

HAMAD BIN KHALIFA UNIVERSITY  
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LEGALIZING INTERSECTIONALITY:  
CLASS, RACE AND FEMALE MIGRANT WORKERS IN QATAR

BY

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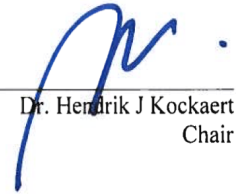
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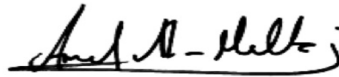


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## ABSTRACT

While some research has been conducted on labor conditions in the Gulf, we have yet to ask how gender is systematically regulated by the law. To what extent does the law institutionalize and normalize difference based on the female labor force's ethnic, national and class affiliations? This thesis develops a framework for understanding the role of Qatar labor law in formalizing the intersectionality of class and race positioning female migrant workers within a hierarchical legal scheme that separates a domestic worker, from a businesswoman or a health professional. It argues that there is a distinction between female workers governed under the labor law of Qatar and those governed under the domestic workers section. The intersection of race, nationality and class in the legal system thus works to create and foster disparities embedded in the fabric of society.

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Author

Maryam Al Beshri

## DEDICATION

This thesis is dedicated to every woman who is fighting for her rights in the workplace.



## **CHAPTER 1:**

### **1.1 Introduction**

The state of Qatar shares much with the other countries of the GCC, but it is quite exceptional compared to other world economies regarding the magnitude of its economic dependence on foreign workers. In order for the Qatari economy to function, it relies on a vast majority of foreign workers: for example, at the start of 2017 the Qatari labor force comprised over 2.1 million workers (Qatar Ministry of Development Planning and Statistics, 2017). Of these, just under 102,000 were Qatari nationals (Qatar Ministry of Development Planning and Statistics, 2017). The remaining 2 million workers within the Qatari economy are non-Qatari citizens, with 1.76 million males and over 246,000 females in employment (Qatar Ministry of Development Planning and Statistics, 2017). While some research has been conducted on labor conditions in the Gulf, we have yet to ask how gender is systematically regulated by the law. To what extent does the law institutionalize and normalize difference based on the female labor force's ethnic, national and class affiliations?

To answer these questions, this study develops a framework for understanding the role of labor laws in formalizing this disparity by demonstrating the intersectionality of class and race positioning women within a hierarchical legal scheme that separates a domestic worker, from a businesswoman or a health professional. It argues that there is a distinction between female workers governed under the labor law of Qatar and those governed under the domestic workers section. In the domestic sector, women have less control over the terms of their contracts and are expected to adhere to the rules of individual employers. It will be shown that class and nationality intersect to produce highly variable working conditions for female migrant workers. Class is the first factor in determining the disparity in rights as domestic workers get

fewer rest days than women of a higher social class. Equally, however, race and nationality, even within the same class of workers, play a role in determining whether the employee has certain rights – such as the right to obtain a family visiting visa. The intersection of race, nationality and class in the legal system thus works to create and foster disparities embedded in the fabric of society.

To make this argument the following work is divided into sections detailing the origins of Qatar’s dependence on foreign labor, the national and gendered distribution of this labor force and its organization under Qatar labor law. This is followed by a discussion of the theoretical frameworks employed to shed light on female migration with a focus on the theory used herein, the intersectionality of identity. The study depends on two primary sources: the first source is the Qatar labor law and the second is the substantive content of 20 in-depth oral interviews with female migrant workers in Qatar. Both sources will illuminate the gaps in our understanding of the intersection between race, class nationality and the law.

## CHAPTER 2

### 2.1 The Origins of Labor Dependency

In 1973, the States in the Gulf Region - Saudi Arabia, Oman, United Arab Emirates, Kuwait, Bahrain and Qatar - experienced an 'oil boom'. The discovery of rich supplies of oil, and the resultant vast revenues that were generated, rapidly transformed the economies of these countries (Zahlan, 2016). Qatar, which had identified local oil fields as far back as 1940 (Peterson, 2018), began to benefit substantially from the oil boom as a result of economic liberalization policies in the 1970's (Zahlan, 2016). The oil boom demanded a significant reliance on the use of foreign workers to meet the needs of the country's increased infrastructure demands and modernization programs (Mohammad & Sidaway, 2016), and also changed the way in which women's lives were shaped. Prior to the oil boom, Qatar's need for migrant workers was minimal and largely seen in relation to trade and commerce (Alsudairi & Abusharaf, 2015). Women's roles, on the other hand, within this pre-oil economy were largely traditional, and centered around family and child rearing (Golkowska, 2014). Oil changed Qatar as the country was, on its path to 'modernization', in need of a significantly larger workforce than its relatively small population was capable of providing (Wiedmann & Salama, 2013). This large influx of non-nationals translated into a population and a workforce that were sharply split between nationals and non-nationals (Ministry of Development Planning and Statistics, 2015).

To the present day, there are vast differences between Qatari and non-Qatari citizens in respect of their roles within, and experiences of, the Qatari economy (De Bel-Air, 2014). The roles occupied by Qatari in the government sector are 80.5% of

Qatari among male employees and 82.2% of Qatari among female employees (Qatar Ministry of Development Planning and Statistics, 2015). In contrast, only 7.2% of non-Qatari males and 14.1% of non-Qatari females are employed in the government sector (Qatar Ministry of Development Planning and Statistics, 2015). On the other hand, 86% (1.5 million) of non-Qatari male workers are employed in the private sector, the majority of whom work within the construction and trade industries (Qatar Ministry of Development Planning and Statistics, 2015). Regarding female non-Qatari workers, the largest sector of employment is domestic services, with 56% of this population (138,000) employed in private homes as cleaners, cooks, drivers, and nannies (Qatar Ministry of Development Planning and Statistics, 2015). These figures reflect a society in which there is a strict allocation of opportunities and benefits depending on such factors as nationality, migrant status, and type of occupation (Buttorff, Welborne & al-Lawati, 2018).

While the policy of Qatarization and the country's labor laws are attempts to regulate the types of jobs available for migrant workers in Qatar based on nationality, it has been found that these policies have had a number of negative impacts on issues related to migrant workers' human rights (Mohammad & Sidaway, 2016). More specifically, in respect of female migrant workers, these include abuse at work and having to survive on subsistence pay (Rieker & Read, 2017). These policies are also found to have increased the vulnerability of many female workers as these women feel 'locked into' long working hours for minimal pay due to a lack of other options (Sater, 2014). Such impacts are mostly felt by those working in unskilled roles such as domestic services (Rieker & Read, 2017). There is some evidence to suggest that migrant female workers in other sectors - such as the 16.3% of migrant females who

are employed in skilled jobs (Qatar Ministry of Development Planning and Statistics, 2015) do not experience the same degree of challenges (Zahraei, 2015).

