

Research paper

Empowering Gulf Women in Labor Law: Is it Moving Toward International Standards or Remaining Subject to Social Traditions?

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ABSTRACT

Empowering women in the Gulf Cooperation Council countries through labor laws is essential for achieving sustainable development and eliminating discrimination against women. Providing decent work for all without discrimination based on gender is an issue that has transcended national sovereignty and become an international matter. Although there have been previous studies on women's work in the Gulf countries, they primarily focus on the issue of non-discrimination against women in Saudi Arabia. The article fills a research gap by examining the alignment of labor laws in the Gulf Cooperation Council (GCC) countries with international standards. Some of these laws prohibit women from working at night due to social traditions and do not grant them sufficient maternity leave. Additionally, there is no provision for workplace sexual harassment in some labor laws, despite Gulf countries signing the CEDAW with few reservations not related to women's work. The article concluded that there is gender-based discrimination against women in some labor laws in the Gulf Cooperation Council countries. The article recommends that legislators in the Gulf Cooperation Council countries amend women's labor regulations to align with the principle of equality and international labor standards.

Keywords: empowerment, discrimination against women, equal employment opportunities, night work, maternity leave, sexual harassment

The significance of women's labor and their essential role in attaining sustainable development is universally acknowledged, as women represent half of the population; gender-discriminatory practices in the workforce violate fundamental human rights (Chingarande et al., 2026). However, the current discussion focuses on the necessity of economic empowerment for women in the workforce by providing a suitable environment and decent work, free from gender discrimination, in accordance with international labor standards outlined in international covenants and conventions of the International Labor Organization. Gender-based discrimination remains a serious global issue, despite equality being recognized as a fundamental human right (Toktarbekova et al., 2025). Consequently, economically marginalizing women will make society unable to achieve the prosperity it aspires to (Burkan, 2023).

It is observed that the term "empowerment," in general, is relatively modern, appearing in the 1960s through the Black liberation movement in America and their struggle for equality with white Americans. It was then utilized in international conferences and agreements that supported women's rights and promoted equality regardless of gender (Ashi, 2020). The Economic and Social Commission for Western Asia (ESCWA) defines

women's economic empowerment as full economic equality between men and women, enabling women to make financial decisions and manage their affairs, including selling, buying, investing, and other transactions, and providing them with decent and suitable employment opportunities (Women's economic empowerment).

One of the critical indicators of the success of women's economic empowerment is their ability to participate in the labor market and earn wages comparable to those of other workers, thereby ensuring they receive their fair share of economic development output. Therefore, economic empowerment is both a right for women and a fundamental condition for sustainable development in the state. Sustainable development cannot be achieved without equitable partnerships among all members of society, regardless of gender. This requires respecting the rights of working women and ensuring fairness for them by providing decent work (Hilal & Mustafa, 2023; Mahmood & Rasheed, 2023). Therefore, domestic laws and international agreements have focused on enshrining the principle of equality and non-discrimination in employment based on gender, ensuring that women have equal employment opportunities to others and receive fair pay without distinction. This equality was decisively confirmed in the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), where Article 11 obligated states to take all necessary measures to eliminate all forms of discrimination against women, provide them with the same job opportunities, guarantee their freedom to choose their type of work or profession, ensure their equality with others in receiving fair pay, and prevent discrimination against them due to marriage or motherhood (CEDAW, 1979).

Therefore, the importance of studying women's economic empowerment in the workplace and comparing it with international labor standards is clear, as it helps determine the extent to which it aligns with these standards. This is because the rights of working women have transcended the framework of national sovereignty and have become an international standard that states must adhere to after their adoption by international organizations (Alshobry, 2018). It is observed that, despite the emergence of oil wealth in the GCC countries in the second half of the twentieth century and the accompanying significant educational and urban renaissance, Gulf society's cultural heritage, customs, and traditions place women in a different position from men (Deiri, 2025). These customs and heritage can sometimes limit women's exercise of their right to work, mainly because some laws are influenced by and subject to them, such as prohibitions on night work in some countries or the lack of workplace harassment protection rules. Additionally, incorrect or conservative interpretations of Islamic texts also play a role in this limitation, despite the fact that the correct interpretation of Islamic principles supports equality among everyone regardless of gender (Varshney, 2019). All of this undermines women's workplace empowerment by shaping legislation rooted in this social heritage, which may conflict with international labor standards (Happel-Parkins et al., 2024). Despite all GCC countries having ratified the CEDAW Convention with some reservations that don't address women's rights to work, such as in the areas of inheritance, citizenship, and marriage, this influence persists (Riahi, 2026).

