

Identifying hotel employees' entitled rights in the light of employment protection legislation and corporate social responsibility

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Abstract

In the hospitality industry, working conditions are pressurized with long working hours, low wages, absence of written labour contracts, lack of safety and security features in the workplace, and unfair dismissal. It is assumed that labour rights safeguard employees from unfair practices. Theoretically, there is a wide set of the labour rights as dedicated by Employment Protection Legislation (EPL) and Corporate Social Responsibility (CSR). Yet, the studies in the field of hotels' employment rights failed to provide a valid multidimensional list of the hotels' employees' rights as dedicated by both EPL and CSR in the Egyptian context. This study aims to identify the entitled rights of hotels' employees, in the light of EPL and CSR. A qualitative methodology (document analysis), was undertaken, in which the relevant documents (e.g., relevant laws...) were analyzed to extract and document the hotels' employees' rights. The study concluded that EPL and CSR are a roadmap for employees' rights. A list of 121 items of hotels' employees' rights was extracted. These items were grouped under 17 dimensions, which in turn, were grouped under three main entitlement stages. Theoretical and practical contributions are provided.

Keywords: Employees' rights, employment protection legislation (EPL), corporate social responsibility (CSR)

Introduction

Labour rights are entitlements that relate specifically to the role of being a worker. They can include right to fair working conditions, the right to a fair wage, the right to be protected from unjustified dismissal, and the right to belong to and be represented by a trade union (Mantouvalou, 2012). Labour rights protection is grounded in International Labour Organization's (ILO) founding values, on the assumptions that "labour is not a commodity" and that improving the conditions of work is vital to social justice, countries' prosperity, and universal and lasting peace (ILO, 2015). Measures of labour rights protection can take the form of legislation, which is a framework established by national laws to organize the relations between employers and their employees (International Labour Office, 2015). Labour rights also can be an outcome of Corporate Social Responsibility (CSR) practices (e.g., Goyder, 2003; Green Hotelier, 2007; Waddock, 2008; Turker, 2009). Yet, in the Egyptian context, studies that were conducted in the field of hotels' employment rights were, firstly: very rare. Secondly, these studies included only very few employees' rights stipulated by EPL and ignored the other rights. Thirdly, hotel employees' rights dedicated to CSR are often ignored and skipped. Hence, all of these previous studies did not provide a valid multidimensional list of the hotel employees' rights stipulated by both EPL and CSR in the Egyptian context.

The objective of the Study

The main objective of the current study is to identify the entitled rights of the hotels' employees, in the light of EPL and CSR in the Egyptian context.

Review of Literature

International Labor Organization defines employee rights as the minimum rights outlined in the law, collective agreements, and employment contracts (ILO et al., 2012). Employees' rights have been also defined to include not only rights based on contractual agreements and government laws, but also rights relating to public welfare and safety, and ethical and moral rights (Des Jardins et al., 1985; Wright et al., 1997). Academic conceptions of employees' rights have been traditionally thought to include legal and moral perspectives (Fortado et al., 1991). Based on that, it can be concluded that there are two main frameworks from which employees' rights can be identified: (1) the legal framework (hotel employees' rights in the light of Employment Protection Legislations (EPL), and (2) the ethical or beyond laws framework (employees' rights in the light of CSR).

Hotel employees' rights in the light of CSR

Newitt (2013) confirmed that Corporate Social Responsibility (CSR) can be an umbrella, under which, many initiatives of the labour rights can be covered. Although the concept of CSR has been employed and recommended for decades, agreement on a standard definition remains a contentious debate among scholars and practitioners (Dahlsrud, 2008; Sharma, 2011; Aguinis et al., 2012; Crane et al., 2019). Even the moral underpinnings of CSR are neither clear nor agreed upon (Frederick, 2008; Freeman et al., 2011). CSR can be defined as a set of standards and principles that define acceptable behaviours for different types of stakeholders (Pride et al., 2006; Hohnen, 2007). Stachowicz-Stanusch et al. (2018) showed that, among the thirty-seven definitions that Dahlsrud (2008) used in his content analysis, seven definitions addressed the employees as an important element and identify a specific treatment for them (e.g., quality of life, respect for health and safety). Table (1) shows some quotations of the CSR definitions, which involved the fair and ethical treatment of employees.

Table (1): The CSR definitions of the employees' treatment

Definition excerption related to the employees	source
"Continuing commitment to behave ethically and improve the quality of life of the workforce and their families..."	(World Business Council for Sustainable Development, 2000, p.6)
"Meeting the needs of a company's direct and indirect stakeholders such as employees..."	(Dyllick et al., 2002, p.131)
"Open and transparent business practices based on ethical values and respect for employees"	(International Business Leaders Forum, 2003, p.4)
"The integration of business operations and values with the interests of all stakeholders including employees ..."	(CSRwire, 2003, p.6)
"Treating the stakeholders of the firm ethically ...)	(Hopkins, 2006, p.5)
CSR can be involved in good employee relations	(Goyder, 2003, p. 6)
"Being sensitive to the needs of the employees and fairly treating them..."	(Green Hotelier, 2007, p.13).
"...Adopting different aspects of human rights, justice and democratic principles towards the workers..."	(Waddock, 2008, p.5)

CSR definitions must set up a system of corporate accountability to implement the obligations (Boeger et al., 2008). CSR includes a wide range of issues and can vary between the minimum requirements of respecting the employees' basic human rights and the implementation of policies that help them to achieve a work-life balance (Fuentes-Garcia, et al., 2008). Matev and Assenova

(2012) listed options to improve the labour CSR situation in hotels. Some of these options are shown in Table (2).

Table (2): Some options to improve the labour CSR situation in the hotels

No.	Option
1	Continuous staff training
2	Make an exchange staff training with the other hotels
3	conduct internal research on the needs of the employees
4	Building a career plan for every position
5	Establish career path development
6	Defining a clear objective bonus system, based on individual performance
7	Build a system for evaluation
8	Make a reward for excellence
9	Define the time every month for meetings with the boss

Source: Based on Matev & Assenova (2012)

It can be concluded that there are some commonalities among the previous CSR definitions as shown in figure (1).