The work experience of female migrant workers might include some specific challenges, unlike other female workers. For example, the inability of the low-income female migrant workers to take protection from the different types of employers. These women do not have the power to stand up to the different actors, which can be a particular challenge for them, as the employees may feel that they can be easily exploited (Lukasiewicz, 2011). Another problem for migrant workers, in particular, is that they are over-dependent on their sponsor, and therefore are open to further exploitation (Lukasiewicz, 2011). This is, in particular, an issue for female migrants, as the face discrimination in wages, a particular challenge when dealing with the different stakeholders. Because on the sponsorship system, female migrant workers in general do not have an independent status, which in turn lowers their status within society. Another problem that women migrant workers face is that they are neglected by government sectors (Alsudairi & Abusharaf, 2015), while the private sector depends on them. Female migrant workers also face difficulties in dealing with legal mechanisms, as they are often too afraid of legal situations (Alsudairi & Abusharaf, 2015). This also opens them up to exploitation, which can be highly dangerous for their long-term well-being. Moreover, in low-income type of jobs, such as domestic workers, women can be treated as slaves, due to the ability of employers to have the law work in their favor. The process through which female migrants pass through also demeans their existence, which can further lower their self-esteem and the ability to get justice (Alsudairi & Abusharaf, 2015).

Given the aforementioned negative impacts, it is important to consider why these women choose to migrate in the first place. Scurry, Rodriguez & Bailouni (2013) have highlighted the insufficiency of data on migrant identities within GCC countries. On a basic level, the self-narratives of those who made their journey to Qatar rely on a hope for change, and economic promise (Lukasiewicz, 2011). Scurry, Rodriguez & Bailouni (2013) reports that the structural constraints - largely related to the legal frameworks within Qatar - and the migrants' adaptation to these constraints begin to form a new narrative about what being a migrant means. Regarding the experiences of female migrants in Qatar, insufficient research has been conducted regarding their national, ethnic or class identities to their working conditions. This is an area requiring further academic inquiry into the experiences, and narratives of these individuals (Scurry, Rodriguez & Bailouni, 2013). This study aims to contribute to our understanding of the intersecting dynamics of identity in gender, law and labor in Qatar.

## **2.2 Overview of the Qatari labor force**

In this section, Qatar's dependency on migrant workers is described in general terms, followed by a more specific focus on female workers. Indeed, with 1.76 million males in employment, this is more than seven times the 246,000 females employed. Nonetheless, the number of female migrant workers alone is nearly two and a half times the combined male and female number of Qatari nationals in the workforce (Qatar Ministry of Development Planning and Statistics, 2015). Focus at this point shall remain on the characteristics of the female labor force in Qatar - including both migrant and national women - before turning to the issues facing the

migrant female workforce in particular. Figure 1, identifies some interesting statistics concerning male and female differences within the Qatari workforce, as well as the differences between Qatari and non-Qatari workers.

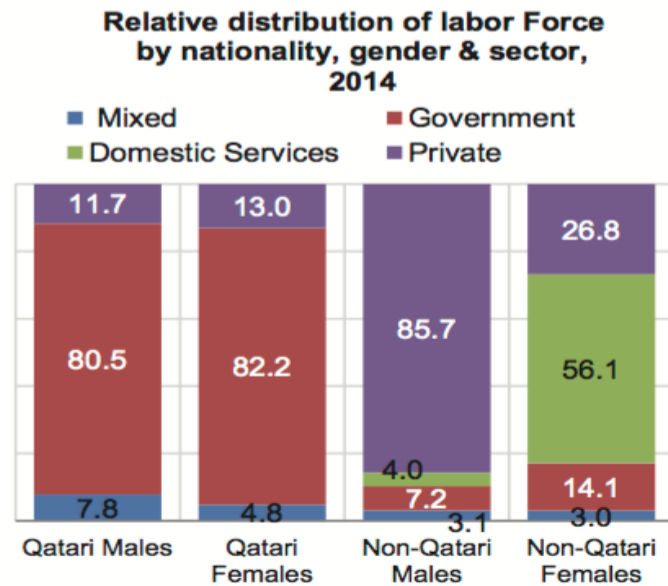


Figure 1: Labor force distribution, 2014. Taken from Ministry of Development Planning and Statistics (2015).

The first point to note here is the apparent gender similarity regarding the domain in which Qatari citizens work. The government sector is the predominant sphere of employment for Qataris, with only a small minority working within the private sector. It is also worth noting that the number of Qatari females working within in domestic services is negligible and not represented in the figures. Within the government sector, men are more likely to work within public administration compared to women: 62% of men as compared to 36% of women (Qatar Ministry of Development Planning and Statistics, 2015). 41% of women, both Qatari and non-Qatari, are more likely to

be employed in the field of education and healthcare, an area which men are not well represented in, with just 5.5% of men involved in this field (Qatar Ministry of Development Planning and Statistics, 2015). Whereas both Qatari men and women are predominantly government employees, the vast majority of migrant male workers are employed in construction or trade activities, whereas a significant proportion of the female migrant population is employed in domestic and housekeeping roles (Qatar Ministry of Development Planning and Statistics, 2015). For example, just 1.1% of Qatari female workers are employed in jobs that are unskilled in nature, compared to 54% of non-Qatari female workers who work in unskilled occupations (Qatar Ministry of Development Planning and Statistics, 2015). This is also reflected in the educational levels of Qatari females in employment, 94.8% of whom have completed secondary or higher education; in comparison, just 38% of non-Qatari females have achieved similar educational status (Qatar Ministry of Development Planning and Statistics, 2015).

If one were to examine the disparity between working hours and pay, the nature of how inadequately female migrant workers are systematically treated in Qatar becomes apparent (Shlala & Jayaweera, 2016). On average, Qatari females earn a monthly wage of 23,223QR, and work an average of 38 hours per week; by contrast, non-Qatari females work 17 hours per week longer (at an average of 55 working hours a week) for just 4,968QR a month (Qatar Ministry of Development Planning and Statistics, 2015). Such a massive pay gap is evidence of the policy of Qatarization, which aims to take skilled positions away from non-Qataris, particularly in the public sector (Kusumah, 2017). This has resulted in



higher rates of employment for Qatari women within the fields of education and health, positions previously occupied by foreigners.

Furthermore, the creation and reinforcement of the policy of Qatarization, a key part of the *Vision 2030* framework (Qatar General Secretariat for Development Planning, 2008) results on Qatari employees supported by a huge unskilled workforce mostly working in the private sector, reduced pay, and limited work development opportunities. Qatari nationals, as shown in Figure 1, would not occupy - 'migrant-only jobs', such as housekeeping or other domestic work. The Ministry of Development Planning and Statistics (2017) clearly show 0% of Qatari national males and 0% of Qatari national females to be employed in such fields, compared to 4% of migrant males and 56% of migrant females. By contrast, Qatari females are mostly employed in the public sector, and mostly seen in the private sector as entrepreneurs and business owner who depend on migrant workers to run their businesses. This segregation by nationality and work type has led to an intersection against female migrant workers (Adhikary, Keen & Van Teijlingen, 2011).

