acute emergencies—such as natural disasters or coups—they emphasise that any such ban must be temporary, limited, and proportionate in scope, both geographically and in duration. It should not be left vague or open-ended for the executive authority to interpret and expand arbitrarily, in a potential exercise of internal repression.

Given that Egypt has lived under states of emergency for decades, leaving this clause undefined effectively opens the door to the complete suppression of the right to strike under the pretext of "exceptional circumstances." Thus, the new law has gone even further in creating legal justifications that render the exercise of this right virtually impossible in practice.

This repressive framework intersects with Law No. 3 of 2024 on the Security and Protection of Public and Vital Facilities[21], which allows workers in vital establishments to be tried before military courts for exercising their legitimate right to strike, under charges which include:

- Disrupting the operation of public or vital facilities or services, punishable by imprisonment for up to six months or a fine not exceeding 500 Egyptian pounds;
- Refusing to perform job duties, punishable by imprisonment for between three months and one year and a fine not exceeding 100 pounds, with the penalty doubled

[21]Law No. 3 of 2024, Official Gazette – Issue No. 5 (bis G)– dated 5 February 2024, concerning the Security and Protection of Public and Vital Facilities in the State.
Available at: http://bit.ly/46LUNEQ

if the refusal results in harm to the public interest or endangers people's lives, health, or safety;

- Infringing on another person's right to work, punishable by imprisonment for up to two years and a fine not exceeding 100 pounds;
- Termination of employment contracts for participating in an unlawful strike.

1.5. Termination of Employment for Participation in an Unlawful Strike

Although taking part in a strike without respecting the procedure outlined in the law is not classified as a "serious offence" warranting dismissal, Article (174) of the new law allows an employer to terminate a worker's contract if a final conviction is issued against them in a felony or in a misdemeanour involving dishonesty or breach of trust that carries a custodial sentence. This provision effectively opens a back door for dismissing striking workers.

As mentioned above, workers who participate in strikes—or even those who merely call for them—are frequently subjected to arbitrary arrest, pre-trial detention, and criminal prosecution under Article 361 bis (A) of the Penal Code, which prescribes imprisonment for disrupting public utilities or any means of production. If a worker is convicted under such provisions, the employer is then entitled to terminate their contract based on Article 174, even though the strike itself would not, in principle, constitute lawful grounds for dismissal.

A real-life example of this can be seen in the strike by workers at Al Amir Ceramic Factory, where ten workers were referred to the Public Prosecution in February 2025 on charges of incitement to strike, sabotage, and disruption of production. They were later released after the company reached a deal with approximately 3,500 workers to end the strike in exchange for withdrawing the complaint filed against their colleagues. Had the prosecution proceeded to a final conviction, those workers could have faced permanent dismissal under the cited article.[22]

This legal framework constitutes a de facto restriction on the exercise of the right to strike, in violation of Articles (13) and (15) of the Constitution. Article (13) obliges the state to safeguard workers' rights and to establish balanced labor relations between the two parties to the production process, while Article (15) requires the state to respect the right to strike and to regulate it in a way that does not undermine its essence or restrict its exercise.

Moreover, this framework contravenes Egypt's international obligations under the International Covenant on Economic, Social and Cultural Rights and the ILO Convention on Freedom of Association and Protection of the Right to Organize, both of which require respect for the right to strike and prohibit subjecting it to unjustified restrictions—except insofar as such limitations are consistent with its nature and aimed solely at promoting the welfare of society within a democratic system.

The negative implications of this law go beyond its incompatibility with the Constitution and international treaties. It also reveals a clear bias on the part of the state in favour of investors and business owners, at the expense of protecting workers' rights, despite their worsening economic and social conditions. This is compounded by the state's prevailing approach of

[22] Egypt: "Committee for Justice" reports that workers at "Al Amir Ceramic" ended their strike following the release of ten detained workers, amid calls to end security-led interventions, 19 February 2025.

treating any form of labor mobilization as a security threat rather than as a legitimate right deserving of recognition and engagement.

2. Employment Contracts: Between Job Insecurity and Flexible Termination

The new law fails to address one of the most serious flaws of Law No. 12 of 2003: the discipline of fixed-term employment contracts. It also neglects to establish clear safeguards to prevent employers from abusing such contracts as a means of evading their legal obligations toward workers, in contrast to those employed under open-ended contracts. Under government pressure, the Parliament removed the clause limiting the maximum duration of temporary employment to four years, after which a contract would automatically become permanent. This amendment reveals the state's ongoing preference for perpetuating unbalanced employment relations, resulting in the widespread use of fixed-term contracts without any protections to ensure job stability or career progression.

