

# GENDER EMPLOYMENT DISCRIMINATION: A COMPARISON BETWEEN THE BANKING SECTORS OF KUWAIT AND THE UNITED KINGDOM

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## Abstract

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Current literature has not examined gender employment issues in Kuwait's banking industry. This is a key knowledge gap as many women are entering the sector and might be facing discriminatory conducts in comparison to their male colleagues. The scarcity of available literature regarding the Kuwaiti banking sector and its equality practices calls for more research attention to detect discriminatory conducts and improve governmental legislation. This paper builds an international comparison between Kuwait and Britain's established discrimination legislation. It uses a primary qualitative research method within two of Kuwait's private banks to address the following questions: firstly, what is the nature of implemented gender equality policies and practices within the banks? This includes patterns of gender segregation, recruitment and selection processes, promotional opportunities and gender pay gaps. And secondly, how do Islamic and conventional banks differ with regards to their equality practices and gender career opportunities? The findings of the study were similar within both Islamic and conventional banks. Results indicated a strong prevalence within Kuwait of social and cultural factors, which shape gender roles and ideologies. Occupational gender segregation and thus pay inequalities were found to be a distinct feature of the sector in both countries. And this was linked to long working hours cultures, the unbalanced load of domestic and care burden between males and females, as well as discretionary managerial practices for selection, hiring and promotions. The paper highlights key areas of improvements with regards to equality practices and legislative policy planning in Kuwait.

**Keywords:** Gender, Women, Discriminatory, Kuwait, the UK

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## 1. INTRODUCTION<sup>1</sup>

Equality is recognized as a fundamental human right, acknowledged in all major international human rights treaties and conventions. Accordingly,

the Universal Declaration of Human Rights 1948, article 2, states: "Everyone is entitled to all the rights and freedoms set forth in this Declaration without distinction of any kind, such as race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or another status" (Pitt, 2011, p. 27). Discriminatory acts, however, continue to be dominant in current

<sup>1</sup> This paper is based on the master dissertation of the first author (Adel, 2015).

societies. High priority on the sociology agenda is therefore to investigate reasons and mechanisms behind discrimination, and the consequences inequality brings to individuals and communities.

Conflict theories offer the main sociological explanations of discrimination. Specifically, according to a *conflict theory* standpoint, discrimination is "the strategic, self-interested actions by members of privileged groups who intentionally exclude and exploit subordinate group members to protect or advance their interests" (Reskin, 2000). How to prevent "privileged groups" from perpetrating this behaviour then?

The application of social justice to the prevention and fight of discrimination is one of the ultimate aspirations for most societies (Banai, Ronzoni, & Schemmel, 2011). The very notions of equality and justice, however, are embedded into specific cultural and historical contexts. As such, they are susceptible to considerable changes within societies from different parts of the world (Lucio, 2014, p. 97). To counteract discriminatory behaviours and policies, it is crucial first to understand its subtle mechanisms, and the ways institutions and social justice attempt at preventing and fighting it within the context of specific societies. In particular, we need to understand how discrimination is perceived by the community where it takes place and, as a consequence, also by its local policies, as they are created by the society they regulate. A particular focus needs to be placed on "financial industries", as they are ideally placed for promoting a change towards better-established equality, at least within their area of influence. The focus of this study was, therefore, on gender discrimination in the working environment (Cohn, 2019). In particular, we chose to explore women employees of banks from Kuwait, with an eye on nationality discrimination as well, since the weight of this additional variable does play a crucial role in societies such as the Kuwaiti one, as it will be explained in the next section.

The purpose of this paper is twofold. First, on a macro-level, legal framework within the UK and Kuwait, relative to the established policies protecting women from workplace discrimination, will be described and analysed using secondary data: governmental websites and law books, mainly. This will clarify how equality and social justice are differently perceived in the two countries, and it will demonstrate the effect of cultural and legal contexts on the development of equality legislation. Second, since financial industries continue to play essential roles within countries, and have therefore also promoted gender equality research, they will be the main focus of the primary paper research. Additionally, as the majority of Kuwait's population (more than 60%) is non-Kuwaiti, due to the country's bloodline citizenship policy (Shah, 2007, p. 2), efforts are needed to promote ethnic/nationality equality as well. The issue of racial discrimination will thus also be considered in this work, to investigate locally biased conducts, which are still regarded as lawful and legitimate by the government of Kuwait, towards non-Kuwaiti citizens.