On the other hand, while the policy of Qatarization has certainly reduced opportunities for migrant communities in Qatar (Kaifi, 2015), it has also been instrumental in the (relative) empowerment of female nationals (Shockley, 2016). Although Qatar has always, and still does, place significant emphasis on the primary societal role of women as child bearers (Golkowska, 2014), Qatarization has opened up educational and occupational opportunities to a new generation of Qatari women. This is not without its relative challenges for Qatari women, who are now expected to

juggle both occupational and familial roles, and are at the frontline of the clash between modernity and traditional Qatari values (Maktabi, 2016). Throughout the transition to modernization, Qatari women have depended on migrant female workers to handle domestic work and child care, while the former have pursued their education to increase their presence in the national work force. Nevertheless, Qatari women find themselves further along the path to liberation than they have ever been in relation to education and work, although the pressures to be both modern and traditional are potentially unsustainable (Rajakumar, Bengali, Shahzad & Kane, 2017). However, despite the progress made by Qatari women, the fact remains that for female migrant workers, opportunity, economic freedom, and a raised social status are all seemingly out of reach for the foreseeable future (Al-Muftah, 2015).

The types of positions offered to migrant female workers in the private sector vary from domestic work and child caring to nursing, hospitality, education, security, and work in the cosmetic and beauty industry. Qatarization, it must be remembered, has decreased the dependence of Qatar on skilled foreign labor, and created an economy in which Qatari nationals have the first priority for vacant positions, particularly within skilled or educated professional ranks (Al-Horr, 2011). The figures from Qatar's Ministry of Development Planning and Statistics (2015) clearly showed an economy driven by a duality of opportunity in which Qatari citizens essentially run the government sector and migrant workers serve mainly in the private sector, occupying a small percentage of skilled jobs. Looking at the nationalities of migrant workers and average monthly wages, data from 2017 suggests that Indian nationals are the largest nationality within Qatar, with 650,000 registered migrant workers (Snoj, 2017). Other key

contributing countries include Nepal (>350,000), Bangladesh (280,000), the Philippines (260,000) and Egypt (200,000) (Snoj, 2017). According to Millward, such a situation, in which opportunity, working conditions, and financial compensation are so intertwined with nationality, is a result of a system unique to the Gulf States alone (2017). For example, each job type is, for the most part, occupied by a common nationality of female migrant workers. In such instances, nationality appears to count more than qualifications of individuals. Such a hierarchical framework, based around nationality, class, and gender, has created an environment in which there is a huge social gap, not only between nationals and migrant workers, but between migrant workers themselves.

### **2.3 Theoretical Frameworks**

To date and to the best of researcher's knowledge, no singular work has highlighted the status and challenges faced by females in Qatar's workforce. The exploitation that female migrant workers face has often been ignored in the academic literature, a gap this thesis seeks to fill by trying to better understand the long-term impact that employment laws have on them. Additionally, there is little evidence regarding the identities of female migrant workers, a factor that requires more academic attention to the lived experiences and narratives of these individuals. There is a need for understanding the wider legal, social and economic issues at play in generating the problems that women migrant workers face in the Qatari work environment. The following section will briefly consider the different theories and frameworks that have been developed and used to explain some of the issues around female migrant workers in Qatar. While briefly outlining current thought regarding female migration theories, this section adds intersectionality as a theoretical lens by

which to view the multiple identities at stake in the both the social and legal construction of female migrant labor issues in Qatar.

Regarding the type of migrants entering Qatar, For the most part, the data from the Ministry of Development Planning and Statistics (2015) shows that unskilled or limited skilled workers form the majority (68%) of the 2 million-plus migrants' workforce. There are a number of theoretical frameworks that attempt to explain mass occupation-driven migration, none of which are entirely comprehensive when applied to female migration as seen in Qatar (Oishi, 2002). This section shall briefly outline and critique the core theories in this area. The first theoretical framework to be considered is neo-classical economic theory (Morgan, 2015). This theory states that the sort of migration seen in relation to Qatar's workforce is the result of economic factors such as labor supply and demand, as well as wage differentials across countries (Morgan, 2015). However, when it comes to female occupational-related migration, such an explanation does not stand up to examination (Oishi, 2002): major 'sending' countries such as the Philippines or Sri Lanka actually tend to have a higher GDP per capita and lower unemployment than the countries that they travel to for work (Morgan, 2015). As a result, Oishi (2002) argues, economic indicators cannot provide a sufficient explanation as to why women migrate internationally to countries such as Qatar. In contrast to the neo-classical economic theory, structurist theory posits that migration is a form of exploitation of those from developing countries by those in developed countries (Arango, 2017). This exploitation takes the form of low wages, lack of job security, and poor job conditions - all reported aspects of migrant experience in Qatar (Diop,Le & Ewers, 2016) - and is characterized by female workers travelling from rural to urban centers in their home countries before being

recruited by multi-national corporations to migrate overseas for work (Brettell & Hollifield, 2014). However, there is little empirical evidence to support such a view, and instead, evidence suggests female migration is not precipitated by the movement to urban centers as argued by this theory (Oishi, 2002).

So far, considered theories behind female migration have placed the decision to migrate at the door of the individual. Household strategy theory however suggests that decisions to emigrate, and to find work, are not made by individuals but, negotiated within family units (Hagen-Zanker, 2008). This serves to both maximize the income of a family whilst also minimizing risks to the family's economic wellbeing via diversification of employment income streams (Hagen-Zanker, 2008). Although Household Strategy Theory has been gaining traction within the academic community (De Haas, 2010) there are also criticisms of the model. For instance, these arguments are based on reported data that suggests poorer households send out more migrants for work (Oishi, 2002), but this assertion is not subsequently backed up by more reliable or systematic data (Oishi, 2002). Such a model also fails to explain why some countries - such as the Philippines or Sri Lanka - export more migrant female workers than others - such as India or Pakistan - without using the simplistic argument that households in no-sending countries have no economic plan (Oishi, 2002, De Haas, 2010).

The final framework to be considered here is that of Network Theory. This theory suggests that it is personal, social networks that help to drive mass economic migration (Bakewell, 2010). These networks are used to share information about the

availability of jobs within countries that are sending women abroad to work, whilst in receiving countries, immigrants are assisted by those who have gone before, with communities helping new arrivals to find work and adjust to their new settings (Bakewell, 2010). These networks reduce the costs of migration which in turn facilitate the decision of new migrants to make the journey themselves. This theory has relevance to understanding female migration, for women tend to rely on personal networks more than men do (Oishi, 2002), and there is some evidence to suggest that many women find jobs through the friends and relatives who have gone before them. However, this framework is unable to explain why migration to a country such as Qatar happened in the first place; Qatar and many of the sending countries such as the Philippines for example had no prior history of close ties, and this model can scarcely account for how/why migration here was first occasioned (Oishi, 2002, Bakewell, 2010).