The article raises questions, which the authors argue constitute manifestations of discrimination against women in the regulations governing women's work. Have labor laws in GCC countries met international labor standards for promoting women's rights, ensuring gender equality, and prohibiting discrimination? Are the labor laws of these countries free from discrimination against women? Have their labor laws overcome social customs and traditions that may hinder women's empowerment?

This topic and these questions were studied and answered using analytical and comparative methods. The authors analysed the labor law texts in the GCC countries by reviewing the opinions of legal scholars in the previous literature that addressed this topic, analysing and critiquing what deserves criticism and favouring what is worthy of preference, to demonstrate the extent of equality in job opportunities and obtaining fair wages equal to those of others without discrimination based on gender, and ensuring that they are not subjected to sexual harassment in the workplace (Gupta, 2026). Then, the rights of working women under these laws were compared with the standards set by the International Labor Organization (ILO) conventions to determine whether labor laws in the GCC countries align with international standards or require amendments to do so, given that the ILO serves as the compass by which countries should abide.

Equality and positive discrimination

The principle of equality requires that all individuals be equal in the rights guaranteed by law, including equal opportunities for employment and fair wages, provided their work is equal, without discrimination on the basis of gender, religion, or any other consideration. This principle is now universally accepted in all countries and has become one of the fundamental principles enshrined in national constitutions and international covenants. Given that the GCC countries are among those that have ratified the CEDAW convention, and have also ratified the majority of international conventions that protect the rights of working women, and in compliance with the provisions of Article 23 of the Universal Declaration of Human Rights, which states that work is a right for everyone and they have the right to equal pay for equal work. This is confirmed by the International Labor

Organization Convention No. 100 of 1951 concerning Equal Remuneration (C100 - Equal Remuneration Convention, 1951 (No. 100)).

Gulf labor laws stipulate that work is a right for all without discrimination based on gender. Discrimination in wages is prohibited due to gender differences in similar work. In general, discrimination between workers based on gender is prohibited in any right arising from the employment contract (Qatari Labor Law, 2004; Saudi Labor Law, 2005; Kuwaiti Labor Law, 2010; Bahraini Labor Law, 2012; UAE Labor Law, 2021; Omani Labor Law, 2023) Therefore, terminating a woman's employment contract for reasons related to gender is considered a form of discrimination against her and constitutes an arbitrary dismissal, which obligates the employer to pay compensation, such as when the employment contract is terminated due to marriage, pregnancy, or childbirth (Dawood, 2018).

The international labor standards and the laws of the GCC countries did not stop at the principle of equality in work; they also adopted the idea of positive discrimination in favour of working women in some cases, due to the natural differences between them and men, and in consideration of their family role, particularly motherhood. While equality is an undisputed issue, it should not be transformed into a form of abuse that harms women themselves (Albarwari & Zebari, 2021). Equality is beneficial if it exists between two individuals who are identical in every way. Otherwise, it results in injustice to one party at the expense of another. There is no doubt that women differ in their biological makeup and social roles (Altali, 2022; Khalaf, 2023) . Therefore, it was fair to have some positive discrimination for her to empower her economically and achieve justice, because adhering strictly to equality may harm her in some cases (Khayat & Abdulsattar, 2024), as how can equality be achieved in maternity leave, or in protecting women during pregnancy from the dangers of night work, or in other matters related to women?

Some have criticized this positive discrimination against women in the GCC countries, calling for a transition toward equality regardless of gender, so that society does not fall into a cycle of discrimination for every group it deems in need of care (Hafiz, 2017). However, from a careful perspective, this criticism is unfounded. This is because cases in which women benefit from positive discrimination that ensures their empowerment and decent work achieve justice, given their nature and family roles. It does not infringe upon the rights of others, as equality is not arithmetic equality but equality in rights when circumstances are similar. Discrimination is permissible when based on objective grounds, and there is no doubt that discrimination in favour of women is based on natural differences and their social role in reproduction. For example, how can equality be achieved in the benefits granted to women during pregnancy and childbirth?

However, it is evident that empowering women in Gulf society cannot be achieved solely through the texts of laws and international agreements that affirm workplace equality. Instead, achieving this also requires removing the obstacles that prevent this goal from being reached, the most important of which are changing society's view of women and eliminating the inherited traditions and customs that hinder their progress (Mishali, 2023). These outdated social customs and ancient traditions deprive women of effective participation in community development and place restrictions on their work, thereby discriminating against them (Ata'llah, 2025). Even more dangerous is that these social customs influence legislators when drafting labor law texts, such as prohibiting women from working at night, or some legislations ignore the issue of sexual harassment in the workplace. However, these texts represent severe gender-based discrimination and a failure to protect working women.

