

Towards Promoting Equality and Social Protection for Working Women in the Agriculture and Public Services Sectors

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Introduction

On behalf of the Palestine General Federation of the Trade Unions (PGFTU), I thank you, wish success and progress to this conference, and express deep appreciation to the role of the Labor Solidarity Center and its cooperation with several Arab and international labor federations and unions, to strengthen them and enhance their role in organizing working women and men, advocate their rights and protect their interests.

This conference, held under the slogan of promoting equality and social protection for working women asserts that the Center is keen to develop the conditions of working women in marginalized sectors, develop their participation in the trade union movement through cooperating with partners in various labor unions, transferring expertise and exchange of experience.

We hereby present our working paper which addresses the status of Palestinian women in the labor market in general, and the agriculture and services sectors in particular.

This paper will also address the conditions of women in labor unions and their role in decision making, on the hope that this conference comes out with a set of conclusions and recommendations that contribute to strengthening women and labor unions in confronting challenges that women and labor unions face in Palestine. We are confident that strengthening women and protecting their rights in any part of the world reflects positively on the conditions of women elsewhere.

The Labor Force Survey of the Palestinian Central Bureau of Statistics (PCBS) indicated the following:

- 1- Only 45.5% of those in the work age are within the labor force, while 45.5% are outside the labor force.
- 2- The rate of women participation in the labor market is 17.9%, in comparison with 69.2% of men.

- 3- Working women are concentrated in the agriculture and public services sectors, 18% in agriculture compared to 7.9% of men, while in the services sector women constitute 62.1% compared to 31.9% of men.
- 4- The rate of working women in agriculture increases inside the Green Line and in Israeli enterprises, amounting to 32%, compared to 15% in the Palestinian Territories, unlike the services sector in which the rate of women working in Israeli enterprises and settlements decreases, amounting to 5% and 2% respectively.
- 5- Average wages are the lowest in these sectors, and because of discriminatory policies, women receive around 60% of men's wages in these sectors.
- 6- The age group of women working in these sectors is 35-55.
- 7- These two sectors are characterized by the lack of job stability and tenure.

Consequently, we are addressing the following 3 categories of women in this sector, each with its own conditions and attributes depending on the location and place of work:

- Women working in the Occupied Palestinian Territories (OPT), the West Bank (including Jerusalem) and Gaza Strip;
- Women working inside the Green Line, land occupied in 1948; and
- Women working inside settlements.

The common attributes and working conditions among the three categories in both sectors are:

- 1- The low education level- less than 12 years of education.
- 2- There is no need for practical and professional qualifications.
- 3- They are the main family providers for households that usually exceed 5 members.
- 4- Their households' economic conditions are very low, below the poverty line.

5- Agricultural work is casual for them.

6- Working women in the services sector are concentrated in domestic labor, child day-care and secretarial work.

Furthermore, the working conditions of women vary according to the work place in the following manner:

First: Women working in the territories of the occupied State of Palestine:

Their work is unpaid, as they work in family land, in small agricultural enterprises and seek to market their produce by themselves. Women have no control on the income generate from this work and are consequently deprived of any form of social protection and insurances. A very small rate of women who are paid for their work suffer from discriminatory policies in wages and all fundamental labor rights, such as long working hours, deprivation from paid week-ends and all kinds of vacations, most notably the delivery and maternity leaves, in addition to the lack of occupational and public safety and health, i.e. the absence of decent work conditions and social protection.

Women working in the public services sector in the territories of the State of Palestine are employed in the lowest employment scales, which reflects on their wages and other rights, especially that the vast majority works in small enterprises such as beauty saloons, offices and shops in addition to child day-care centers and nurseries; some are domestic workers and are excluded from the Labor Law.

Second: Women working inside the Green Line: Although the average wages of these working women are higher than the Palestinian Territories, these workers suffer from another form of exploitation, the racial discriminatory policies in the workplace; they suffer from discrimination in rights, treatment and quality of work, in addition to the exploitation of brokers, as women receive around 40% of the real wage, while they pay around 60% to brokers or mediators, in addition to several other deductions amounting to 20% of their wages, including the Histadrut (Israeli federation of workers) membership fees that is planned to provide insurances that they do not enjoy in reality.

Moreover, they suffer from exploitation and oppression at military checkpoints as they commute for long hours, sometimes 14 hours daily to go to work, and the assaults and violence they face, including sexual harassment.

Some women manage to reach their workplace without permits, but are even more exploited, as they are chased, arrested, pay heavy fines and suffer from deception and fraud that even deprives them from their daily pay.

Third, the women working inside settlements: the rate of women working in the agricultural sector is the highest in the settlements built on the Palestinian Territories occupied in 1967. Furthermore, these working women suffer from violation of their rights because of the absence of laws that regulate and control work relations; they suffer from the exploitation of employers (who are extremists), exploitation of labor brokers, discriminatory policies and hard work. Women working in settlements are daily paid workers who have no work contracts. Furthermore, they pay very high transportation costs.

The legal framework and social protection

The Palestinian legislators adopted the International Labor Standards as main sources of legislation. Although the State of Palestine is not a member-state in international agencies, though it opted the ILO standards for the guidance of the conventions, charters and the ILO Declaration on Fundamental Principles and Rights at Work. The Palestinian Labor Law No. (7) For the year 2000 prohibits discrimination based on sex and includes a chapter on women employment that aims at protecting women at work and preserving their rights during pregnancy and delivery (maternity leave).

