

New Rights of Women Employees in Algerian Law

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Abstract

Protecting women employees' rights has become essential due to their growing role in public service, requiring stronger legal guarantees that ensure effective equality and address their professional and social needs.

The Algerian legislator has sought to develop the legal framework governing public service through successive legislative reforms aimed at strengthening the status of women employees, consolidating the principle of equal opportunities, guaranteeing professional rights related to career advancement, and providing specific protection related to maternity and the reconciliation of professional and family obligations.

Keywords: Women employees; Public service; New rights; Professional equality; Legal protection; Legislative reforms.

INTRODUCTION

Public service constitutes one of the most important domains embodying the sovereignty of the State and the continuity of public utilities, being the legal framework that governs the relationship between the administration and the employees entrusted with performing public service duties. The public service system has undergone notable development, no longer confined to regulating the professional duties of the employee, but extending to the consolidation of a comprehensive system of rights and freedoms aimed at protecting the employee and ensuring the exercise of his or her duties under appropriate conditions.

Women employees have had a significant share in this development, moving from merely benefiting from the general rights

established for all employees to enjoying special guarantees that take into account their social and family nature, particularly with regard to maternity, the reconciliation of professional and private life, and protection from various forms of discrimination. This development takes place within the context of the constitutional and legislative transformations that Algeria has undergone, which have enshrined the principle of equality among citizens and affirmed the necessity of advancing women's rights and strengthening their participation in various fields, including public service.

Algeria's international commitments — particularly the conventions relating to the elimination of discrimination against women and the protection of working women — have contributed to steering legislative policy towards building a system more consistent with international human rights and labor standards.

However, the problem lies not merely in the existence of legal texts recognizing the rights of women employees, but in the extent to which these texts are capable of achieving effective protection within the public administration, particularly in light of certain difficulties associated with practical implementation.

The importance of the topic therefore stems from its connection to a fundamental issue: the extent to which the law is effective in achieving a balance between the requirements of public service and the necessity of protecting the professional and social rights of women employees.

From this the following problem statement arises:

To what extent have the recent legislative reforms in Algeria contributed to the creation and reinforcement of the rights of women employees, in a manner that guarantees their legal protection and supports the reconciliation between their professional and family situations, and to what extent are these rights effective in establishing equality and genuine protection for women in the field of public service?

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This may be broken down into the following sub-questions:

- What are the constitutional and legislative foundations that have established these rights?
- Do the current legal texts guarantee effective protection for women employees?
- To what extent are the legal and institutional mechanisms effective in ensuring that women employees can exercise these rights?

To answer this problem, the analytical method was adopted to examine the legal texts governing the rights of women employees.

The study has been divided into two sections:

Section One: The conceptual and legal framework of the new rights of women employees, divided into two subsections.

Section Two: Manifestations of the new rights of women employees under the legislative reforms, divided into three subsections.

Section One: The Conceptual and Legal Framework of the New Rights of Women Employees

The study of the new rights of women employees in Algerian law requires defining the concept of these rights and clarifying the legal foundations on which they rest, given that the development of women's legal status within public service resulted from the interaction of a set of constitutional, legislative, and international factors that contributed to reshaping the employment relationship on the basis of achieving equality and legal protection.

Subsection One: The Concept of the New Rights of Women Employees

This subsection addresses the definition of the new rights of women employees as a first branch, and the characteristics of these rights as a second branch.

Branch One: Definition of the New Rights of Women Employees

The new rights of women employees refer to those rights and guarantees that the legislator has established or developed within the framework of recent legislative reforms, with the aim of improving the legal status of women within public service and enabling them to exercise their professional duties under conditions based on equality and equal opportunity, while taking into account their specificity relating to maternity and family obligations.

These rights are not limited to the traditional rights known in public service law, such as the right to salary, promotion, and leave, but also include a set of rights of a more modern character¹ (Gharouf, 2022, p. 55), such as:

- The right to fair benefit from training and promotion opportunities.
- The right to access administrative positions and responsibilities.
- The right to special protection during pregnancy and maternity.
- The right to achieve a balance between professional and family life.
- The right to a work environment that respects human dignity.

The idea of new rights is based on the development that the concept of equality has undergone in modern law: equality no longer means identical treatment of all individuals in all cases, but rather the removal of obstacles that prevent certain groups from genuinely enjoying their rights.