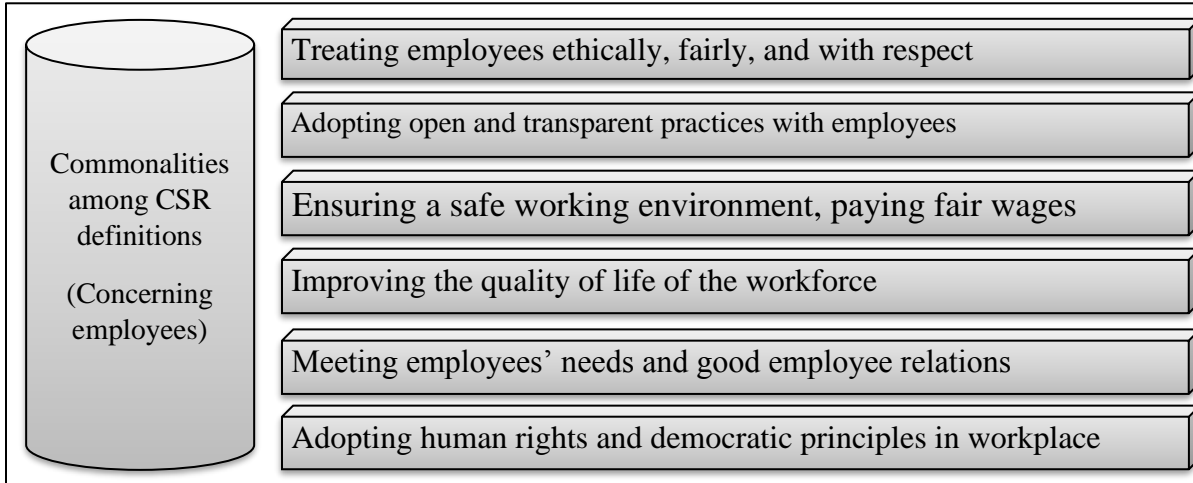


Figure (1): Commonalities among the CSR definitions concerning the employees

Source: Based on CSR definitions

Hotel employees’ rights in the light of EPL

Focusing on legal rights is important because legislation is a primary way of defending employees’ rights in the workplace (Osigweh et al., 1990). Labour legislations aim to bring workers into the informal economy under the effective protection of the law (Rani et al., 2013). Since the turn of the millennium, labour law has received increasing attention (Liukkunen & Chen, 2016).

The concept of the “right”

The “right” can be defined as “The legal link under which the law provides someone, exclusively, with authorities over something or requiring another someone to do a specific performance” (Saad, 2010; Shahani, 2015). Rights clarify what actions are permissible and which are not permissible.

Rights structure the content of laws and the shape of morality. To accept a set of rights is to adopt a certain view of what may, must, and must not be done (Rainbolt, 2006; Kramer, et.al, 2007).

The concept of “Legislation”

Legislation, linguistically, is defined as: “a law or set of laws made by a government” or “a rule of conduct or action laid down by a governing authority” (Online Merriam-Webster's Dictionary, 2020). Legislation, terminologically, can be defined as "Any legal rule issued in an official written document, by a concerned public authority in the country ". In other words, legislation is “an expression of the will of the concerned public authority in a specific country to issue a legal rule, giving it the obligatory power and compelling people to respect it” (Abd-Rahman, 2005). Employment protection legislation (EPL) in Egypt includes international agreements, and conventions (i.e., International Labour Organizations (ILO) conventions that are ratified by Egypt). Added to that, the issued laws (e.g., labour law, child law, social insurance law), and the ministerial resolutions issued by the concerned minister (for example, decisions of the ministry of tourism). These types of legislation have different levels of obligatory power, which is known as the pyramid of legislation (Emam, 2008; Mohamed, 2008; Gamal-Aldin, 2013).

A review of the relevant studies in the Egyptian context

As mentioned earlier, in the Egyptian context, the studies that were conducted in the area of hotel employment rights were largely scarce. However, Ibrahim (2013), in an attempt to shed light on the illegal practices toward hospitality workforces, used a questionnaire, which was built on only some provisions of the Egyptian labour law 12/2003. The list of the hotels’ employees’ rights, provided by included only four main items which are (1) Labour contract, (2) scheduling work hours /exchanging shifts fairly, (3) Periodic leaves, (4) Employee’s dues when terminating her/his contract.

Radwan (2015) studied the impact of CSR on employees in the hotel sector within the context of five-star hotels in Hurgada, Egypt, in 2014. He assessed the hotels’ implementation of internal CSR practices that target employees using 14 variables (e.g., involving employees in the decision-making process, health, and safe work environment, fair wages, avoiding discrimination in the workplace, workforce diversity, providing job opportunities to handicapped, respecting the rights of employees, etc.). Alnadoury (2019) conducted a study to identify the extent of employees’ knowledge of Egyptian labour law No. 12 of 2003.

Critically, the list of the hotels’ employees’ rights that was presented by both Ibrahim (2013) or Alnadoury (2019) was very limited and not comprehensive enough to show a complete picture of hotels’ employees’ rights. Firstly, in terms of the number of items of the rights entitled to hotels’ employees. Secondly, both lists were limited to one source of legislation, which is the Egyptian Labor Law No. 12 of 2003, and ignored other important legislations such as the conventions of the Labor Organization International (ILO), and ministerial resolutions, such as the resolutions of the Minister of Manpower.

Also, these lists ignored the rights entitled to the hotels’ employees within the framework of the moral and social responsibility of hotels. On the other hand, Radwan's (2015) study addressed some internal CSR practices on employees and ignored any rights stipulated by the Egyptian legislation. Based on that it can be concluded that all of these previous studies did not provide a multidimensional list to identify the hotels’ employees’ rights that are stipulated by both EPL and CSR. This gap provides the motive of this study.

Methodology

Data collection method

The study adopted the analysis of the documents (qualitative technique) to explore the rights that entitled to hotels' employees' rights. Bowen (2009) argued that document analysis, is an "*Efficient method*" and has the following valuable advantages:

1. *Availability*: many documents are in the public domain and are obtainable without restricted permission.
2. *Stability*: The document is stable; hence, it is suitable for repeated reviews.
3. *Exactness*: The document includes exact names, rules, and details of events which makes this document reliable in the research process.
4. *Coverage*: documents provide broad coverage; they cover a long span of events, and many rules.

In this context, Pershing (2002) confirmed that information obtained from documents is often more credible and reliable than information obtained by interviews, or questionnaires, because the data in documents are historical and thus, often viewed as objective evidence.

3.2 Selecting the documents

Despite the documents are believed to be a rich source of information, researchers should be careful when selecting the documents (Bowen, 2009). Thus, based on the guidelines shown by Bowen (2009), the researcher selected the following documents:

- (1) Egyptian Constitution (Egy.gov, 2014),
- (2) Universal Declaration of Human Rights (UN. General Assembly, 1949),
- (3) Conventions of the International Labour Organization (ILO) that were ratified by Egypt, specifically the following conventions:
 - Convention of Freedom of Association and Protection of the Right to Organize.
 - Convention of Right to Organize and Collective Bargaining (No.98 of 1949).
 - Convention of Workers' Representatives (No.135 of 1971).
 - Convention of Equal Remuneration (No.100 of 1951).
 - Convention of Equality and Non-Discrimination (No.111 of 1958).
 - Convention of Minimum Wage (No.26 of 1928).
 - Convention of Protection of Wages (No.95 of 1949).
 - Convention of Minimum Wage Fixing (No.131 of 1970).
 - Convention of Holidays with Pay Convention (No.52 of 1936).
 - Convention of Weekly Rest (No.106 of 1957).
 - Convention of Working Environment (No.148 of 1977).
 - Convention of Workmen's Compensation (Accidents) (No.17 of 1925).
 - Convention of Equality of Treatment (No.19 of 1925).
- (4) Egyptian laws that are relevant to the rights of employment in the private sector, specifically the following laws:
 - Labour Law No. 12 of the year 2003.
 - Law no. 180 of the year 2008 on amending some provisions of labour law no. 12 of 2003.
 - Child law no. 126 of the year 2008.

- Social insurance law no. 148 of the year 2019.
- (5) Relevant ministerial resolutions, specifically the following
- Resolution of the Manpower Minister No. (185) of 2003 regarding the organizational rules for penalties and the organization of work.
 - Resolution of the Manpower Minister No. (153) of 2003 (the medical examination of the worker before joining the work).
 - Resolution of the Manpower Minister No. (49) of 2009 (specifying holiday days that are considered as leave with full pay for workers in the private sector).
 - Instructions published by the Egyptian Ministry of Tourism.
 - CSR relevant studies, specifically, that included CSR practices toward the employees.