The main research questions covered in this primary study are the followings:

1. Explore the nature of equality practices in two of Kuwait's private banks, including; patterns of gender segregation, recruitment and selection processes, promotional opportunities, training and

development, gender pay gaps. The rationale behind the choice of two banks only out of the 17 existing private banks in the country was due to limited time and resources since this was a low scale research paper.

2. Compare and contrast the differences between Islamic and conventional banks with regards to their equality practices and gender career opportunities. Examine existing patterns of race (nationality) discrimination within the two banks.

The structure of this paper is as follows. Section two reviews the relevant literature. Section three analyses the methodology. In section four the findings are reflected. Section five presents the discussion and lastly, section six introduces the conclusion.

## 2. LITERATURE REVIEW

Centuries of human rights activism, together with political, demographic and social changes, have driven the evolution of diversity/equality concepts which, in turn, brought about several, at times contradictory, social changes, in the field of employment among others (Merry, 2006). Such a long period of transformation has indeed witnessed substantial developments, in some parts of the world more than in others, as groups that had been traditionally marginalized within certain societies finally made it into fields of education and employment. This holds for several discriminated categories, including women.

The diversity/equality evolution paths observed in different countries are all, to varying degrees, unique. To understand how these social phenomena came to be, how they may further develop, and how local policies can be changed to more effectively promote equality over discrimination, it is crucial to investigate each case within its specific context. This study focuses mainly on gender discrimination. As this particular type of discrimination can take several shapes (within a family, at the workplace, in relation to properties, in education, in front of a jury, and so on), we chose to focus on occupational gender discrimination, within a bank working environment, in two very different countries: Kuwait and the UK. The histories of these two countries have been enormously different, leading to quite distinctly structured societies. This also reflects on diversity/equality, both as a socio-cultural concept and in practical everyday life. In the next section, we will describe a few laws and policies that help contextualize discrimination in these two countries.

For British law, there are four types of prohibited conducts which are unlawful across all of the protected characteristics that will be shortly specified: direct discrimination, indirect discrimination, harassment, and victimization. Direct discrimination is defined, in section 13 of the Equality Act 2010, as "where the employer, on the ground of a protected characteristic, treats a worker less favourably than a person without that protected characteristic" (Smith & Baker, 2013, p. 312). The scope of this section is broad: the House of Lords stated that, where direct discrimination took place, the intention or the motive of the discriminator is irrelevant. Discrimination can also take more elusive forms. It is the case, for instance, of an indirect discrimination, which is defined as: "a rule, policy, criterion or practice which, while not expressly

mentioning a protected characteristic, in practice puts one group at a disadvantage because it has a disproportionate impact on the members of that group" (Smith & Baker, 2013, p. 319). As an example, a minimum height or weight condition for prison guards may be equally applied to all job applicants, but its effect is more likely to exclude women rather than men (Collins, 2010, p. 59). Likewise, the requirement for job applicants to be between 17 and 28 years old, while gender-neutral, may indirectly discriminate against women as, due to family commitments, many women may be unavailable to work during that period of their life (Smith & Baker, 2013, p. 319).

Victimization, on the other hand, occurs in an employment context when an employer subjects an employee to a detriment for a discrimination claim, for supporting one, or for making allegations of unlawful discrimination. In other words, if an employer responds negatively against an employee who made complaints regarding discriminatory treatment, it will be considered an unlawful contravention according to the anti-discrimination legislation (Collins, 2010, p. 62). Similarly, harassment occurs when one person engages in unwanted conduct, related to a relevant protected characteristic, where the purpose of the conduct is to create an intimidating or degrading working environment (Collins, 2010, p. 62).

