



Egypt: What's New in the New Labor Law?

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Executive Summary

The new labor law went through a lengthy drafting phase that began in 2014 and culminated in its passage in 2025, reflecting what appears to have been a period marked by caution. On the one hand, there was an effort to move forward through careful steps involving limited amendments aimed at calming the various parties awaiting legal reform in line with their expectations, while also aligning with International Labor Organization (ILO) standards and relevant domestic legislation. On the other hand, the authorities also sought to adopt measures intended to “control” society.

The provisions of the new law reflect the complex context in which the articles relating to new forms of work, social dialogue, women’s employment, wage systems, employment contracts, and strikes were drafted, in addition to the imposition of mandatory drug testing. This took place in light of the three considerations mentioned above, which may at times be contradictory.

Introduction

In mid-April, the Egyptian House of Representatives passed the new labor law after a full 10 years of work on drafting it, during which it went through multiple versions and successive periods in which debate over it was frozen.

The bill’s long trajectory began in 2014, and its drafting took around three years before it was issued by the government in 2017. It was then referred to the House of Representatives, where it was examined by the Manpower Committee and forwarded to the plenary session for a vote in the same year, before discussion of the bill was suspended at the plenary level. This “winding” path was also linked to the 2018 amendments to the Egyptian Constitution, which established the Second Chamber of the Egyptian Parliament, the Senate.¹ Accordingly, the bill was referred to the Senate in the subsequent parliamentary session, approved by it, and then referred back to the House of Representatives,² before its discussion was halted for a second time, based on instructions from the President of the Republic. The government announced the withdrawal of the bill in January 2023 in order to

work on new amendments. Thus began a third “cycle” in this winding process of drafting the bill.

This law primarily applies to private sector workers, at a time when the role of this sector in employment is expanding. In this context, the Prime Minister reviewed a report documenting 500 reforms aimed at strengthening the role of the private sector in Egypt during the period 2022–2024, in 2025.^{3,4}

Its particular importance at this time stems from the political system’s adoption of a declared policy aimed at “empowering the private sector,” according to the government’s repeated formulation.⁵ This policy is clearly reflected in the authorities’ discourse, which extensively highlights the measures taken to support the private sector, in a manner that aligns with Egypt’s commitments to the International Monetary Fund (IMF) under the current agreement.

The International Monetary Fund (IMF) considers that the private sector should play a leading role in driving Egypt’s economic growth.⁶ This means that it is not sufficient for the Egyptian economy to achieve reasonable rates of growth in gross domestic product (GDP); rather, this growth must be driven by the private sector. This has required the government to exercise great caution in publicly showcasing its efforts in this regard, especially in light of the difficulties encountered by the agreement whenever there are indications of the state’s reluctance to implement its commitment to what the Fund describes as “*Reducing the State’s Footprint in the Economy.*”⁷

This article seeks to understand and deconstruct the changes introduced by the new labor law compared to the previous situation under the repealed labor law, by analyzing its stipulations through a number of “lenses” that represent recurring patterns in public policy: Compliance with standards and legitimacy; a tendency toward gradualism and slow steps; and avoiding the polarization of stakeholders, which may even result in amendments that have no practical effect or that obscure any real change; in addition to the pursuit of “controlling” and dominating society.

The conflict among these multiple drivers of public policy – each of which was present, in its own way, in both the agenda-setting process and the drafting of the new labor law – helps explain why the law took 10 years to be adopted and redrafted.

Through the lens of compliance with standards and legitimacy, the provisions on “new forms of work” and “social dialogue” can be readily understood, as can the provisions that were amended in the law – by comparison with the previous law – for the purpose of aligning with the requirements of the Egyptian Trade Unions Act, Law No. 213 of 2017. All of this fundamentally comes in line with the policies of the International Labor Organization (ILO). While the lens of gradualism, slow steps, and avoiding the polarization of stakeholders appears valid for understanding the texts related to women’s employment – despite the reforms included in the new text – this is in light of their likely weak impact on the extremely low levels of women’s employment. The same applies to the provisions related to wage policies and job security.

Wage policies in the new law represent a case of inertia, perhaps even reaching the point of “non-policy,” despite the necessity of addressing the erosion of real wages that has accompanied the currency liberalization policy, which has led to runaway inflation.⁸ The same applies to job security with regard to employment contracts, some of whose details have indeed been amended, but without the amendments affecting their core substance, which continues to allow for the termination of open-ended employment contracts.

On the other hand, this “control” lens can be used to understand the provisions on “strikes,” as the new law has entrenched the same approach as the previous law by imposing severe restrictions that amount in practice to a ban,⁹ in addition to provisions mandating compulsory drug testing for workers.

New Working Patterns

For the first time, the new labor law includes a provision that appears, at least formally, to mark a major shift in the concept of work and represents a significant reform step: The recognition, for the first time, of what are known as new forms of work.

In this context, the government added, at a late stage of the drafting process, an entire chapter entitled “New Working Patterns,” which appeared in a revised version of the law submitted by the government to parliament before the draft reached its final stage of passage in April 2025.

The government included a chapter entitled “New Working Patterns” in the bill prior to its approval, defining these patterns as any non-traditional work performed by a worker for an employer, under the employer’s supervision, in return for remuneration, with the aim of expanding the scope of legal protection to cover different forms of work.