In light of this unregulated expansion in the use of temporary contracts, obtaining a permanent contract has become increasingly difficult under Article (88), which restricts the classification of a contract as open-ended to only three narrowly defined cases: when the contract is unwritten, when it does not specify a duration, or when a fixed-term contract continues to be implemented after its expiry without a written renewal. This formulation offers workers no real protection; instead, it places the burden of proving the existence of the employment relationship on them while allowing employers to avoid long-term contractual obligations.

This approach contradicts Article (1) of the same law, which distinguishes between different types of work based on their nature rather than on the duration unilaterally determined by the employer. Under the article, temporary work is defined as work that forms part of the employer's usual activity but, by its nature, requires a specific duration or is tied to the completion of a particular task. The law differentiates this from casual work, which does not fall within the employer's regular activities and lasts no more than six months, and seasonal work, which occurs in recurring, recognized seasons.

This classification clearly establishes that the nature of the work (not the employer's unilateral decision) should determine the type of contractual relationship. By disregarding this principle, the law effectively nullifies its own distinction and enables employers to make excessive use of fixed-term contracts, thereby undermining the balance between the parties to the employment relationship.

There is no doubt that the continued entrenchment of temporary employment contracts serves the interests of employers, as it allows them to avoid paying substantial compensation in cases of unfair dismissal. Article (154) permits the termination of a fixed-term contract exceeding five years without prior notice, provided that the employer pays a severance of one month's wage for each year of service. By contrast, Article (165) requires employers, in the case of an open-ended contract, to give the employee three months' notice before termination and to pay compensation equivalent to two months' wages for each year of service. This disparity in legal entitlements between fixed-term and

permanent contracts incentivizes employers to rely on fixed-term contracts to minimize their legal and financial obligations upon termination.

In addition to the drawbacks of fixed-term employment, the law introduces Article 95, which obliges an employee on a temporary contract who has received training at the employer's expense to remain with the employer for the agreed period. Should the employee leave before that period ends, they are required to reimburse the cost of training, and the employer retains the right to claim additional compensation. This approach effectively legitimizes the exploitation and mistreatment of workers during the term of their contracts, as there are no safeguards or oversight mechanisms to prevent employers from exaggerating the actual cost of training, thereby burdening workers with potentially excessive financial liabilities.

Despite these shortcomings, the law does address one long-standing problem: the issue of pre-signed resignations. For decades, workers were coerced into signing undated resignation letters upon hiring, which employers later used to dismiss them arbitrarily and deprive them of their rights. The new law now requires that the relevant administrative authority be notified for a resignation to be accepted or withdrawn, meaning that an employee's signature alone is no longer sufficient, as was the case under Law No. 12 of 2003.

2.1. New Forms of Work

One of the positive aspects of the new law is its inclusion of an entire chapter dedicated to regulating modern forms of employment, such as remote work, part-time work, and flexible work arrangements[23]. These forms of work are subject to the same rules that govern traditional employment relationships, adapted as appropriate to their specific nature and modes of performance. As such, workers engaged in these forms of employment are entitled to all associated rights and obligations, particularly social protection, minimum wage, the right to collective bargaining, and trade union freedoms.

However, the realization of these protections is dependent upon the Minister of Labor issuing decrees to regulate and define new work models, including standard templates for employment contracts and workplace regulations, methods for establishing proof of the employment relationship, and mechanisms for both parties to claim their rights. The decrees are to be issued within six months of the law's enactment—by November 2025—following consultations with trade unions and employers' organizations to ensure fair and comprehensive implementation.

It is still too early to assess the extent to which workers will benefit from these protections, particularly in emerging sectors such as platform-based work, where the nature of employment requires flexible regulation that accommodates its specific characteristics while safeguarding the rights of employees and workers. Without such regulation, workers risk being left vulnerable to the profit-driven business logics prioritizing financial gain over fair working conditions.

[23] Articles 96-100

3. Gendering Labor Rights

The new law introduces positive amendments aimed at protecting working women from discrimination and harassment in the workplace. Despite the provisions on women's rights during pregnancy, childbirth, and maternity leave, concerns persist over the effectiveness of these safeguards and the extent to which employers will comply with them, particularly given the weakness of the penalties imposed and the lack of effective inspection and oversight mechanisms.