Instead of relying on a single theory or framework that may explain the large numbers of female migrants to Qatar, it is more likely that an integrative approach or understanding of the situation is better able to explain this phenomenon (Squires & Amico, 2015). In other words, it is likely to be a combination of factors that both push females from their home nations and pulls them towards countries such as Qatar. Most probably, it is the combination of a number of the aforementioned factors involved in the above theories that act as a complex set of drivers behind decisions to emigrate to Qatar for work (Van Hear, Bakewell & Long, 2018). These drivers can be macro, or micro in nature, they may be the result of individual circumstances or international agreements, and they combine in a multi-factorial and complex manner

which drives migration to the degree that is seen within Qatar - in which the female migrant population outnumbers the local population (Shrestha, 2017).

While the above theories attempt to explain the driving factors behind migration, they do not help researchers to conceptualize or situate individuals or groups of people within the numerous discriminatory systems existent in a given society. They do not highlight the prejudices people face, based on overlapping dimensions of racial, cultural or religious identities. Intersection theory, however, accounts for the interlocking dynamics of multiple identities and, therefore, multiple forms of oppressions, in society. For example, the way in which race and gender intersect in black women, producing an experience of discrimination different from that experienced by white women or black men. It stresses the challenges of oppressions raised by the difference in ethnicities and religion (Lee & Piper, 2013). Intersectional theory was developed by Kimberle Crenshaw, who critiqued the identity politics of the feminist movement in the United States – as one where all women identify as ‘women’ and agitate as a feminine collective for change. The theory argues that factors such as race, religion and cultural background contribute to and complicate the oppressions faced by women at work (Lee & Piper, 2013). These factors also have an inherent impact on shaping the structures that shape the lives of marginalized women. This theory has its roots in the dominance of such power structures, such as white supremacy and/or capitalist patriarchy (Lee & Piper, 2013). It is important to understand that the degree of selectivism it employs is associated with the power of authority and the role it plays in producing hierarchies of oppression as such, based on one’s color, class and race. White feminists will, for instance, explain gender as the primary cause of racism in society (Lee & Piper,

2013). African American women may see gender and race as equally limiting categories of oppression. The principle of intersectional theory, therefore, rests on the assumption that race, culture, gender, color, culture and sexuality are essential categories of analysis in gender studies (Kron & zur Nieden, 2013). This theory helps to unravel the layers of injustice that marginalized women face while providing an analytical framework that transcends the limitations of identity politics.

The roots of intersectional theory can be traced back to the activism of liberation theology - a movement in Christian theology, developed mainly by Latin American Roman Catholics, which attempts to discuss the problems of poverty and social injustice (Shah, 2004). The concept of intersectional theory is relatively new. However, the practice of criticizing and exposing such power structure can be traced back to liberation theory. This is an important point of the trigger for the concept of universal equality, which exist at all levels (Shah, 2004). The work of Michele Wallace is central in this field, explaining the dynamics of racism and misogyny in society (Seshan,2012), it highlights the oppression and injustice that prevails in societies faced by black woman (Kron & zur Nieden, 2013). The Work of Angela Davis also played a pivotal role in focusing the concept of racism, class and inequality in of women's liberation movement (Gardner, 2013). Their work allowed for a positive link to be made between race and the class in societies. Factors such as sexism and racism were inseparable and contributed equally to the oppression of black woman (Kron & zur Nieden, 2013). The researcher is aware that there is further contribution in the literature produced by women of color feminists scholars. A valuable contribution related to the field of intersectionality such as



the work of Sima Birge and Sherene Razack. which goes beyond the scope of this thesis.

The critique of the intersectional theory is embedded in decolonial literature (Sheshan, 2012). Critique of this concept emerged for the first time as a result of the confrontation between decolonial writers and writers employing intersectionality (Jolo, 2007). The decolonialists, themselves blamed for having failed to construct strong links between racism and economic injustice, argued that the theory of intersectionality led to good and bad activists (Sheshan, 2012). For example, if activists did not support particular rights such as animal rights, veganism and equality, they were regarded as 'bad activists'. In spite of this critique the theory is particularly relevant from the perspective of this research because it rests on the idea that discrimination and mistreatment of female migrant in Qatar is a consequence of structures in which race, ethnicity and class factor deeply in modalities of injustice. In Qatar the mistreatment is systematized through a number of legal concepts, such as the Kafeel, who possesses the right to deny the laborer a new job, and until recently, to travel without permission

The intersectionality of identity is integral to any understanding of the entrapment of female migrant workers within a system of inequality in which only certain jobs are available, hours worked are long, wages low, and social status negligible. The existence of these challenges can be evidenced both from the economic data - which indicates female migrants have access to a limited range of opportunities, which mostly involve long hours and little pay - and the narratives they provide of their experiences. As already stated, these include discrimination, fewer

rights, and being (or feeling) trapped within their jobs with no recourse to leave (Diop, Jardina, Tessler & Wittrock, 2017) and with no potential for career development.

Three intersectional identities underpin the matrix of domination under study in this work - although there are potentially others. The first is gender, despite Qatar's attempt to modernize, it is still a largely patriarchal society which places women's rights below those of men (James-Hawkins, Qutteina & Yount, 2017). Despite the increased emancipation of Qatari women in relation to jobs and education, this is still very much the pervasive view; Qatari women's increased opportunities can be seen in relation to the agenda of Qatarization and the preservation of national identity, rather than to feminine empowerment fueled by progressive views on women. National identity is the second factor intersecting with female migrant workers identities. Once again, Qatarization plays a role here by prioritizing the claims of local citizens to skilled jobs, which creates an economy based upon a two-tiered system in which well paid jobs go to Qataris and low paid jobs are open to migrant workers. In turn, this produces a rigid class structure based on nationality. Educational fulfillment, in particular, is completely different across these two work forces, again reinforcing and maintaining the divide. Combined these factors have created an economy based upon those in positions of power or privilege - the Qataris - and those who are not. Over the course of time, this 'them and us' mentality slowly assumes a national discourse on 'migrant workers (Jureidini, 2005). We now turn our attention to the legislation that facilitates and legalizes the intersectional hierarchy described above.

## 2.4 Methodology

The following sections aims to explore and understand the lived experiences of female migrants working in Qatar. The intention of this study was not to gather conclusive evidence or to provide ultimate ‘truths’ about the topic at hand, but rather, to explore a particular way of looking at the phenomenon of national hierarchies in the Gulf. To achieve this, the researcher focuses on two primary resources; the text of Qatari labor law and the voices of 20 female migrant workers through in-depth interviews. A qualitative research approach is used throughout as a route to understanding and interpreting the meaning behind and the intentions underlying the human experiences under study. Interviews are a particularly valuable research method for the purposes of this study, allowing the researcher to gain insight into the lives of participants living in a particular community or society (Hesse-Biber, 2010). The goal is to utilize this data to and apply the findings for a wider population, in order to promote social policy changes on issues of particular importance to female migrant workers in Qatar. To achieve this goal, in-depth interviews allow us to understand the “lived experiences” of the individuals and to address topics that are often issue oriented. In other words, interviews are “a method to explore a particular topic and gain focused information on the issue from the participants” (Hesse-Biber, 2010, p.10). In-depth interviewing allows the researcher to bring the voices of those who are marginalized in society by accessing their ideas, thoughts, and the memories they hold. Their words, rather than the words of the researcher, are privileged (Hesse-Biber, 2010). However, the difficulty arises when attempting to convince the women to speak honestly about their cases and to encourage interviewees to reveal their personal experiences and memories in detail. The challenge for the researcher is to create a comfortable environment when conducting the interview, such that the

participant is encouraged to speak freely, allowing their voices to be heard in the interests of permanent legal change.

