UNIVERSITY OF NAIROBI

DEPARTMENT OF SOCIOLOGY

WOMEN WORKERS' RIGHTS IN EMPLOYMENT:

THE QUEST FOR EQUAL OPPORTUNITIES

BY

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Declaration

I declare that this research project report is my original work and has not been presented for a degree in any other University. No part of this report maybe reproduced without prior permission of the author or the University of Nairobi.

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RHODA MUENI MUTUKU

This research project paper has been submitted for examination with my approval as the University Supervisor.

Sign.............. ~~signature~~ ....Date...... 1/12/08 ...

PROF. P. CHITERE

Dedication

I dedicate this research project to Almighty God for His grace that enabled me to go through the course successfully. I also dedicate this research project to my dear husband Joseph Ndungu and our lovely daughter Tasha Nduta for their patience, understanding and support through prayers. Without them, I would not have made it.

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Abbreviations and Acronyms

CSB   -   Central Bureau of Statistics

ILO   -   International Labour Organisation

KAARC   -   Kenya Alliance for the Advancement of the Rights of Children

UN   -   United Nations

UNICEF   -   United Children's Educational Fund

NCCK   -   National Council of Churches of Kenya

Abstract

This study set out to assess the women workers' rights in employment as a quest for equal opportunity. Specifically, the study looks at the ways Kenyan women in Nairobi are being discriminated in the labour market especially at the recruitment levels. More still, the paper analysed the way women at work place are being looked down upon, abused and misused by their employers (mostly male) simply because of their gender. The study used broadly Marxist approach and specifically Social feminism approaches to nuance the gender issues at employment sector for women. The study relied on both primary and secondary data sources. Primary data was collected from both key informants and women respondents using questionnaires. Secondary data was collected from available literature on the subject of study. Primary data was processed and analysed using Statistical Package for Social Sciences (SPSS). Through this method, variables and frequencies were generated.

The study found that inequality at work place was measured in terms of salary scales, as well as positioning in terms of job grades or group cadres. These were also said to be influenced by several factors: place of origin, work qualification, and educational attainments putting women at the periphery. The study also found that job intake and recruitment for women is not always fair. Most of the time, this depend on ones qualifications, being connected or known to those already in employment, as well as seeking and offering of favours which puts women at very compromising position.

Social cultural issues were also found by this study to be a great impediment to women careers at employment. The study found that gender roles are not only spelled out by our cultures, but also look down upon women efforts to climb the employment ladder. Women therefore face surmounting problems in their endeavour to obtain job opportunities in our society as many reported biasness of different forms: that some jobs are unsuitable for women, gender biasness which favours men to get jobs before women, as well as workplace segregation and harassment to women.

The study also found that rewards and promotion at workplace do not come easily. Rewards at work place range from work compensation, promotion as well as appreciation. Some women would complained that men prod against them being recognised and promoted because they see themselves as being discriminated against. Nonetheless, enhancing gender equality at the work place seems to be the right thing to protect women rights as majority 87% of the respondents in this survey think affirmative action is the way forward.

This study therefore makes a number of recommendations. The study recommends for further research on why men are favoured by society (and families in particular) compared to women in attaining the academic qualifications. The study further recommends more research in ways and means of coping mechanisms for the unemployed and employed women especially in the urban sectors. In terms of policy recommendations, the study suggests policies to address women rights in the employment sector. Policies of engendering equality, policies addressing all sorts of abuses and policies of guarding women rights would come in handy to address workplace discriminations.

CHAPTER ONE: INTRODUCTION

1.0 Background

Impressive economic and technological progress has been made during the later part of the 20th century. Many new economic opportunities have been created, but the pace of social progress has lagged behind the accelerated pace of the new global economic progress.

Not every person (male or female) has been able to reap the benefits of economic progress. Inequalities within and between countries, and globalization and economic recovery have brought increased insecurity, uncertainty as well as marginalisation. In some circumstances, globalization has decreased gender inequalities particularly in some countries of unprecedented employment of female labour, but in other cases it has intensified them.

Progress towards the achievement of gender equality has been far from sustained. In periods of crisis, economic restructuring or economic transition, social spending is the first to be cut, which makes it more difficult for women to balance productive work and care work. Social concerns have become more pressing and all international fora acknowledge the need for combining economic and social goals into an integrated framework. For economic efficiency and social efficiency to go hand in hand, all members of society, men and women alike, the young and the old, the able and the disabled, must realise their human potential to contribute to development and fully benefit from growth. This cannot be achieved and sustained without the participation of women in all walks of life in the social, economic, political or cultural spheres. Hence all the global conferences and summits have placed gender equality on their priority agenda.

Equality and non discrimination are at the core of the rights-based approach endorsed at the Copenhagen World Summit for social development and strengthened at the fourth Women Conference in Beijing in 1995. Granting the same legal status to men and women is the first necessary step, but it is not sufficient. The promotion of gender equality also

requires an enabling environment in which human rights can be enjoyed by all. Economic growth opens up new opportunities but it does not automatically provide the means to seize them. This has often been the case for women. The rights-based approach and the development-based approach, understood as widening choices and increasing capabilities are necessary complements.

The ILO (1976) has a role to play as an agent for change, a catalyst and an advocate of the link between economic efficiency and social efficiency. The organisation approaches gender equality as a matter of human rights, social justice, economic efficiency and sustainable development. ILO's primary goal is to promote opportunities for men and women to obtain decent work in conditions of freedom, equity, security and human dignity. Globalization, economic restructuring and flexibility of production process have resulted to changes in employment patterns. Employment has become more uncertain and unstable for all workers and an increasing number of women need, and wish to generate independent sources of income.

Over the last decades, changes in demographic profiles and employment have affected the daily life of men, women and families. There has been a rise in life expectancy, a decrease in the size of families, a greater mobility of people, and the number of two-earner and single-parent families have grown.

The terms and conditions of participation of men and women in labour market have been redefined. As more flexibility and production processes have been introduced and the sector services have expanded, the demand for female labour has risen. But the enhanced participation of women in paid work is not only driven by economic factors and constraints, but also responds to changes in the perception and aspiration of women with regard to their role in society and priorities in life. A higher proportion of the work force is confronted with competing demands of work and family responsibilities.

New trends in labour force participation have emerged. Since the beginning of the 1980's, the participation of women in paid work has increased and the gap between male and female labour force participation rates has increased. Women now represent over 40% of the global labour force. Various components explain differences in the level and terms of women participation between countries, the structure and the organisation of the production system, the labour market conditions and regulations, the training and education systems, and the dominant social attitudes and values (including those concerned with gender roles).

The positive development regarding the participation of women in paid employment certainly makes their economic contribution more visible. But has their employment status improved? Women continue to be predominantly found in certain types of occupations in the service sectors, in the informal economy (so called *Juakali*), and in agriculture. As a group, they are concentrated in low paid and low skilled jobs, and their likelihood of engaging in part time or casual employment leaves them more susceptible to poverty and social exclusions than their male counterparts.

Better- educated women reality break through the so called "glass ceiling" blocking them from reaching top level management and professional positions. Participation in decision making remains one of the most resistant areas in gender equality. The higher the position, the more the glaring the gender gap: women hold less than 5% of the top jobs in corporations. Overall, the increase in the quantity of women's employment has not been matched by an improvement in the quality of their employment. Some positive developments have occurred, but progress has remained dismal and limited. There have been opportunities for better jobs for small minorities while the majority of women workers remain disadvantaged.

On the supply side of the labour market, women are disadvantaged compared to men in terms of the quality of their labour and preparing for the job market. Gender inequality persists in access to, and control over productive resources and in training and re-training opportunities. Women also have not been backed by the practical measures and basic

support services and infrastructure they need to enable them to actually take up opportunities in the formal labour market;

On the demand side of labour market, gender segregation by occupation still represents a major labour market rigidity and source of labour market inequalities. Women continue to face discrimination in recruitment for employment and barriers to occupational mobility. Different values and remuneration continue to be attached to men's and women's jobs. This means that labour markets are still characterised by wage differentials and discrimination on basis of sex;

In terms of labour market processes, women tend to face greater difficulties than men in gaining access to labour market schemes and other forms of policy assistance if they are unemployed or if they are particularly vulnerable to economic or social positions. They may also need special forms of assistance to enable them compete on an equal basis with men for employment.

Inequalities between men and women on the labour market have not, therefore, decreased significantly. The inferior position of a majority of women in the labour market in terms of wages and conditions of work and employment creates serious problems especially for those who are primarily income earners. The growth of certain types of work mainly undertaken by women (part time, home working, etc) is also associated with increasing polarization within the female labour force and between men and women.

The development of society occurs only if both men and women are exposed to freedom of career choices. Unluckily, women's contributions to development are considered peripheral because of the stereotypical attitudes promoted by society. For example, Kenya would experience substantial growth and development as a nation if the right to exploitation of women talents is equally addressed as is the case of men. The key factors that need to be accorded crucial attention to promote women empowerment in Kenya at workplace are *inter-alia*: the role of the patriarchal society, changes in the social-

economic environment and governance, resource mobilisation, and supply and demand forces.