Accordingly, granting women employees certain special guarantees does not constitute a departure from the principle of equality, but rather represents its application, since differences in factual circumstances may require differences in legal treatment in order to achieve justice (Ammar, 2022, p. 112).

Branch Two: Characteristics of the New Rights of Women Employees

The new rights of women employees are characterized by a set of features that distinguish them from traditional rights, which may be summarized as follows:

First: They are rights of a protective character

These rights are based on providing legal protection to women employees in view of certain unusual circumstances that may affect their professional path, particularly during pregnancy, childbirth, and childcare.

Second: They are rights connected to the principle of effective equality

These rights do not aim to grant women unjustified privileges, but rather seek to achieve genuine equality among employees by addressing the factual disparities that may hinder women's enjoyment of their rights¹ (Sghir, 2013, p. 210).

Third: They are rights with a social and humanitarian dimension

The regulation of public service is no longer based solely on considerations of administrative interest, but has come to consider the human dimension of the employee, as a person with a social and family life requiring protection.

Fourth: Their connection to international standards

The modern rights of women employees have been influenced by international trends in the field of human rights and labour, particularly with regard to combating discrimination and promoting women's participation in professional life¹ (Assembly U. N., 1996).

Subsection Two: The Legal Basis of the New Rights of Women Employees

Branch One: Constitutional Basis

The Constitution constitutes the supreme frame of reference for the various rights and freedoms, from which the legislation governing public service derives its fundamental principles.

The Algerian Constitution has enshrined the principle of equality among citizens and the prohibition of discrimination, and has affirmed the State's commitment to advancing women's rights and strengthening their participation in various fields.

These principles are of particular importance in the field of public service, as they constitute a constitutional basis guaranteeing women's right to access public positions and to benefit from professional rights on an equal footing with men.

In this regard, Article 40 of the 2020 constitutional amendment provides for the legal and constitutional protection of women from all forms of violence in various spaces, including the professional space — an orientation reflecting a constitutional commitment to providing a safe environment for women, including women employees, and protecting them from various forms of violence they may face while performing their work.

The constituent legislator also affirmed, in Article 59, the State's commitment to advancing women's political rights and expanding their chances of representation in elected councils, reflecting the general orientation towards strengthening women's participation in public life and enabling them to exercise their roles effectively.

This orientation may indirectly reflect on the situation of women employees and support them, by promoting their presence and participation in various positions of responsibility and decision-making.

As for Article 68, it is considered one of the most important constitutional provisions related to the subject of this study, given its direct connection to the professional field, as it reflects a clear constitutional will to strengthen women's position in the labour market and their promotion to positions of responsibility in public bodies, administrations, and institutions.

However, the constitutional enshrinement of this principle remains in need of effective legislative and regulatory mechanisms to ensure the transition from legal equality to genuine equality in practice.

Moreover, constitutional recognition of women's rights is not limited to the proclamation of principles, but requires the legislator to establish legal rules that allow these principles to be translated into practical guarantees (**Algeria, 2020**).



Branch Two: International Basis for the Protection of Women Employees

The protection of women in the field of work is no longer merely a domestic matter linked to national legislation, but has become part of an integrated international system aimed at guaranteeing human rights and achieving gender equality in various fields.

International conventions have contributed to developing the concept of protecting working women, moving from the mere prohibition of discrimination to the establishment of positive obligations on States to ensure women's effective participation in professional life¹ (**Assembly U. N., 1996**)¹.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is among the most important international conventions affirming women's right to equality in the field of work, calling on States parties to take appropriate measures to eliminate discrimination against women in employment and occupation.

The International Labour Organization has also played a fundamental role in developing standards relating to the protection of working women, particularly through conventions on equal pay, non-discrimination, and maternity protection¹ (Organization, 1958)¹.

Algeria's commitment to these international standards has been reflected in its national legislation, as the legislator has become increasingly concerned with enshrining women's rights within public service, according to an approach that combines equality with special protection.

However, commitment to international standards does not mean the literal transposition of international rules, but rather requires their adaptation to the specificities of the national legal and social system, in order to ensure their effectiveness in practice¹ (**Algeria, Ordinance No. 06-03 dated July 15, 2006, 2006**)¹.

Branch Three: Legislative Basis for the New Rights of Women Employees

Legislation constitutes the direct source for regulating the legal status of women employees, as laws and regulatory texts translate constitutional principles into binding legal rules that define the employee's rights and duties and regulate the various stages of her professional career within the public administration.