The severity of gender discrimination in some Gulf countries, such as Saudi Arabia, is attributed to government policies of segregation in workplaces within ministries, as well as the general societal rejection of the principle of equality due to the dominance of tribal customs and traditions and patriarchal authority. Field studies based on interviews with women have shown that most of them preferred segregation between men and women in the workplace, and that working in a segregated environment was their choice because, in their view, working in a mixed environment could lead to inappropriate behaviours from men (Aldossari & Calvard, *The Politics and Ethics of Resistance, Feminism and Gender Equality in Saudi Arabian Organizations*, 2021). The danger of gender-based segregation in the workplace stems from discrimination perpetrated by the government itself in public facilities, including higher education institutions. This leads to the marginalization of academic women in decision-making processes, to the extent that a study conducted through interviews with a sample of women who work as faculty members in universities found that higher education in Saudi Arabia is dominated by patriarchal authority (Hakiem, 2020). In fact, discrimination in higher education institutions is faced by women in a developed country like Japan (Watanabe & Sasaki, 2026), even though government initiatives in recent years have begun to address this problem. This confirms the persistence of gender discrimination and the ongoing inequality in restricting women's rights in both the West and the East (Priebe, et al., 2025; Tóth & Wang, 2026).

The reality is that the decision to work and the choice of type of work are not personal decisions made by the woman, but rather decisions shared by the family, which prefers women to work in jobs that separate men and women, such as the Ministry of Education and Health in Saudi Arabia. They avoid women working in the private

sector, as some do not adopt a separation policy, because patriarchal authority and tribal customs prevent women from working in the same place as men (Varshney, 2019). As it is considered shameful and disgraceful for men and women to mix in the workplace (Riahi, 2026). Therefore, some Gulf countries have adopted these social customs and established separate workplaces for women to reduce women's interactions with men (Salem & Yount, 2019).

The extent of women's economic empowerment in labor laws

Empowering women in the labor market contributes to societal progress and prosperity by improving household living standards, thereby supporting the country's economic development and the achievement of sustainable development. This cannot be achieved if half of society is unable to work (Awali, 2022). Therefore, labor laws in the Gulf Cooperation Council countries have sought to empower working women and grant them certain rights. Do these rights align with international labor standards, or do they fall short of the minimum requirements of these standards? This is what we see in some cases related to the rights of working women, such as the issue of night work, protection during pregnancy and childbirth, and protection from sexual harassment in the workplace.

Women's night work

Article 1 of the International Labor Organization Convention No. 171 defines night work as any work performed during a period of not less than seven consecutive hours, including the period from midnight to 5 a.m. Article 2 of this convention affirmed that the provisions of night work apply to all workers regardless of gender, except for workers in agriculture, livestock raising, fishing, maritime transport, and inland navigation. This means that night work for women is permissible according to international labor standards, as outlined in the Night Work Convention (Night Work Convention, 1990). However, it is noted that this international convention of the International Labor Organization (ILO) contradicts another international convention that the same organization concluded at the beginning of its establishment, namely Convention No. 4 of 1919 concerning the employment of women at night. This convention prohibited women from working at night because industrial activity and harsh working conditions at that time caused women to suffer from night work, and the ILO wanted to protect women at that time (Mahmood & Rasheed, 2023). Therefore, on June 14, 2017, the International Labor Organization (ILO) abrogated International Convention No. 4 of 1919, which prohibited women from working at night (Abrogation of the night work (women) Convention, 1919 (no. 4), n.d.). The reason for abrogating this convention was to enshrine the principle of equality and non-discrimination among workers based on gender, which is one of the noble goals for which the ILO was established. Furthermore, working conditions for night workers have improved for all workers today (Ata'llah, 2015).

What is the position of GCC countries on women working at night?

Scholarly opinions and legislative solutions regarding women working at night in GCC countries have varied. Some see prohibiting women from working at night as a form of positive discrimination, considering that women fulfil dual roles as workers and mothers simultaneously. Others view it as a violation of the principle of equal rights to work and as discrimination against women based on gender.

First opinion: Prohibiting women from working at night

This trend views the prohibition of women working at night as a form of protection for them, given their dual role in work and family. The aim is to protect them and enable them to fulfil their role in the family; thus, it is considered positive discrimination towards them (Albarawi, 2010; Dawood, 2018; Alsalaita, 2020; Mahmood & Rasheed, 2023; Ata'llah, 2015). Proponents of this trend argue that night work has adverse effects on women's health due to changes in their biological clock, sleep disturbances, excessive use of stimulants, and medications that help them stay awake and overcome nighttime sleepiness. This can lead to certain illnesses, such as high blood pressure and heart disease, as well as negative effects on social life, especially if the woman is married and has children. Women are also exposed to danger during night work, both on the way to and on the way back from work (Dawood, 2019). Half of the legislation in the GCC countries has adopted this approach, stipulating that the general rule is to prohibit women from working at night, with a few exceptions, such as in the medical sector, where women are allowed to work at night. These countries are Qatar, as per Article 95 of the Labor Law (Qatari Labor Law, 2004), Kuwait, as per Article 22 of the Labor Law (Kuwaiti Labor Law, 2010), and the Sultanate of Oman, as per Article 75 of the Labor Law (Omani Labor Law, 2023).