Fallacious and the naïve attitudes that are biased are common place in Kenya. These include the positive stereotypes for men such as industrious, intelligent, hand working, as well as negative stereotypes for women: dependent on men, objects of charity, weak, helpless, among others.

Thus, most women do not engage in formal employment; they view themselves as lacking the basic capacity and skills to engage in nation building. Many women in Kenya run small scale business of tailoring, boutiques, hair saloons, nursery schools, to name but a few. A majority of them have little or no technical skills at all for their businesses.

Okwach on business women in Kenya, asserts that; "What enabled them to succeed are personal insights, wisdom, creative ideas, and innovative capabilities which pertains to good management of business" (Okwach, 2001). Kenya women therefore have the capability to serve in the same capacities as men and no longer belong to the kitchen. There is persistent increase in women – headed households, economic hardships and need for independence amongst Kenyan women. It is those factors and many more that has necessitated the entry of women into the mainstream of bread winning. Thus a growing nation like Kenya needs to emphasize on equal participation of men and women in national development activities as equal partners. Kenyan women need to work so as to be economically independent and self-sustaining. Thus, they have to be made to understand their potentialities by promoting their human capacity to reason, decision making and acting responsibly.

It's argued that women have less attachment to labour industry – for they are socialised for a different role – the role of a mother and a family. Again, women are much less efficient compared to men. This is coupled with notions of being lesser efficient as compared to men. It is as a result of these assumptions and orientation that the woman

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worker is segregated upon at the workplace. But this breeds malcontent among women workers and one of its greatest effects is that it reduces the efficiency of workers.

Secondly, it entrenches the 'male myth' of women as a subject and/ or object of men. This results in abuse of the rights of the woman (directly or indirectly). Thirdly, it denies women worker equitable chance of job mobility and promotion and/or advancement of career opportunities in the work place. Fourthly, it puts the community in to a situation considering them that there will be lesser funds in the pockets of women and more funds being controlled by men.

In Kenya, researchers on gender issues in national development have a tendency to describe into uncalled for trivialities of "problems of women seeking independence from men". This is a fallacy, which traps many people as it originates from our ignorance of gender issues. Issues of gender relations should not be confused with sex because they are unnatural social relations in all societies. Sexism, which is stereotypical language that excludes people on the basis of their sex and unequally treats men and women, should be avoided at all costs.

This study thus intended to analyse the existing disparity between men and women workers and how sexist discrimination has impacted negatively on social, cultural and political development over the years.

1.1 Statement of the Problem

This study proceeded from the view that the woman worker in Kenya has been abused in the workplace, on top of being discriminated and marginalised. The implications of these abuses on professional and career pursuits among women workers have been negative development, both to the women themselves as well as to the national growth.

The preponderance of gender inequalities and how they impact on women in their workplace was a key area that needed to be looked at, and ways of abating the trends proposed. This is because little efforts are being seen to be put in place to alleviate the discrimination and give women an opportunity to serve in their own capacities.

1.2 Objectives of the Study

This study intended to look at the ways Kenyan women are being discriminated in the labour market especially at the recruitment levels. More still, the paper intended to look at the way women at work place are being looked down upon, abused and misused by their employers (mostly male) simply because of their gender. More specifically, the study looked at the following objectives;

- To establish how gender inequalities determine the recruitment of professional women in the workplace.
- To explicate the socio-cultural justifications which are used in the segregation of women at workplace.
- To explore the question of women worker *vis-à-vis* the reward system (pay package).
- To demonstrate how the rights of women workers are being abused.

1.3 Justification of the Study

Women have been over the years recognised as a marginalised group in the patriarchal social set up. The woman worker has suffered further marginalisation in the workplace owing to work orientation in the present economies being male dominated.

Sex and its attendant factors such as pregnancy and preponderance of other issues that go with the female biological condition, and their translations into feelings has been used against the woman. In the workplace, the woman is viewed as a 'supplement' of males. Little wonder therefore that most Secretaries and Front desk personnel are women – ostensibly welcoming visitors to the 'male' world of work.

Men working under the supervision of women find it untenable and are likely to perform poorly due to psychological mental set up that borrows heavily from cultural and other patriarchal orientations. On the other hand, women, socialised in the same patriarchy, have negative opinions of each other and thus the input in a female supervision environment may be affected.

This study arose from the current need of creating equitable resource distribution between men and women as is captured in the push for affirmative and feminist endeavours. The results found are expected to provide insights into the current trends and segregation at the work place and access the impact so far created in the worker women's life by the campaigns that have been sustained for the last decade.

In focusing on the question for women, the study intended to put forward the flaws inherent in the pursuit equity and the achievement so far. Further, projection into the future – as recommendations garnered for the pit-falls up to the present – will be outlined and this may be the stepping stones to the future in which the segregation of women in the work place in this country will be more.

1.4 Scope of the Study

This study limited itself to Nairobi and particular job categories though the problem persists in other areas of employment. Generally, the study was on the relationship between gender and employment in Nairobi. The study linked the two and explains how gender is a determinant factor in employment and shows how biasness has negatively impacted on women workers.

The study also limited itself to the women workers at management levels. It tried to get those women (purposively) who are in managerial positions against all odds. Their experiences to their elevations were important for this study to realise the objectives.

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction

This study revolved around situations and conditions that depict the working woman as a segregated person in Kenyan work place. The literature reviewed here serves to provide insights, which illuminate and expose the working woman as a discriminated individual. There was also concern to highlight the condition of the job situation in contemporary Kenyan society.

2.1.1 General Overview

Mbatia (1987) asserts that; *"it is an accepted fact that unemployment is a problem in all countries"* (Pg.1). In view of this statement, especially bearing in mind that Kenyan society is a patriarchal one, one can not fail to get concerned for the woman worker. That is, if unemployment is a problem in Kenya, how much more of a problem is it to a woman as an individual job seeker or employee?

In the collection of essays edited by Reagan et al (1976) in their essay *"occupational segregation into certain female occupation"* it is claimed that women tend to be segregated into certain female occupations. They further argue that, through out the world, the work of women is less valued, especially in terms of payment. They are less paid than men in some jobs. What comes out strongly from their essay is the fact that women jobs are redefined so that what would have been equal to a man's job is less paid and thus rationalised. They point out that sexism is also used to deny men employment in certain jobs such as nursing and secretarial. The major problem observed by the discussants is that;

> *The preponderant effect of sexism in labour market is denial of opportunity to women with skills and ability to contribute more to production than they are permitted to do under present condition* (Regan et al. 1976, p.1).

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It is for this reason that economists argue that the reason for low pay for women is because of such factors such as low efficiency, low mobility, and high turnover rates and less dedication to their work. The extent to which these factors are applicable is yet to be proven. As a result Regan et al (1976) conclude that "even if equal pay for equal work in the real sense is achieved, equality of opportunity will not occur simultaneously" (Regan et al (1976: p 2).

It is such investigation that will question the criteria for employment by employers and try to establish the place of the woman employee. Regan and Blaxall present a generalised argument that may not necessarily present a strong case for the working woman in Kenya. They assert that;

> *"If society wishes to give equal treatment to 'breadwinners, then women should have the same opportunities as men in the labour market" (Page 2).*

Such a conclusion is based on the fact that two thirds of the women workers are single, divorced, widowed or even separated and thus may fit the description of bread winner. Thus we can discount the assumption that men, not women are bread winners. The absence of occupational segregation can mean equal distribution of men and women among occupations. It can also mean the freedom to select any occupation one desires regardless of sex, race or other characteristics (Regan and Blaxall, 1976: p. 5).

There is a need to empower the Kenyan working woman so as to make them economically equal to their male counterparts. This can only be possible if sex discrimination in employment is curtailed. It is for this reason that we must accord women equal access to jobs and to give them equal pay for equal work. In an essay entitled *"Sexual Equality in the Labour Market - some experiences and views of Nordic countries"* Leijon (1995) argues that;

> *"Achievement of equality between men and women must therefore, form part of the general struggle to achieve equality in the society"* (Leijon, 1995, p. 16).

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It is in this view then Leijon proposed that women must have the same right as men to employment, regardless of marital status (Page 162). This is a good way of ensuring that women are afforded an opportunity to actively participate in the development of the society. Therefore women will be economically independent, socially secure and beneficial to their families.

Leijon (1995) further suggests in her discussion that men and women participate in working life on equal terms, which is not possible today (Pg 162). The main reason she attributes to this view is the fact that for equality to be achieved in the work place, then, a change in the traditional role of women must be accompanied by a change in traditional role of men. This proposition is true but misguided. To call for an end to segregation of women in the work place does not necessarily mean that their traditional roles must be inverted. The basic principle will be to attach more importance on the woman's role in the society and to recognize the worth of their input.