Foremost among these texts is the General Basic Law on the Public Service, which represents the general legal framework governing the relationship between the administration and the employee, and which has enshrined a set of fundamental principles, most notably equality in access to public positions, the guarantee of professional rights, and the protection of the employee in the performance of her duties¹ (**Algeria, Ordinance No. 06-03 dated July 15, 2006, 1990**)¹.

The texts relating to labour and social security have also contributed to strengthening the legal status of women employees, particularly through provisions relating to maternity protection, entitlement to leave, and social coverage, given that these rights constitute an essential part of women's legal protection in the professional field¹ (**Algeria, Ordinance No. 06-03 dated July 15, 2006, 2006**).

Article 27 of the Public Service Law enshrines the principle of equality and non-discrimination among employees on grounds of sex, constituting a fundamental guarantee for women employees in recruitment, promotion, and access to various professional rights.

Article 37 of the same law adds that it provides protection to the employee in the performance of her duties by guaranteeing working conditions that preserve dignity, health, and physical and moral safety — protection of particular importance to women employees against practices that may affect their safety or dignity in the professional environment.

Article 146 of the same law represents a clear manifestation of the legislator's consideration of the family obligations of the female employee, as it allows her to benefit from unpaid special leave (*mise en*

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disponibilité) to care for her child, while Article 208 provides protection for the probationary female employee benefiting from maternity leave, so that the exercise of her right to maternity does not become a cause negatively affecting her professional status or career path.

Article 213 is among the most important provisions relating to maternity protection, as it enshrines the employee's right to maternity leave and refers the determination of its duration and the arrangements for benefiting from it to special legislation; its importance has increased in light of the recent legislative amendment that extended the period of protection granted for maternity, reflecting a development in legislative policy towards greater protection for women and children.

Article 214 represents an extension of legal protection after the end of maternity leave, by granting the nursing employee the right to be absent during the breastfeeding period, reflecting the legislator's orientation towards achieving reconciliation between the exercise of professional duties and childcare.

Through these articles, it becomes clear that the Algerian legislator has not been content with enshrining formal equality, but has moved towards establishing special protection for women employees that takes into account the specificity of maternity and family, thereby contributing to achieving genuine equality and reconciliation between professional and family life.

The legal regulation of public service has undergone gradual development, moving from a focus on purely organizational aspects to concern with the social and human dimension of the employee, as reflected in the trend towards enshrining mechanisms that allow reconciliation between the requirements of the public utility and the rights of employees.

The importance of recent legislative reforms lies in the fact that they no longer view the female employee merely as an employee, but as an employee with specificities requiring additional legal guarantees, particularly during the stages related to maternity and family responsibilities (**Organization, International Labour Organization Convention No. 183 concerning Maternity Protection (not ratified by Algeria), 2000**)¹.

Section Two: Manifestations of the New Rights of Women Employees under the Algerian Legislative Reforms

The development of the concept of public service has led to a reconsideration of the nature of the rights granted to the employee, which are no longer confined to traditional professional rights, but have come to include rights with social and human dimensions aimed at ensuring a professional environment based on equality and professional dignity.

Women employees have benefited from this development through the strengthening of their legal status and the establishment of new guarantees relating to their career path and social circumstances, reflecting the Algerian legislator's shift from a logic of general protection to a logic of specialized protection.

Subsection One: Professional New Rights of Women Employees

This subsection addresses the right to equality and non-discrimination in public service as a first branch, the strengthening of women employees' right to promotion and training as a second branch, and women employees' right to access senior positions and administrative responsibilities as a third branch.

Branch One: The Right to Equality and Non-Discrimination in Public Service

The principle of equality is considered one of the fundamental principles on which modern public service is based, as it requires that employees be treated on the basis of competence and merit, without discrimination on grounds of sex or any other unlawful ground.

The Algerian legislator has enshrined this principle by guaranteeing women's right to access public positions and to benefit from the various professional rights associated with their career path, including recruitment, tenure, promotion, training, and participation in professional competitions¹ (**Algeria, 2020**).

However, the concept of equality in the field of public service should not be understood merely as formal equality, since practical reality may reveal indirect obstacles affecting women's ability to benefit from certain professional opportunities, particularly those related to



senior positions or career paths that require additional time and effort¹ (Chamseddine, 2026, p. 48)¹.