Nevertheless, the Law excluded a major part of women working in public services (domestic workers and women working in private family enterprises) and excluded men and women workers in local councils and the agriculture sector from some articles in Chapter Five, pending a special regulation. This led to derogating the rights of women workers in both sectors, amid an absence of decent work conditions, occupational safety and protection of motherhood and childhood.

Furthermore, the Law lacks deterrent penalties and follow-up and control mechanisms, leading to the absence of the rule of law and law enforcement.

The absence of specialized labor courts despite the provision by law leads to procrastination and delay in resolving labor cases and disputes, some of which take more than two years at magistrate and appeals courts, which undermines the laborers' trust in the rule of law and the judiciary, and even in labor unions.

Union organization and the role of women in decision-making positions

As mentioned earlier, the rate of women working in agriculture and public services is the highest. In line with PGFTU national strategy, which aims at promoting women participation in labor unions through representing them in the leadership and setting up the gender units, the agriculture and food industries labor unions, as well as the public services labor union, including child day-care and health services unions, are characterized by wide women participation in their leadership. In some branch unions women constitute more than 50% of the leadership, while in others women constitute 90%. Several women head labor unions, hence PGFTU and these labor unions must undertake the responsibility of developing unionists and building their capacities. Nevertheless, the level of women participation in administrative bodies and decision-making positions decreases as we move up in the organizational hierarchy.

The rate of women in labor unions

There are several reasons for the increased rate of women participation in unions from 10% to 20% in less than five years: women participation in labor union leadership, the establishment of public employees trade unions, which contributed to this increase, women's sensitization of their work conditions and their suffering and their belief in the importance of union organization, and the role of the unions themselves in raising awareness and labor education targeting women workers.

In 2010, PGFTU conducted a study that revealed that the numbers of women reached 135 in the leadership of branch/sectoral unions, 26 members in general unions, 4 members in the Executive Committee and one member in the General Secretariat.

The Women Department report submitted to the 2nd General Conference for Women held towards the end of 2010, indicated that the activities conducted by the

Federation's Women Department targeted more than 9500 women and 2000 laborers. These activities included:

- 1- More than 130 field visits to workplaces and residences.
- 2- Lobbying and networking campaigns, the minimum-wage campaign, and a sit-in at the Council of Ministers and submitting a memorandum on the working women demands.
- 3- Empowering women to assume decision making positions in general, particularly in the labor unions, including holding training workshops for the leadership, publications and posters that shed the light on the issues of working women, education and training campaigns on gender-mainstreaming and the importance of the elimination of all forms of discrimination against women, training on occupational safety and health and the impact of work on reproductive health, etc.
- 4- A participatory gender audit was conducted after participating in the national team which received training by experts from the International Labor Organization (ILO). The project was implemented in cooperation with ILO and the Swedish government. The report included several recommendations and a work plan that aimed at eliminating all forms of discrimination against women and achieving gender equality in the services provided by the Federation and its affiliates.
- 5- Establishing over 40 laborers' committees in workplaces.
- 6- Holding several training courses for working women at the laborers' locations (workplaces and residences) about women rights in the Palestinian Labor Law, occupational safety and health, freedoms and the right to organize, the social dialogue and collective bargaining, gender, etc.

The challenges that women in labor unions face

- 1- **The political conditions:** the Israeli occupation measures against the labor class and the union movement, including breaking into unions' premises, confiscating property, arresting leaders, deportation and assassination, summons and shutting down premises, which led to:

- a- Women turning away from unions.
 - b- Increased interest of women in participating in the national struggle against occupation.
- 2- **The social conditions:** The prevailing social culture considers the work of women secondary, as men are responsible for providing for the household, including women. Women's work mostly ends upon marriage or having children; unionism and social struggle are perceived as men's tasks; the presence of women together with men in mixed labor organizations is not welcome, and women are directly responsible for raising children and all house chores. All these factors weaken the role of women in labor unions.
- 3- **Legal protection:** The laws that were applicable in the Palestinian Territories (the Jordanian Labor Law for the Year 1965 in the West Bank and the Union Organization Law in Gaza Strip until 2000) did not guarantee the freedom to organize and job tenure for workers. The Palestinian Labor Law No. 7 For the year 2000 provided for the right to organize and join unions. However, the absence of mechanisms and control tools to implement the Law undermined this right. Moreover, excluding some sectors from the Law or from some articles, such as domestic workers and similar jobs, such as agricultural workers and workers in family enterprises, in which women workers are concentrated, weakened women participation in the unions.
- 4- **Internal conditions in labor unions:**
- a- The Palestinian union movement is part of the Palestinian society, which is a male-dominated society. Consequently, perception of the importance of women participation varies among different sectors and governorates, which reflects on the status of women in different unions and governorates. Hence, the level of women participation often depends on the whims of different union leaderships.
 - b- Labor unions did not provide enabling and encouraging conditions for women participation in unions, such as providing child day-care, nurseries, and clubs for the children of working women, providing care for children during women's participation in union activities or

selecting suitable time for union meetings. Unions did not contribute to providing moral and material support for women , the model is more like having volunteer women and the payment is for men .

- c- Plurality of unions, as the division in the union movement affects women participation, and undermines confidence in the ability of the union movement to improve the working conditions of women, in addition to the weak democracy and periodic elections in unions, which led women to prefer participating in women and rights-based organizations rather than labor unions.

The oppression and exploitation which women in the Palestinian labor market face, and the blatant discrimination against them in wages, allowances, promotions, training, etc.. This led PGFTU to give special attention to working women issues, since women rights are human rights which the society must protect and defend. Consequently, the Executive Committee decided to establish the Department of Women Affairs in 1995.