Content analysis and the coding process

Qualitative content analysis is defined as: “a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns” (Hsieh & Shannon, 2005, p.1278). MAXQDA software, is a powerful tool that can help to analyze the data systematically and quickly (Gizzi et al., 2021). Based on the steps and guidelines provided by Rädiker et al. (2020); and Gizzi et al. (2021), the following steps were adopted

Step (1): Defining the research question: in the current study was, *what are the entitled rights to hotel employees, in the light of CSR and EPL, in Egypt?*

Step (2): Collect the data: the relevant documents, which are listed in the previous section, were collected to extract the hotel employees' rights.

Step (3): Importing the data for MAXQDA software: all the selected documents were imported into MAXQDA, through the "import" option in the software window, then selecting the required document. See figure (2).

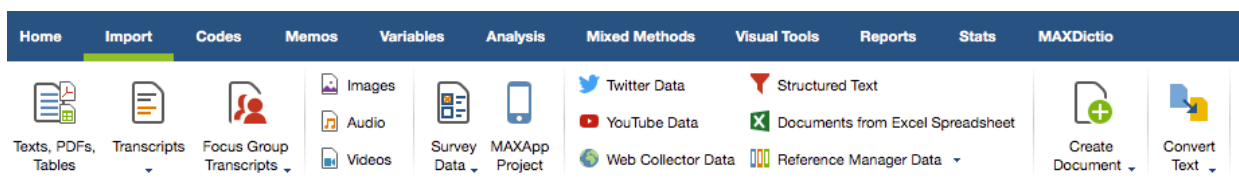


Figure (2): Importing the selected documents into MAXQDA software

Step (4): The coding process:

The researcher divided larger passages into smaller bits and coded only these parts of the texts that represent the entitlements for the hotel's employees. The researcher started by reading the text that was required to be coded three times to get familiar with it and start coding after the third reading only. Then, the meanings were extracted and coded. Figure (3) shows the process of coding in MAXQDA software, through the right click on the selected text, then choosing "code with a new code".

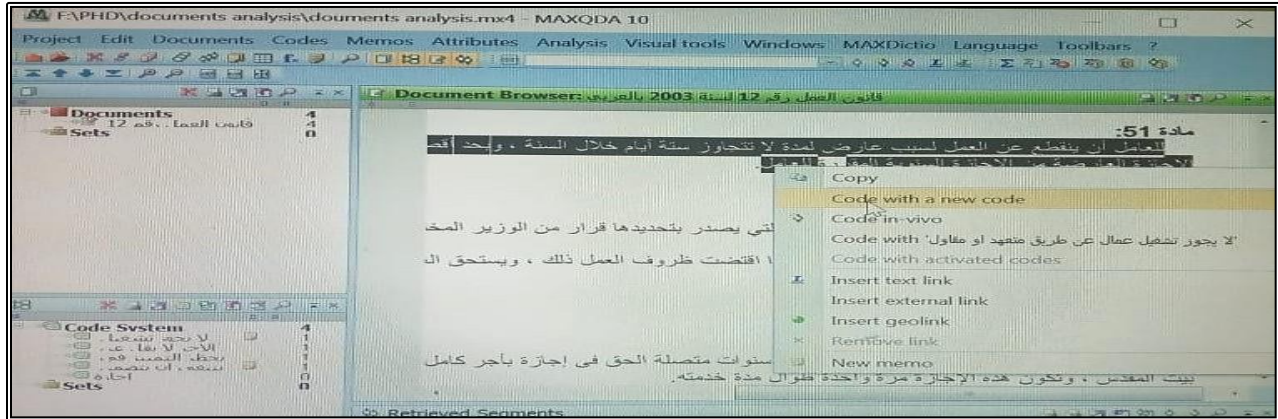


Figure (3): Coding in MAXQDA software

Regarding the coding rules, any entitlement, or benefit dedicated by legislation or CSR for the sake of the hotels' employees, was considered a *right* and was coded based on that. This coding rule was decided according to the definition of the "right", as it is previously stated “the legal link under which the law provides someone, exclusively, with authorities over something or requiring another someone to do a specific performance” (e.g., Saad, 2010, p. 15; Shihani, 2015, p. 37)*. In addition to that, the “right”, from the scope of CSR, is any entitlement for the hotel employee as dedicated by the company's ethical responsibility towards its employees.

Step (5): Testing the coding reliability: to test the coding reliability and stability, the researchers selected a group of coding units (law articles) and coded them (11 articles of the labour law no.12 of 2003). Then the same articles were presented to two specialized lawyers in labour rights and asked to code those articles. Then the codes presented by those lawyers were compared to the codes initially coded by the researchers. The extracted meaning was the same. Accordingly, the researchers confirmed the coding consistency and reliability.

Step (6): Analysis and comparison: After finishing the coding, the process of analysis and the comparison of these contents between the documents, started. This step included paraphrasing some "rights", looking for similarities between the documents, and writing summaries. Figure (4) shows the analysis and comparison in MAXQDA software.

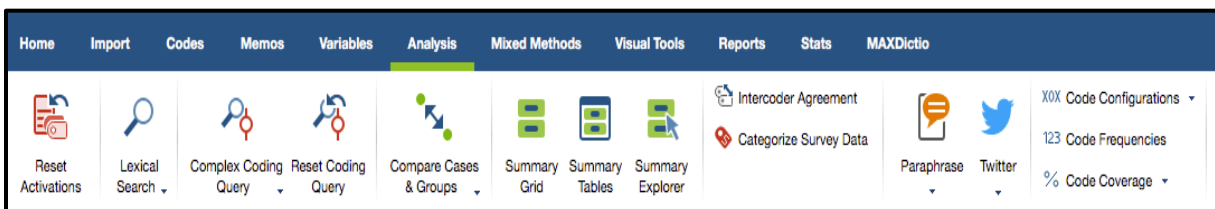


Figure (4): Analysis and comparison in MAXQDA software

Saldaña (2021) provided a sequence that involves a streamlined codes-to-category-to-theme for qualitative analysis. See figure (5). He showed that the "Code" is the label that the researcher attaches to a short part of the text that he is analyzing. While the "Category" is a grouping that the researcher imposes on some of the coded segments. While the "Theme" is a higher level of categorization. Based on that, the codes (hotel employees' rights) were grouped under appropriate sub-categories (dimensions), which, in turn, were grouped under appropriate categories (entitlement stages). Finally, these categories were grouped under two main themes.