This researcher has used semi-structured interviews conducted within an overarching, thematic guide listing a number of written questions within a particular interview (Hesse-Biber, 2010). In this type of interview, the researcher is not too concerned about the order or sequence of questions but with the content of each question covered (Hesse-Biber, 2010). However, the researcher remains flexible and has the ability to add new questions throughout the interview in order to advance the main goals of the interview. In other words, the questions are not tightly predetermined, and there is room left for spontaneity on the part of the researcher and interviewee (Hesse-Biber, 2010, p.6). The semi-structured interviews were conducted in this research covering a sample study of 20 female migrants working in Qatar approach the topic by dividing the interviewees into two groups of 10 based on their job type (skilled and unskilled positions). The first 10 participants were chosen based on their unskilled occupations, such as nannies, drivers, cleaners, waitresses and domestic workers. The second group of 10 participants were chosen based on being employed in professional skilled positions such as receptionists, hairdressers, teachers, nurses, store managers, specialists and supervisors. Within each group, whether skilled or unskilled, the diversity of nationalities was considered, allowing for a comparative analysis between class and nationality, and any subsequent patterns of disparity, to emerge. The third factor to be considered was educational levels and the fourth was the number of years in Qatar. Together, these factors allowed for an assessment of the potential for

career growth and development. The final factor for consideration was whether the position was classified as a public or private sector job. This allowed for an assessment of the degree to which labor laws are adhered to by corporations/private, individuals' vis a vis government employers.

The semi-structured interview posed similar questions to all 20 participants. These questions were designed to explicate the intersectional nature of the problems faced by the female migrant workers, measuring their employment rights against their nationalities, working conditions, social and physical mobility, as well as class affiliation. The researcher used notes writing for recording the participants answers instead of audio recording in order to create a comfortable environment for informal discussions. The results allow the researcher to analyse and highlight the means by which Qatari labor law, or its mode of implementation, entrenches intersectionality. The following points were discussed during the interviews with participants:

- Nationality
- Duration of residency in Qatar
- Education background
- Age
- Previous job in Qatar
- Working hours
- Job benefits
- Leaves such as annual, maternity, and sick leave
- Career development
- Appraisals and salary increments
- Physical mobility, which refers to exiting the country and the migrant's freedom to travel back home
- Social mobility, which refers to career development and flexibility to switch jobs
- Awareness of Qatar Labor law
- Women's employment rights such as the right to marry while in Qatar, maternity leave

The sample size of 20 participants was feasible to be approached through the researcher's own network as well as the researcher's friends and family social

network. A sample study of 20 participants is sufficient for the purposes of a qualitative analyses of female migrant workers experiences. The sample of participants allows the researcher to locate the disparities among the group and to link it to the legal system. The number of participants allows for qualitative research which is “concerned with in-depth understanding and usually involves working with small samples” (Hesse-Biber, 2010, p.12). The research could expand on the data by engaging a larger number of participants, conditional on their ‘fit’ within the groups of skilled and unskilled workers and covering the spectrum of different nationalities and social classes under consideration.

As a Qatari National researcher, I’m aware of my position in this research, which may symbolize a source of power to some of the study group especially the ones on the lower job scale hierarchy. To overcome this nationality superiority obstacle, my role was to encourage those women to speak openly in informal discussion allowing for their voices to be heard with no fear, for the hope of change. On another note, I would like to highlight my motivation behind conducting this research as our family is lucky to have a cook who works at my parent’s resident for 28 years and until the time of this research. For many years, due to legal barriers, my family including myself failed to bring the cook’s only daughter to visit her mom in Qatar and for us to meet her. However, while visiting the local hair salon, I got to know that the hairdresser from Albania, who has the same rank of position as our cook or slightly similar salary was able to bring her daughter to live with her in Qatar within few months from her appointment at the salon. This immediately brought to mind that intersectionality is very much entrenched and reinforced within the law.

## CHAPTER 3

### 3.1 International human rights for female migrant workers and local law

A closer look at Qatar labor law reveals that the system of sponsorship of migrant workers - known as Kafala - is a system designed to ensure that the power dynamics, where Qataris have leverage over migrant workers, are maintained (Bajracharya & Sijapati, 2012). Kafala is a general requirement for every foreigner who originates from a country outside the GCC states as he or she has to be under the sponsorship of either a private citizen, a private business or a state institution (Longva, 1999). Explicitly designed to ensure that migrant workers hold a status of temporary guest workers within Qatar, the system of Kafala is also a powerful means of control and domination: migrant workers effectively surrender their rights and control, are unable to leave their position without their sponsor's authorization, and are unable to leave the country without their permission (Bajracharya & Sijapati, 2012). The Kafala system gives sponsors/employers the right to control the migrants' range of choices about their own lives, such as employment opportunities and sponsorship of dependents, as these choices depend on the sponsors' decisions (Longva, 1999). Both Human Rights Watch and Amnesty International have heavily criticized this system of Kafala (Human Rights Watch, 2012), resulting in Qatar - due to the poor publicity - reforming a number of labor laws in May 2014 (Babar, 2017). These reforms detached some of the harsher policies relating to No Objection Certificates, permission to leave the country, and easier entry to Qatar (Shabina, 2014). However, despite these changes, it is unlikely that national constructions of 'the migrant worker' would have shifted in such a short amount of time, so although workers may experience more legal rights than before, their social status, opportunity, and ability to self-determine are likely to have gone unchanged (Juridieni, 2017).

### 3.2 Qatar Labor laws and the migrant female worker

The Qatar labor law (2014) states that females should be paid the same as men for the same jobs - this is covered by the average salaries discussed above for those employed within Qatar's civil service - and yet this sense of equality does not apply for female workers in other sectors. For example, Article 94 prohibits women from working in difficult work or work that impinges on their health or morals, whilst Article 95 prevents women from working during specific times such as public and national holidays. Certain occupations - such as nursing - receive specific rights to, for example, maternity pay (Qatar Labor Law, 2014). Others, however, receive little protection, and these people tend to be employed in less skilled jobs. Another example is that female migrant workers in skilled jobs such as nursing or administration are granted family visitor visas for their families, while domestic workers are not because they are unskilled and receive a low monthly income. Domestic workers, one of the key employment sectors for female migrants, have had precious few rights and been subjected to numerous abuses (Human Rights Watch, 2017). However, in 2017 the 'Domestic Workers Law' was reformed. The new law laid out the rights of such workers to a rest day, maximum 10-hour work days, and three weeks annual leave (Human Rights Watch, 2017). However, despite these reforms to Qatari labor laws, there are a distinct lack of enforcement mechanisms with which to uphold these laws, or to ensure that they are adhered to (Human Rights Watch, 2017).