Second opinion: The permissibility of women working at night

Proponents of this view argue that it is permissible for women to work at night, as it supports the principles of equality and non-discrimination based on gender. They say that prohibiting women from working at night reduces their employment opportunities, prevents them from securing specific jobs that require night work, leads to unequal pay compared to others who work at night, and ultimately results in their economic disempowerment. They contend that these issues violate international labor standards (Alshobry, 2018; Altorah & Alwaqyan, 2023; Salamah, Dawas, & Qara'wi, 2024). Proponents of this view argue that prohibiting women from working at night is unjustified because the social and health risks of night work are the same for all workers, and therefore, gender should not be a barrier to night work. They believe the matter should be left to each individual based on their circumstances (Altorah & Alwaqyan, 2023). This trend has been adopted by half of the GCC countries, namely Saudi Arabia, after Article 150 of the Saudi Labor Law, which prohibited women from working at night, was repealed on August 26, 2020, (Saudi Labor Law, 2005). It has also been adopted by Bahraini labor law by the Minister of Labor and Social Development (The employment of women at night, n.d.). Additionally, the UAE Labor Law has adopted this approach, as it does not prohibit women from working at night, but instead regulates night work in general, regardless of gender (UAE Labor Law, 2021).

Analysing the two previous trends to assess how well the night work ban complies with international labor standards.

An analysis of the two previous trends regarding women working at night indicates that the position advocating a ban on women working at night rests on weak arguments and violates international conventions and labor standards grounded in the principle of equality in work and wages. Because the negative effects of night work on worker health are the same for everyone, regardless of gender, the solution is to seek ways to protect and prevent the risks of night work for all workers, rather than reducing the available working hours for women by depriving them of night work, which would diminish their rights. Whether night work is suitable for a woman's social circumstances should be left to her discretion, without infringing on her right to work at night. The prohibition on night work for women in some GCC countries is not primarily due to health or protective reasons for women, but instead to cultural heritage and social customs that do not accept women going out at night, even for work. Patriarchal authority in general and social customs that link the honor and dignity of the family to a woman's modesty and reputation play an important role in organizing a woman's life and impose many restrictions on her, including the choice of a daytime job suitable for the family's reputation and dignity, so that she can gain family support and have the opportunity to marry. This is considered an obstacle to the inclusion of women in the workplace (Salem & Yount, 2019; Aldossari & Murphy, 2023). These countries have succumbed to the power of outdated social heritage and prohibited women from working at night.

Therefore, labor laws in Qatar, Kuwait, and Oman, which prohibit women from working at night, violate the constitution, which stipulates equality among all individuals and non-discrimination based on gender. They also violate Article 23 of the Universal Declaration of Human Rights, which grants everyone the freedom to choose their work without discrimination based on gender. Furthermore, these Gulf laws violate CEDAW, as well as international labor standards regarding night work set by the International Labor Organization in International Convention No. 171 of 1990 (Night Work Convention, 1990). This convention regulated night work for all workers regardless of gender but granted special protection to women during pregnancy and childbirth for no less than sixteen weeks, including at least eight weeks before the expected date of delivery. Employers are required to provide a suitable alternative for them during this period. In conclusion, women should be allowed to work night shifts and be provided with the necessary protection during pregnancy and childbirth, as the ban contravenes national constitutions, international covenants, and international labor standards. Because this distinction results from fluidity and significant overlap between social norms and legislation, legislation has been subject to these norms (Eger, 2025).

Maternity leave

Maternity leave refers to the period during which a woman is permitted to be absent from work due to her pregnancy and childbirth, while retaining her full salary and all other benefits as if she were still working. Birth refers to the separation of the foetus from its mother during the usual time for childbirth, meaning after the sixth month of pregnancy, whether the separation occurs while the foetus is alive or dead, or if it dies shortly after being born alive (Omran, 1980; Khayat & Abdulsattar, 2024). A woman is entitled to this leave upon the occurrence of childbirth, whether the birth is the result of a marital relationship or any other relationship outside of marriage. This is because the law and international labor standards only require the occurrence of childbirth, regardless of the relationship that resulted in the birth. It is a leave granted for health and humanitarian purposes, not as a reward for married women (Alahwani & Mabrouk, 2000; Alshahawi, 2003; Khalil M. , 2019).