3.1. Protection from Violence and Harassment

The new law addresses the issue of violence and harassment against women in the workplace, thus filling a major gap in Labor Law No. 12 of 2003. While the earlier legislation prohibited gender-based discrimination and affirmed the principle of equal pay, it failed to provide effective means of protection or redress for women facing sexual harassment and other forms of gender-based violence, leaving many exposed to abuse in the workplace.

In contrast, Article (4) of Law No. 14 of 2025 explicitly prohibits harassment or the use of physical, verbal, or psychological violence against workers. However, this protection remains precarious due to the leniency of the prescribed penalties, which are limited to fines ranging from EGP 5,000 to 50,000.[24] Moreover, these offences are not listed among the "serious misconduct" violations that warrant dismissal as a disciplinary measure, meaning that perpetrators may remain in their positions even after the offence is proven. This lack of deterrent punishment risks perpetuating violations and emboldening offenders.

The Penal Code also fails to provide an effective framework for addressing or curbing harassment, despite including provisions that prescribe imprisonment of at least six months or a fine between EGP 3,000 and 5,000,[25] with harsher penalties—ranging from two to five years' imprisonment and fines up to EGP 50,000—when the perpetrator holds a position of authority.[26]

However, these penalties remain largely symbolic and insufficient to create a safe working environment for women. The state's failure to enact a comprehensive law on combating violence against women, combined with weak protection mechanisms, leaves them highly vulnerable. Fear of social stigma and job loss further deters many from reporting abuse. Additionally, the lack of adequate training for police and prosecutors, coupled with the scarcity of female personnel in these male-dominated institutions, further undermines effective investigation and prosecution—leaving women in the labor market without meaningful protection.

[24] Labor Law No. 14 of 2025, Article (281).

[25] Law No. 50 of 2014 amending certain provisions of the Penal Code, Article 306 bis (A).

[26] Ibid., Article 306 bis (B).

3.2. Protection from Discrimination and Equal Pay

The new law maintains the prohibition of discrimination in employment and pay based on gender, ensuring that women are entitled to equal remuneration for work of equal value,[27] and protecting them from dismissal during or after maternity leave.[28]

However, the penalties for violating these provisions remain minimal, even after the increase in the range of fines, from EGP 100–500 under the 2003 law[29] to EGP 500–5,000 under the 2025 law.[30] This reflects a lack of genuine political will to confront gender-based discrimination, as such mild sanctions are insufficient to change entrenched discriminatory practices, especially in the absence of effective workplace inspection and monitoring mechanisms.

3.3. Maternity Leave and Childcare Leave

The new law introduces notable improvements to the rights of working women during pregnancy and breastfeeding. While the previous law granted 90 days of fully paid maternity leave, limited to twice during an employee's tenure, the new law extends maternity leave to four months, covering both the pre- and postnatal periods, with the latter being no less than 45 days. Women are now entitled to this leave three times during their employment. The law also reduces working hours by one hour per day during the final months of pregnancy, without affecting pay or other employment rights.

In addition, the law entitles female workers to two years of unpaid childcare leave in establishments employing 50 or more workers. Although this provision supports the balance between family life and work, its limitation to medium-sized enterprises excludes thousands of women employed in small and micro enterprises from benefiting from such leave.

Moreover, while this leave is unpaid, it remains subject to restrictive conditions—most notably, that the employee must have completed at least one year of service to qualify, and that there must be an interval of at least two years between the first and second childcare leaves.

The law also introduces a new entitlement for men to emergency paid leave on the day of childbirth, which does not count against the worker's annual leave balance and may be taken up to three times during their period of employment.

Despite these nominal improvements, the new law has been criticized for limiting paternity leave to a single day, a clear legislative shortcoming when compared with modern practices in many countries that provide at least ten days of paid leave.[31] Expanding paternity leave is essential to narrowing the social gap created by the assumption that childcare and household responsibilities rest solely with women.

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[27] Labor Law No. 14 of 2025, Article (53).

[28] Labor Law No. 14 of 2025, Article (55).

[29] Labor Law No. 12 of 2003, Article 247.

[30] Labor Law No. 14 of 2025, Article (288).