According to Qatari labor law, local nationals are given priority in seeking employment. However, those employers who are seeking to hire non-Qataris from overseas must obtain permission from the government (Gardner, 2012). The new



Labor Law of Qatar (2014) has aimed to strike a balance between the rights of female employees and the rights of their employers. Amnesty International has also been reported on a number of human rights violations in recent years. Many female employees working in Qatar have been unfairly treated, and have not been paid on time, which can lead to delays and physical torture for individuals (Seshan, 2012). Amnesty International has also highlighted that women's labor rights have not been safeguarded by the Qatari government, as female domestic workers have been subject to abuse by employers (Amnesty International, 2014). In addition, Amnesty International noted in its report *My Sleep is My Break* that shocking abuse was being carried out by Qatari and non-Qatari employers, leading to discriminatory practices that have led to female domestic workers being abused by their employers despite their nationality (Gardner, 2013). This is also an important issue as over 84,000 female domestic workers from South East Asia are working in Qatar (Amnesty International, 2014). However, Qatari law does not stipulate any particular hours for these workers, which often means that they are over-worked. The restrictive sponsorship system in Qatar also means that women domestic workers are open to abuse, as they would be detained and deported if they were to report these abuses (Gardner, 2012).

The Kafala sponsorship system is not restricted to domestic workers only; however, it impacts this specific job type the most because the female workers are mostly sponsored by individual citizens, which results in them having fewer rights in comparison to other women workers. No particular rules have been defined for the number of hours, breaks, and other rights of the female domestic workers who are hired by individuals in Qatar (Jolo, 2007). One of the issues with the Kafala system is that a migrant worker would become undocumented after they escape from an abusive

employer, and could be charged by the Kafael (Seshan, 2012). The Kafala system also leads to forced acceptance of unfair working conditions for the migrant workers. The system also indicates that migrant workers are often forced to sign false statements about receiving their wages before their passport is released by the employer (Shah, 2004). This often leads to the migrant worker not being released from employment in a fair manner (Jolo, 2007).

Combined, Qatarization, Kafala and Qatari labor laws have presided over a state in which migrant workers often have no rights, no days of rest, little pay, no access to sufficient health care, and no ability to determine their own fate (Babar, 2017). The longstanding policies of Qatari governments have created an economic system, which has become ingrained in the national psyche. This system degrades and discriminates against the migrant workers that, ironically, Qatar greatly relies upon in order to function (Diop, Le, Johnston & Ewers, 2017). The policy of Qatarization seeks to create a hierarchy of occupational opportunity, with skilled jobs being largely proffered to local citizens, and unskilled labor being the domain of the immigrant. The Qatari labor laws, of which Kafala has been a longstanding feature, further add to the discrimination of migrants. These laws have effectively turned migrant workers into the disposable property of their sponsors or employers (Kaifi, 2015), and untold thousands have been abused, discriminated against, and had their human rights imposed upon because of this state sponsored system of domination; this system has created and perpetuated the intersectionality of female migrant workers. As the Vision 2030 initiative progresses, a vision which places emphasis on maintaining a Qatari traditional identity, on reducing reliance on foreign workers, and on putting Qataris first, it is unlikely that this situation will change any time soon (Erfani, 2015).

Evidence from Qatar shows that a class system may be emerging in the type of female employees who have been hired. In the case of low paid domestic female workers, their rights are often not protected. Where the labor policies are more widely applied to higher paid workers, the low paid female workers are often ignored. A new amendment introduced in 2014 aims to protect female employees by ensuring that all wages are paid by direct bank transfers, to ensure that employees are protected (Berrebi, Martorell, & Tanner, 2009). Law no. 1 of 2015 states that employee details must be registered with Qatar Central Bank, and therefore this may provide more protection to the women who are working in Qatar (Berrebi, Martorell, & Tanner, 2009). While the Qatari law has been reformed in theory, in practice it is not applied in a consistent manner. The residency permit, which applies in the case of Qatar, often has negative consequences for the female employees working in a domestic situation (Gardner, 2013). This is due to the fact that the Kafala system allows full control by the employer, as the power relationship is often not put into place in a sustainable manner, and therefore this can have a negative impact on the female domestic worker (Seshan, 2012). Jolo's research (2007) suggests that having a more transparent system for managing female domestic workers can be put into place, one which changes the power relationship between the employer and the employee, leading to an improvement in the management of the employees. Also, there is a need to ensure that all classes of workers are treated in the same manner. This will lead to a reduction in the abuse which may be found in the development of the labor law in Qatar (Jolo, 2007).

## CHAPTER 4

### 4.1 Discussion of Findings

The data collection was a result of 20 oral interviews with female migrant workers in Qatar. The age range of this study sample was from 23 years old to 55 years old and the duration of residency in Qatar that varies from 1 week to 28 years of work experience in the county. This section will discuss the results of in-depth interviews which indicate that female migrant workers face an intersectional division of class and nationality. The results highlight the outcome of interviews with 10 female migrants who were employed in skilled positions such as teachers, nurses, store managers, receptionists, hair dressers, finance supervisors and other specialized professionals. The remaining 10 females were employed in unskilled positions such as nannies, waiters, cleaners, domestic workers and drivers. The study utilized a number of variables, including nationality, education background, and class status, to better understand class and nationality intersectionality in the Qatari Labor force. The interviews were analyzed and reflected upon in light of Qatari labor law and its implementation.

The data discussed in this chapter is based on the interview questions which were grouped into 4 themes, with each theme consisting of a minimum of 3 questions. The 4 themes covered both categories; skilled and unskilled positions. The first theme discusses working conditions such as working hours, rest days, weekends and leaves. The second theme is social mobility; that studies the female migrant worker's ability to switch jobs for the purpose of career development. The third theme is physical mobility, which measures the freedom of female migrants to travel and exit the country. The fourth and last theme is female employment rights. This theme examines

the workers educational background versus their awareness of Qatar labor law and its modifications.

The first theme is focused on is that of working conditions. Looking at working hours of the skilled position groups, we find that almost all interviewees from this category work for 8 hours per day, with the exception of hair and beauty sector, as their working hours could reach an average of 10- 13 hours per day, with no overtime payment. In contrast, the working hours for females in unskilled positions is a minimum of 10 hours, and it can reach up to 15 hours per day, especially for domestic workers. When it comes to rest days and weekends, domestic workers are the only category of interviewees who claim that they are not entitled to rest days; however, it depends on the rules of individual employers. For example, one of the workers interviewed stated that she is entitled to 1 rest day per month. Only yet, this case is rare in this study among domestic workers, the majority of whom work without a single rest day. On the other hand, the annual leave tends to be similar among this category with an average of 15-21 working days annual leave. The skilled position female employees on the other hand, are granted an average annual leave of 21-40 working days, except for two interviewees, a teacher in foreign school and a supervisor working in a branch campus of an American institute, who are both entitled to 15 working days a year. This indicates that not all organizations are following Qatar labor law as some places follows the labor law of their main branches outside Qatar. As a result, this creates a two-tier system in which some work places are allowed not to follow Qatar law.