Does a woman who has an abortion deserve maternity leave?

Opinions differ on the answer to this question, with three main viewpoints: The first opinion is that a woman is not entitled to maternity leave if her pregnancy ends in miscarriage, because the law granted this leave due to childbirth, not because of miscarriage. Childbirth is the separation of the foetus from its mother during the usual time for delivery, while miscarriage is the termination of pregnancy before the expected delivery date, preventing the foetus from fully developing, whether intentional or unintentional. The correct view is that a woman is entitled to sick leave in this case (Zahran, 1998; Alnafa'i, 2014; Altorah & Alwaqyan, 2023). The second opinion differentiates between an abortion forced upon a woman and an abortion she chooses to have. She is entitled to leave in the first case but not in the second, as this aligns with the principle of good faith in fulfilling obligations arising from an employment contract (Khalil A. , 2005). The final opinion is that a woman deserves leave upon the end of her pregnancy, whether it ends naturally with childbirth or unnaturally with abortion, because the purpose of the leave is to provide comfort to the woman after suffering the pains of pregnancy. Therefore, linking leave only to childbirth and not to abortion is an injustice to women's rights (Ghaith, 2021; Salamah, Dawas, & Qara'wi, 2024).

The first opinion, which states that maternity leave is only deserved by a woman when childbirth occurs within the usual gestation period and is not earned in the case of abortion, in which case she is entitled to sick leave, is the opinion that aligns with the legal texts. This is because abortion is a medical condition, not childbirth, and this interpretation also agrees with the international labor standards stipulated in Article 4 of the Maternity Protection Convention No. 183 issued by the International Labor Organization. This article discusses compulsory maternity leave following childbirth, which is to be taken for at least six weeks, provided the woman has utilized her remaining leave before delivery (Maternity Protection Convention, 2000)

Maternity leave policies

Maternity leave is a right exclusive to women because it is they who, by their nature, carry and give birth. This is clear from the legal texts addressing maternity leave for women, and Article 1 of the International Labor Organization's Maternity Protection Convention limits the Convention's scope of application to women only (Maternity Protection Convention, 2000). However, it is noted that Omani law is the only law among the GCC countries' laws that stipulates, in Article 84, a paid paternity leave of seven days for a man, provided the child is born alive (Omani Labor Law, 2023). This approach, which Omani law has uniquely adopted, is commendable because it allows the husband to be present and support his wife during childbirth. However, there was no justification for restricting access to paternity leave to cases where the child is born alive, because even if a woman gives birth to a stillborn child, she still needs her husband's support.

The law allows women to determine when to start their maternity leave based on their circumstances. They can request leave before the expected delivery date, allowing them to use part of the leave before birth and part after, provided that the period of leave after birth is at least six weeks. This is because international labor standards in the Maternity Convention make the six weeks immediately following birth mandatory for women and their employers, prohibiting women from working during that period. As for the remaining leave period, they can request it before birth or use the entire leave period after birth (Alnafa'i, 2014; Alshobry, 2018). These are the international labor standards outlined in Article 4 of the Maternity Protection Convention, which mandates that at least six weeks of maternity leave must begin after childbirth (Maternity Protection Convention, 2000).

The law has protected women's access to maternity leave in several ways: firstly, this leave is mandatory for the employer and not subject to their discretionary power. Women are entitled to it whenever they request it, provided they submit a medical certificate from an accredited medical centre stating the expected date of delivery (Alsalaitya, 2020). On the other hand, the law protected women from discrimination due to pregnancy or childbirth, prohibiting employers from dismissing them or terminating their employment contracts due to marriage, during pregnancy, during maternity leave, or due to absence from work proven by a medical certificate to be a result of pregnancy or childbirth (Qatari Labor Law, 2004; Kuwaiti Labor Law, 2010; Bahraini Labor Law, 2012; UAE Labor Law, 2021). Finally, the law has ensured the protection of women in terms of wages, making maternity leave fully paid with all other benefits preserved, including the right to return to the same job or a similar one with the same salary if her position was filled during maternity leave. However, it is noted that a woman's entitlement to pay during maternity leave is conditional on her not working elsewhere during the leave. This is because the purpose of the leave is for the woman to regain her health and care for her child. If it is proven that she worked for another employer during her leave, she is not entitled to her pay and may also be investigated and disciplined (Khayat & Abdulsattar, 2024). Furthermore, the law ensured that women were entitled to equal pay as other workers, because the law feared that employers would reduce women's wages due to the extended maternity leave, they took. This could result in their overall work being less than that of others,

and employers might compensate for this by lowering their wages (Altorah & Alwaqyan, 2023). Protecting a woman's wages during maternity leave is stipulated in international labor standards, as outlined in Article Six of the Maternity Protection Convention.