Kuwait is one of the three Gulf countries, other than Qatar and UAE, where non-nationals have outnumbered nationals for several decades (Shah, 2007, p. 2) with around 1.5 million Kuwaiti and about 3 million non-Kuwaiti (Human Rights Watch, 2014; The Public Authority for Civil Information, 2019). The main reason behind such a prevalence of non-Kuwaitis in the country is their participation in the labour force. Many have moved to the country and are now second or third generation residents (Shah, 2007, p. 2). Similarly, to other Gulf countries, however, Kuwait does not provide immigrants with a Kuwaiti nationality due to its bloodline citizenship policies. Kuwait's nationality law also denies Kuwaiti women married to non-Kuwaiti men to pass on their nationality to their children and spouses, a right granted to Kuwaiti men married to foreign spouses (Human Rights Watch, 2014). Additionally, foreign men married to Kuwaiti women have no right to stay in the country without a work residency permit. In contrast, foreign women married to Kuwaiti men are naturally granted residency and are eligible for citizenship five years after marriage (Human Rights Watch, 2014).

From the simple observations given above, we already gain an idea of how differently discrimination is perceived and dealt within these two countries. Whereas discrimination is legally condemned and prosecuted in the UK, regardless of the discriminated category, it is Kuwait's legislation itself which denies fundamental rights to a subpopulation that, furthermore, happens to be the majority within the country. As Kuwaiti nationality law sets the basis for ethnicity-based discrimination, it legalizes a way of thinking that could, therefore, subtly, promote other types of discriminations. Furthermore, gender discrimination is embedded into the very same Kuwaiti nationality law: women are granted less "citizenship-power" than men. We may, at this point, question if and how women living in Kuwait are allowed, by the current situation, to pursue gender equality in their working

environment. Metcalfe (2011) argues that at the root of the barriers to women's progress in the Gulf are traditional masculine attitudes. Restricting women's employment opportunities through bearing them with unbalanced care and the domestic burden is seen to be overt, direct discrimination from a westernised point of view. However, obligating only men to provide for their households financially can then be seen as overt direct discrimination as well. Therefore, recognizing the power differentials and cultural pillars between those in the western world as opposed to those in the developing world where rights and freedoms are conceived differently is essential (Metcalfe, 2011, p. 132).

We stated the following hypothesis: *Women, who pursue equal opportunities and challenge traditional gender roles within Kuwait, while having an unequal share of domestic responsibilities, follow one of the following strategies.* They may choose to stay single as is the case of both the senior managers we interviewed. They may decide to have a small number of children, or they may receive support from their extended families and domestic workers, who help them balance work with domestic responsibilities.

## 2.1. A legal comparison between Britain and Kuwait

### 2.1.1. Impact of the EU and GCC membership

Before commencing the legal comparison of Britain's and Kuwait's equality legislation, it is essential to highlight that the European Union (EU) membership has provided, without any doubt, the most important and dynamic influence on British equality law. Such an influence was not provided to Kuwait by its Gulf Cooperation Council (GCC) membership due to the lack of development of equality laws within all GCC countries. According to the World Bank Group 2015, and Kuwait's Labor Law, the constitution of Kuwait's employment law does not include any specific non-discrimination clauses. The only article concerning equality is Article 29 (1) of Kuwait's Labor Law, which states that "All people are equal in human dignity and public rights and duties before the law, without distinction to race, origin, language, or religion". No mention is made, however, in this article about gender discrimination.

A few laws regarding specific women's employment rights will be mentioned in the following sections.

### 2.1.2. Sex discrimination

The first legislative attempt to address the question of sex discrimination in the U.K. was the Sex Disqualification (Removal) Act 1919. This limited measure had merely removed existing obstacles for women to enter certain occupations. However; it did not prohibit discrimination in training and selection for these occupations. For instance, a woman could then legally become a solicitor, but universities were not legally enforced to equally treat hers and a man's application (Pitt, 2011, p. 37). The Sex Discrimination Act (SDA) 1975 was therefore introduced both to prepare for EU membership and to make discrimination against women throughout the whole employment processes unlawful. It is worth mentioning that, at that time, it was still quite common for British women to give up their careers

once they got married. That was, therefore, the reason for discriminating against married people unlawful under the SDA (Pitt, 2011, p. 37). One of sex discrimination causes is seen as a regular cause in both Kuwait and the UK is pregnancy, wherein both countries women are protected and special laws apply to them.