[31] European Commission, "EU legislation on family leaves and work-life balance", retrieved September 2025 at: http://bit.ly/46Lo6qU

While ILO conventions do not stipulate a specific minimum duration for paternity leave, they strongly encourage policies that promote a balanced sharing of family responsibilities between men and women—an aspect conspicuously absent from the new law.[32]

3.4. The Continued Marginalization of Domestic Workers

The new law follows the path of previous labor legislation by excluding domestic workers from its scope, thereby depriving more than one million workers—most of them women—of basic rights such as fair wages, health insurance, paid leave, regulated working hours, and protection from arbitrary dismissal.[33] This exclusion leaves them vulnerable to exploitation, harassment, violence, and abuse, without any legal mechanism through which they can defend their rights.

This ongoing exclusion has severe consequences for domestic workers' access to social insurance covering old age, disability, and death. The Social Insurance Law No. 148 of 2019 and its implementing regulations stipulate that, to qualify for insurance coverage, the workplace must not be located in a private household, and the work must not consist of manual tasks performed for the personal benefit of the employer or their family. As a result, the law excludes the vast majority of domestic workers from social protection, limiting coverage to a very narrow category of workers, such as gardeners or building caretakers. Those employed in cleaning, cooking, childcare, and similar roles are therefore denied this essential right.

This exclusion constitutes discrimination based on job title rather than the nature of the work performed, as it distinguishes between domestic workers and other private-sector workers who carry out manual tasks or provide similar personal services—relying instead on social class perceptions rather than any objective assessment of the nature of domestic work.

Arguably, this could also amount to gender-based discrimination, since the majority of domestic workers are women. As a result, a large number of women are deprived of the legal rights enjoyed by their counterparts in other sectors, in clear violation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which the Egyptian government has ratified.

Justifying the exclusion of domestic workers on the grounds of preserving employers' privacy from labor inspectors is wholly unacceptable, as it prioritizes the interests of employers over those of workers, who alone bear the consequences of this legislative flaw. Fundamental workers' rights cannot be sacrificed in the name of privacy—particularly given the inherent imbalance in the employment relationship, which places domestic workers in an especially vulnerable economic and social position.

[32] ILO Care Economy Brief, Closing the gender gap in paid parental leaves: Better parental leaves for a more caring world of work, June 2025.

[33] Youm7 News Website, "Under Presidential Directives: A New Law for Domestic Workers to Ensure Justice for One Million People – Ministry of Labor Prepares New Legislation to Protect Them, to Be Finalized Within Six Months," 8 May 2025.

Moreover, this justification cannot excuse the continued delay in providing legal protection under the pretext of awaiting a separate law to regulate their employment[34], especially since no timeframe has been set for its enactment. This reflects a lack of legislative balance and leaves a large segment of the workforce entirely unprotected.

The inclusion of foreign domestic workers under the protection of the new law, while excluding Egyptian workers, also constitutes discrimination based on nationality, even though both groups perform identical tasks under similar working conditions.[35] This violates Article 53 of the Constitution, which explicitly guarantees equality before the law and prohibits discrimination on any grounds, including nationality. It also contravenes the state's obligation to take the necessary measures to eliminate all forms of discrimination and to criminalize discriminatory acts.

Furthermore, this discriminatory distinction is inconsistent with Egypt's obligations under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, as it denies Egyptian workers equal protection and enjoyment of rights on par with their foreign counterparts.

4. Reduction of Annual Pay Increments

The new law reduces annual pay increments for private-sector workers to a rate of no less than 3% of the insurance wage, down from 7% of the basic wage under the previous law. This change will have a direct impact on the annual growth rate of wages.

Lawmakers justified this amendment by citing changes to the components of wages following the enactment of Social Insurance Law No. 148 of 2019, which replaced the concepts of "basic" and "variable" wages with the "insurance contribution wage" — a consolidated figure that includes basic pay, job-related and supplementary pay, incentives, and certain allowances. To justify the reduction, the Parliament relied on a study conducted by the National Social Insurance Authority, which concluded that 2.7% of the insurance contribution wage is equivalent to 7% of the basic wage, and that this figure was rounded up to 3%—purportedly representing a 0.03% increase compared to the previous law.

However, this reasoning does not hold up mathematically. If we assume that a worker's wage under the old law was EGP 1,150 (equivalent to half of the minimum insurance contribution wage of EGP 2,300)[36] the annual increment under Law No. 12 would have been EGP 80.5, whereas under the new law it amounts to EGP 69,00.

Furthermore, calculating annual increments based on the insurance contribution wage excludes more than 60% of workers who are not covered by social insurance, thereby

[34]Youm7, May 8, 2025, "Under presidential directives: A new domestic workers law to ensure justice for one million people... The Ministry of Labour prepares new legislation to protect them and complete it within six months... Calls for a binding employment contract defining duties, and the head of the private sector union proposes electronic complaint reporting."
Available at: http://bit.ly/4q3GjHU

[35] Article 69 of Labor Law No. 14 of 2025.