Maternity leave duration

The labor laws of the GCC countries have agreed on the right of working women to maternity leave, which is commendable. They also agreed to grant maternity leave without limiting the number of times it can be taken, meaning a woman is entitled to it for each childbirth. However, they differ in determining the duration of this leave. Qatari labor law, in Article 96, specifies the duration of maternity leave as fifty days for women who have completed one full year of service with their employer, including the period before and after childbirth, provided that the period after childbirth is at least thirty-five days (Qatari Labor Law, 2004). Saudi labor law, on the other hand, has set the duration of maternity leave at 12 weeks, following the recent amendment to Article 151, which mandates that the 6 weeks after childbirth be included in the leave. Regarding the Kuwaiti Labor Law, Article 24 stipulates that maternity leave shall be seventy days, provided that the delivery occurs during this period (Kuwaiti Labor Law, 2010). While Article 32 of the Bahraini Labor Law stipulates a maternity leave period of sixty days with pay, including the period before and after pregnancy, provided a certified medical certificate indicating the expected date of delivery is submitted. It is prohibited to employ a woman during the forty days following childbirth (Bahraini Labor Law, 2012). Article 30 of the UAE Labor Law stipulates that maternity leave is sixty days, with the first forty-five days at full pay and the following fifteen days at half pay (UAE Labor Law, 2021). Finally, Article 84 of the Omani Labor Law stipulates maternity leave as ninety-eight days, or fourteen weeks, covering the period before and after childbirth, provided that the period before childbirth does not exceed fourteen days, and the remaining period is granted after childbirth (Omani Labor Law, 2023).

Analysis of maternity leave in gulf labor laws to assess their compliance with international labor standards

The laws of the GCC countries support the right of working women to maternity leave, which is commendable. They also agree to grant maternity leave without limiting the number of times it may be taken, so a woman is entitled to it with each childbirth. This is important because the number of pregnancies and births is a private matter and should not be interfered with (Khater, n.d.). However, analysis of maternity leave durations in these countries' labor laws reveals that all of them violate the international labor standards set out in Article 4 of the Maternity Protection Convention (No. 183) of 2000, issued by the International Labor Organization. Notably, the most non-compliant law is the Qatari labor law, while the Omani labor law is the least non-compliant. Qatari law violates international standards in several ways. First, it requires a woman to complete a full year of service with her employer to qualify for maternity leave; women with less than a year of service are not entitled to leave, which is inconsistent with international standards. Second, it reduces the leave period to 50 days, whereas international standards specify 14 weeks (98 days). Third, it sets the minimum maternity leave at thirty-five days, while international standards specify six weeks or forty-two days.

It also violates Saudi labor law by setting the maternity leave duration at twelve weeks, whereas international labor standards stipulate fourteen weeks. Saudi law was amended in 2024, having been amended ten weeks prior, and it was logical to align it with international labor standards. The Kuwaiti Labor Law violates international labor standards in two ways regarding maternity leave: firstly, it sets the leave duration at seventy days, and secondly, it does not stipulate that six weeks of the leave must be taken compulsorily starting after childbirth. Similarly, the UAE labor law violates international labor standards regarding maternity leave duration, as it stipulates only sixty days. It also provided for a leave at half pay: the first forty-five days at full pay and the following fifteen days at half pay only.

Ultimately, Omani labor law is closest to international labor standards, as it mandates a maternity leave period of 14 weeks, as stipulated in the Maternity Protection Convention No. 183 of 2000, issued by the International Labor Organization. However, a minor deviation from international standards is that it limits the leave a woman may take before her expected due date to fifteen days, whereas international labor standards allow eight weeks of leave before the expected date of birth.

Modifying maternity leave to align with international standards is of utmost importance, as this leave is essential for women to continue their jobs. Studies have confirmed that women in Saudi Arabia consider their traditional role to be focused on household duties and raising children. The priority for women is to be wives and mothers while balancing these duties with their job responsibilities. However, in case of conflict, they prefer their gender role as mothers who take care of children (Varshney, 2019; Aldossari & Murphy, 2023).

Sexual harassment in the workplace

The term "sexual harassment" is relatively recent, first appearing in 1973 in a report from the Massachusetts Institute of Technology. It then spread worldwide, thanks to the activity of women's rights movements that advocate for women's rights (Bin Hamida, 2014). Sexual harassment is one of the significant challenges women face in the workplace because it is considered a form of discrimination against them, affects their dignity, reduces their productivity, and disrupts the work environment. In contrast, the workplace is supposed to be safe and conducive to productivity (Sha'ban, 2025). The danger of sexual harassment, in addition to violating a woman's dignity, also distracts her thoughts between work and the fear of sexual harassment, which affects her sense of belonging to the workplace and hinders the success of teamwork within a team (Alnader, 2021).