The second theme is social mobility, which consists of female migrant workers career development and their flexibility to switch jobs to enhance their work experience. If we look at the issue of career development, all women occupying the unskilled positions reported that they have had no career development plan since joining their work place. This is despite their long years of service, which was demonstrated in one case by a domestic worker who had reached 20 years serving in the same house. However, if we take the example of nurses, two of the interviewees working in different organizations had been given the opportunity to develop in their careers over their 24 to 28 years of work experience. Their development can be seen in the advancement of their job title, role and responsibilities, as well as training opportunities. In contrast, within this study the evidence suggests that teachers are not offered the same career development opportunities as nurses, despite the fact that both jobs fall under the skilled and professional job category. According to Samya, a primary teacher from Egypt, she mentioned that “the school monitors employees performance with annual appraisal exercise but the outcome of evaluation is not reflected on career development or salary increment” (Samya, personal communication, February 20, 2019). While Arwa from Egypt, who works as a Marketing specialist, explained that her organization depends on the annual appraisal to determine the employee’s qualification for career growth and annual salary increment that could vary from 3%-7% on the basic salary annually (Arwa, personal communication, February 15, 2019). In regard to flexibility of switching jobs, the researcher argues that the lower females are on the job type hierarchy, the harder the policy is applied on them. For example, Janet from the Philippines, who is Head of Therapists at a beauty center stated that “I’m not allowed to change my job, if I think about it, I would need to go back to my home country for 2 years until I’m allowed to

come back to work in Qatar again, and I can't afford it" (Janet, personal communication, February 7, 2019). On the other hand, Marline, also from the Philippines, who works as Finance Supervisor, explains that switching jobs for new opportunities would be very smooth in her case as she is only required to give a one month notice to her employer (Marline, personal communication, February 16, 2019).

The third theme is that of physical mobility, which means that "women enjoy freedom of movement within a wider geographical space; this in turn may or may not entail a greater opportunity to live a genuinely unsegregated life (Longva, 1999, p.193). In other words, it allows female migrant workers the flexibility to exit Qatar and return to their home country when required to be with their families. In addition, it allows them to obtain visiting visas for family members while they live in Qatar. In recent years, the notion of transnational families, has become more familiar as it refers to a new family model that is characterized by the geographical separation of a family member due to the migration of one or more members while continuing to maintain a close relationship. For that reason, physical mobility is a very important aspect for female migrant workers in order to stay connected as transnational families. All the participants of in this study confirmed that their physical mobility is subject to the requirement to obtain an exit permit. This process can be done either through the female's employer or spouse depending on her sponsorship status "Kafala". In respect of obtaining visiting visas for family members to enter Qatar, these are conditional upon the female migrant's salary income and job status. For example, Elda, a hairdresser from Albania was able to sponsor her daughter who is currently living with her in Qatar, while Georgina from the Philippines who works in the same beauty center as a receptionist is not allowed to apply for a short visiting visa for any of her

family members. The same rule applies to all domestic workers, nannies and drivers who were interviewed in this study; none of them meets the criteria to obtain a family visa despite the broad range of their nationalities: Kenyan, Indonesian, Ethiopian, Filipino or Indian. This situation means that the ability to maintain a transnational family for migrants in Qatar is not guaranteed.

The last theme is the awareness of Qatar labor law and women's employment rights in Qatar, which is examined against the participants educational background. Most of the interviewees in the skilled positions have obtained an undergraduate degree with the exception of some employees who are holders of a professional certificate, as is the case with hairdressers and nurses. On the other hand, the education background of unskilled positions is mainly elementary or higher school, with the exception of one of the domestic workers who is illiterate. This indicates that most of the participants in this study are able to read their contracts and understand their work rights and conditions. Nevertheless, the study shows that 5 participants out of 20 who are educated and employed are unaware of the rights granted by Qatar's labor law. Instead they understand their rights from employer and their work colleagues. This means that females employed in higher positions are more aware of the law and policies in addition to the formation of the law. Shedding light on women's employment rights specifically maternity leave and nursing hours, these are mainly granted for employees in skilled job types starting from admiration jobs, nurses, teachers and others. Yet when it comes to domestic workers, nannies, drivers, and waitresses, the interviewees claim that they are not entitled to maternity leave or nursing hours, which hinder their ability to have and raise a family while working in Qatar.



## 4.2 How legal theory meets legal practice

One of the many results of this research investigation is that female migrant workers who are employed by small to medium private business, or individuals in the case of domestic workers, do not receive the full rights afforded them under the Qatari labor law. Exchanges with the interviewees shed light on this issue. According to Julie, a nanny from Philippines, who has worked in a private house for 12 years, her working hours average 12-14 hours per day with 2 hours rest time (Julie, personal communication, February 16, 2019). The same applies to Lamya, a Moroccan waitress who is employed by five-star hotel and who works an average of 10 hours per day (Lamya, personal communication, February 9, 2019). This situation also applies to the skilled female employees. The hairdresser Elda from Albania and the receptionist Georgina from Thailand both state that they work for longer than 10 hours per day (Elda, personal communication, February 15, 2019). However, the picture changes when we look at those employed by corporations or in the education sector. For example, the cleaner Abuya from Kenya, who works in a school, confirms that her working hours do not exceed 8 hours in total per day, including duties after school hours (Abuya, personal communication, February 13, 2019). Similarly, Habiba from Indonesia, who works as nanny in a nursery, follows the 8 working hours policy as stated in Qatar labor law (Habiba, personal communication, February 10, 2019). This seems to confirm that not all employers in Qatar follow the Article (73) in the labor law which states that “The maximum ordinary working hours shall be forty hours per week at the rate of eight hours per day” (Qatar Labor Law, 2014). However, the investigation on government and semi-government sectors confirms that while job types such as nurses, teachers, administrators, and specialists follow the 8 hours

policy, this is not true for those employed at the lower end of the job hierarchy spectrum, regardless of educational background or nationality.

According to article (75) from the Qatar labor law “the workers shall be allowed a weekly paid rest which shall not be less than twenty-four consecutive hours and Friday shall be the weekly rest day for all workers with the exception of shift workers” (Qatar Labor Law, 2014). This article applies to most of the study sample of 20 female migrant workers except domestic workers, nannies and drivers. Yet, there seems to be exceptions in the unskilled workers category. In this category, one domestic worker and one driver stated that they are granted one day per month as a rest day while the remainder of the sample working in similar jobs are not offered any rest day until their contracts end, after which they are entitled to annual leave. This is clear evidence that individual employers take advantage of the vulnerability of the less-skilled job types and give themselves the right not to follow the Qatar labor law under the power of ‘Kafala’ authority. The reason behind this situation may be due to a lack of government monitoring of individual employers and the enforcement of penalties. The law has no exclusion of any job type or gender in regard to rest days policy as it clearly states that “if circumstances of the work necessitate the employment of the workers during the rest day, the worker shall be compensated for the rest day by another day, and shall be paid for working that day” (Qatar Labor Law, 2014). Unfortunately, the law, and not even the spirit of the law, is practiced by some employers.