### 2.1.3. Race discrimination

Race, in the 2010 Equal Act, is defined as the "colour, nationality, or ethnic or national origins" (Smith & Baker, 2013, p. 377). The relative importance of each of these categories depends on the social context and the historical developments of each country and, hence, race discrimination within the UK or Kuwait (and any other Gulf country) cannot be evaluated in the same way. In Britain, after the Second World War, it was quickly recognized that the reestablishment of the British economy required a big amount of immigrant labour. This attracted flows of immigrants from outside Europe, particularly from former British colonies, with many having British passports and others easily able to acquire one after moving in (BBC News, 2015). During the 1950s, Britain's non-white population therefore enormously increased in size, hence race discrimination, after that, mainly concerned colour rather than a passport. For this reason, the Race Relation Act was introduced in Britain in the 1960s, before joining the EU, and was the first legislation in the UK to address racial discrimination. In contrast, this doesn't apply to Kuwait, where there is no integration with non-Kuwaiti passports in terms of the right of property and equal payment.

## 2.2. Employment gender segregation

The debate on occupational gender segregation, in the UK, can be traced back to the 1970s, and it was centred on the under-investment in human capital (schooling or training), variations in income roles, stereotypes, entry barriers, and organizational practices (European Commission, 2009, p. 8). Much has changed, since then, given the pervasive implementation of the general equality legislation. Priority has been given, in recent research, to four sets of influences, including: "choice of study field, stereotypes, the demand for shorter and flexible hours of work because of the imbalanced care burden put on women, and covert obstacles and prejudices in employment practices" (European Commission, 2009, p. 8). Unequal care responsibilities, and the consequent incapability to prioritize career commitment within the family, still drive many women to look for shorter and more flexible working hours jobs (European Commission, 2009, p. 8).

## 2.3. The banking industry

### 2.3.1. Britain

Across Europe, the banking industry has been marked by a relatively recent history of overt employment gender discrimination, having been the place for a classical masculine bureaucratic career (Crompton & Le Feuvre, 2000, p. 342). Shortly after the Second World War, young women were recruited into British banking only as a short-term secondary

labour force, which was expected to leave employment when getting married and having children (Crompton & Le Feuvre, 2000, p. 340). Not surprisingly, the banking industry was therefore largely affected by the 'equal treatment' equality legislation, having been subjected to an investigation by the EHRC in the late 1980s (Metcalf & Rolfe, 2009, p. 37). New rules were imposed thereafter, introducing a wide range of positive measures including, "assistance with childcare and leave to care for sick children, training courses to help women catch up after their maternity leaves, introducing training videos for patriarchal male managers, and a general raising of consciousness concerning gender in the sector" (Crompton & Le Feuvre, 2000, p. 342).

### 2.3.2. Kuwait

Banks in the Gulf region are seen to be amongst the most pioneering within developing economies, some being competitors of major international banks. According to Afiouni, Karam, and El-Hajj (2013, p. 912), however, they still fall short with regards to equal employment practices. The most distinguishing feature between European and GCC banking sectors is, perhaps, that countries like Kuwait are running a dual banking system, where both Islamic and conventional banks are operating side by side. Islamic banking has been growing, especially in Asia and the Middle-East. It is a system of banking based on Islamic economics, and consistent with Islamic Sharia's law (Islamic rulings). Sharia prohibits acceptance or payment of interest charges (riba) in exchange of lending and accepting of money: it also forbids trading and other activities providing goods or services that are considered contrary to its principles (e.g. alcohol). They are instead encouraged to trade, invest and share profits and loss (Institute of Islamic Banking and Insurance). Islamic banks tend to have segregated working environments and branches, although this is not the case with all Islamic banks (The Banking Executive, 2009, p. 50).

## 3. RESEARCH METHODOLOGY

This study discusses the methods employed for the collection and the analyses of the primary research data. Strengths and limitations of the selected approaches are also discussed.