Definition of sexual harassment

Sexual harassment involves intentional sexual behaviours by the harasser that are unwelcome to the victim. Two conditions must be met for sexual harassment to occur: the first condition is the presence of deliberate sexual behaviour, regardless of its form. This can include a leering or deep stare, sexual gestures and innuendos, sexual verbal communication, asking sexual questions, telling sexual jokes, and can even extend to physical touching and groping, which may result in sexual assault (Bin Hamida, 2014; Almomo, 2022). This sexual harassment may be intended for sexual behaviour, or it may be intended to assert the harasser's power over the victim. The second condition is that the sexual behaviour exhibited by the harasser must be unacceptable to the victim. This is because if the woman consents to this behaviour, the relationship becomes a friendly and acceptable behaviour for both parties due to the presence of consent (Alnader, 2021). However, it must be ensured that this consent is freely given and not given due to fear of the abuser's authority and influence, such as if they are the employer, manager, or supervisor of the workers.

The prevalence of sexual harassment in the workplace has led the International Labor Organization to sound the alarm. In a report in December 2022, it stated that nearly 23% of employees worldwide are exposed to violence and harassment in the workplace, although only half of the victims have disclosed their experiences (United Nations Report, 2022). The spread of this bad phenomenon is due to several reasons, including overcrowding in the workplace, where a person moves in a tight space that facilitates friction and contact, creating a fertile environment for sexual harassment. Additionally, it is challenging to prove harassment against the harasser because it often leaves no physical evidence. Finally, in many cases, women tend to remain silent and not file a complaint for fear of scandal, especially in Gulf society, which always blames the woman, or for fear of the consequences of filing a complaint, such as being deprived of certain benefits or being fired from work (Alnader, 2021).

Analysis of gulf labor laws' stance on sexual harassment to evaluate their compliance with international labor standards

By reviewing the labor laws in the GCC countries, it becomes clear that Article (14) of the UAE Labor Law, the Anti-Harassment Law in Saudi law, and Article (192) bis of the Bahraini Labor Law have all prohibited sexual harassment in the workplace. In contrast, the other labor laws of the GCC countries do not provide specific protection against sexual harassment in the workplace. However, these laws do not clarify how to monitor it when it occurs, nor do they specify the mechanism for women to file complaints and protect themselves from employer retaliation after doing so. The silence of labor laws in some GCC countries (Oman, Qatar, and Kuwait) regarding the formulation of rules to protect women from violence and sexual harassment in the workplace, and the lack of provisions in Saudi and Emirati laws for mechanisms to monitor sexual harassment and protect women from arbitrary dismissal or intimidation at work when filing a sexual harassment complaint against the employer or their supervisor violates the human right to dignity outlined in the Universal Declaration of Human Rights of 1948. It also breaches international labor standards outlined in the International Labor Organization Convention No. 190 of 2019, which aims to eliminate violence and harassment at work (ILO Report, 2023), because every person has the right to work in a safe environment free from violence and gender-based harassment. Such conduct threatens the principles of equal opportunity and the entitlement to decent work. Article 1 of this convention defines violence and harassment as a broad range of behaviours intended to cause physical, psychological, sexual, or economic harm, including harassment based on sex. This convention is broadly applicable, covering all individuals in the workplace, whether in the private or public sector. Additionally, Article 4 emphasizes the importance of urging states to enact legislation prohibiting violence and harassment, to take measures to prevent and address these issues, to establish mechanisms for monitoring offenses, to provide remedies for victims, and to impose deterrent penalties on offenders.

The problem with sexual harassment against women in the workplace is that it is not reported by the victim, due to fear of retaliation from the employer, and to preserve her reputation in a society that tends to cover up

such matters. Reporting the harassment, she experienced often places the blame on the woman in many cases, in addition to her being deprived of work by the patriarchal authority exercised against her. The "Quiet Encroachment" theory may be useful in this field, as it involves taking small steps to educate women about their rights to achieve social change without direct confrontation with authority. Some women working as entrepreneurs and employing other women within their entrepreneurial institutions, while quietly educating them about their rights, can improve societal conditions. Eventually, these women can become political activists with the means to advocate for women's rights (Alkhaled, 2021).

CONCLUSION

This article concludes that empowering women economically in labor law is essential, as is their participation in achieving sustainable development and sharing fairly in its benefits. This can be accomplished by creating a suitable work environment and ensuring decent work that complies with international labor standards, without discrimination based on gender. Therefore, constitutions and labor laws highlight the importance of equality and equal opportunities. Non-discrimination in employment opportunities and fair wages based on gender is crucial, especially since all GCC countries are members of the International Labor Organization and have signed the CEDAW Convention. This includes their right to choose the type of work they wish to undertake at any time for a fair wage equal to that of others, and it prohibits discrimination on the basis of marriage or motherhood. Consequently, providing decent work that upholds women's dignity and prevents discrimination has gone beyond national borders and become an international norm that states must incorporate into their legislation, ensuring women have access to decent work.