The law identified six types of such work:

1. Remote work, which is work performed in a location other than the traditional headquarters of the establishment, carried out through technological means, in accordance with the locations approved by the employer.
2. Work via digital platforms.
3. Part-time work, or work performed for a portion of the working time.
4. Flexible work, which is the performance of work for the same number of working hours required of the worker, but at non-consecutive times agreed upon by both parties to the employment relationship.
5. Job sharing, which is work carried out by more than one person who share tasks or working time, as well as wages, in accordance with what is agreed upon.
6. Any other forms of work to be specified by a decision issued by the competent minister (the Minister of Labor).

The law grants engaged workers in new forms of work, all the rights enjoyed by workers in traditional fields of employment. It stipulates that:

“Workers in new work models will have the same rights and duties as workers in traditional work models, including social protection, social security, minimum

wages, professional training, skill development programs, the right to collective bargaining, and freedom of association..."¹⁰

Despite the explicit wording of the draft law in defining new forms of work, and its clear stipulation that workers engaged in them shall enjoy “all the rights and obligations that apply to workers in traditional forms of work,” the law does not set out mechanisms for regulating these new forms of work. Such mechanisms are closely linked to the specific characteristics of this type of work, which may in turn pose challenges to workers’ ability to fully enjoy the rights granted to them under the law.¹¹ Instead, the law defers these matters to a subsequent administrative decision.

The law stipulates in Article 100 that:

“The relevant minister [Labor], in consultation with labor unions and employers’ organizations, will issue the necessary decisions to regulate new work models, define their forms, provide guidelines for contracts and workplace regulations, establish methods of proving the employment relationship, and outline how both parties can secure their rights.”

Of course, the government knows better than anyone that this provision effectively constitutes an obstacle to any genuine representation of workers in these new forms of work, and threatens to strip all the gains allowed by the text – albeit even formally – of their substantive content. This is because the “consultation” referred to in the text can only be formal in nature. While it is naturally easy to consult employers’ organizations, the representation of workers’ trade union organizations, by contrast, remains entirely ambiguous in this case.

This contradiction between the “reformist” text and its conclusion, which in practice empties it of its substance, can be interpreted as an attempt by the government to align itself with the orientations of the International Labor Organization (ILO),¹² whose interest in recent years has increasingly focused on new flexible working patterns, particularly work within the platform economy.¹³ At the same time, this text may reduce potential polarization related to employers’ reservations, since they are clearly able to represent their interests through the General Federation of Industries on the one hand, and through platform-based companies on the other – companies that are often large and transnational, such as Uber, Didi, inDriver, and Talabat.

Furthermore, it is easy to infer from the Egyptian context – which lacks any representation of workers in the platform economy or in new forms of work – that they are unable to fairly represent their interests within this “consultation” process. As noted above, the practical objective of the preceding provision is therefore to strip most of the gains contained in this chapter of the law of their substantive content. On the other hand, however, the reference to tripartite consultation among the three parties to the employment relationship – the government, employers, and workers – serves to reinforce the overall “form” of the labor law as one that is consistent with the principles of the International Labor Organization (ILO)

In its discourse, the ILO repeatedly emphasizes that social dialogue among governments, employers, and workers' organizations is essential to promoting social justice, supporting economic growth, improving wages and working conditions, achieving decent work, and "promoting social peace and stability."¹⁴

Social Dialogue

For the first time, the law included an entire chapter on social dialogue. This chapter provides for the establishment of the "Higher Council for Social Dialogue" at the Ministry of Labor, or rather its formal incorporation into the law, given that the council had already been established by an administrative decision of the Prime Minister outside the framework of the Labor Law in 2018.¹⁵

The council [often referred to as the Supreme Council for Social Dialogue] represents the most prominent manifestation of deepening tripartite representation within the framework of what is known as social dialogue, as the law stipulates that this council aims to establish dialogue among the three parties to the employment relationship on all labor-related issues.

According to the law, the council is tasked with formulating national policies for dialogue between employers and workers; preparing studies and recommendations in the economic and social fields; supporting consultation and dialogue among the parties to social dialogue; expressing opinions on the drafting of laws related to labor legislation, trade union organizations, and related laws; expressing opinions on international and Arab labor conventions prior to their signing; developing policies to prevent collective labor disputes; and considering proposals discussed at the International Labor Conference (ILC), the Governing Body of the ILO, or the organization's supervisory bodies, as well as reports submitted to the International Labor Office [the permanent secretariat of the ILO].

The council is to be formed by a decision of the Prime Minister, chaired by the Minister of Labor, and shall include representatives of the relevant ministries and authorities, as well as representatives of the relevant employers' organizations. The concerned trade union organizations shall nominate their representatives on an equal basis among themselves, with due consideration given to representing all levels of the relevant trade union organizations and to the representation of women, with no less than one third allocated to each of the three parties, unless this is not feasible.

It should be noted that this provision does not offer any clarification as to which employers' organizations or trade union organizations are deemed "relevant," which naturally allows the Prime Minister to select the trade union organizations he wishes to be represented on this council.