Bearing in mind the reasonable amount of research done on the UK's financial sector regarding gender equality, the main focus of this primary research was concerned explicitly with Kuwait's banking industry. Considering the sensitive research topic, the aim was to investigate research questions through a qualitative research approach using semi-structured interviews. The rationale for choosing interviews as a method of investigation was mainly the need to establish a direct and informal connection with the interviewees.

### 3.1. Data analyses procedure

Interviews were recorded and transcribed. These provided an in-depth qualitative description of the concerned research questions. Transcripts were then analysed through thematic coding using template analysis [TA] (King, 2004). Reasons behind this

choice include the fact that other qualitative methods, such as grounded theory, are too prescriptive, as they dictate specific procedures for data gatherings and analytical techniques (Cassell & Symon, 2004, p. 257). TA, on the other hand, is more flexible, allowing researchers to better tailor analyses to their requirements. Additionally, this method is known to be highly efficient for studies seeking to examine the perspectives of different groups within organizations - in the case of our research, for instance, groups of different nationalities and various professions, working in a collaborative setting (i.e., the two banks) (Cassell & Symon, 2004, p. 268). In fact, the discipline of template analysis forces the researcher to take a systematic and well-structured approach to handle significant amounts of data. This is done through coding, which is a procedure used for organizing the transcripts, and for discovering patterns within the organizational structure (Auerbach & Silverstein, 2003, p. 31).

#### 4. FINDINGS

The initial interview template included the following themes: work environment, including working hours and support for mothers, recruitment and selection process, promotions, training, pay, differences between Islamic and conventional banks, and nationality discrimination. Interviews were conducted in an exploratory nature. New themes, which were not included in the initial template, were thus introduced and developed in the final template (see Appendix). These included gender ideologies, the importance of branch location, and perspectives concerning private and public sectors which are demonstrated here as well.

##### 4.1. Private and public sector

The Kuwaiti private banking sector was seen by interviewees to be competitive: an environment where, unlike in the public sector, employers need to strive extremely hard to achieve career progression. Working in a bank is generally considered highly prestigious, and demanding in terms of expected efficiency and productivity. Females who work in the private banking sector were thus perceived as exceptionally motivated to follow a successful career path. Public sector jobs, on the other hand, were recognized as much more flexible and relaxed working environments.

Participants explained the differences between working in public or the private banking sector with regards to women's employment practices. In particular, they reported that, for female employees, although pays are higher and promotions are more easily obtained in the private sector, maternity and sick leaves are more generous in the public one. Job security, interviewees also recounted, is much higher in the public sector, and female employees are not subject to harsh penalties when they take more sick leaves than allowed during the same year of giving birth.

Once a Kuwaiti is hired in the public sector, it is very difficult for the employer, if not impossible, to fire him/her. A partial reason for this is that the Government is held responsible for providing

profitable employment for any Kuwaiti seeking it (Shah, 2007).

These data show that the private and public banking provide an extremely different working environment for women, with the private one being much stricter and demanding than the other. This is not surprising, given the need for extreme competitiveness and high productivity within the private sector. Market competitiveness, however, leads employers to deem acceptable to enforce policies that do not respect the basic needs of their female employees. Such discrepancy is both masked and excused by the higher salaries and easier promotions offered by private banks, which add to the overall perception that such policies are, in the end, acceptable.

##### 4.2. Long working hours

Kuwait's banking industry has a reputation for long working hours, with a minimum of eight hours a day, and a total of forty hours a week. One of the main issues raised by the participants of this study was, indeed, the long working hours. Unlike the British banking sector, Kuwaiti part-time jobs, in both private and public banks, are not offered either incorporate or retail positions and are only available for students' internships. The daily eight hours shift, however, either start at 7:00 a.m. and ends at 3:00 p.m. or, in some branches, it is divided into two daily shifts: one in the morning, from 7:00 a.m. till 1:00 p.m., and one in the afternoon, from 4:00 p.m. till 6:00 p.m. Most participants, apart from interviewee 5, explained how they are expected to work extra hours and work during weekends if needed. Senior and middle managers, from both private and public banks, tend to suffer to a greater extent from this policy compared to lower-ranked employees. Among the reasons why they comply with such a policy, there is the fact that presenteeism is often used by managers as a proxy for performance and commitment, consequently affecting appraisals at the end of the year.