In the same text, Reid (2000) in an essay titled *"Women at a stand still; the need for a radical change"* claims that in the case of women;

> *Discrimination arise not so much out of discriminatory legislation and practices as out of psychological and cultural climate of societies. It arises out of social altitudes out of society's prejudices, myths and beliefs* (Reid, p. 9).

This is perhaps one of the best observations in so far as the Kenyan situation is concerned. In Kenya, it is our social attitudes, our tribes, prejudices, myths and beliefs that serve to justify segregation of women in the work place (Okwach, A. 1999)

Efforts to reduce segregation of women in the work place cannot be quick, glorious or in any way dramatic. It is a fight that will demand hard work, offer new immediate rewards but eventually be a satisfying hard won fight. It will result into the inclusion of women in productive work as full and equal partners.

The international labour office in Geneva in their publication titled *"Provision of the ILO Convention and the Recommendations Concerning Women Workers (1982)"* states that;

> *The declaration of Philadelphia affirms that all human beings irrespective of race, creed or sex have the right to pursue both their material well being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity* (Employment and Occupation Conventions, 1982: Pg 29).

One can therefore conclude that abuses based on gender are therefore society-constructed and mostly lean against women. Women are seen to have the second chance after men have benefited in all manner of opportunities. Looking at the declaration, one can firmly assert that rhetoric is more than actions.

2.1.2 The Kenyan Situation

In a collection of essays of *"gender and education"*, Otiende (2000) bemoans that "a society that endeavours to develop cannot afford to continue domesticating its most important resource, the people (Pg. v). Otiende's discussion is clear cut on the segregation of women in Kenya. The gender bias in the Kenyan work place emanates from socialisation in the school system in which we find that education manifests a gender bias, which fails to promote a sense of equality between men and women as human beings. It is this scenario which is extended to the work place.

The political socialisation in Kenya, also, plays a major role in the relegation of women peripheral careers. The patriarchal system takes a very conservative approach in embracing women, especially in the political scenario. To negate such a system, we need to invoke opinions of Ogachi (1998) that the society needs to:

> *Stress the ability of the individual to make up his or her own mind after consideration and discussion of relevant evidence, fairness, tolerance, of the values of others, the freedom to make political choices, a critical stance towards political information, individual rights and responsibilities among others (Pg 17).*

It is at this point that such choices on the part of the society should go a long way in enhancing the job opportunities for the woman (Ombaka, 2001, Pg 28). In such a society, the community or social interests have precedence over individual interests. The majority, if not all in the community share common goals and accept the broad policies for their achievement. In this ideal sort of society, all those who wish to participate may (and have) a right to do so. Diversity is accepted and appreciated as an enrichment of the social fabric.

Social and political policies must be dynamic and amenable to change. The leadership must therefore be able to inspire and integrate discrepancy. However, authority (legitimate) must exist to ensure consistency in the pursuit of these policies.

Despite the acknowledgment of the fact that the woman's role in Africa's development process is tremendous, the issue of "gender" and "biasness" have not necessarily been transformed into practical planning. Thus, if the Kenyan woman has to have an equal share in the work place, the democratic ideal is then the liberation of her creative spirit and the availability of equal opportunities.

2.2 Theoretical Framework

This study is based on the Marxist theory and how it is advanced by Jagaar (1983) in what she views as socialist Marxism and social feminism. Considering Keringer's (1964) definitions and bearing in mind that every empirical study needs to be grounded in a theory, the theory of Marxism assists in explaining observations made in the study on capitalism in class struggle (Socialist feminism).

2.2.1 The Marxism Theory

The Marxist Theory informs on the place of conjugal family in a capitalist set up in terms of reproducing capitalism. The family unit is a tool, which is in favour of capitalism and underscores the challenges of the working class towards the capitalists system, thus the family has both base and superstructure as it produces labour power, consumes goods and sustains the coherence of the social world by reproducing the relations of production.

Jagaar (1964) in her discussion on '*traditional Marxism*' calls for the development of what she calls 'socialist feminism'. In her view, the fight for liberal feminists against the Marxism brings out the issue of oppression, which provides a link with a liberation strategy for the women.

In view of Marxism, the victory of the proletariat over the bourgeoisie would, in the struggle between the classes automatically lead to the liberation of women from the oppression by patriarchy men. According to the traditional Marxist of economics, house work does not count as productive labour (in the Capitalist sense of "production"). The same applies to most Marxists where domestic work does not produce 'added worth'. Jaggar (1983) disassociates herself from such views and considers them as perverted and distorted.

Jaggar (1983) argues that it is the housework of the woman that enables the labourer (man) to devote all his energy to his 'productive labour', the added worth of the labour of the woman in the home of the labourer. It is from this overlook on the part of the Marxist that she comes up with socialist feminism in order to fill up the gap.

2.2.2 Social Feminism

Socialist feminism is 'socialist' because it is deeply rooted in Marxism. As quoted by Otiende and Njoroge (2000), it is related to the new terms by noting that social feminism;

> *Like Marxism, social feminism applies historical materialism and in the same way as Marx wanted to undo the alienation of the worker which resulted from the disintegration of the industrial labour process. The socialist feminism wants to undo the alienation of the woman which results in productive work* (Otiende and Njoroge, 2000, p. 112).

In this approach, the woman also faces an enemy at her home. This is because the proletariat woman is forced to be submissive and not stand up for her rights within the marriage institution. If she does so, then she betrays the class struggle because she does not stand by her husband in fighting the common enemy – capitalism.

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Just like Marxism advocated for consciousness, unity and retaliation, Jaggars' socialist feminism argues that;

> *The strategy of socialist feminism is to offer support for mixed socialist organisation as well as to form women groups and to become eventually an independent movement devoting itself to the destruction of capitalism for the undoing of patriarchy. This woman's movement is prepared to form coalitions with other movements and parties but will not for that reason sacrifice its own organisational independence (feminist policies).*

Jaggars' endeavour is to integrate the sexes in a common political approach. The contribution of this course of action, which believes that "the personal is political" and which borrows from feminism, permeates all sectors: employment, education, defence and foreign affairs. Thus Jaggar calls for the idea of participatory democracy in which everyone should accept a certain 'give and take' degree.

An independent woman movement would work well in isolation, because according to the doctrine of Marxism, a class (Socialist feminists) can only engage in fruitful political action when it manages to amalgamate, and objectively identify oppressed class with its subjective identity of conscious solidarity.

2.3 Conceptual Framework

This study surrounds itself on the issues of Women workers' rights and the perception of the society towards them. In a world in which so many women work for pay, women's rights depend on core workers' rights. You can't have one without the other. Women make up 45 percent of the world's workforce. Yet women account for 70 percent of the world's population living in poverty.

Women throughout the world are denied human rights in the labor force with no effective redress. Governments turn a blind eye to illegal practices and enact and enforce discriminatory laws. Corporations and private individuals engage in abusive and sexist practices without fear of official condemnation or sanction. Employers often deny women employment based on age and marital status and family status. Even when employed, Women are often the last chosen for retraining programs and the first to be fired,

particularly in transitional economies and in economic recessions, when downsizing leads to discrimination. Sexual harassment and violence in the workplace are common and constant threats to working women's lives and livelihoods.

Put differently, 'women rights are human rights'. The women in totality faced different challenges in society, market and in terms of governance. Some of the concepts that this paper argued upon are: Gender, Gender equality, Affirmative action, as well as career opportunities and treatment at workplace. In a Framework, a schematic approach for this study is as follows:

Figure 1: Women Workers' Rights in Employment
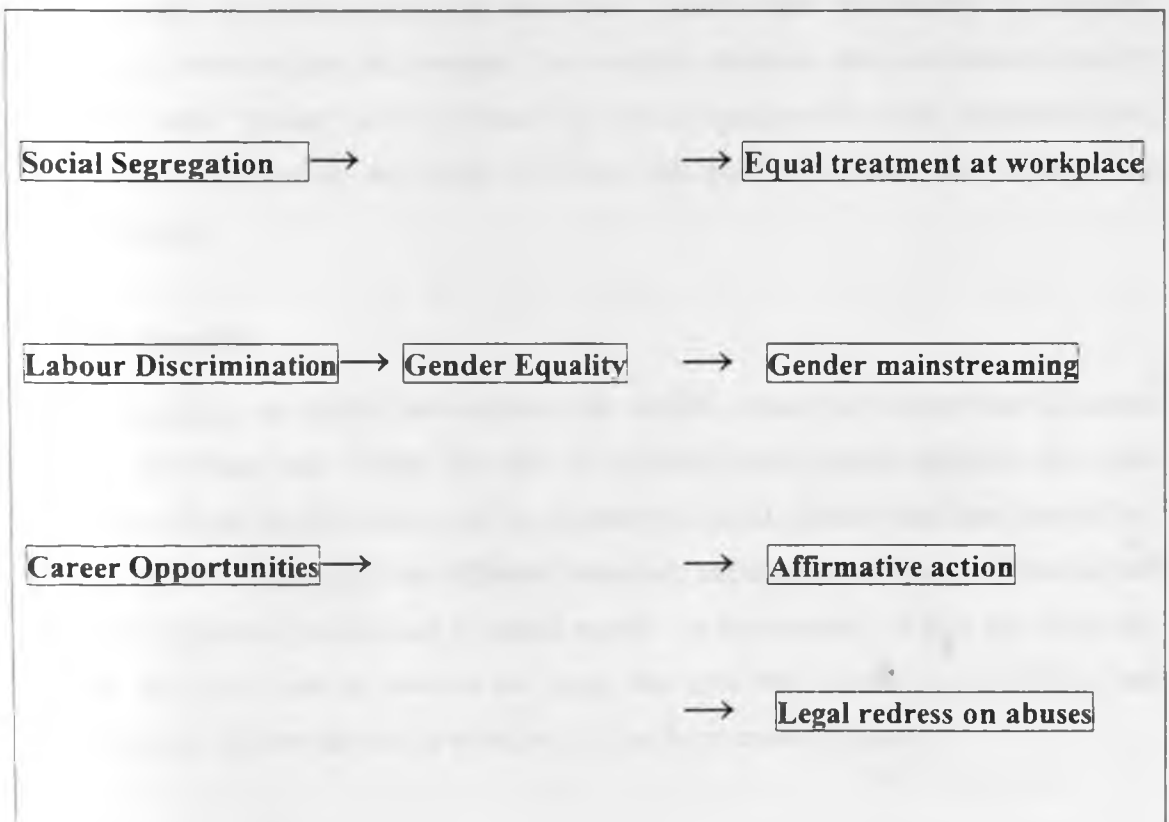
| Women Challenges | Employment | Providing Women Rights |

The schematic approach above shows that, for gender equality to be attained, we must work as hard as possible to fight social segregation, labour discrimination and career segregation on women (items on the left). By doing do we will make the situation viable for promoting women rights, equal treatment of women at workplace, affirmative action where women are not equally treated, as well as having a platform for legal redress in cases where women are abused.

2.4 Operational Definitions of Concepts

Gender

"Gender" refers to the social differences and relations between men and women which are learned, vary widely among societies and cultures, and change over time. Gender roles are learned behaviours in a given society, community or other social group. The term "gender" does not replace the term "sex", which refers exclusively to biological differences between men and women. For example, statistical data are broken down by sex. The term "gender" in this research is used to analyse the roles, responsibilities, constraints, opportunities and needs of women and men in all areas and in any given social context.

Gender Equality

Gender equality, or equality between men and women, entails the concept that all human beings, both men and women, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles and prejudices. Gender equality means that the different behaviour, aspirations and needs of women and men are considered, valued and favoured equally. In this research, it does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female.

Affirmative (Positive) Action

Affirmative (positive) action comprises special temporary measures to redress the effects of past discrimination in order to establish *de facto* equality of opportunity and treatment between men and women. Such measures are targeted at a particular group And in this

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case women. They are intended to eliminate and prevent discrimination, and to offset disadvantages arising from existing attitudes, behaviour and structures based on stereotypes concerning the division of social roles between men and women.

In this research, affirmative action in favour of women should not be considered as discriminatory against men. Once the consequences of past discrimination have been rectified, the measures should be removed to prevent discrimination against men. Positive action may encompass a wide range of measures, including corrective action.

Career Opportunities

All employees irrespective of their sex should be informed of promotion, transfer and training opportunities and likewise encouraged to pursue suitable opportunities. It should specifically be ensured. This research looks at careers women access, are offered or find themselves in.

Employee

An employee is a worker in the public or private sector who receives remuneration resulting from a contract of employment, working under the direction or control of an employer or a person designated by the employer. An employee is distinguished from a self-employed worker or an independent contractor. Besides her or his economic rights (remuneration, social security contribution, allowances), the employee should have a series of rights concerning her or his freedom and dignity.

Equality of Opportunity and Treatment in Employment

This research looks at two key issues in one. Two aspects of equality in employment are important: opportunity and treatment. Equal opportunity means having an equal chance to apply for a particular job, to be employed, to attend educational or training courses, to be eligible to attain certain qualifications, and to be considered as a worker or for a promotion in all occupations or positions, including those dominated by one sex or the

other. Equal treatment refers to entitlements in pay, working conditions, security of employment, and so on. The two are therefore utilised sin quo non.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction of Methodology

The purpose of this section is to outline the approaches and specific areas in which the research was conducted. This section contains a layout of how data was obtained, analysed and presented. The section also covers site selection, units of analysis, source of data, sampling and appropriate techniques of data collection and analysis. Presentation of the research output is presented in chapter four.

3.2 Area of study

This research was done in Nairobi, the capital city of Kenya. Nairobi has an estimated population of over 2.4 million inhabitants (Kenya, 2004). This figure translates to about 6.7 percent of the country's total population of more than 30 million people.

The city of Nairobi has different area settings. There are those urban areas normally referred to as the Central business district (the CBD), the slum areas, the peripheral towns and the industrial area. This research dwelled on women employed on white color jobs in the City of Nairobi, specifically in the Central Business District (CBD).

3.3 Unit of Analysis

The unit of analysis in this study was the individual working woman in Nairobi as "the social entities whose social characteristics were the focus of the study" (Bakers, 1994). The unit of observation in this study included key informants such as the professional working women, qualified jobless women, human resources managers and prospective employers.

3.4 Types of Data

This study used both qualitative and quantitative techniques for data collection. Data collection involved both primary sources as well as secondary sources. Primary sources included the use of survey questionnaire, case studies as well as Focus Group Discussions (FGD). Personal testimonies were made good use of for the purposes of elucidation and clarity of the past and previous experiences of women workers. Secondary materials were utilized, as extracts and articles on the topic of research. The secondary data included

Internet reports, publications from various resources, and statistics from Central Bureau of Statistics (CBS), Ministry of Labour and Human Resources Development, among others. The affirmative bill was indispensable as well as records from ILO and other relevant bodies in this study.

3.5 Sampling Procedure

The probability principles of sampling were used in this study because adequate sampling frame were unavailable. The study used the purposive sampling design because the area of study was suitable to the particular case identified.

Working women were purposively identified from high positions in offices. This selection was based on the assumption that they are unique variables with which the research was concerned. Based on the big population of the Nairobi city, which is also growing at a very high rate of 2.7% per annum, a sample of 60 women respondents was selected. These are exclusively women above the age of 18 years and working in different sectors in the Nairobi Central Business District. The study allowed a standard error of 3% at 95% confidence level, and a non response rate of 5%.

3.6 Methods of Data Collection

This study used the following techniques of data collection:

(i)   Structured Interviews

The structured interviews were used for the working woman in Nairobi. Both a standardized questionnaire and face to face interview were deployed. The question setting was given room for the respondents to express themselves freely and fully and the researcher conducted their administration.

(ii)   Key Informant Interviews

These unstructured interviews were conducted with the help of an interview guide in order to obtain reliable information. The unstructured interviews were administered to women employers.

(iii)   Observation of working conditions

All the interviews were conducted with confidentially in the presence of only the respondent and the interviewer. As a result, direct observation technique was utilised to elucidate the working conditions for women. This assisted in making the analysis and painting the right picture of the environment in which women work in Nairobi CBD.

3.7 Data Analysis

Editing of the completed questionnaires was done before coding process started. Overall data processing was done by use of Microsoft excel package (MS Excel) and Statistical Package for Social Sciences (SPSS). Descriptive and analytical techniques were utilized. Grouping and coding of data enabled processing and tabulation of data. Frequencies were run and tabulations done for analysis of the responses. Multiple responses were also processed and integrated in the analysis.

Through the use of SPSS program, descriptive and inferential statistics were used to summarise data and infer the sample results to the population. Correlation and regression analysis were used as descriptive tools. Triangulation was done and data processed using pie charts, doughnuts, bar graphs and tables. Use of cross tabulations became handy. Chi-squares were also used by this study for purposes of analysis. Percentages and tables were used for describing differences between variables and for easy comparability.

CHAPTER FOUR: STUDY FINDINGS AND DATA ANALYSIS

4.0 Introduction

This chapter presents data findings and analysis. The findings are presented in relation to the four main objectives the study was set to address. Section one address the demographics of the research. Section two addresses issues related to gender inequalities and recruitment at workplace. This includes work qualifications as well as place of origin as an entity during recruitment. Section three addresses socio-cultural issues and workplace segregation. Section four answers the question of reward for work done. This is in relation to gender roles and the way to promote rights of women workers at workplace.

4.1. Demographics

4.1.1 Age

Age is a key demographic determinant. It tells a lot about peoples' opinions and life experiences as it gives a rich background of an individual and their opinions especially depending on their life experiences.