This provision represents another example of the government's desire to align with the orientations of the ILO. The ILO had repeatedly urged the Egyptian Government to establish two social consultation councils with tripartite representation, including local branches, during the period between 2013 and 2015. That period witnessed numerous joint workshops bringing together government representatives, ILO experts, and a number of

specialists, which ultimately culminated in the decision to establish this council in 2018. The ILO had also called for the inclusion of this council within the Labor Law.¹⁶

Employment of Women

The new law introduces a tangible reform by abolishing the exception imposed by the repealed labor law on women working in agriculture with regard to their enjoyment of the rights granted to female workers. This, in turn, allows the extension of the rights accorded to working women to female agricultural workers, including, for example, the right to maternity leave, childcare leave, and access to nurseries – rights that are granted to working women in general.

In principle, the removal of this exception is of great importance for working women, given that more than 19% of working women are concentrated in this sector, which ranks second after the education sector in terms of the concentration of female employment.¹⁷

However, the mere deletion of the phrase that excluded female agricultural workers does not, in itself, provide any guarantees that they will actually enjoy those rights. Official data indicate that an extremely high proportion of women working in this sector – nearly 99% – are employed “outside establishments.”¹⁸ This raises many questions about the feasibility of guaranteeing these rights for women working in agriculture, especially since the new law contains no reference to this context.

On the other hand, the new law includes another “reformist” provision concerning the employment of women, specifically with regard to maternity leave, as it increases maternity leave from three months under the repealed Labor Law No. 12 of 2003 to four months.

This amendment is consistent with Civil Service Law No. 81 of 2016, which applies to government employees, and thus is grounded in the “legitimacy” of equalizing benefits between workers in the public and private sectors.

However, these amendments represent a weak step in addressing a fundamental problem in the Egyptian labor market, namely the extremely low employment rates for women in Egypt,¹⁹ particularly in the private sector.²⁰

In general, official data show a relatively high concentration of women in the government sector, which employs 34.5% of female workers, compared to roughly one third of that proportion among men. According to repeated estimates, this is due to the fact that this sector – along with the public sector – has traditionally provided working hours and conditions more suitable for women.²¹

In practice, however, the new law includes a provision that may deepen the conditions that have contributed to the decline in women’s employment, particularly in the private sector. This provision effectively allows for an increase in working hours beyond the legally permitted maximum of eight hours per day, despite well-established evidence that the extremely low employment rates among women in Egypt are largely linked to the concept of the “second shift,” referring to unpaid domestic work that is carried out almost exclusively by women in Egyptian society, thereby reinforcing this trend.²²

In this context, the new law includes a provision that is not very different from a similar provision in the repealed law, which allows the employer to exceed the number of working hours, as follows:

“The employer may deviate from the provisions of Articles (117, 118, 119, 120) in cases of urgent work requirements or exceptional circumstances, provided the administrative authority is notified within seven days of the occurrence, with justification for the additional work and the estimated duration. In such cases, the employee is entitled, in addition to their regular wage, to compensation for overtime hours as agreed in the individual or collective employment contract. The rate of overtime compensation must not be less than: • 35% of the normal hourly wage for daytime overtime, • 70% for nighttime overtime. If the work occurs on a rest day, the employee is entitled to an additional day’s wage as compensation, and the employer must grant a substitute day off during the following week.”

Practical reality points to the impact of such a provision, alongside other factors, in light of the noticeable increase in average working hours among Egyptians, particularly in the private sector. This impact is further reinforced by the ambiguity of the provision itself, which refers to unclear concepts such as “unusual work requirements” or “exceptional circumstances,” without placing any restrictions on the possibility of these circumstances recurring in the first place.

In this context, data from the Central Agency for Public Mobilization and Statistics (CAPMAS) indicate that the average weekly working hours in the private sector in 2022 reached 216 hours, meaning that they exceeded the average working hours in the public sector and the public business sector by more than 18%.²³

However, in addition to this, the new law replaced the following phrase at the end of that paragraph: *“In all cases, actual working hours may not exceed 10 hours per day”*, with the phrase *“In all cases, an employee’s total presence at the workplace shall not exceed twelve (12) hours per day.”*, in the new law. The new text, through its introduction of the concept of *“presence at the establishment”* within a limit of 12 hours, reinforces the existing situation of low levels of women’s employment.

Job Security

The new law reflects a tendency to introduce reforms aimed at enhancing job security with regard to employment contracts, in a manner that allows – at least theoretically – for the expansion of open-ended employment contracts.

While the repealed law was limited, in this regard, to stating that: *“If a fixed-term employment contract expires and both parties continue to implement it, this shall be considered a renewal of the contract for an indefinite period,”* the new law retains the substance of this provision but adds further articles that indicate a tendency toward ensuring the stability of the employment relationship. Under the new law, an employment contract is considered to be of indefinite duration from the moment it is concluded in the following cases:

1. If it is not in writing.

2. If the contract does not specify its duration.
3. If it was concluded for a fixed term and the parties continued to implement it after the expiration of that term without a written agreement between them.