From here emerged the concept of effective equality, which requires the adoption of legal and administrative measures allowing the removal of obstacles preventing women employees from enjoying their rights on an equal footing with men.

The special protection granted to women, particularly in the field of maternity, does not constitute a departure from the principle of equality, but rather a means of achieving it, since legal justice does not always mean identical treatment, but rather taking into account the objective differences between legal situations¹ (Sghir, **Administrative Law: Administrative Organization and Administrative Activity**, 2002, p. 25).

Branch Two: Strengthening Women Employees' Right to Promotion and Training

The right to promotion is one of the most important professional rights determining the development of the employee's legal status, being the means enabling him or her to move to higher grades and responsibilities and to improve his or her professional situation.

The legal regulation of public service has affirmed that promotion must be based on objective criteria, most importantly professional competence, seniority, and performance evaluation, without any discrimination based on sex¹ (Nasser, 2004, p. 52)¹.

The importance of this right for women employees lies in the fact that it constitutes a fundamental guarantee for their professional development, ensuring that their role is not confined to executive functions alone, but enabling them to compete for various positions and responsibilities.

Vocational training is also one of the fundamental rights that contribute to developing employees' capacities, and has become a necessary mechanism for enhancing women's opportunities for career advancement, particularly in light of the technical and administrative developments that modern administration is undergoing¹ (Blourna, 2019)¹.

However, effective benefit from training and promotion may face certain practical difficulties, particularly when the requirements of certain training programmes or professional duties conflict with the female employee's family obligations, which requires the adoption of a more flexible administrative policy that takes this specificity into account.

Branch Three: Women Employees' Right to Access Senior Positions and Administrative Responsibilities

Women's access to senior positions within the public administration is one of the most important indicators reflecting the effectiveness of the principle of professional equality, as women's role is no longer confined to the performance of administrative tasks, but has become a partnership in decision-making and the management of public utilities¹ (**Blourna, he Civil Service in Algerian Legislation, First Edition, 2019, p. 152**)¹.

The Algerian legislator's position on the role of women in public service has evolved, as their professional participation is no longer based solely on guaranteeing their right to access employment, but has extended to the necessity of enabling them to benefit from opportunities for career advancement and access to positions of responsibility on the basis of competence and merit.

The importance of this right lies in its contribution to establishing effective equality among employees and strengthening women's presence in positions of administrative influence, allowing their competencies and expertise to be utilized in the management of public affairs.

However, achieving this objective faces certain practical challenges, since the existence of legal texts guaranteeing equality is not sufficient on its own, but requires providing an administrative environment that allows for fair competition and excludes any non-objective considerations that may affect women's chances of appointment or promotion to senior positions¹ (**Ammar A. , 2000, p. 33**)¹.

Accordingly, supporting women's access to administrative decision-making positions does not merely represent the enshrinement



of an individual right, but is also a choice linked to improving the performance of public administration and diversifying its expertise.

Subsection Two: New Social and Family Rights of Women Employees

Modern public service is no longer concerned solely with the professional dimension of the employee, but has come to take into account his or her social and family dimensions, given that the employee's social stability directly reflects on the quality of his or her performance within the administration.

The importance of this approach for women employees is highlighted by the nature of their responsibilities related to maternity and family, which has led the legislator to move towards establishing special guarantees achieving a balance between the requirements of work and the specificity of their social situation.

Branch One: Legal Protection of Maternity

Maternity protection is among the most important special rights established for women employees, as it represents a social and human need aimed at protecting women's health and ensuring childcare during the first stage of the child's life.

The Algerian legislator has established a set of provisions relating to the protection of women during pregnancy and childbirth, by regulating entitlement to maternity leave and the associated permissions, allowing the employee to be absent from work during the period requiring special care¹ **(Algeria, Ordinance No. 06-03 dated July 15, 2006, 1990)**¹.

This protection is based on the fundamental idea that maternity is not merely a personal matter, but has a social dimension related to protecting the family and ensuring the upbringing of future generations¹ **(Algeria, Ordinance No. 06-03 dated July 15, 2006, 1990)**¹.

Maternity protection also does not contradict the principle of professional equality, but rather constitutes its application, since genuine equality requires taking into account the special circumstances experienced by women during pregnancy and childbirth.