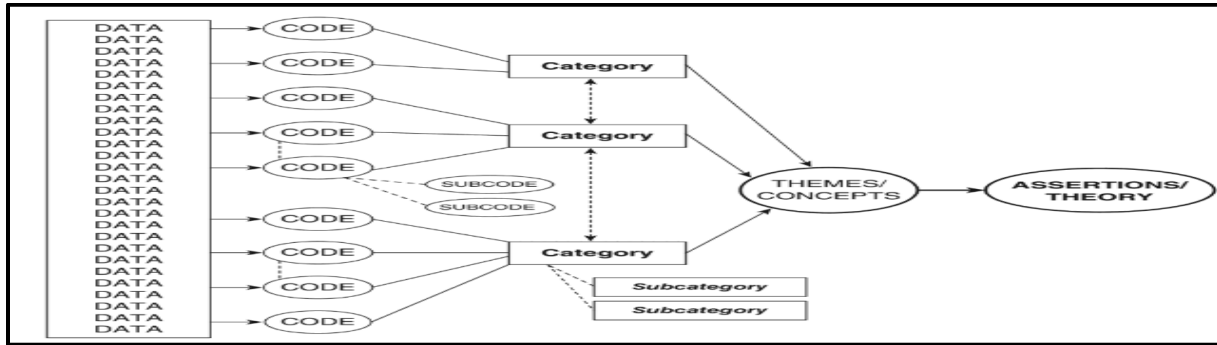


Figure (5): a streamlined codes-to-category-to-themes for qualitative analysis.
Source: Saldaña (2021).

Step (7): presentation of findings: The findings were gathered, organized, and presented properly.

Results and Discussion

The selected documents’ contribution in documenting the employees’ rights

Table (3) shows the number of the “rights” abstracted from each document and the percentage of the document’s contribution to hotel employee rights documentation.

Table (3): Number of the “rights” extracted from the selected documents.

No.	Document name	Nature of document	No. of extracted “rights”	Document’s contribution percentage
1	Labour Law No. 12 of the year 2003	EPL	80	66.1%
2	Law No. 180 of 2008 on amending some provisions of labour law No. 12 of 2003	EPL	2	1.6%
3	Child law No. 126 of the year 2008	EPL	6	5 %
4	Social insurance law No. 148 of 2019	EPL	4	3.3%
5	ILO Convention of Freedom of Association and Protection of the Right to Organize (No.87 of 1948)	EPL	2	1.7%
6	ILO Convention of Right to Organize (No.98 of 1949)	EPL	2	1.7%
7	ILO Convention of Workers' Representatives (No.135 of 1971)	EPL	1	0.8%
8	ILO Convention of Equal Remuneration (No.100 of 1951)	EPL	1	0.8%
9	ILO Convention of Equality and Non-Discrimination (No.111 of 1958)	EPL	1	0.8%
10	ILO Convention of Minimum Wage (No.26 of 1928)	EPL	1	0.8%
11	ILO Convention of Protection of Wages (No.95 of 1949)	EPL	9	7.3%
12	ILO Convention of Minimum Wage Fixing (No.131 of 1970)	EPL	2	1.7%
13	ILO Convention of Holidays with Pay (No.52 of 1936)	EPL	3	2.4%
14	ILO Convention of Weekly Rest (No.106 of 1957)	EPL	1	0.8%

15	ILO Convention of Working Environment (No.148 of 1977)	EPL	4	3.3%
16	ILO Convention of Workmen's Compensation (Accidents) (No.17 of 1925)	EPL	3	2.4%
17	ILO Convention of Equality of Treatment (Accident Compensation) (No.19 of 1925)	EPL	None	0%
18	Egyptian Constitution (Egy.gov, 2014)	EPL	None	0%
19	Universal Declaration of Human Rights	EPL	None	0%
20	Resolution of the Manpower Minister No. (185) of 2003 (the organizational rules for penalties and the organization of work).	EPL	4	3.3%
21	Resolution of the Manpower Minister No. (153) of 2003 (the medical examination of the worker before joining the work).	EPL	1	0.8%
22	Resolution of the Manpower Minister No. (49) of 2009 (specifying holiday days that are considered as leave with full pay).	EPL	3	2.4%
23	Instructions published by the Egyptian Ministry of Tourism	EPL	1	0.8%
24	The study of Salama et al. (2019) (CSR)	Research	16	13.2%
25	The study of Abo-Samaan's (2015) (CSR)	Research	7	5.8%

Identifying the hotels’ employees entitled “rights”, in the light of EPL and CSR

Saldaña (2021) provided a sequence that involves a streamlined codes-to-category-to-theme for qualitative analysis (see figure 5). Based on that, the codes (items of hotels’ employees’ rights) were grouped under appropriate sub-categories (dimensions), which, in turn, were grouped under appropriate categories (entitlement stages). Finally, these categories were grouped under two main themes. Table (4) shows the themes, table (5) shows the sub-themes (entitlement stages), table (6) show the sub-categories (dimensions), and finally, table (7) shows the items of “rights” entitled to hotel employees, in the light of EPL and CSR in the Egyptian context (121 items).

Table (4): The two main themes of hotels’ employees’ rights.

(1) Rights dedicated by EPL.
(2) Rights dedicated by CSR.

Table (5): The sub-themes (entitlement stages) of hotels’ employees’ rights.

(1) Rights which are entitled during establishing the job relationship
(2) Rights that are entitled when the job relationship is in force
(3) Rights which are entitled when terminating the job relationship

Table (6): The sub-categories (dimensions) of hotels’ employees’ rights.

(1) Labour contract
(2) Ensuring the hotel employees' safety and security
(3) working hours
(4) wages and rewards

(5) Leaves
(6) Equity and non-discrimination
(7) Disputes settlement
(8) Respecting the freedoms which are prescribed legally
(9) Health and social care
(10) Employee impeachment and sanctions
(11) Training and orientation
(12) Rights related to compensations and dues
(13) Rights related to dismissal or resignation
(14) Distributive justice
(15) Procedural justice
(16) Interpersonal justice
(17) Appraisal justice

Table (4): the “rights” entitled to hotel employees, in the light of EPL and CSR.

NO.	Right Statement (codes)	Document name	No. of
	Theme (1): Rights dedicated by EPL		
	Category or Entitlement stage (1): Rights which are entitled during establishing the job relationship		
	Sub-category or Dimension (1): Labour Contract		
1	The hotel management must never employ its employees through a supplier or labour contractor but by contracting with the employees themselves.	labour law (12/2003)	Article (16)
2	The employee must never be required to pay any charges in return for engaging him at work. Thus, any deduction from wages to be paid to any intermediary (such as a labour contractor or recruiter) in return for engaging the hotel’s employee at work must be forbidden	Labour law (12/2003) & ILO convention (No. 95)	Article (21)
3	Labour contract must be drawn up in Arabic writing, in three copies, one copy kept by the hotel management, and the employee must be handed a signed copy - by the hotel or its representative - of the issued labour contract.	labour law (12/2003)	Article (32)
4	The hotel management must deposit one copy of the labour contract with the concerned social insurance office	labour law (12/2003)	Article (32)
5	The labour contract must document: (A) The data indicating the name of the hotel, its address, (B) The employee’s name and all the data necessary to prove this identity. (C) The nature and type of the work (subject of the contract), and (D) The	labour law (12/2003)	Article (32) & (33)
6	The Labour contract must document the wage, as well as all the agreed in-cash and in-kind benefits, in addition to the method and date of payment of this wage and all other agreed entitlements.	labour law (12/2003)	Article (32)
7	If the work contract includes any condition or agreement that contradicts the provisions of the law or includes a violation of the hotel’s employee’s rights established by law - this condition or agreement is considered null and invalid, and at the same time any benefits and conditions that are better for the employee shall	labour law (12/2003)	Article (5)
	Category or Entitlement stage (2): Rights entitled when the job relationship is in		
	Sub-category or Dimension (1): Ensuring the hotel employees safety and security		
8	The hotel management is committed to ensuring the privacy and security of information and personal papers of employees	labour law (12/2003)	Article (77)
9	The hotel management is committed to applying all occupational safety and health rules and health requirements such as lighting, ventilation and others	labour law (12/2003)	Article (208)
10	The hotel management is committed to ensuring the safety of its employees against the following risks: (1) The fire risks, (2) The mechanical dangers (3) The chemical dangers (4) The biological dangers resulting from infection with bacteria, fungi, parasites, viruses and other biological risks, in the work places.	labour law (12/2003) & ILO convention (No. 148)	Articles of labour law No. (208), (209), (210)