However, it is noteworthy that the new law deleted a phrase that had been included in a previous version of the law prior to its approval – the version that Parliament continued to debate before the final draft was submitted by the government. According to the deleted phrase, the earlier version had considered a fixed-term employment contract to be an open-ended one: *“The parties agreed to renew it for periods whose total exceeded four years.”*²⁴

In fact, this provision would have constituted a reasonable guarantee in terms of job security had it not been deleted. Its wording clearly appeared to be an attempt to address a recurring practice whereby employers deliberately created a time gap between the end of a fixed-term employment contract and the signing of a subsequent contract, in order to avoid the situation being construed as a continuation of the expired contract’s implementation – something that, under the previous law, would have opened the door to considering the contract renewed for an indefinite period.

However, the new law clearly introduced a reform-oriented formulation by replacing the wording used in the previous law. Whereas the earlier law stated that: *“An individual employment contract shall be concluded for an indefinite period, or for a fixed term if the nature of the work so requires, and the contract may be renewed for similar periods by agreement between the parties,”* the new law adopts a formulation that establishes, in principle, the open-ended nature of employment contracts as the default. This implies the introduction of a new assumed reality in which employment contracts are, as a rule, of indefinite duration.

This being said, the practical impact of this provision appears to be limited, given how easily it can be circumvented. The nature of the work that may require the conclusion of a fixed-term contract remains undefined and unspecified, and there is no penalty for violating this provision by concluding a fixed-term employment contract without necessity.

More importantly, however, is the provision that allows for the termination of open-ended employment contracts in a way that effectively strips them of any practical substance, a possibility that was also permitted under the repealed law.

In this context, the law includes a number of provisions, including: *“In the case of an open-ended contract, either party may terminate it, provided that written notice is given to the other party at least three months in advance,”* and *“neither the employer nor the employee may terminate an open-ended contract except for a legitimate and sufficient reason.”*

It also stipulates the following:

“If the employer terminates an open-ended contract without a legitimate reason, the employee shall be entitled to compensation for damages, not less than two months' wages for each year of service. This is without prejudice to the employee's right to claim any other entitlements due under the law.”

The law then considers the following to constitute unjustified reasons.

- “1. The employee’s affiliation with a trade union or participation in union activities under this law.*
- 2. Serving or previously serving as a union representative, or seeking such a role.*
- 3. Filing a complaint or initiating legal action against the employer, or participating in such actions regarding violations of law, regulations, or employment contracts.*
- 4. Attachment of the employee’s wages by court order.*
- 5. Exercising the right to statutory leave under this law.*
- 6. Color, gender, marital status, family responsibilities, pregnancy, religion, or political opinion.”*

However, this provision does not include any clarification of what constitutes legitimate reasons for terminating the contract, nor does it provide examples of such reasons, which naturally opens the door to the possibility of fabricating them.

In short, it can be said that, with regard to job security, the new law sought to introduce provisions that appear reformist in nature, but without safeguards and while maintaining provisions that effectively empty them of their substance. This reflects a conservative tendency to avoid polarization by provoking employers’ opposition, particularly in light of indications that employers had already objected to the provision deleted from the latest draft, which would have required fixed-term employment contracts to be converted into permanent ones if renewed for a cumulative period of up to four years.²⁵ Ultimately, all these amendments may end up reinforcing the existing status quo, despite the slow changes that the new provisions might allow.

Wages

While the section on wages in the new law retains the same structure linked to the National Council of Wages (NCW), which was first established with the enactment of the repealed Labor Law of 2003, it once again introduces an amendment related to compliance with the Trade Union Organizations Law.

On the one hand, the National Council of Wages (NCW) retains its central role in determining wage policy, as the new law stipulates that the council is responsible for setting the minimum wage for workers across all sectors at the national level, taking into account workers’ needs and those of their families, the cost of living and its fluctuations, achieving a balance between the two parties to the employment relationship, and ensuring increased production rates. It is also tasked with setting the minimum annual periodic allowance at no less than the prescribed rate of 3% of the insured wage, considering employers’ requests for a reduction or exemption from paying the annual periodic allowance, and notifying the relevant ministries of the acceptance or rejection of requests submitted by concerned parties for a reduction or exemption from payment of the annual periodic allowance.

On the other hand, the new law amended the definition of workers’ representatives on this council from: *“Members representing the Egyptian Trade Union Federation (ETUF), selected*

by the federation” to “Five members representing the most representative trade union organizations, nominated by their organizations.” This opens the door to the representation of different trade unions on the council and falls within the amendments related to compliance with the Trade Union Organizations Law, as noted above.

The establishment of this council for the first time in the repealed law represented a manifestation of reliance on the criteria of tripartite representation – workers, employers, and the government – derived from the principles of the ILO, as the council’s composition is based on an equal number of workers’ and employers’ representatives, with the number of government representatives equal to the combined total of the other two parties.

On the other hand, the new law did not introduce any notable change with regard to regulating wage growth compared to the previous law, despite the country’s painful experience in recent years, which has demonstrated a widening gap between wage growth rates and inflation rates, particularly in light of successive episodes of liberalizing the Egyptian pound. This also reflects the state’s clear tendency to preserve the essence of its wage regulation policy as it stands, and to avoid provoking or antagonizing stakeholders, especially those represented by the Federation of Egyptian Industries (FEI).