In this study, the target was women above the age of 18yeras which is legally recognised by the Constitution as adult. The age of respondents ranged from 20 years to those aged 51 and above working women.

Majority 33% of the survey respondents were in the age bracket of 26-30 years as reported by 20 out of 60 surveyed respondents. This group was followed by the working women of the age of 36-40 years reported by 18% of the respondents. The 41-45 year aged working women were reported to be few as they made a total of 10%. Those aged between 46 and 50 years were reported by 6.7% or 4 working women. Of importance is the fact that the very aged working women of 51 years and above were represented by only 3% in this survey. This means that women who are at the wee hour of retirement age are still strong and looking for livelihoods. It was however noticed that some working

women didn't like reporting their age. This was reported by a significant 7% who did not want to disclose their ages. Their reasons for not reporting age were mixed with negative reactions as respondents considered the question offending. The table below shows these age cohorts.

Table 1: Age of the respondents

Age	Frequencies	Percentages
20-25	5	8.3
26-30	20	33.3
31-35	8	13.3
36-40	11	18.3
41-45	6	10.0
46-50	4	6.7
51 and above	2	3.3
Refused to disclose age	4	6.7
Total	**60**	**100**

Source: Survey data 2006

These study findings therefore indicate that majority (cumulative 65%) of the women working class in Nairobi Central Business District are pretty young at the age ranging from 26 years to 40 years, normally referred to as youth in Kenya. Very few women who get aged and are working are also found in Nairobi. This is proven by at least 3.3% of the women respondents above the age of 50 years. This could be attributed to limit age for entry to job markets (18 years and above), the fact that majority of those working need education and experience, hence time to get these vital assets, as well as limited age limit for retirement for the aged.

4.1.2 Marital Status

Marriage status plays an important role in our communities. Marriage in Kenya is legally recognised between Man and Woman unlike in Countries in the West where other forms of marriages are recognised (Same sex marriages). They include Man to man, as well as woman to woman. Monogamous marriages are most practice in Kenya as the laws states. Nonetheless, polygamous marriages are also legally recognised by our customary laws, and Muslim *Sharia* Laws in Kenya.

This survey found that majority 54% of the responding working women were in marriage relationships. These are the legally recognised marriages in the Kenyan Law. The survey was unable to know the types of marriages as many women were unwilling to disclose their family affairs, leave alone marriage types.

The survey also found that a significant number of responding women (25) were living as singles, either individually or with children. This was reported by 42% of the women who were from different age brackets. Majority of them argued that they wanted to be single as a choice, not because of circumstances.

The survey also found that some 4% working women were living in separated relationships. Reasons for separation were nonetheless undisclosed. The figure below shows these findings on marital status.

Figure 2: Marital Status

Marital Status

- 4% 2%
- 42%
- 52%

Legend:
- ▣ Single
- ▪ Married
- ☐ Separated
- ☐ Unknown Union
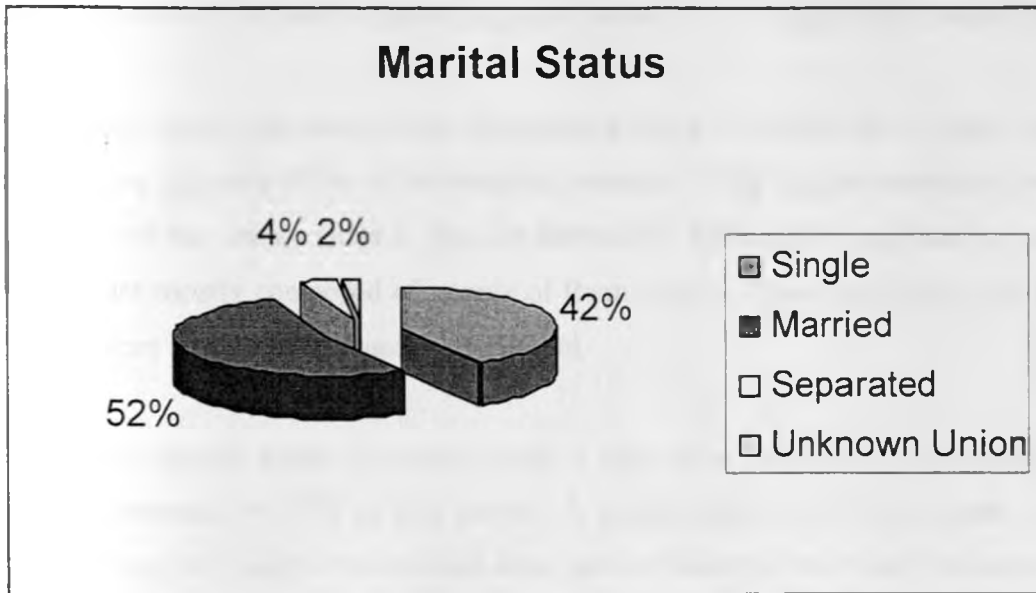
Source: Survey Data 2006

Most marital relationships have children, especially in the African set up. When asked about having children, a majority 68% working women reported to have children. It was reported by the 42% of this number that they have at least 2 children in their families. Only 2% of the respondents said that they have more than five children. A Minority 32% said they didn't have children in their families, be they married, single, separated or divorced.

4.2 Gender Inequalities at Workplace

Inequality means disparities of different forms. This can be in the form of economic empowerment, political environment, societal upbringing, as well as upward mobility with personal zeal. In this research, inequality at work place was measured in terms of salary scales, as well as positioning in terms of job grades or group cadres. These were also said to be influenced by several factors.

4.2.1 Place of Origin

Many of the working population in Nairobi come from different parts of the country. It should be noted that Nairobi being the capital city of Kenya with the most work places

(Industries and Companies) is like a melting pot for people of all walks of life. Nairobi therefore faces all different kinds of migrants, as well as its original inhabitants (if any).

This survey found that many of the communities living in Nairobi are of Bantu origin as reported by majority 80% of the working women. This can be associated with the closeness of the communities to the city centre. Put differently, neighbouring towns to Nairobi are mostly composed of people of Bantu origin. These are Kikuyu and Kamba communities who have easy access to Nairobi.

The second largest group of people found in Nairobi are of Nilotic background. They were represented by 17% in this survey. A good number of Nilotes come from the neighbouring Rift valley Province and some parts of Nairobi. The Asian community were third in size as reported by 3%. The Asians have a long history in Kenya since Independence. They live close to each other as they do their businesses together. Very few of this community interact with other communities except in business and Industries where they are known to excel. The Other communities live in Nairobi though not in significant proportions. Their working women are fewer in numbers.

The origin of these communities was sought by this survey as majority are 'newcomers'. Put differently, Nairobi was initially inhabited by Maasai community as a grazing land by Pastoralists. Other communities started to live in Nairobi sometimes before and after Independence.

This survey found that majority of the working women in Nairobi come from Eastern (27%) and Central provinces (27%). These Bantu communities make the biggest percentage of the Nairobi population. A 13% of the working women however claimed to be born and brought up in Nairobi. This means that there are those other communities who have lived and worked in Nairobi. The age of these working class women is therefore a variable for measurement.

A sizable number of the working women said they come from Nyanza, Rift valley and Western Provinces as reported by 11.7%, 10%, and 8.3% respectively. These regions are quite a distance from Nairobi as it takes several hours by road transport. Only 3% of the respondents said they come from Coast province, which is the furthest region to Nairobi. Apart from distance being very far, this can be attributed to the Coastal culture of women not getting involved into formal employments.

4.2.1 Work Qualification

Gender inequalities at workplace have another dimension in terms of women qualification. Education training has being the main qualification that drives one to employment. More to education is acquired skills and work experience. Nonetheless, gender has played a key role in qualifying one a specific job opportunity. All these factors have something in common: social upbringing, and attaining of qualifications.

This study sought to know how academic qualifications influence the job market for women. In Kenya, it is said that men are more qualified than women. This can be attributed to schooling system where women are more disadvantaged than men, as well as societal upbringing where men are given more preference before women. This is virtually found in all communities in Kenya, especially where school fees is involved.

This study found that the highest level of education attained in Kenya is post graduate university level. For this study, about 30% of respondents had attained the highest educational qualification (Post graduate). However, the majority 35% had attained only college education. This could be post graduate diplomas or certificates after graduating. About 20% of women in this study had only attained first degree (Bachelors).

Women who had attained secondary education alone were represented by 13.3% in this study. Only 2% of women had attained polytechnic qualification. The figure below illustrates these findings.