##### 4.3. Family-friendly employment practices

As for the existing regulations, pregnant employees of a private bank are entitled to seventy days maternity leave, and a daily two hours breastfeeding leave for two years after giving birth. Interviewees appeared, however, frustrated, and considered seventy days not sufficient; they expressed the hope for maternity leave to be extended to what the public sector provides for pregnant women: six months. They also explained that they are not always entitled to have the daily two hours of breastfeeding, as it is up to the manager to approve of what they are legally entitled to.

##### 4.4. Recruitment processes

Participants were requested to provide information on the recruitment channels used by their employing banks. The vast majority reported using formal methods, and several interviewees from Bank A were offered a position via university contracts with the banks. Regarding the recruitment processes, all participants claimed both men and women are

granted the same opportunities, as most recruits access at the same entry-level, as either a teller or a receptionist, depending on their degree, while promotions usually happen internally. Notwithstanding the otherwise equal recruiting method, women reported being asked, more frequently than men, about their family responsibilities, both current and planned.

#### 4.5. Gender segregation

At a corporate level, Banks A and B had a mixed environment with men and women working alongside each other. All recruitment processes, training and meetings were reported to be quite egalitarian. Bank A, to note, follows a segregated branch system where female employees deal with female clients, while male employees deal with male clients. Participants from both banks repeatedly stated, however, that senior management positions are usually occupied by men, suggesting a rather gender vertical segregation, while access to the working environment was reported to be equal. In other words, women can be hired by banks as easily as equally qualified men, but it is much harder for them to be promoted when compared to their male colleagues.

#### 4.6. Training

Training processes were reported not to differ for males and females. Training courses are usually done in both banks in a mixed environment, with both men and women participating and leading the courses. All employees are thus provided with the same training opportunities, and women leadership courses are also provided in both banks.

#### 4.7. Promotion

Despite the apparent equal opportunity for both men and women to be promoted to leadership positions, given all employees are trained for such opportunities, interviewees reported quite a different landscape: male employees were far more easily promoted to managerial positions than females. The reasons reported for this fact were varied. Many interviewees thought that, since banks were mostly male-dominated from the beginning of their establishment, men are now, therefore, more frequently promoted to senior management positions in comparison to women, who have entered banks only recently and started obtaining senior positions fairly late. Bank A, reportedly, is currently witnessing a significant increase in the number of employed women.

The main themes which were indicated by participants to impact promotions negatively were maternity leave and household responsibilities. Attendance was mentioned several times as the main indicator of a committed employee, and the main element to affect appraisals. Participants felt that taking both maternity and annual leave, during the same year, affect how managers perceived their working commitment, thus further compromising their chances of obtaining a promotion.

#### 4.8. Gender ideologies

Although many interviewees had a strong opinion regarding their wish to be empowered, and to be granted equal opportunities to their male colleagues, many others expressed the belief that men are better suited for managerial positions than women.

#### 4.9. Pay provision

All participants agreed basic salaries are always the same for both males and females if they are occupying the same positions, have been working for the same number of years, and have the same educational background. Compensations are given by the governments; however, tend to differ: whereas men are granted higher compensations if they are married and have kids, women are not. Male employees also receive compensations from the bank itself, again if they are married and have children, which are not provided for females.

#### 4.10. Islamic and conventional banks

Interviews were done within an Islamic and a conventional bank to compare their employment equality practices. Research showed few differences and many similarities between both banks. The main distinction is that Islamic banks often follow a segregated branch system, where female employees work in female customer branches, while male employees work within male customer branches. Although this was the case with the Islamic bank under research, it is not the case with a vast amount of other Islamic banks in Kuwait. As mentioned before, the main idea of Islamic banking is the prohibition of payment or acceptance of interest charges (riba) for the lending and accepting of money. Thus segregated branches are mainly a part of a marketing strategy, and a response to market demands to complete the image of Islamic teachings in the eyes of their clients. The fact that a Kuwaiti bank is Islamic therefore doesn't seem to affect the level of gender discrimination in any way.