Annual wage growth in the previous labor law was governed by the following rule: *“Workers to whom the provisions of the law apply are entitled, on the date of entitlement, to a periodic annual allowance of not less than 7% of the basic wage,²⁶ until the National Council of Wages (NCW) issues decisions regulating this allowance.”*

The new law stipulates that *“Workers covered by this law are entitled to an annual periodic allowance at the due date, not less than 3% of the insurance wage. This allowance becomes due after one year from the date of hiring or from the date of the previous periodic allowance’s entitlement.”*

The government and its supporters in both chambers of parliament argued that the 3% of the insurance wage represents, in practical terms, a larger wage increase than the 7% of the basic wage, because it is calculated as a percentage of a larger amount, given that the insurance wage is higher than the basic wage.

To substantiate this logic, the government relied on a study conducted by the National Organization for Social Insurance of Egypt, the results of which were sent to the Minister of Labor in a letter from the head of the Authority. According to the letter, a review of the statistical data in the Authority’s database shows that the average share of basic wages in the insured persons’ contribution wages is estimated at 40% of total contribution wages. Accordingly, calculating 7% of the basic contribution wages reveals that it amounts to approximately 2.8% of the total contribution wages of insured persons. The study further concluded, as stated in the letter, that the equivalent of 7% of the basic wage corresponds to 2.8% of the total contribution wages of insured persons.²⁷

It is clear from this letter and its findings that the difference between the previous and the current laws appears to be extremely marginal in terms of the growth of workers’ wages. This reflects the logic presented in the study’s conclusions – regardless of their validity – in

diverting attention away from the fundamental change that could have addressed the crisis of wage increases failing to keep pace with inflation, namely linking the rate of increase to the comprehensive wage. This is because, in both cases, the rate of increase – measured relative to the basic wage – is not based on the comprehensive wage, and in both cases the rate falls far short of compensating workers for the erosion of real wages. In other words, what the government ultimately chose in formulating its general wage policy was “no policy,” or inaction, which in itself expresses a deliberate choice to ignore the need to take such a step.

Strikes

The repealed law stipulates that workers have the right to strike peacefully, but subject to a number of strict restrictions. The text required that the strike be: *“Declared and organized through their trade union organizations, in defense of their professional, economic, and social interests, and within the limits and in accordance with the controls and procedures prescribed by this law.”*

The repealed law also required that workers exercising the right to strike in an establishment with a trade union committee do so through that committee, and only after obtaining the approval of the board of directors of the relevant general trade union by a two-thirds majority of its members. In addition, it required notifying the employer and the competent administrative authority – namely, the Ministry of Labor – at least 10 days before the date set for the strike, by registered letter with acknowledgment of receipt.

The repealed law further specified that, in the absence of a trade union committee at the establishment, notification of the workers’ intention to strike must be submitted to the relevant general trade union. This notification is required to include the reasons motivating the strike and its specified duration; so that the union must grant approval through its board of directors by a two-thirds majority of its members. Moreover, the repealed law prohibited strikes or the announcement of strikes aimed at amending a collective labor agreement during its period of validity, as well as during all stages and procedures of mediation and arbitration.

In addition, the law prohibited strikes or calls for strikes in strategic or vital establishments where a work stoppage would disrupt national security or the provision of essential services to citizens. The authority to determine what constitutes a strategic or vital establishment was left undefined, which opened the door to expanding this definition in accordance with the needs of the political authorities.

Furthermore, referring the determination of the scope of the exception to the exercise of this right – by defining strategic or vital establishments – to an administrative decision issued by the Prime Minister, outside the actual provisions of the law, has in practice led to an extremely broad expansion in the classification of such establishments.

The decision issued pursuant to this legal text in 2003 – by the then Prime Minister, Atef Ebeid – included a list of strategic establishments in which strikes are prohibited, as follows: *“National security and military production facilities; hospitals, medical centers, and*

*pharmacies; bakeries; mass passenger transportation facilities (land, sea, and air); civil defense facilities; drinking water, electricity, gas, and sanitation facilities; communications facilities; and ports, lighthouses, and airports.”*²⁸

This decision therefore adopted a highly dangerous logic restricting the exercise of the constitutional right to strike across a wide range of establishments, without distinguishing between the different sectors within those establishments. It equated, for example, administrative staff in hospitals with doctors, pharmacists with delivery workers, and bus drivers with fare collectors on those buses. The same criteria were applied to telecommunications establishments, which deprived all workers within them of the right to strike equally, regardless of the nature of their work or the extent of its direct connection to the provision of telecommunications services. Under this decision, a telecommunications engineer is treated no differently from a cafeteria worker within the same establishment. Despite all these restrictions, the new law retained all the provisions restricting the right to strike, with two fundamental amendments:

1. With regard to the role of labor organizations in exercising the right to strike, the new law stipulates that workers have the right to strike in order to demand what they consider to serve their professional, economic, and social interests, after exhausting the amicable dispute-resolution methods provided for in this law. The strike shall be declared and organized by the relevant labor organization or by the labor representative, within the limits of the controls and procedures established by this law.
2. The new law defines the labor representative as “one of the employees of the establishment whom the workers agree to authorize, by virtue of an official instrument, to represent them before the employer in the absence of a labor trade union at the establishment.” The role of this labor representative is introduced for the first time in the law and did not exist in the previous law.

This amendment represents an attempt by the government to avoid contradictions between the Labor Law and the Trade Union Organizations Law, and to protect the right to organize unions under Law No. 213 of 2017. This text includes a slight easing of the restrictions that existed in the previous text.