11	Hotel management must ensure the security of its employees, in the work places, from explosion risks and terrorist attacks.	Instructions published by the Egyptian Ministry of Tourism	
12	Hotel management is committed to: (A) providing its employees with “means of protection of negative risks” such as the required means of rescue, (B) preparing an emergency plan for protecting the employees in the event of occurring a disaster	labour law (12/2003)	Article (212) & (215)
13	Hotel’s employees or their representatives have the right to present recommendations, to obtain information to ensure protection against occupational hazards in the working environment.	ILO convention (No. 148) ratified by Egypt on 4 May 1989	
14	Encouraging the research in the field of prevention and control of occupational hazards in the working environment.		
15	Implementing protection against occupational hazards, must never negatively affect the rights of hotel’s employees that are prescribed in social insurance law.		
	Sub-category or Dimension (2): working hours		
16	Actual working hours must never exceed eight hours a day, or forty-eight hours a week.	labour law (12/2003)	Article (80)
17	working hours must include one or more break periods, totaling not less than one hour. Also, when organizing these break periods, it should be considered that the employee is not employed more than five continuous hours	labour law (12/2003)	Article (81)
18	Employees must be granted a weekly period of rest, with full pay, not less than complete twenty-four hours, after at most six continuous working days.	Article (83) of labour law (12/2003) & ILO convention	
19	Weekly rest entitled to the employee can be added together on a period not exceeding eight weeks	labour law (12/2003)	Article (84)
20	The employee is entitled to an additional wage for his employment for additional working hours, and this additional wage must never be less than the employee’s original wage plus 35% for the daytime working hours, 70% for the night working hours, and in all cases the actual working hours must never exceed 10 hours per day.	labour law (12/2003)	Article (85)
21	Employees must be granted another rest day, during the following week, in return for employing him on his day of rest, in addition to, an equivalent wage for that day.	labour law (12/2003)	Article (85)
22	An up-to-date schedule indicating the weekly day of rest, the working hours and the break periods, for the hotel employees, must put on a prominent place in the hotel.	labour law (12/2003)	Article (86)
23	The hotel management is committed to reducing the daily working hours of the pregnant employee - for at least one hour - from the sixth month of pregnancy	Child law (126 / 2008)	Article (70)
24	The pregnant woman must be never employed overtime during the pregnancy period - until the end of six months from the date of birth.	labour law (12/2003) & Child law (126/2008)	labour law (93) & child law (70)
25	The nursing female employee has the right during 24 months following the birth date - to one /two additional break periods for breast-feeding, totaling of them not less than an hour. And these additional break periods must never result in any wage reduction.	labour law (12/2003) & Child law (126/2008)	labour law (93) & child law (70)
	Sub-category or Dimension (3): wages and rewards		
26	The wage that is delivered to the employee must be never less than the minimum level of wages.	labour law (12/2003) - Article (37) & ILO convention	
27	The elements to be taken into consideration in determining the level of minimum wages shall include: (A) The needs of hotel’s employees and their families, (B) The general level of wages in the country, (C)The cost of living, (D) Social security benefits, (E) The relative living standards of other social groups; (F) Economic	ILO convention (No. 131) Ratified by Egypt on 12 May 1976	
28	If the wage is not determined by any of the methods stipulated in Article 36 of Labor Law No. 12 of 2003, the hotel’s employee shall be entitled to a wage similar to the wages of his peers	Manpower Minister No. (185) of 2003	Article (28)
29	The employees appointed with a monthly pay; their wages must be paid at least once per month, and the wages must be paid in the legal currency	labour law (12/2003) & ILO convention (No. 95)	Article (38)

30	Monthly paid employee must be never transferred to a weekly or a daily wage employee, without a written approval of him on this transferring.	labour law (12/2003) & ILO convention (No. 95)	Article (40)
31	If the employee is prevented from performing his work for reasons related to the hotel or the hotel management, he shall be considered as having actually performed his work and shall be entitled to his full wage	labour law (12/2003)	Article (41)
32	The hotel management must never deduct more than (10%) from the employee's wage in fulfillment or repayment of the money that the hotel has loaned to him.	labour law (12/2003)	Article (43)
33	The hotel management must never charge the employee any interest on the money that the hotel has loaned to him, or the pre-paid wages.	labour law (12/2003)	Article (43)
34	In all cases any deduction of the employee's wage, that made for settlement of employee's debit, must never exceed (25%) of that employee's wage, and (50%) only in the case of alimentary debt.	labour law (12/2003) & ILO convention (No. 95)	Article (44)
35	The hotel shall not be released from the wage unless the employee signs that he has received that wage in the register prepared for this, or the completion of the transfer of this wage to the employee's account in one of the banks. Thus, Wages must be paid directly to the concerned hotel's employee not to another person	labour law (12/2003) & ILO convention (No. 95)	Article (45)
36	The hotel's employees should be informed, in an appropriate and easily understandable manner, with the changes of wages and the time of each payment of wages. And the hotel is obligated to deliver the employee a statement of his/her wage upon his request	labour law (12/2003) & ILO convention (No. 95)	Article (45)
37	The employee, who was employed on holidays, must be granted, in addition to this day's wage, a double of that wage	labour law (article 52) & Manpower resolution No. (49) of 2009	
38	If the illness of the insured employee prevents him from performing his work, he must be granted a compensation in amount of 75% of his wage up to 90 days and then increased to 85% of this wage, up to 180 days in one year	Social insurance law (148/ 2019)	Article (76)
39	If the work injury causes the insured employee to be unable to work, he must be granted a compensation - to be paid on the date of payment of the monthly wage - equal to his full wage, during the period of his absence and inability to work	Social insurance law (148/ 2019) & ILO convention (No. 17)	Article (49)
40	Wages can be attached or assigned only in a manner and within limits prescribed by national laws or regulations.	ILO convention (No. 95)	
	Sub-category or Dimension (4): Leaves		
41	The employee is entitled to an annual leave with full pay - up to 21 days for this who has spent a full year in service, and up to 30 days for this who has spent ten years in the service or is over fifty years old. While, If the employee's service period is less than one year, he is entitled to such leave in proportion to the period he spent at work.	labour law (12/2003) & Manpower Minister resolution No. (185) of 2003 & ILO convention	labour law (47) & Manpower resolution (30)
42	The holidays, official occasions days off and weekly days off must be excluded from the ordinary annual leave which is entitled to the employee with full pay	Article (47) of labour law (12/2003) & Manpower Minister resolution No. (185) of 2003 & Manpower resolution No. (49) of 2009 & ILO convention (No. 52)	