Figure 3: Educational Qualifications

Educational Qualifications
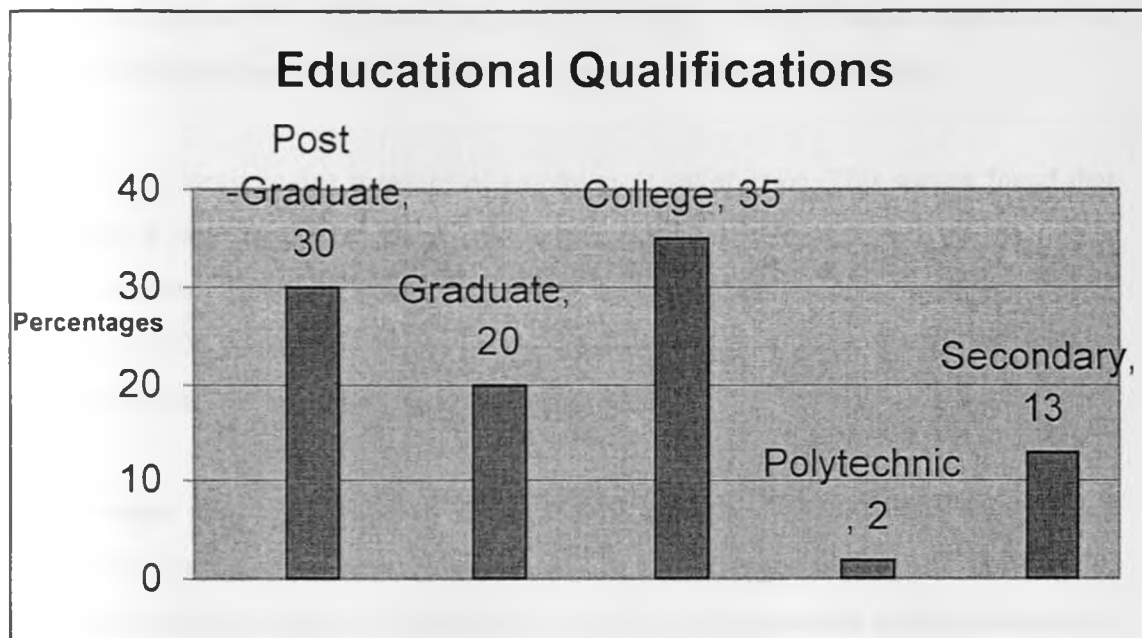
Source: Survey Data 2006

At the time of this survey, majority, 52%, were enrolled in different University courses. This can be attributed to the introduction of Module II/parallel degree programmes. The rest (48%) had enrolled in different colleges and where studying as well as working. Most of their classes were schedules in the evening hours to allow them work during the day.

This survey found that overall 63% of the surveyed women had degree qualifications. Those women who had diploma and certificate qualification were represented by 20% and 13% respectively. It can be concluded that majority of the working women in Nairobi are therefore professionally and academically qualified. They earn experience at the work place, or get it through internships and work placements/ attachments.

As found out in this survey majority 80% of women in Nairobi are qualified in the jobs that they do. They fall under the careers that they studied while in colleges and Universities. Only 20% are in careers that they never thought they would find themselves in, or they never studied for. Only fate made their destiny, as they argued.

This survey found that majority 80% of the working women have positive work experiences against 20% who have disgruntled feelings over their work experience. The majority 80% love their careers irrespective of many challenges found there.

Salary/ wage margin is one measure of employment satisfaction. This survey found that the highest salary bracket of Kshs 75,000 and over was only reported by 4% of the surveyed women. That notwithstanding, a 48% majority of the surveyed women earn less than Kshs 25,000 per month. This is by nay standard very low wages for Nairobi women considering that Nairobi is the regional economic hub.

Those women who earn between Kshs 25,000 and Kshs 50,000 have positive job experience as reported by 14%. However, 5% of the surveyed women did not want to disclose their salary brackets. Unfortunately, they did not disclose the reasons behind this opinion.

4.2.2 Job intake and Recruitment

This survey went out to find how women in Nairobi get recruited into their jobs or get absorbed by the job market. A colossal 73% of the surveyed women cited their qualifications as the means to the work that they do. This they attributed to their educational qualifications as well as work-related experiences which many employers looks for.

Other forms of women getting jobs in Nairobi were getting connections (8%) through relatives and friends, lack of alternatives for those who have low cadre jobs (8%), through internships and attachments (7%), and being head-hunted (2%) for those who have very high qualifications and experiences, among others. The table below shows these study findings.

Figure 4: Getting into the Job market

Getting into the Job Market
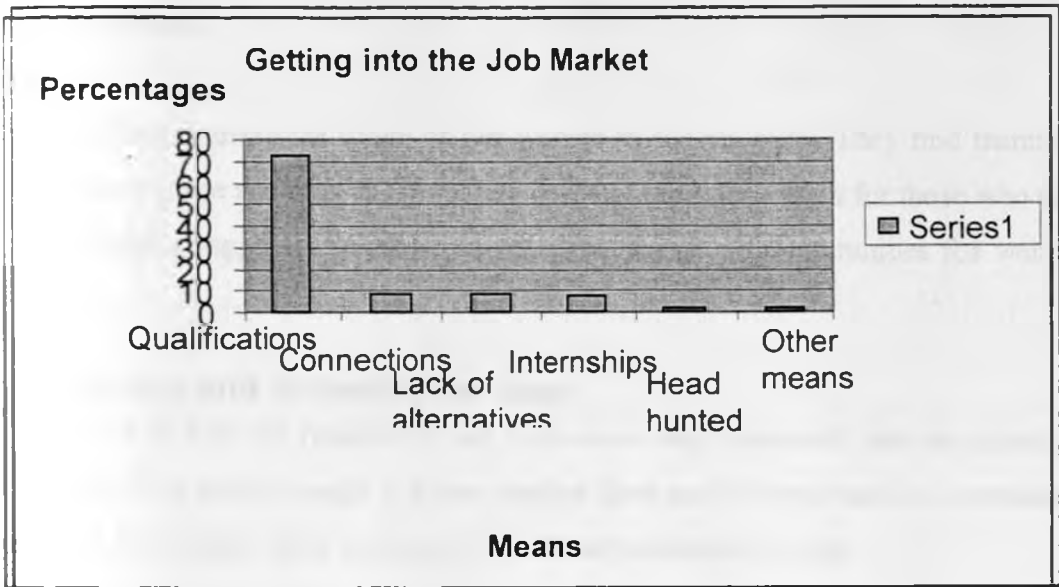
Source: Survey data 2006

This survey found that virtually all women (97%) were optimistic of getting good jobs after educational training. Majority of them (67%) opt to get administrative jobs as their career path. This optimism is followed by managerial prospective as reported by (18%) of women in this survey. Minority 3% expected to get academic jobs, be it lecturing or teaching/tutoring. Other sorts of jobs for women were mentioned available for women in Nairobi as mentioned in this survey.

4.3 Socio-cultural Issues and Job Segregation

Our social upbringing has a lot to do with what we choose to do after schools and college. It also defines our destiny even without our know-how. More still, a society can define ones future role in the employment workplace knowingly or unknowingly. This affects both men and women. Most affected are women who are vastly disadvantages compared to men.

Women face surmounting problems in their endeavour to obtain job opportunities in our society. In this study, most women (38%) reported that they face biasness of different forms. Others face qualifications ceilings as a stumbling block in attaining jobs as

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reported by 18%. Other forms of problems (cumulative) were reported by 27% of the surveyed women.

All these hurdles make the future of our women in society blink. They find themselves between hard place and rock as the society does not provide cushion for those who fail to cope with the struggle. This situation has made many job opportunities for women a mirage.

4.3.1 Society and Suitability for Jobs

The way not all jobs are available for all, is the same way that not all jobs are suitable for everybody. This survey sought to know whether there are job opportunities considered as unsuitable for women while others are considered unsuitable for men.

Although majority 65% argued that all jobs are suitable for women as long as they can do them, 33% (20 women) of the respondents claimed that some jobs are unsuitable for women. This is attributed to the job nature, and convenience of women doing them. Out of this number, manual jobs were reported by 20% of women as being very unsuitable considering the nature of women physical make up.

About 7% of the respondents in this survey argued that some jobs are done at odd hours hence unsuitable for women. Odd hours here mean that those jobs are done in the evening, as well as at night and very unfriendly times posing threats to women. Many women would not like to move around at night in Nairobi because of its security risks. Although the City might be safe by any standards, women are sure to face more threats than men who can fight for themselves.

On the same note, 3% of women reported that some jobs involved travelling. This would inconvenience many of them especially the ones who have families. They would opt not to take on the jobs.

Others (3%) said some jobs are of high profile hence unfit for women. High profile in this survey meant that some women feared being leaders in their job places. This is because the jobs would come with enormous responsibilities, some of which many women are unable to carry.

In conclusion on unsuitability of the jobs, Out of the 20 women who reported jobs unsuitable for women, about 18% claimed physical difficulties as the stumbling block to the women community. Odd working hours were also feared by 7% of these women. Insecurity and discrimination of women at the work place was reported by 5% of these working women to be the reason behind the unsuitability of these jobs for women. Only 2% of them argued that some jobs need high mental capacities which many women are not endowed with.