It was important to pass this amendment in order to comply with the Trade Union Organizations Law, as this law allowed trade union pluralism for the first time in decades and ended the monopoly of the Egyptian Trade Union Federation (ETUF). This came in response to criticism from the ILO and Egypt’s repeated inclusion on its blacklist.

Egypt’s inclusion on this list was linked to violations of the right to organize and the right to trade union pluralism, at a time when compulsory trade union unity had been imposed in Egypt since 1957. That year witnessed the establishment of the Egyptian Trade Union Federation (ETUF) as a means through which the state exercised control over workers by monopolizing their representation.

However, the most serious amendment of all concerns the prohibition of strikes, as it stipulates that “strikes, calls for strikes, or the announcement of strikes are prohibited in vital establishments that provide essential services to citizens, where a work stoppage would lead to a breach of national security. Calls for strikes or the announcement of strikes are also prohibited in exceptional circumstances. The Prime Minister shall issue a decision specifying the vital establishments and the essential services they provide.”

It is clear from the above text – most of which is taken verbatim from the repealed law – that an additional phrase has been introduced, namely “It is also prohibited to call for or announce a strike during exceptional circumstances.” This text provides no specific interpretation of the nature of those exceptional circumstances, nor does it define their scope, or clarify whether they refer to exceptional circumstances at the level of the establishment itself, the sector to which it belongs, or the state as a whole. This ambiguity allows for the broad use of this provision to impose a comprehensive ban on the right to strike, which can be interpreted within the context of the authorities’ efforts to impose “control” over the labor movement.

This provision cannot be understood in isolation from the labor movement’s original connection to the broader protest trajectory that unfolded during the first decade of the century and ultimately led to the January 2011 revolution.^{29,30,31}

For this reason, the Egyptian Supreme Council of the Armed Forces (SCAF) – which assumed power during the transitional period following the January Revolution, and of which the current president was a member at the time – took legislative action aimed at curbing labor strikes as part of its efforts to “control” society during that period. In March 2011, the council issued a decree-law that tightened restrictions on the exercise of the right to strike.³²

This decree, issued in March 2011, was shielded by a somewhat vague concept – namely, “violation of the freedom of work” – in a step that constitutes part of the necessary context for understanding the premises underpinning the new law with regard to restricting the right to strike.³³

Mandatory Drug Testing

The Labor Law added a provision requiring workers to undergo medical tests for drug use or infectious diseases at the instruction of employers, provided that such medical testing is conducted by the General Health Insurance Authority (HIO) or the central laboratories of the Ministry of Health. According to the following text of the law:

“Drug testing and related appeals shall be conducted in accordance with regulations and guarantees issued by the competent Minister, which must include re-examination of the same sample on the same day of collection. In case of discrepancy between the two results, confirmatory testing shall be carried out by either of the above-mentioned authorities. If a positive result is confirmed, the employee shall be referred to the competent labor court for adjudication.”

The article also stipulates that: *“In all cases, the employer must maintain confidentiality throughout the testing process and shall not disclose the employee’s health status based on these tests.”*

With this provision, the state permits itself to extend control over the bodies of a new category of workers by compelling them to undergo these medical tests, after having already extended such control over another category. This new provision in the Labor Law thus constitutes an extension of Law No. 73 of 2021 on appointment to, or continuation in, employment,³⁴ whose provisions targeted employees of the state administrative apparatus as well as workers in private institutions of public benefit. This law is currently subject to a constitutional challenge.

In fact, the new provision was not justified by practical necessities or by the need to address the impact of drug use on the conduct of work, as it might appear at first glance. The new law, like the repealed law, already relies on a number of “legitimate” grounds for dismissal, including proof that “the worker was in a state of evident intoxication or under the influence of drugs during working hours.”

For this reason, the new text can be understood not within the framework of practical necessities, but rather within the framework of the public policymaker’s pursuit of imposing “control” and domination over society, this time through labor relations. This approach is also consistent with the law’s provisions aimed at controlling the exercise of the right to strike, as noted above.

Conclusion

The stipulations of the new labor law, compared to the repealed law issued more than thirty years ago, introduce a package of reform-oriented measures, particularly at the level of recognizing new working trends, social dialogue, and the women employment. However, in contrast, the practical impact of these reforms under the new legislation issued a few months ago remains limited by two factors: First, the balance of power drawn by the law itself through its provisions on strikes; and second, the broader environment in which the labor law is implemented, particularly with regard to the related legislation.

Regarding the first factor, the new amendment regulating the right to strike – by prohibiting strikes in “exceptional circumstances” and tightening restrictions on the exercise of this right to an extent that may, in practice, amount to an outright ban – contributes to depriving workers of the most important mechanism at their disposal. This mechanism enables them to alter the balance of power in their favor and, consequently, to benefit from any reforms permitted by the law.

The second factor, related to the environment in which the law is implemented, is essentially linked to the Trade Union Organizations Law and its amendments. Although the Trade Union Organizations Law introduced trade union pluralism in Egypt for the first time in decades, the law – even after its 2019 amendments – still includes a number of restrictions on the establishment of trade unions, foremost among them the minimum thresholds imposed for forming trade union organizations, whether trade union committees, general unions, or general federations.