43	Hotel's employees must be granted an official leave - with full pay - for the following days of each year, which are: 1- The first day of the month of Muharram (the festival of the Hijri New Year), 2- The twelfth day of the month of Rabi' Al-Awwal (the Noble Prophet's birthday), 3- The first and second days From the month of Shawwal (Eid al-Fitr), 4- The ninth, tenth and eleventh days of the month of Zi- al-Hijjah (standing at Arafat and the first and second days of Eid al-Adha), 5- The seventh day of January (the Glorious Christmas), 6- The twenty-fifth day of April (The Liberation of Sinai) 7- The twenty-fifth day of January (Police Day), 8- The day of Sham El-Nessim, 9- The first day of May (Labor Day), 10- The twenty-third day of July (Revolution Day), 11- Today Sixth of	Article (1) of the Manpower Minister resolution No. (49) of 2009	
44	The balance of leaves due to the employee, or the wage computed against that balance, must be settled every three years at most	labour law (12/2003)	Article (48)
45	The employee can leave work for an accidental or emergency reason for a period not exceeding six days during the year	labour law (12/2003)	Article (51)
46	Employee, who served five continuous years, has the right to leave of one month with full pay to perform the religious pilgrimage duty (only once throughout his service period)	labour law (12/2003)	Article (53)
47	The employee whose illness is proven, has the right to a sick leave, determined by the concerned medical quarter	labour law (12/2003)	Article (54)
48	The female employee has a right to a full pay maternity leave for a period of 90 days (twice during her service)	Article (91) of the labour law (12/2003) & (70) of the Child law (126 / 2008)	
49	The hotel management is prohibited from dismissing the female employee or terminating her service during the maternity leave	Article (91) of the labour law (12/2003) & (70) of the Child law (126 / 2008)	
50	The female employee is entitled to a leave without pay, for a period not exceeding two years, to care for her child, with a maximum of three times throughout her service.	labour law (12/2003) & Child law (126 / 2008)	labour law (92) +child law (72)
51	Employee's service must be never terminated because of his sickness, unless he exhausted his sick leaves, in addition to, his frozen annual leaves due to him	labour law (12/2003)	Article (127)
	Sub-category or Dimension (5): Equity and nondiscrimination		
52	The hotel management is prohibited from practicing any procedures that discriminate between employees because of their participation in union activity	ILO convention (No. 98) Ratified by Egypt on 3 Jul. 1954	
53	The hotel management is prohibited from discriminating among its employees - in wages and all other rights - because of differences in gender, origin, language, religion or belief.	labour law (12/2003) - Article (35&88) & Resolution of the Manpower Minister No.	
54	The hotel management is prohibited from terminating the employee's service because of colour, gender, marital status, pregnancy or religion.	labour law (12/2003)	Article (120)
	Sub-category or Dimension (6): Disputes settlement		
55	Hotel's employee has the right to resort to the dispute settlement committee to settle any dispute amicably, with the hotel management, within ten days from the date of <u>this dispute</u>	Labour law no. 180 of 2008	Article (70)
56	Hotel's employee has the right to resort to the labour court, within a period of 45 days at most, If the settlement of this dispute is not reached by the dispute settlement committee	Labour law no. 180 of 2008	Article (70)
57	Hotel's employee has the right to resort to the dispute settlement committee if the hotel management overestimated the value of the object that was lost or damaged by the employee	labour law (12/2003)	Article (73)
58	Cases arising from disputes related to the provisions of the Labor Law that are filed by hotels' employees, as well as complaints and requests submitted by them - are exempted from judicial fees in all stages of litigation	labour law (12/2003)	Article (6)
	Sub-category or Dimension (7): Respecting the freedoms which are prescribed legally for hotel employees		

59	It is prohibited to force the employee to buy goods or services from certain stores, or to buy the goods or services provided by the hotel.	labour law (12/2003) & ILO convention	Article (42)
60	It is prohibited to dismiss an employee because of his participation in a legally permitted union activity or because he is a representative of the employees.	labour law (12/2003) -Article (120) & ILO convention (No. 98) & ILO convention (No. 125)	
61	It is prohibited for the hotel management to dismiss the employee because of submitting a complaint or filing a lawsuit against the hotel.	labour law (12/2003)	Article (120)
62	It is prohibited for the hotel management to dismiss the employee because of using his legally-prescribed rights to leaves	labour law (12/2003)	Article (120)
63	The administrative authority is prohibited from dissolving trade union organizations or suspending their activities	ILO convention (No. 87) Ratified by Egypt on 6 Nov. 1957	
64	hotel's employees have the right to establish and join union organizations of their own choosing, to elect their representatives in full freedom, to organize their administration and activities, and to formulate their programs.	ILO convention (No. 87) Ratified by Egypt on 6 Nov. 1957	
	Sub-category or Dimension (8): Health and social care		
65	Employee has the right to be medically examined before his joining the work to ensure his safety and health fitness according to the work type that is proposed assigning to him	labour law (12/2003) -Article (216) & Manpower Minister resolution No. (153) of 2003	
66	The employee has the right to have his sick complaint examined, while working in the hotel, by a doctor.	Article (219) of labour law (12/2003) & ILO convention (No. 17)	
67	Employees has the right to a periodical medical examination, through coordinating the hotel, with the Health Insurance Authority, to ensure the employee's safety and health	labour law (12/2003)	Article (219)
68	The hotel is committed to provide its employee with first-aid means in a well prepared and equipped place for this purpose	labour law (12/2003)	Article (220)
69	The hotel is committed to employ one or more qualified nurses for nursing and first aid services in the workplace	labour law (12/2003)	Article (220)
70	The hotel is committed to provide appropriate transportation for employees, who are employed in remote places, that are not reached by regular transportation	labour law (12/2003)	Article (221)
71	The hotel is committed to providing adequate food and accommodation for employees who are employed in remote areas.	labour law (12/2003)	Article (221)
72	Health Insurance Authority must treat the injured or sick employee and medically take care of him until s/he heals, or his disability is proved.	Social insurance law (148/2019) -Article (48) & (75) & ILO convention (No. 17)	
73	In case of injuring the employee, the hotel management is committed to transfer him to the place of treatment	Article (50) of Social insurance law (148/2019)	
	Sub-category or Dimension (9): Employee impeachment and sanctions		
74	The hotel management is committed to issue sanctions statute, which determine the violations and prescribed sanctions for them, and this sanctions statute must be placed in a prominent place in the hotel	labour law (12/2003)	Article (58) & (59)
75	The act, for which the hotel's employee can be impeached disciplinarily, must be related to the work.	labour law (12/2003)	Article (59)
76	Deduction from employee's wage for settlement of sanction imposed on him, must be never more than the wage of five days in the same month.	labour law (12/2003)	Article (61)
77	The hotel management is prohibited from imposing more than one sanction on the employee for the same violation.	labour law (12/2003)	Article (61)
78	In all cases, the decision that involves imposing sanction on the employee must be substantiated	labour law (12/2003)	Article (64)