The importance of this protection lies in preventing maternity from becoming a cause of professional penalty or loss of employment rights, and in guaranteeing the continuation of women's professional path without their having to choose between work and family^[21]. In the context of supporting working mothers and strengthening social protection for the family, Law No. 25-08 of 23 Muharram 1447 (corresponding to 19 July 2025), amending and supplementing Law No. 83-11 of 2 July 1983 on Social Insurance, was issued, providing new and important measures regarding maternity leave.

Under the new amendments, Article 29 provides that working mothers may now benefit from paid maternity leave for 150 consecutive days at a daily compensation rate of 100%, and that this period is not reduced even where the child is born before the expected date of delivery; maternity leave may also begin at least 42 days before the expected date of delivery.

Where the mother is unable to resume work after the expiry of the 150-day leave owing to:

- disability of the newborn,
- a congenital malformation, or a serious illness requiring compulsory accompaniment or medical intervention,

the mother may apply for an extension of maternity leave for an additional 50 days at a daily compensation rate of 100%, provided that:

- a justifying medical file is deposited with the social security services;
- it is accompanied by a medical certificate issued by a specialist paediatrician; and the application is submitted at least 15 days before the expiry of the statutory 150-day leave.

If the child's health condition persists and requires additional care, the mother may benefit from a second, uninterrupted extension of up to 165 additional days, at a daily compensation rate of 100%, provided that a new medical file is deposited, accompanied by a medical certificate confirming the continuing need for the newborn's care, at least 15 days before the end of the first 50-day extension period[†] (Kassal, 2025, p. 84).

The extension of maternity leave constitutes a significant legislative reform reflecting the development of the Algerian legislator's social policy in the field of protecting women employees and maternity. This amendment is not limited to extending the duration of leave, but also strengthens the social protection of the mother and child and supports women's right to reconcile family and professional life, in line with the principles of equality and social protection (**Algeria, Law No. 25-08 dated 23 Muharram 1447 AH, corresponding to July 19, 2025, 2025**).

Branch Two: The Right to Retirement

Women's right to retirement is among the social rights to which the Algerian legislator has given special attention, by establishing a lower retirement age for women compared to men, taking into account the specificity of their professional and family situation. Under the legislation on retirement, a working woman may request retirement upon reaching the age of fifty-five, with the possibility, subject to the legal conditions, of benefiting from an additional reduction linked to child-rearing, reflecting a legislative orientation that takes into account the family and educational burdens borne by women alongside their professional activity.

This protection has been strengthened for women working in the national education sector under **Executive Decree No. 26-74 of 2026**, which provides for the possibility of retiring three years before the general statutory age for the relevant categories of education employees; women concerned may thus retire from the age of 52, subject to the legally defined conditions and rules, instead of the age of 55 set out under the general rules¹ (**Algeria, Law No. 83-12 dated July 2, 1983, 1983**)¹.

This amendment is of particular importance for women, given the nature of educational duties and the effort, responsibility, and continuity of performance they require, in addition to the multiplicity of roles women play within and outside the family. The reduction of the retirement age therefore does not represent a mere material or professional privilege, but may be regarded as a social protection mechanism taking into account the professional and social specificity of working women.

The optional nature of benefiting from this early retirement also constitutes an important guarantee, since retirement does not follow automatically upon reaching the reduced age, but is based on the will of the employee and her fulfilment of the legal conditions, thereby achieving a balance between a woman's right to benefit from early retirement and her right to continue her professional activity should she so wish.

In our view, this legislative development reflects a trend towards establishing protection more suited to women employees, by taking into account the specificity of their professional and family circumstances, and recognizing that equality does not necessarily mean uniform rules in all cases, but may require the establishment of special legal treatment where based on objective and legitimate considerations.

However, this privilege remains linked to ensuring a balance between, on the one hand, the protection of women employees, and, on the other, the preservation of the sustainability of the retirement system and the continuity of the public utility. Accordingly, the reduction of the retirement age for women — whether under the general framework or for certain professional categories — represents one manifestation of the development in social protection for working women, and reflects a legislative orientation towards achieving greater reconciliation between the requirements of professional life and family and social burdens.

Branch Three: Protection of Women Employees from Discrimination and Unlawful Practices in the Work Environment

Protection from discrimination within the work environment is among the most prominent modern rights reflecting the evolving role of the State in protecting employees, as it is no longer sufficient to guarantee women's right to access public service; it has become necessary to provide a professional environment that ensures respect for their dignity and professional safety¹ (Assembly, 1979)¹.