As a result, there was hope that labor laws in GCC countries would align with constitutional principles of equality for all, regardless of gender, and with international labor standards on women's employment and non-discrimination. However, unfortunately, societal culture and old customs and traditions influenced the labor laws in these countries, leading to discriminatory provisions against women that deprive them of specific rights based on gender. An example is the ban on women working at night in Qatar, Kuwait, and Oman, which is a clear form of gender discrimination. Women are restricted to daytime working hours, which conflicts with international labor standards set out in the Night Work Convention, which covers night work for all workers, regardless of gender. In this context, Saudi Arabia, Bahrain, and the United Arab Emirates deserve praise for permitting women to work at night, despite traditional social norms that disapprove of women working during night hours. Laws should aim to correct such outdated social concepts rather than reinforce them. Correcting these social restrictions may take a long time due to their deep-rooted nature in society and the support they receive from hardline religious leaders. Therefore, there is a gap between government policies aimed at improving women's status and society's acceptance and conviction in these policies. Therefore, the authors suggest future research that provides means to change the societal culture regarding its view on women's work, and to eliminate social customs and the patriarchal authority that dominate society, including some legislators when drafting women's work regulations. Qatar, Kuwait, and Oman should adopt the approach of other GCC countries and allow women to work at night, moving beyond outdated customs.

As this article also concludes, labor laws in GCC countries fail to comply with the international labor standards set out in the Maternity Protection Convention. This convention stipulates that maternity leave is 14 weeks, covering the period before and after childbirth, and that women should not be employed at all during the 6 weeks following childbirth. It is observed that labor laws in GCC countries do not consistently grant women maternity leave in accordance with international standards, except for the Omani labor law, which is the only law that complies with the required duration. It is noteworthy that Qatari labor law is the most violated of the Gulf laws regarding international labor standards on maternity leave, because its violation of these standards is not limited to the short duration of the leave, but also because it only grants maternity leave to women under an unjustified condition, which is that the woman must have worked for a whole year in the service of the employer. The serious violation of international labor standards in some labor laws of the GCC countries is the failure to protect women from sexual harassment, which preserves their dignity and provides them with decent work.

There is no doubt that sexual harassment of women in the workplace affects their dignity and disrupts the work environment. The danger of sexual harassment lies in the fact that women in GCC countries tend to remain silent and not file complaints against harassers, fearing the shame and blame that fall on women in these societies due to inherited social traditions, or fearing job dismissal or being deprived of certain benefits, such as promotions or raises, or even depriving her from work in any place by the patriarchal authority which dominates gulf societies. The labor laws of the GCC countries, by not providing any protection for women from workplace harassment, have violated international labor standards outlined in the International Convention on the Elimination of Violence and Harassment in the World of Work.

Ultimately, it is necessary for activists and pioneers in the field of women's rights to continuously raise awareness in a calm manner that protects them from clashes with the government on one hand, and is accepted by society on the other. Social media and women entrepreneurs can play an important role in social change. Additionally, labor laws in the GCC countries must shed outdated traditions and heritage. Therefore, there are three recommendations for legislators to prevent discrimination against working women and to ensure their legislation aligns with international labor standards: The first recommendation is directed at legislators in Qatar, Kuwait, and Oman, urging them to allow women to work at night, just like Saudi Arabia, Bahrain, and the UAE, which have permitted women to work at night, leaving behind outdated traditions. The second recommendation is for legislators in all GCC countries, except Oman, to increase maternity leave to 14 weeks at full pay. Additionally, Qatari law should abolish the requirement that a woman must have worked for one year in her employer's service to be eligible for maternity leave. The final recommendation is directed at legislators in Oman, Qatar, and Kuwait, urging them to include provisions in their labor laws that protect women and all workers, regardless of gender, from violence and sexual harassment in the workplace. This is because these laws completely overlook protections against violence and sexual harassment, despite the seriousness of this issue, according to reports from the International Labor Organization. It is important for labor laws to address the issue of sexual harassment not only by protecting women from sexual harassment in the workplace but also by including provisions that protect the victim in case she reports the harassment she has been subjected to by her employer or supervisor. The law should ensure that she is not dismissed from her job, that her salary is not reduced, or that she is deprived of certain benefits. Additionally, penalties should be increased in cases of harassment by individuals who have supervisory authority over the woman, as this constitutes an abuse of moral authority.

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