	Sub-category or Dimension (10): Training and orientation		
79	Hotel's employee has the right to be trained on the correct bases to perform his job tasks and duties	labour law (12/2003)	Article (217)
80	Hotel's employee has the right to be informed, before exercising his work, of the risks of his job tasks	labour law (12/2003)	Article (217)
81	Hotel's employee must be provided with proper protection tools from his job's risks and trained in using them	labour law (12/2003)	Article (217)
82	Hotel's employee must be never charged any costs against providing him with protection tools	labour law (12/2003)	Article (217)
83	It is prohibited to charge the employee any costs in return for training him on the correct performance of his job duties.	labour law (12/2003)	Article (217)
	Category or Entitlement stage (3): Rights entitled when terminating the job relationship		
	Sub-category or Dimension (1): Rights related to Compensations and dues		
84	Obligations arising from labour contracts must never be terminated due to merging the hotel with another or selling it, and the successor (the management of the current hotel) is jointly responsible with the previous hotel for the implementation of these obligations.	labour law (12/2003)	Article (9)
85	If the work relationship expired, the hotel is obligated to pay the employee's wages and all his dues within a period not exceeding seven days from the date of his claim.	labour law (12/2003)	Article (38)
86	If the work relationship expired before the employee exhausts his balance of annual leave, he will be entitled to the wage computed against that balance	labour law (12/2003) - Article (48) & ILO convention (No. 52)	
87	Hotel's employee's file must be kept by his hotel management, for at least one year from the date of the work relationship termination	labour law (12/2003)	Article (77)
88	If the hotel's employee -in service- died, the hotel management must pay to his family "funeral expenses" (equivalent to his full wage of two months)	labour law (12/2003)	Article (123)
89	If the hotel's employee -in service- died, the hotel management must pay to his family a "grant" (equivalent to his full wage for the month in which he died and the two following months)	labour law (12/2003)	Article (123)
90	Hotel's employee has the right, when terminating his contract, to obtain for free an experience certificate, indicating the date of his joining the service in the hotel, the date of its expiry, the type of work he was performing, and the wages he was receiving.	labour law (12/2003)	Article (130)
91	Hotel's employee has the right, when terminating his contract, to retrieve immediately his papers and certificates that he had deposited with the hotel management	labour law (12/2003)	Article (130)
92	In the event of the hotel bankruptcy or judicial liquidation, employees therein it must be treated as "privileged creditors". Thus, they have the priority to obtain their wages and dues from the hotel assets	labour law (12/2003)- Article (7) & ILO convention (No. 95)	
	Sub-category or Dimension (2): Rights related to dismissal or resignation		
93	Employee has the right to terminate the work relationship - without paying compensations - after completing five years, if the labour contract included a period more than five years.	labour law (12/2003)	Article (104)
94	Hotel's employee's resignation must be submitted in writing, otherwise, it must be considered as null and inexistent	labour law (12/2003)	Article (119)
95	The hotel's employee has the right to withdraw his resignation in writing, within a week from the date that the hotel management notifies him of accepting his resignation. In this case the resignation must be considered as null and inexistent	labour law (12/2003)	Article (119)

96	female employee has the right to terminate her labour contract without affecting her rights, whether this contract was definite or indefinite period, because of her marriage, pregnancy or child-bearing	labour law (12/2003)	Article (128)
97	Hotel's employee has the right to resort to the labour court to request a compensation, If the hotel management dismissed him without sufficient and legitimate justification.	labour law (12/2003)	Article (122)
98	The compensation entitled to the employee who was dismissed without legitimate justification, must be never less than total of his full wage of two months for each year of his service years, in addition to, the rest of his legally prescribed dues	labour law (12/2003)	Article (122)
	Theme (2): Rights dedicated by CSR		
	Category or Entitlement stage (2): Rights entitled when the job relationship is in force		
	Sub-category or Dimension (1): Distributive Justice		
99	The hotel management is keen to match the privileges granted to employees according to the effort made by them	Salama et al.'s (2019) scale	
100	The hotel management grants the right of promotion to employees, based on the principle of efficiency in work, without bias or discrimination	Salama et al.'s (2019) scale	
101	The hotel management selects employees to join the training programs based on fair and objective criteria	Salama et al.'s (2019) scale	
102	The monthly salary is compatible with the employee's efforts in his or her work.	Abo-Samaan's (2015) scale	
103	The job burdens and assignments are fairly distributed among hotel's employees	Abo-Samaan's (2015) scale	
104	The hotel's employee's monthly salary is compatible with the qualifications and the courses that he/she obtained	Abo-Samaan's (2015) scale	
105	The monthly salary of the hotel's employee is compatible with his experience in the work	Abo-Samaan's (2015) scale	
	Sub-category or Dimension (2): Procedural Justice		
106	The hotel management encourages employees to make their contributions to improve job performance	Salama et al.'s (2019) scale	
107	The hotel management is keen that the requirements and tasks of the job are compatible with the employee's own abilities	Salama et al.'s (2019) scale	
108	The management allows the hotel's employees to participate in making administrative decisions	Salama et al.'s (2019) scale	
109	The administrator discusses his or her employees, in hotel, before taking any action against them	Abo-Samaan's (2015) scale	
110	Administrative decisions are applied to all hotel's employees without discrimination	Abo-Samaan's (2015) scale	
111	The hotel management is keen that the administrative penalties are commensurate with the violations and abuses in the hotel's workplace	Abo-Samaan's (2015) scale	
	Sub-category or Dimension (3): Interpersonal Justice		
112	The direct manager takes into account fairness in dealing with hotel staff with interest and without discrimination	Salama et al.'s (2019) scale	
113	Managers act with integrity and without bias or discrimination to resolve the internal conflicts among hotel staff.	Salama et al.'s (2019) scale	
114	The direct manager provides an explanation on all work-related topics, each according to his job.	Salama et al.'s (2019) scale	
115	The direct manager directs, the employees who made a mistake at work, to the correct ways to prevent making these mistakes in the future	Salama et al.'s (2019) scale	

116	The management allows the hotel employees to listen to their problems they face at work	Salama et al.'s (2019) scale
	Sub-category or Dimension (4): Appraisal Justice	
117	The process of evaluating the performance of hotel employees depends on fairness and the effort made by these employees away from personal relationships and discrimination	Salama et al.'s (2019) scale
118	All hotel employees should be notified of the criteria and standards upon which their performance is evaluated	Salama et al.'s (2019) scale
119	The hotel management allows employees to complain against the ratings if they feel that their performance is not assessed fairly	Salama et al.'s (2019) scale
120	Managers reward hotel employees whose performance is rated as 'excellent'	Salama et al.'s (2019) scale
121	Promotion opportunities are granted to all employees based on their outstanding performance away from any bias or discrimination	Salama et al.'s (2019) scale

Mapping the hotels' employees' rights.

Figure (6) shows the mapping of the themes, categories, and sub-categories (dimensions) of the hotels' employees' rights.