4.3.2 Gender Biasness

Many people confuse gender for sex formation. Gender is socially constructed in our communities. Put differently, communities decide knowingly or unknowingly what roles one will perform in society. On the other hand, Sex is a biological formation and therefore different from gender. One is born with sexual formations and society can not change that. The two should therefore be understood differently.

This survey selected women as the female sex, and wanted to know their roles in society. It found that gender has a lot of influence in the Nairobi job market. Of the surveyed 60 women, a colossal 67% (40 women) argued that gender informs employment patterns while the rest 33% did not see gender playing any role on their employment. The majority said that there were jobs women get because they are women (speaking in gender terms), while other jobs were best left for men. The minority argument was that anybody can do any job, be it male of female, no matter what the society defines.

Still on the same matter, 70% of women in this survey thought that men have better chances of being employed than women in Nairobi. Reasons behind these opinions are varied. They include: biasness (57%) in favour of men, unequal playing ground (15%), and men being more aggressive and creative (12%) among others.

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This survey sought to know whether qualified women have chances in securing jobs while competing with men. A 42% reported that chances for qualified women depended on the type of job they are seeking for. However, 38% reported that women have minimal chances no matter the qualifications. Of note is that only 10% think that there is a 50-50 chance for qualified women in competing with men.

A minority 7% have high opinions for women having a better position to get a job vis-à-vis men. A minority 3% claim that qualified women chances of getting jobs depends on the employer hence the bias. The figure below shows the trends.

Figure 5: Women chances of getting employment
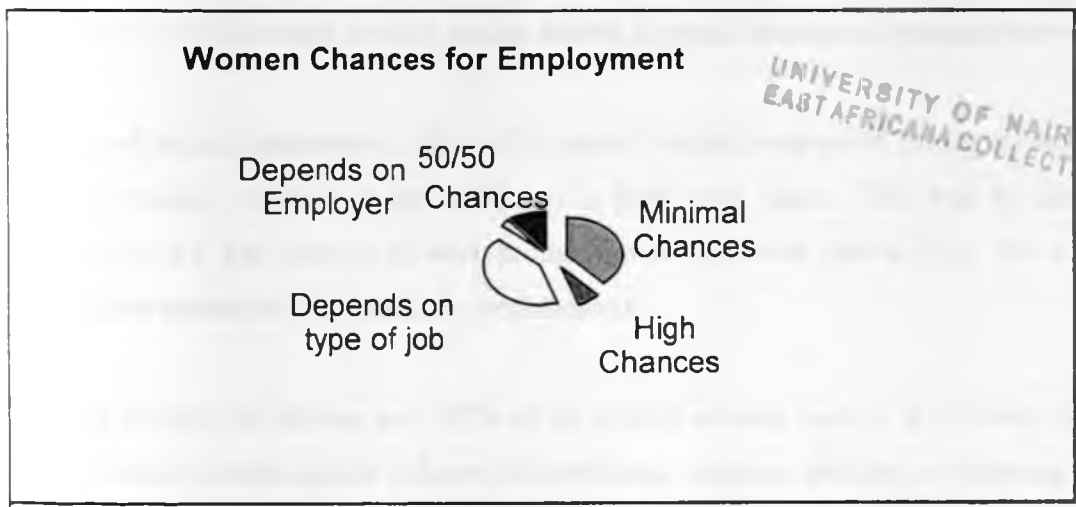
Source: Survey data 2006

4.3.3 Workplace Segregation

Workplace segregation is everywhere in the World. This can be based on gender, community background (Tribe), or even qualification and job cadre. Segregation is therefore not one sided and the same applies in other areas of society.

This survey sought to know the kind of segregation at work place based on gender and sex. This is based on the background of gender discrimination which was reported by 39% of the surveyed women. Even after attaining employment through all difficulties,

this survey found that women receive different treatments which are unbecoming at their work places.

Although majority 90% of women said they can serve in the same capacity as men, women are given less opportunities for career growth. Some 24% of the surveyed women said that they are denied opportunities for career growth. These sorts of career opportunities were reported to include among others work-related trainings (33%), scholarship opportunities (20%), as well as promotions (14%). Many of them therefore see this as some form of discrimination against women in general.

Most of all, women face gender based harassment at work place as reported by 60% (36 women). Only 40% in this survey claimed not to have been harassed at their work places. These sorts of harassments include sexual abuses, physical abuses and mental abuses.

In terms of sexual harassments, 50% of the abused women were asked for sexual favours, coerced, sexually touched or led to the act in their work places. This was all done to secure jobs, get job security or seek promotions in the work places. Very few of the respondents wanted to go beyond the explanations.

In terms of physical abuses, only 38% of the abused women faced it at the work place. Physical abuse would include indecent mishandlings, beatings, pushing, or slapping. This was reported to be common after work hours, in the Organisation parties, or at social gathering.

In terms of mental abuses, 32 women (53% of the abused) claimed to have been victims especially at the workplace. These psychological terrains have either affected women performance at their jobs, or made many to quit their employment to avoid it. The table below is a reflection of the findings.

Table 2: Women Harassments

	Abuses	Abused number	Percentage of the total surveyed
1.	Sexual abuses	30	50.0
2.	Physical abuses	23	38.3
3.	Mental/ Psychological abuses	32	53.3

Source: Survey data 2006

4.4 Rewards and Promoting Gender equality at work place

Rewards at work place range from work compensation, promotion as well as appreciation for work well done. This survey was interested in knowing whether women workers in Nairobi are appreciated not only for what they are, but also for what they do in their jobs. It found that majority women are appreciated and their efforts recognised though dismally at their workplace. They receive appreciation in different forms. Some get promotions (with very little monitory value); others get recognition, while some get salary increment. Most of the women will only get permanent employment if they were on temporary employment. Majority however will go unnoticed.

Promoting gender equality at workplace is a tall order in the employment sector. This is found all over in the world as equality is not always practiced. Even where it is practiced, many people would complain to be discriminated against under the disguise of promoting affirmative action. This could either be men or women depending on who is seen to be favoured. This is not different in Nairobi as this survey found out. Some women would complain that men work against them being recognised and promoted because they see themselves as being discriminated against.

In terms of incentives, this survey found that 65% of women receive equal performance-based incentives as compared to all performing men. They argued that work performance is mostly enhanced if all staff at workplace are treated equally, and give same incentives depending on performance.

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Nonetheless, enhancing gender equality at the work place seems to be the right thing to protect women rights. Majority 87% of the respondents in this survey think affirmative action is the way forward. Affirmative action is in the form of promoting one gender which is seen to be undermined by the other at workplace. This big number said this is the most viable way of recognising the women efforts at workplace. The other 13% said more is needed to be applied on top of the affirmative action. To them, affirmative action alone will not be effective to promote gender equality on employment. Other factors play a role to attain this ideal situation.

Majority 70% of those spearheading for affirmative action are asking for policies by the government to promote gender equality at workplace. They argued that without a policy to drive the point home, the arguments about women rights will be an exercise in futility.

Employment promotion based on merit was also being asked for by 12% of the surveyed women. They argued that ones qualification in a job should be the basis for getting promotion. To this group, excellent performance should be rewarded by all means

More educational and training opportunities are also seen as the panacea to promoting women rights as reported by 10% of the surveyed women. This group argued that opportunities for growth are always available in employment sector and women should be given those opportunities to enhance their skills. These opportunities should not be seized by men only, but be distributed equally among all the staff. They also suggested that Employers should be on the look out for the trainings that are related to their sectors so that they can uplift the work standards. All the staff would want to attain upward mobility through training and furthering their academic qualification, they said.

A sizeable 18% of the surveyed women were yearning for more women trade unions to fight for women rights in the employment sector. Trade unions would fight for women rights in terms of workmen compensation policies, risk allowances, maternity leave for women, as well as averting Employers who would otherwise want to abuse women rights. Such unions will therefore become handy whenever nee arises.

Others women in this survey were asking for more time frames (1 year) for maternity leave as a right for working women. Others are asking for promotion of rights to own property for women. Medical cover for women (2%), right to transfer (2%) from one work station to another, and right to a dressing code (2%) are among the other women rights reported in this survey. Many employers would be able to offer all or some of these rights if a platform for the same was provided.

CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1 Summary

This study set out to investigate the rights of women in getting employment, as well as the rights they are supposed to enjoy while in employment. Specifically, the study set out four objectives: to establish how gender inequalities determine the recruitment of professional women in the workplace; to explicate the socio-cultural justifications which are used in the segregation of women at workplace; to explore the question of women worker *vis-à-vis* the reward system (pay package); and finally to demonstrate how the rights of women workers are being abused.

This study was able to realise that gender is socially constructed and women find themselves in the periphery. Put differently, women are treated unequally when it comes to recruitment processes in employment sector. The professional women also find themselves in murky waters are their rights are not fully recognised irrespective of their qualifications.