[36] Al-Watan News Portal, "Value of the Insurance Contribution Wage Starting January 2025: Learn the Minimum and Maximum Limits," 2 December 2024.

denying them their annual wage increase.[37] According to an April 2025 report by the Central Agency for Public Mobilization and Statistics (CAPMAS), only 31.9% of paid employees were enrolled in social insurance in 2024.

This amendment fails to strike a fair balance between workers and employers, given the meagre rate of increase. Even assuming the 3% is equivalent to the previous 7%, in practice, employers tend to adhere strictly to the legal minimum. This percentage is entirely inadequate in light of the persistently high inflation rate, which reached 13.5% in April 2025.[38]

Moreover, the law authorizes the National Council for Wages to reduce or waive annual pay increments if an establishment faces economic difficulties that justify such action, without setting any clear standards or criteria for assessment. This loophole allows employers to evade the payment of increments and exploit economic conditions as a pretext to curtail workers' rights.

5. Leave Entitlements

The new law introduces a few changes to the system of leave established under the previous legislation, but it does make a significant amendment under Article (129), granting non-Muslim workers the right to take paid leave on their religious holidays—similar to workers in other public sector fields—following the issuance of a Prime Ministerial decree specifying those holidays. This is a welcome development, as under the previous law, Christian workers were often required by the courts to engage in collective bargaining to secure such leave, due to the absence of an explicit legal provision.

For the first time, the law also grants workers the right to educational leave for the actual days of examinations, provided that the employer is notified at least ten days in advance.

6. Closure and Downsizing of Establishments

The new law maintains the same rules governing the closure or downsizing of establishments without introducing safeguards to prevent employers from abusing these measures, disregarding their direct and detrimental impact on the economic and social rights of private-sector workers. The Parliament should have addressed this legal deficiency, particularly in light of the COVID-19 pandemic, which led to mass layoffs and deprived thousands of workers of their only source of income.

The shortcomings of this framework are evident in Article (236), which reaffirms the employer's right to fully or partially close an establishment, reduce its size or activity, and consequently decrease the workforce temporarily or permanently, under the pretext of "economic necessity." Despite some parliamentary efforts to define these concepts more precisely, they remain broad and ambiguous.

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[37] Youm7 News Website, "64.8% of All Paid Employees Worked on a Permanent Basis During 2024," 30 April 2025.

[38] ECON-Pedia, "Egypt's Annual Inflation Rate Rises in April 2025," 17 July 2025.

The article does not require employers to provide documented evidence or financial reports demonstrating the existence of a genuine economic crisis. Instead, it merely refers to "crises that cannot be avoided or overcome," a vague formulation that allows employers to justify workforce reductions even in cases of temporary declines in sales or profits, without the enterprise actually incurring losses.

Furthermore, Article (236) fails to oblige employers to reinstate workers who were dismissed once the economic crisis has passed. This omission enables employers to use such measures as a pretext to permanently dismiss segments of their workforce, turning what should be exceptional procedures into a form of disguised, arbitrary dismissal.

Although Article (237) requires the employer to submit a request for closure or downsizing to a specialized committee for review, the law leaves the composition, mandate, representation, and appeal procedures of this committee to be determined by the Prime Minister, without establishing objective criteria for member selection. This makes the committee vulnerable to bias—especially given the dominance of the executive authority and the weak representation of workers within it.

7. Strengthening the Right to Litigation

The new law marks a significant development consistent with Article 97 of the Constitution, which guarantees the right to litigation and obliges the state to take all necessary measures to ensure accessibility to justice and the swift resolution of disputes. It achieves this through the establishment of specialized labor courts to adjudicate all types of labor disputes, including those related to social insurance and trade unions. The law also creates an independent enforcement authority responsible for implementing the courts' decisions, thereby promoting prompt and effective justice through judges specialized in labor legislation and ensuring the efficient execution of rulings.

In doing so, the law resolves many of the shortcomings of the previous labor chambers created under Law No. 180 of 2008[39], which often suffered from a lack of specialization and severe case backlogs—issues that delayed the resolution of disputes and undermined access to justice.

The law also introduces specialized summary judges to handle urgent matters, making it easier for workers to obtain expedited rulings, particularly in wage-related disputes. Under the previous system, employers frequently withheld wages arbitrarily, forcing workers to endure lengthy legal proceedings before obtaining relief.