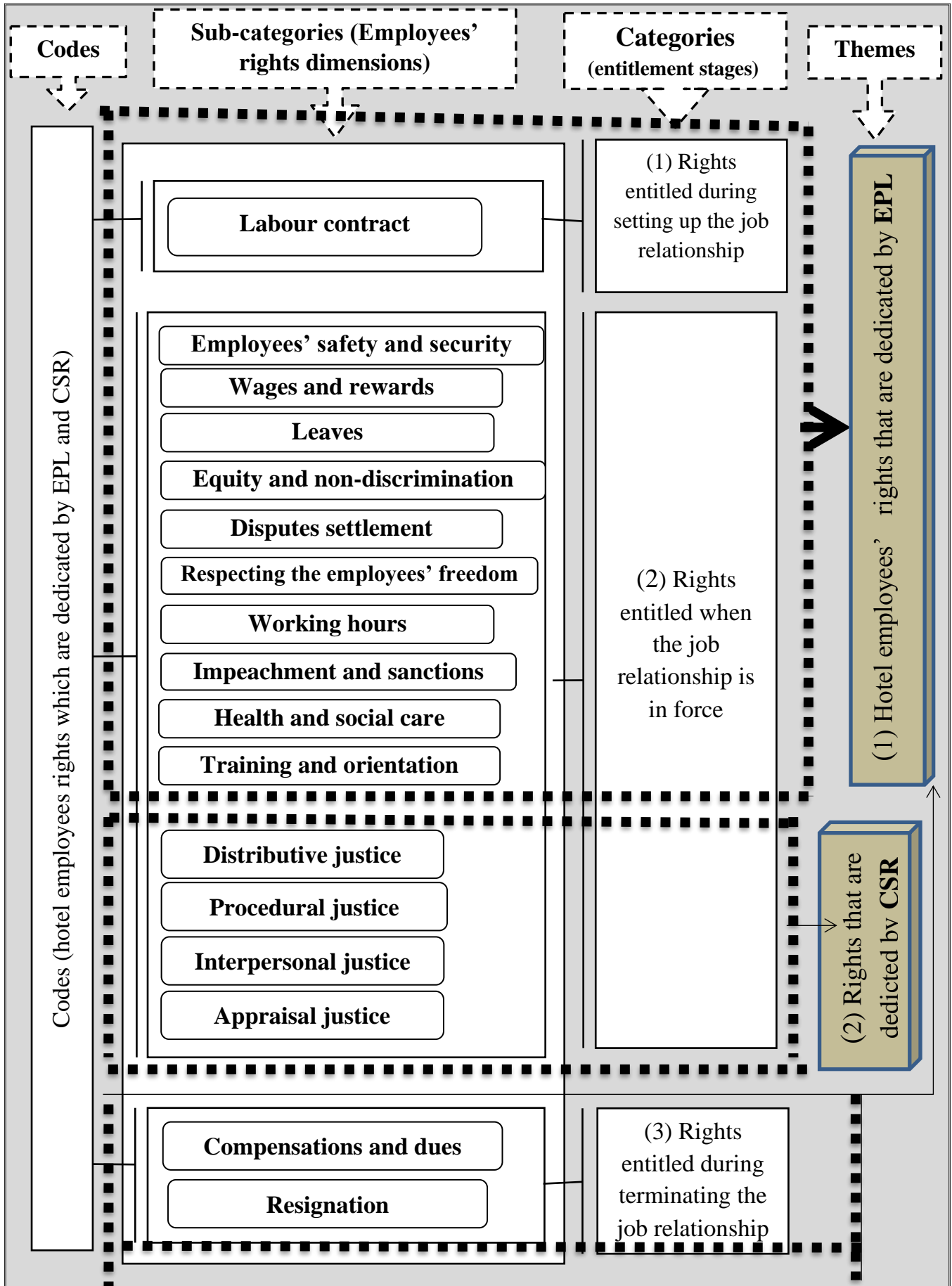
Discussion

The documents of the Egyptian legislation, as well as some of the CSR-relevant studies, have proven that it can provide a reference that includes a wide range of rights entitled to hotels' employees. Moreover, they can form a road map that can contribute to protecting the rights of this segment of workers in the private sector in general, and in the hotel sector in particular. Accordingly, the hotel management must show commitment to those rights, stipulated by EPLs and CSR. As mentioned earlier, in the Egyptian context:

- The study by Ibrahim (2013), provided a list of only four items of the employees' rights which are (1) Labour contract, (2) work hours /exchanging shifts fairly, (3) Periodic leaves, (4) Employee's dues when terminating her/his contract, and ignored completely the rights dedicated by CSR.
- The study of Radwan (2015) provided some of the rights dedicated by CSR, and ignored completely the rights dedicated by EPL.
- Alnadoury (2019) provided limited rights dedicated by the Egyptian labour law No. 12 of 2003, and skipped a wide range of the entitled rights to hotels' employees.
- Based on that it can be concluded that all of these previous studies did not provide a multidimensional list to identify the hotels' employees' rights that are stipulated by both EPL and CSR. The current study, through a reliable methodology, contributed to fulfilling this gap.

The study contributions

- (A) Contribution to knowledge: the results of the study enriched the theoretical knowledge by identifying the rights entitled to the hotels' employees in light of both Egyptian EPLs and CSR. Hence, adding a contribution to theory and literature.
- (B) Contribution to methodology: the current study developed a valid and reliable multi-dimensional list of the hotels' employees' rights in light of EPL and CSR. Such list can be employed, in the future research, to develop a scale, to measure the actual performance of these rights.



Limitations and future research

Time limitation: Document analysis requires long days and months, while the time available for the study was somewhat limited. Future researches are required to employ the extracted list of hotels' employees' rights, to develop a reliable and valid scale. Future researches are required to measure the hotels' compliance with these rights of hotels' employees.

Recommendations

1. Employees must take personal responsibility to equip themselves with the EPL and their employment rights so that they can be aware of all the details related to their legal rights.
2. The employees should benefit from the principle of freedom of trade unions association, which allows the employees to join the trade union or withdraw from it as s/he likes.
3. Employees should demand the respect of their employment rights when necessary, using all appropriate means and resources available.
4. The General Trade Union of Hotels and Tourism Workers should Carry out initiatives to increase hotels employees' awareness of their legal rights. This is because, many employees are not fully familiar with the contents of the EPL as well as the procedures associated with them.

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تحديد الحقوق المستحقة لموظفي الفنادق في ضوء تشريعات حماية العمالة والمسؤولية الاجتماعية للشركات

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الملخص

إن ظروف العمل في صناعة الضيافة، تتعرض لضغوط بسبب ساعات العمل الطويلة، والأجور المنخفضة، وعدم تحرير عقد العمل، وعدم وجود اشتراطات السلامة والأمن في أماكن العمل، والفصل التعسفي. من المفترض أن حقوق العاملين تحمي الموظفين من الممارسات غير العادلة. من الناحية النظرية، هناك مجموعة واسعة من حقوق العاملين التي تنص عليها كلا من التشريعات وكذا المسؤولية الاجتماعية للشركات، لكن في السياق المصري، فإن الدراسات في مجال حقوق العاملين بالفنادق فشلت في تقديم قائمة متعددة الأبعاد لحقوق هؤلاء العاملين في السياق المصري. تهدف هذه الدراسة إلى تحديد الحقوق الواجبة لموظفي الفنادق، في ضوء تشريعات حماية العمالة المصرية والمسؤولية الاجتماعية للشركات. تم اتباع منهجية كيفية، وهي تحليل الوثائق (مثل القوانين ذات الصلة)، حيث تم تحليل هذه الوثائق لاستخراج وتوثيق حقوق موظفي الفنادق. خلصت الدراسة إلى أن تشريعات حماية الموظفين والمسؤولية الاجتماعية للشركات يمثلان خارطة طريق توضح حقوق الموظفين. تم استخراج قائمة تضم 121 بنداً من حقوق موظفي الفنادق. تم تجميع هذه العناصر تحت 17 بعداً، والتي بدورها تم تجميعها تحت 3 مراحل استحقاق رئيسية.

الكلمات المفتاحية: حقوق الموظفين، تشريعات حماية العمالة، المسؤولية الاجتماعية للشركات