Entitlement for annual leave in Qatar labor law is conditional on workers completing one continuous year of service in order to get not less than 3 weeks of

paid leave (Qatar Labor Law, 2014). In respect of the sample of this study, the policy is reflected differently depending on how the worker is categorized. Skilled positions receive their annual leave of a minimum of 28 calendar days and this could increase to 40 calendar days depending on whether the worker is employed by the government or private sector. However, unskilled jobs receive less days of annual leave, and domestic workers are entitled to 30 calendar days every two years with a paid airfare ticket from their employer. Yet, domestic workers, nannies and drivers will pay for their own airfare ticket if they decide to leave the country before their contract ends. This policy is created by individual employers and has no relevance to the labor law of the state. It seems clear, therefore, that there is disparity between the policies of the government sector, private corporates, and individual employers. The findings of this investigation suggest that there is no adherence to Qatar labor law, especially when it comes to private corporates and individual employers. The legal state of affairs not only discriminate among female migrant workers but it imposes a hierarchy based on race, nationality, ethnicity within the same working class. In other words, the law acknowledges and reproduces intersectional distinction.

#### **4.3 Analysis of results**

An examination of the law confirms that there is a distinction between female workers governed under the labor law of Qatar and those governed under the domestic workers section. The unskilled job types fall in the lower hierarchy of the social structure, and this results in national/ethnic inequalities between migrant workers. For example, a female cleaner may get more rights if she works for the government or a school in comparison to a cleaner working for a private business, despite the fact that their job description is the same in terms of roles and responsibilities. Another example would be the comparison between two waitresses:

one is Arab, working in hotel, and the other is Nepali, working for private restaurant. The Arab waitress gets more benefits due to her nationality. Moreover, she has the privilege to apply for family member visiting visas, while the Nepalese waitress cannot as she does not comply with the criteria due to her low income.

The formalization of intersecting identity is aided by gaps in the Qatar Labor laws because there is no mechanism for monitoring individual employers in the same way as it is done for government sectors and private organizations. This results in inequalities between female migrant workers employed by organization versus individuals. In this particular case, the sponsorship system “Kafala” and in particular the sponsor “Kafeel” plays a major role in enforcing intersectionality among female migrant workers. The “Kafeel” domination may overcome the employment rights that are granted by the state via the policies of labor law. For example, the right to get married during the employment period, and the related issue of maternity leave, are mostly disregarded among domestic workers, nannies and drivers and as they would result in their contracts being terminated as reported by the interviewees working for individual sponsors. Conversely, for female employees in skilled positions, the right to marry and maternity leave is stated in their employment contract. Another type of racial intersectionality was identified in this research when nurse Bushra from Tunis reported that expat female workers get less maternity leave than Qatari mothers (Bushra, personal communication, February 10, 2019). This contradicts article (96) of the labor law which states that “a female worker who has been employed by an employer for a complete year shall be entitled to maternity leave with full pay for a period of fifty days” (Qatar Labor Law, 2014). The law makes no differentiation based on nationality in terms of a woman’s right to maternity leave; however,

employers change policies without consideration of the state's law. This selective implementation of the law results in intersectionality between nationalities in practice, while legally it should not exist.

## CHAPTER 5

### 5.1 Conclusion

This research has identified that the rights afforded to female migrant workers in Qatar are often based on the job category and how it is perceived within society, often leading to migrant workers considered as ‘others’ within – or perhaps outside – Qatari society. This state of otherness has been purposefully and consciously created and facilitated through the application of government policy and labor laws which have put Qatari’s first above equals, by implementing the ‘Kafala’ sponsorship system which restricts the opportunities and freedoms of female foreign workers. Another factor is the Qatarization policy which prioritizes locals for the skilled positions and relies on migrant workers for unskilled positions. In spite of these policies, the number of migrant workers within Qatar far outnumber the country’s native population. This has created conditions that have been criticized by Amnesty International alongside many other reports, and yet, despite criticisms, and despite the apparent softening of labor laws, the figures tell the same old story. The official statistics, as outlined by the Qatari Ministry of Development Planning and Statistics (2015; 2017) show a two-tiered society of skilled local citizens propped up by an army of unskilled or low skilled workers who work for long hours for a fraction of the economic benefits that nationals, or international white-collar workers receive. This situation, which is perpetuated by the intersectionality on multiple levels, shows no sign of changing, and until it does, the hundred thousand of migrant workers in Qatar, including the hundreds of thousands of female workers, will continue to be treated as a sub-class within Qatari society.

The outcome of the interviews of this study provides evidence that there is a distinction between female workers governed under the labor law of Qatar and those governed under the domestic workers section. In the domestic sector, women have less control over the situation and the terms of the agreement because they are supposed to strictly adhere to the rules of the employer and remain submissive. This factor was the main reason behind two types of intersectionality: class and nationality. First, evidence of social class intersectionality, which was clearly demonstrated in the cases when domestic workers were granted fewer rest days (if any, in some cases) in comparison to higher social class as - female migrant workers occupying the skilled position. In addition to other unskilled workers have no right to get married during employment and their contracts do not cover their right for maternity leave while the skilled positions receive this right as stated in Qatar Labor law.

Another evidence of nationality intersectionality was further demonstrated in the cases where certain nationalities of female migrant workers are allowed to obtain family visiting visas for their relatives to visit while they work in Qatar. This right, however, depends on their nationality and salary income. The same applies to the case of two female employees working for the same employer the one from Albania was granted permission to sponsor her daughter while the one from Philippines does not meet the sponsorship criteria to bring her family along. Another case is the duration of maternity leave for expats being less than Qatari employees. This kind of race intersectionality impacts the female migrant workers as it indicates a disparity concerning

employment benefits among different nationalities, and creates different status of jobs in the society structure.

This research confirms that enhancement in policies and reformation of Qatar Law labor law has been happening, but its implementation from employers has been slow, especially across the private sector and with individual employers. This situation has been allowed to fester in the society because monitoring only applies to organizations, but no system is in place for monitoring individual employers who fall behind in complying with the policies of Qatar labor law. Therefore, this study recommends that Qatar Labor law shall be evaluated regularly in an attempt to achieve the desired improvement. Additionally, an improved monitoring system which applies penalties among employers who do not comply with Qatar's labor law is required. In order to eliminate the level of intersectionality among nationality and class. Another recommendation is that the government should develop a strategy or vision for how Qatar can minimize the dependency on migrant workers for unskilled occupations, and to evaluate when would be the right time to attract Qatari female workers to take unskilled positions in sectors such as beauty, catering and hospitality, besides being the business owners.



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