Its provisions also effectively restrict workers' ability to engage in any informal trade union activity, or to organize themselves into other entities such as associations when official unions fail to represent them. This, in turn, closes off any opportunity for the emergence of alternative union structures or new leaderships in cases where official unions fall short in fulfilling their role.³⁵

However, the practical application of the law has revealed that the balance of power has a deeper impact on the state of trade union freedoms than the provisions of the law itself. Since the enactment of the Trade Union Organizations Law, Egyptian bureaucracy has deliberately obstructed the right to establish trade unions. Many unions have not been allowed to come into existence, and independent unions whose activities were frozen have been unable to complete their registration procedures. Labor directorates have also refused to receive union registration documents or have provided flimsy justifications, opening the door to repeated attempts to force independent unions to join the government-controlled General Federation.³⁶

¹ The Senate is the second chamber of the Egyptian parliament. It was reestablished under constitutional amendments in 2019 and began operating in 2020. It plays an advisory role in reviewing draft laws, public policies, and development plans before they are referred to the House of Representatives, but it does not have binding legislative powers.

² Beesan Kassab, "New labor law, same pro-business bias", Mada Masr, 23 November 2024, available at <https://www.madamasr.com/en/2024/11/29/feature/politics/new-labor-law-same-pro-business-bias/> (Kassab, "New labor law")

³ Kassab, "New labor law"

⁴ The private sector's average contribution to job creation rose to 81.3% in 2023, compared to an average of 76.3% during the previous decade (2013–2022).

⁵ Ministry of Planning and International Cooperation, "During the conference 'Development Finance for Private Sector Empowerment... Economic Growth and Employment,' the Regional Director of the European Bank for Reconstruction and Development reviews the partnership with the government to expand renewable energy projects and efforts to empower the private sector", 16 June 2025, available at <https://moic.gov.eg/news/2302>

⁶ International Monetary Fund, "IMF Executive Board Completes Fourth Review Under Agreement with Egypt Under Extended Fund Facility, Approves Request for Agreement Under Resilience and Sustainability Facility, and Concludes 2025 Article IV Consultations", 12 March 2025, available at <https://www.imf.org/en/news/articles/2025/03/11/pr-2558-egypt-imf-completes-4th-rev-eff-arrangement-under-rsf-concl-2025-art-iv-consult>

⁷ International Monetary Fund, Press Briefing Transcript: Julie Kozack, Director, Communications Department, 24 July 2025, available at <https://www.imf.org/en/News/Articles/2025/07/24/tr-07242025-press-briefing-transcript-julie-kozack-director-communications-dept-july-24-2025>

⁸ World Bank, "Inflation, Consumer Prices (Annual %) – Egypt, Arab Rep.", *n.d.*, available at <https://data.worldbank.org/indicator/FP.CPI.TOTL.ZG?end=2024&locations=EG&start=2003>

⁹ The new law retains the highly restrictive provisions on the exercise of the right to strike contained in the repealed law but adds a vague provision prohibiting its exercise in so-called exceptional circumstances, without defining what these are.

¹⁰ Where possible, translations of original texts are sourced from: Andersen Global, "Translation of Labor Law No. 14 of 2025", accessible at <https://eg.andersen.com/translation-labor-law-14-2025/>. In the event that translations cannot be found, they have been completed by the Arab Reform Initiative.

¹¹ Companies in the platform and app sector do not consider workers to be employees or staff but rather treat them as contractors or service providers.

¹² The law was drafted at a time when the International Labor Organization was preparing to hold its conference last June, which was scheduled to discuss platform work. The ILO's interest crystallized when its annual conference adopted a resolution to draft a convention on decent work in the platform economy, in addition to defining proposed standards for this work, such as fundamental principles and rights at work, fair wages, social security, occupational safety and health, the impact of automated systems on working conditions and access to work, personal data protection and privacy, and dispute settlement mechanisms.

¹³ International Labor Organization, "ILO Adopts Landmark Convention on Biological Hazards in the Working Environment", 16 June 2025, available at <https://www.ilo.org/resource/news/ilc/113/ilo-adopts-landmark-convention-biological-hazards-working-environment>

¹⁴ International Labor Organization, *Social Dialogue and Tripartism*, n.d., available at <https://www.ilo.org/topics-and-sectors/social-dialogue-and-tripartism>

¹⁵ قرار رئيس مجلس الوزراء رقم 799 لسنة 2018، 26 إبريل/نيسان 2018، منشورات قانونية، متاح على

<https://manshurat.org/node/43958>

¹⁶ Hassan Al-Barbari, Director of the Egyptian Forum for Labor Relations, personal interview, 26 August 2025.