To further reduce the financial burden of litigation, the law establishes legal aid offices to provide free assistance to litigants in filing and pursuing their claims. The formation, location, and operation of these offices will be determined by a decree from the Minister of Labor to ensure their effectiveness.

[39] Amendment of certain provisions of the Labor Law by Law No. 180 of 2008 https://manshurat.org/node/29294

In addition, the law exempts workers from court fees, stamp duties, and related expenses for documents and copies submitted during proceedings. It also removes the requirement for a lawyer's signature on statements of claim, substantive requests, or applications for court orders—an important safeguard for workers, whose financial position is typically weaker than that of their employers. This provision encourages workers to exercise their right to seek justice without being deterred by the prohibitive cost of legal representation and litigation fees.

Conclusion:

Despite official praise for the new Labor Law as a progressive step, many of its provisions raise serious questions about its genuine commitment to protecting workers' rights. Instead of addressing the shortcomings of the previous law, it largely reproduces many of its flaws—and, in some cases, exacerbates them.

Through the restrictions imposed on the right to strike, the expansion of fixed-term contracts, the reduction of safeguards related to wages and job security, and the continued exclusion of vulnerable groups such as domestic workers, the law entrenches an imbalance in labor relations and weakens workers' capacity for collective bargaining and self-advocacy.

It is therefore essential to introduce substantial amendments that prioritize worker protection, extend legal coverage to all categories of workers, and ensure genuine participation of independent trade unions and civil society in the formulation of labor policies. Only through such reforms can Egypt move towards fair and sustainable labor relations.

Recommendations:

1. Fundamentally reform the legal framework governing the right to strike to ensure full compliance with the Constitution and international conventions, without undermining the essence of the right or subjecting it to unjustified restrictions. In particular:
    - Abolish the guardianship of trade unions and workers' representatives over strike decisions, allowing groups of workers to exercise their right to strike independently.
    - Shorten and simplify the mandatory conciliation process preceding strike action to prevent the negotiation pathway from becoming a means of obstructing the right to strike.
    - Remove the requirement to announce the strike's end date in advance, as this undermines its effectiveness as a continuing bargaining tool until workers' demands are met.
    - Redefine the concept of "vital establishments" to apply only to services whose suspension would endanger life or health, permitting strikes in such sectors while maintaining minimum essential services rather than imposing an absolute ban, and ensure alternative safeguards for workers in these sectors.

- Decriminalize strike action under vague terms such as “undermining national security” or “disrupting work” across all relevant legislation, including the Penal Code, the Anti-Terrorism Law, and laws on the protection and security of facilities. End the intimidation of striking workers and the referral of labor disputes to criminal courts for exercising a right guaranteed both constitutionally and internationally.

2. Reform the legal framework governing fixed-term contracts by introducing strict regulations to prevent their excessive use, limiting them to genuinely temporary work to protect workers from exploitation and ensure job stability.

3. Enact a comprehensive law criminalizing all forms of gender-based violence. Until then, effective reporting and investigative mechanisms should be established to protect victims, and acts of harassment and violence against working women should be explicitly listed as “serious misconduct” warranting dismissal to deter perpetrators and prevent recurrence.

4. Tighten penalties for gender-based discrimination and unequal pay, and require employers to amend discriminatory practices to ensure equality and equal opportunities.

5. Ratify the ILO Domestic Workers Convention No. 189 and promptly enact a law regulating their employment. In the interim, domestic workers—both Egyptian and foreign—should be covered under the protections of Labor Law No. 14 of 2025 on an equal basis.

6. Increase the minimum rate of annual pay increments and adjust them to inflation and rising living costs.

7. Establish a legal mechanism guaranteeing all workers the right to annual pay increments regardless of their social insurance status, so as not to exclude informal and irregular workers.

8. Abolish the authority of the National Council for Wages to exempt employers from paying annual increments, as these represent workers’ rights that cannot be waived under any circumstances.

9. Amend the provisions regulating the closure or downsizing of establishments to ensure workers’ rights, including:

    - Providing precise definitions of “economic necessity” and “unavoidable crises” to prevent their misuse as pretexts for arbitrary dismissal.
    - Setting objective criteria for selecting members of committees reviewing closure requests—such as expertise, competence, and independence—to guarantee impartiality.
    - Establishing a mechanism requiring employers to reinstate workers dismissed for economic reasons once the crisis has ended.