In terms of segregation of women, this study found that the society is the one to blame. The society has put women in precarious situation as many of them are either segregated in the beginning at the family level as well as in other social institutions. Their qualifications to fit well in employment do not come easily. More still, if resources are limited at family level, the male gender gets first priority, hence segregation beginning at that very beginning. When it comes to employment, women are perceived by society as lesser beings irrespective of their hard-earned qualifications.

This study also found that even as women find employment, it is another struggle at a different level. Their qualifications are not recognised as many of them get lesser position jobs. Their pay park is also lower than those of men as well as the treatment within and without the employment confines. In terms of rewards, monetary rewards are lesser, and other benefits are awarded irregularly. Put differently, women get fewer chances to

prosper and add their qualifications and experiences at workplace. Their rights to equal treatment are utterly abused.

Furthermore, this study found that women workers' rights are abused from all corners. Some are asked to give favours in order to get promotions. These favours are ether sexual or monitory in nature. Others are harassed at the very workplace they are in. This is sexual, psychological, or physical abuses. Other women workers are denied promotions on flimsy grounds making them more de-motivated to perform.

5.2 Conclusion

This survey on women rights to employment is of pertinent importance in our society. With a background of inequality and discrimination of women, this survey has found that working women in Nairobi are 'fighting' different forces to fit in the employment sector. This fight could be either open or in the psychological.

This survey found that gender inequality is a big hindrance to women rights in the employment recruitment process as well as at the employment workplaces. Women are not equal to men, and the society is to blame for this. The survey therefore concludes that women rights are paramount to their economic upward mobility. Their position in society needs to be recognised and their rights promoted, not only at the employment sector, but also at the societal grassroots. This will pave the way for better things in life for women after employment as they will be appreciated.

The study also found that social cultural upbringing in our communities has everything to blame for the gender inequalities that women face. Many societies have a lesser perception of women hence give women roles that are seen to be weak compared to those of men. This perception has been entrenched in people's minds, and is therefore carried forward even to schools and employment sectors. The society has made women to be seen as lesser sex in terms of their gender roles.

In terms of educational qualifications and professional qualifications, this study concludes that upbringing in our society has disadvantaged our women in many ways. Men are given the first priority, as well as favoured to get the qualification. Women on the other hand have been left behind to fight for themselves. This has further affected their qualification at workplaces and even the work environment. Although such biases have been overcome by time (slowly by slowly), this study concludes that such biases have put women in the periphery of the job market.

Even in the job market, this study concludes that women who are working are faced with unfriendly environment mixed with harassment, discriminations and social seclusions. Although women seem to know their right in promoting gender equality, the avenues of channelling the same are narrow and unfriendly. No wonder the status quo remains. However, more reawakening is currently being seen especially in the urban sector.

5.3 Recommendations

This survey did not seek to exhaust the topics related to women and employment. The niche on entry to employment for women has massive information in terms of literature. Nonetheless, available literature does not exhaust this area of study. This study undertook to research on the issues that affect women in the process of recruitment, and at workplace. It did not capture all the areas of attaining the qualifications through education and training. This research therefore recommends for further research on why men are favoured by society (and families in particular) compared to women in attaining the academic qualifications.

This study looked at the area of gender inequalities and what women face while at workplace. It did not look at how women cope with those discriminations and harassments. This study therefore recommends more research in ways and means of coping mechanisms for the unemployed and employed women especially in the urban sectors.

The study was able to see the women's suggestions on best work policies for them to be looked at as equals to men. However, the study fell short of explaining how they climb the ladder to top leadership positions at workplace. The study consequently recommends further research in the area of how women climb through the ladder of leadership in employment.

In terms of policy recommendations, this study recommends policies directed towards women rights in the employment sector. Policies of engendering equality, policies addressing all sorts of abuses and policies of guarding women rights would come in handy to address workplace discriminations.

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APPENDIX A

A QUESTIONNAIRE ON 'WOMEN WORKERS' RIGHTS IN EMPLOYMENT: THE QUEST FOR AN EQUAL OPPORTUNITY'

Good Morning/Afternoon. My name is Rhoda Mueni from the University of Nairobi. I am conducting a study on **Women Workers' Rights in Employment: The Quest for an Equal Opportunity.** The information you will give will be treated as confidential and will not be used otherwise. It is for the purpose of research and documentation in general. Your co-operation will be highly appreciated.

Section I: Background

1. Name of respondent ……………………………….. (Optional)
2. Age of respondent ……………………………………
3. Marital status
   1) Single
   2) Married
   3) Divorced
   4) Separated
   5) Widowed
   6) Other Specify
4. Ethnic/ Tribe …………………………………………..
5. Place of Birth …………………………………………
6. Do you have children?
   a) Yes
   b) No
7. If Yes above, how many …………………………

Section II: Educational Background

8. What is your highest educational qualification? ....

9. Have you ever enrolled in college?

      a) Yes

      b) No

10. If Yes above, what type of college? ....

11. What is your professional/Academic qualification?

      a) Professional education ....

      b) Educational qualification ....

12. Does your work relate to your qualification?

      a) Yes

      b) No

Section III: Labour and Job Opportunities

13. How did you get this job? Please tick all the reasons that apply to you

      a) My qualifications through interviews

      b) Connections (God fathers)

      c) Head hunted

      d) Internship

      e) Lack of choice/ opportunities in my career path

      f) Others (Specify). ....

14. What problems did you encounter in obtaining your current job?

    a) Biasness ....

    b) Qualification ....

    c) Other (specify)....................................

15. What has been your experience in the work place?................................

16. Did you expect to get a job after education or training? ....

        1) Yes

        2) No

17. If yes, specify the kind of job you expected. ....

18. Are there job opportunities which exist but which you consider unsuitable for women?

        1) Yes

        2) No

19. If yes, list them. ....

20. Why do you consider them unsuitable?

        1) Physical difficulties

        2) Need high mental capacities

        3) Odd working hours

        4) Insecurity and discrimination at the workplace

        5) Any other (specify)

21. How much money do you earn in this job?

    a) Less than Ksh. 25,000

    b) Ksh. 25,000 – 50,000

    c) Ksh. 51,000 – 75,000

    d) Ksh. 76,000 – 100,000

    e) Above Ksh. 100,000

22. Do you think that men have better chances of been employed than women?

    1) Yes

    2) No

23. Why do you think so? (Depends on your answer above)

24. Do you think gender informs against employment?

    1) Yes

    2) No

25. What chance does a qualified woman have in securing a job while competing with qualified men?

    1) Minimal chances

    2) High chances

    3) Depends on the type of job

    4) Depends on the employer

    5) 50/ 50 chances

    6) Other

26. Do you face gender discrimination in your workplace?

    1) Yes

    2) No

27. What should be done to enhance gender equality in the workplace?

    a) ....

    b) ....

    c) ....

    d) ....

    e) ....

28. How can women rights at the work place be protected?

29. Can women serve in the same capacity as men?

    1) Yes

    2) No

30. Are women given opportunities for career growth?

    1) Yes

    2) No

31. What sort of opportunities?

32. Do you receive equal opportunities for performance based incentives?

    1) Yes

    2) No

33. Do you face any gender based harassment at your work place?

    1) Yes

    2) No

34. List the sorts of harassments in the following categories

    1) Sexual Harassments

        a.

        b.

        c.

        d

2) Physical Abuse

    a.

    b.

    c.

    d.

3) Mental Tortures-

    a.

    b.

    c.

    d.

35. Give your opinions on any other women right issue not addressed by this questionnaire

Thank you

APPENDIX B: KEY INFORMANT SCHEDULE

INTERVIEW GUIDE FOR KEY INFORMANTS (EMPLOYERS)

Section A: Background

1. Sex ....
2. Age ....
3. Marital status ....
4. Educational background ....
5. Occupation ....
6. Income ....
7. Ethnic group ....
8. Professional qualification ....

Section B:

9. How many women employee do you have in this work place?

10. Do you think women are segregated in the work place?

11. What are some of the factors inhibiting women employment in general?

12. How has gender biasness in the work place affected national development?

13. After the Government passed the Affirmative Bill, what are the implications of this on women employment in Kenya?

14. What is the general performance of women workers compared to men in the same positions?

15. Does employment of women uplift the economic status of the family and thereafter the nation?
    a) Yes
    b) No
    If Yes, specify how

16. What chance does a woman stand in securing a job with you as an employer?

17. What expectations do you harbour for women employees?

18. Comment on the implications of gender biasness in the work place on the:
    a) Women themselves
    b) Family
    c) The society
    d) Your company/ organisation
    e) The National Development

19. Give suggestions on how women segregation in the work place can be curbed or even avoided.

20. How can equal opportunities be achieved among the two different genders?

21. What other comments would you make regarding women segregation in the work place and the quest for an equal employment opportunity?