Discrimination against women employees takes various forms: it may be direct discrimination, consisting of an administrative or professional decision based on sex, such as the refusal of recruitment or promotion because the candidate is a woman; or it may be indirect discrimination, appearing through conditions or practices that seem



neutral on their face but in practice result in limiting women's opportunities to benefit from certain professional rights.

The Algerian legislator has enshrined the principle of equality and the prohibition of discrimination through constitutional principles and the rules governing public service, and Algeria's accession to the international conventions on the elimination of discrimination against women has contributed to strengthening this orientation¹ (**Organization, Discrimination (Employment and Occupation) Convention (No. 111), 1985**).

Modern protection also includes the necessity of providing a work environment free from all forms of abuse or harassment that may affect the employee's dignity or her professional and psychological situation, given that respect for the employee's dignity has become one of the fundamental principles of modern public service.

Effective protection in this field requires clear mechanisms for prevention, reporting, and investigation, together with a guarantee of protection for the employee who resorts to these mechanisms against any retaliatory measures.

Accordingly, the protection of women employees from discrimination is not limited to a mere declaration of the principle of equality, but requires the construction of a legal and institutional system capable of ensuring the practical application of this principle¹ (**Algeria, 2020**).

Branch Four: The Right to Mourning Leave (Iddah)

The right to leave for the waiting period (iddah) following the death of a husband is among the matters that deserve consideration within the study of the social and family rights of women employees in Algerian legislation, particularly since the Algerian legislator, despite having established various forms of leave and rights for the employee on the occasion of certain family circumstances, has not expressly provided for a special leave enabling a female employee to observe the period of iddah resulting from the death of her husband.

The importance of this issue is highlighted by the specific nature of the Algerian legal system, which draws its provisions from multiple sources — the principles of Islamic law being among the fundamental

sources of legislation, in addition to the Constitution's enshrinement of Islam as the State's frame of reference. Islamic law regulates the rules of iddah precisely, prescribing for a woman whose husband has died a defined waiting period, regarded as a period of a particular religious, family, and social nature. The Qur'an provides, in substance, that a widow is to observe a waiting period of four months and ten days before remarrying.

From this standpoint, a female employee who loses her husband finds herself in an exceptional situation combining, on the one hand, the requirements of professional life, and, on the other, the religious and social obligations and effects arising from the death. Nevertheless, the texts governing public service have not, within the framework of statutory leave and absences, laid down any express provision granting the female employee special leave to observe the period of iddah, which raises the question of the extent to which the current legal system is adapted to the social and religious specificity of Algerian society.

Conclusion

The study of the new rights of women employees in Algerian law reveals the transformation that has taken place in the philosophy underlying the regulation of public service, whereby concern is no longer confined to regulating the employment relationship between the administration and the employee, but has come to encompass the protection of the fundamental rights and freedoms of the employee as a human being with professional and social needs.

The legislative reforms have contributed to strengthening the legal status of women employees through the enshrinement of the principle of equality, the promotion of equal opportunity, the reinforcement of maternity-related protection, and the establishment of guarantees helping to achieve a balance between professional and family life.

The study has also shown that the Algerian legislator has gradually moved from the concept of formal equality to the concept of effective equality, through the adoption of legal rules that take into account women's specificity without making it a ground for discrimination or exclusion.

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However, the effectiveness of these rights remains linked to the extent of their practical application within public administrations, since legal texts, however advanced, cannot achieve their objectives without implementing and monitoring mechanisms that ensure their respect.

Accordingly, the protection of women employees is an ongoing process requiring continued legislative reform and the strengthening of an administrative culture based on equality and respect, in a manner that achieves a balance between the requirements of the public utility and the rights of the female employee.

Findings

Through this study, the following findings may be drawn:

First: The legal status of women employees in Algeria has undergone notable development, with protection moving from the mere recognition of general rights to the establishment of special guarantees taking into account their social nature.

Second: The principle of equality constitutes the cornerstone in the regulation of women employees' rights; however, achieving effective equality requires the adoption of legal and practical measures going beyond formal equality.

Third: The legislative reforms have contributed to strengthening women's rights in the fields of recruitment, promotion, training, access to positions of responsibility, and social protection.

Fourth: The protection of maternity and the reconciliation of professional and family life represent among the most important manifestations of development in the legal status of women employees.

Fifth: Certain practical difficulties continue to limit the effectiveness of these rights, particularly with regard to the gap between the legal text and administrative implementation.