¹⁷ Central Agency for Public Mobilization and Statistics, *Quarterly Labor Force Survey (Analytical Report)*, 2024–2025, available at <https://www.capmas.gov.eg/publications/11>

¹⁸ الجهاز المركزي للتعبئة العامة والإحصاء، النشرة السنوية المجمعّة لبحث القوى العاملة، 2024، متاح على

<https://censusinfo.capmas.gov.eg/Metadata-ar-v4.2/index.php/catalog/1927>

¹⁹ World Bank, "Labor Force, Female (% of Total Labor Force) – Egypt, Arab Rep.", n.d., available at <https://data.worldbank.org/indicator/SL.TLF.TOTL.FE.ZS?locations=EG>

²⁰ The percentage of women in the total labor force in Egypt in 2024 reached its lowest level since at least 1990 and was less than half the global average, according to World Bank data. **This is also evident in data from the Central Agency for Public Mobilization and Statistics, the official body responsible for statistics in Egypt.** The gender gap in employment is widening. For example, the agency's data reveal that the number of women in employment in 2023 reached 4.6 million, the same number as in 2009 (*Quarterly Labor Force Survey (Analytical Report)*, 2024–2025). According to the same source, the rate of participation in economic activity among women was only 16.4%, compared to 17.1% in the third quarter of 2024 (*Quarterly Labor Force Survey (Analytical Report)*, 2024–2025).

²¹ World Bank, "Breaking Barriers: Boosting Women's Labor Force Participation in Egypt", 12 March 2025, available at <https://www.worldbank.org/en/news/feature/2025/03/12/breaking-barriers-boosting-women-s-labor-force-participation-in-egypt>

²² Caroline Krafft, "Why Do So Few Married Women Work in Egypt?", Economic Research Forum, 2023, available at <https://erf.org.eg/publications/why-do-so-few-married-women-work-in-egypt/>

²³ الجهاز المركزي للتعبئة العامة والإحصاء، إحصاءات التوظيف والأجور وساعات العمل 2022، 2023، متاح على

<https://censusinfo.capmas.gov.eg/Metadata-ar-v4.2/index.php/catalog/1917/overview>

²⁴ Kassab, "New labor law"

²⁵ Kassab, "New labor law"

²⁶ Basic wage is "the wage stipulated in the employment contract, plus any allowances", while insurance wage is the wage on the basis of which social insurance contributions are determined.

²⁷ "مشروع قانون العمل الجديد وتقدير مجلس الشيوخ بمراجعتة"، كانون الأول/ديسمبر 2021، منشورات قانونية، متاح على

<https://manshurat.org/node/74964>

²⁸ عاطف عبيد، 12 تموز/يوليو 2003، منشورات قانونية، متاح على <https://manshurat.org/node/12168>

²⁹ Between 2004 and 2010, Egypt witnessed a wave of strikes and labor protests described as the largest since the late 1940s. These protests escalated due to a number of economic factors, most notably the acceleration of the privatization of state-owned companies since 2004, as well as the sharp rise in prices, which eroded workers' real wages.

³⁰ The strike on 6 April 2008 in the city of Mahalla al-Kubra, one of the most important industrial centers in the Nile Delta, marked a turning point in the labor movement, as it developed into widespread unrest characterized by unprecedented symbolic significance, most notably the circulation of a video clip documenting the burning of a picture of President Hosni Mubarak. The convergence of economic and

political demands was renewed in early 2011, when widespread labor strikes across the country, particularly on 10 February, contributed to the weakening of the existing political system and were a decisive factor in hastening Mubarak's departure.

³¹ Fatima Ramadan and Amr Adly, *Low-Cost Authoritarianism: The Sisi Regime and the Labor Movement in Egypt Since 2013*, Carnegie Middle East Center, 2015, available at <https://carnegieendowment.org/research/2015/09/low-cost-authoritarianism-the-egyptian-regime-and-labor-movement-since-2013>

³² القوات المسلحة، "تجريم الاعتداء على حرية العمل"، مارس/آذار 2011، منشورات قانونية، متاح على <https://manshurat.org/node/3010>

³³ Text of the decree-law entitled "Criminalization of Violations of Freedom of Work". Anyone who, during a state of emergency, carries out an act or activity that results in the prevention, disruption, or obstruction of a state institution, public authority, or public or private employer from performing its duties shall be punished by imprisonment and a fine of not less than twenty thousand pounds and not more than fifty thousand pounds, or by one of these two penalties. It also stipulates that anyone who incites, calls for, or promotes, by word, writing, or any other means, any of these acts, "even if their intention is not realized", shall be punished with the same penalty. It further stipulates that the penalty shall be increased to imprisonment for a period of not less than one year and a fine of not less than one hundred thousand pounds and not exceeding five hundred thousand pounds, or one of these two penalties, "if the offender uses force or violence during the protest, activity, or action, or if the crime results in the destruction of a means of production, harms national unity or social peace, disrupts public order or security, or damages or seizes public or private funds, buildings, or property".

³⁴ في شأن شروط شغل الوظائف أو الاستمرار فيها "عزل الموظف متعاطي المخدرات"، منشورات قانونية، متاح على <https://manshurat.org/node/72707>

³⁵ Fatma Ramadan, Mahboub Aboud, and Hoda Kamel, "Trade Union Law and Executive Regulations Violate the Constitution and International Agreements", Social Justice Platform, 2017, available at <https://sjplatform.org/wp-content/uploads/2018/11/El7aq-Fi-El-Tanzeem-en.pdf>

³⁶ Workers in the Vortex of Crisis: Report on Violations of Trade Union Freedoms in 2024, Trade Union and Workers Services Center, Cairo, 2025, available at <https://www.ctuws.com/en/file/4784/download?token=Q-sXekDj>