Sixth: Strengthening women employees' rights is not linked solely to the enactment of new laws, but requires the development of administrative practices and the consolidation of a culture of equality.

Recommendations

Based on the above findings, the following recommendations may be proposed:

- The need to keep the legal texts governing public service — particularly those relating to women employees — in step with social developments, within the framework of public order.
- Strengthening the regulatory texts clarifying the procedures for benefiting from women employees' social rights.
- Establishing more effective mechanisms for monitoring compliance with the principle of equality within public administrations.
- Supporting training and awareness programmes for administrative officials on the rights of women employees.
- Enabling women to hold senior positions on the basis of competence and merit.
- Developing mechanisms for reconciling professional and family life, allowing women to continue their career path under appropriate conditions.
- Reconsidering the situation of the widowed female employee, by establishing special leave for the iddah period, in line with the provisions of Islamic law for widows, given that Islamic law is one of the sources of legislation in Algeria.
- Providing more effective guarantees to protect women employees from all forms of discrimination or practices affecting their professional dignity

Bibliography List:

I. Legal Texts

- 1. Constitution of the People's Democratic Republic of Algeria of*



1996, promulgated by Presidential Decree No. 96-438 of 7 December 1996, Official Gazette of the Algerian Republic No. 76 of 8 December 1996, as amended and supplemented by Presidential Decree No. 20-442 of 30 December 2020, No. 82, and as amended by the Law on the 2026 Constitutional Amendment, published in Official Gazette No. 18 of 28 March 2026.

2. Order No. 06-03 of 15 July 2006 on the General Basic Law on the Public Service, Official Gazette of the Algerian Republic No. 46, as amended and supplemented by Law No. 22-22.

3. Law No. 90-11 of 21 April 1990 on Labour Relations, as amended and supplemented by Executive Decree No. 22-352 of 19 October 2022.

4. Law No. 83-11 of 2 July 1983 on Social Insurance, as amended and supplemented by Law No. 25-08 of 23 Muharram 1447, corresponding to 19 July 2025.

5. Law No. 83-12 of 2 July 1983 on Retirement, as amended by Executive Decree No. 26-74, Official Gazette No. 6 of 14 January 2026.

II. International Conventions

1. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), United Nations, adopted by the UN General Assembly on 18 December 1979 (Algeria ratified CEDAW in 1996, with reservations to certain articles considered contrary to the provisions of Islamic law and the Family Code).

2. ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, 1958, ratified under Order No. 69-31 of 22 May 1969 (in force in Algerian legislation among the ratified international conventions).

3. ILO Convention No. 100 concerning Equal Remuneration, 1951 (ratified by Algeria on 19 October 1962).

4. *ILO Convention No. 183 concerning Maternity Protection, 2000 (not ratified by Algeria).*

III. Doctrinal References

1. *Ammar Boudiaf, La Fonction publique en droit algérien [Public Service in Algerian Legislation], 5th ed., Jousour Publishing and Distribution, Algeria, 2025.*

2. *Mohamed Seghir Baali, Administrative Law, Dar El Ouloum Publishing and Distribution, Algeria, 2002.*

3. *Mohamed Seghir Baali, Administrative Law: Administrative Organization and Administrative Activity, Dar El Ouloum Publishing and Distribution, Algeria, 2013.*

4. *Nasser Labeled, Précis of Administrative Law, Dar El Mojaded Publishing and Distribution, Algeria, 2004.*

5. *Ammar Aouabdi, Administrative Law, Office of University Publications, Algeria, 2000.*

6. *Suleiman Mohamed El-Tamawy, Principles of Administrative Law, Dar El-Fikr El-Arabi, Cairo, 1979.*

7. *Kassal Abdelouahab, Précis on the Rules of Public Service in Algeria, 1st ed., Dar Layma, Algeria, 2025.*

8. *Belourna Ahcene, La Fonction publique en droit algérien, 1st ed., Dar Houma Publishing and Distribution, Algeria, 2019.*

9. *Bachir Cherif Chamseddine, Rights and Guarantees of the Public Employee, Duties of the Public Employee, 1st ed., vol. 2, Dar El Ola Printing, Publishing and Distribution, Algeria, 2026.*

10. *Krouf Djamel, La Fonction publique en droit algérien, Dar El Houda Printing and Publishing, Algeria, 2022.*