#### 4.11. Location

Branch location was found to have quite an important effect on their gender composition. This can be related to the demographics of the country and the nature of its citizens. Kuwait is divided into six governorates. Most Kuwaiti nationals are concentrated in Hawalli, Al Asima and Al Farwaniya governorates. The Kuwaiti community in itself can be further divided into people with a Bedouin or an urbanized background, which they tend to live in different governorates in general. Banks from different locations, therefore, need to be aware of their clients' specific needs. In particular, Bedouin areas tend to be dominated by male-only branches, although others provide a mixed environment so that the few female employees can deal with veiled female clients that do not wish to be served by male employees. This shows that gender discrimination may be frequently caused by factors that are external rather than internal to the bank environment: the clients require a specific gender to serve them.

#### 4.12. Nationality discrimination

Although nationality discrimination was not the main object of this study, given the particular structure of the Kuwaiti society (as previously detailed), information relative to the nationality of the participants was also recorded. The aim was to investigate any connection between nationality and gender discrimination if any. Out of the twelve participants, only three were foreign workers, while the rest had a Kuwaiti nationality. All three non-Kuwaiti participants were second-generation residents of Kuwait, and had been working in their bank for at least ten years - one had been working in the bank for twenty-three years. Participants reported, with no exception, that recruitment is now limited to Kuwaiti nationals only. This was linked to the policy of Kuwaitisation whose aim is to increase the number of Kuwaiti citizens in the private sector.

### 5. DISCUSSION

This study discusses the research findings previously described in further detail, providing a link between empirical evidence and secondary research findings relative to the UK's banking sector.

#### 5.1. Nationality discrimination

As previously stated, both banks have stopped recruiting non-Kuwaiti nationals, and it was mentioned that job descriptions usually include a nationality condition. Such action could be deemed unlawful discriminatory conduct, as banks are allowed, by law, to have 36% of non-Kuwaiti employees. Statistics of the Kuwaiti to non-Kuwaiti employees ratios of both banks were, however, not obtainable. Further investigation into this topic is thus required. Furthermore, many participants reported that remuneration is not equal for Kuwaiti and non-Kuwaiti staff, which raises serious discrimination questions and calls for legislative attention.

#### 5.2. Working hours

The EHRC 2009 report on the UK's financial sector states the persistence of a culture of long working hours, and the importance of presenteeism for career progression, in the UK. This was found to specifically affect senior management positions, as little adjustments are allowed to accommodate family responsibilities, thus excluding women with caring duties from such jobs. As a result, occupational segregation between males and females is effectively present, and pay progression for men is faster than women, in the UK as well as in Kuwait. On the other hand, banks in the UK, unlike Kuwaiti ones, provide their employees with the opportunity to access part-time positions, thus supporting women in balancing their work with their family responsibilities. Our primary research findings thus suggest similar patterns in the two countries when it comes to career progression and pays raise, although the UK has taken steps to support women by providing them with part-time contracts.

There is a clear need for more significant efforts, in both countries, to explore novel solutions for supporting women that are skilled and motivated

enough to pursue higher careers in the banking sector, while still being able to take care of their family duties. As this necessarily requires shorter working hours for these women, an assistant, or the possibility to work from home, could be ways to address such issue.

#### 5.3. Effect of religion and culture

There is certainly no shortage of agreement that, unlike the UK, Kuwait's religion affects its gender ideologies, and the distribution of employment, whether paid or not, amongst females and males. While there is a continuous debate on the interpretations of Islamic jurisprudence and women's roles within the Islamic society, at the root of the barriers for women's progress are the traditional masculine attitudes which are not exclusive to Islamic countries (Heilman, 2012, p. 113). The Islamic gender regime is based on the biological differences between men and women (Metcalfe, 2011, p. 133), which determine their specific social functions: male and female thus play complementary and, therefore, quite different roles in the society. Islam thus reinforces gender roles and traditional male bread-winner family models through guaranteeing financial security for single and married women and not forcing them to support themselves or others.

#### 5.4. Employment policies and practices

Family-friendly work practices would positively affect female employees and their careers, in Kuwait, whether they are working for financial or self-development grounds. This might include flexible working hours, breastfeeding breaks, having a nursery at the workplace, etc. Also, as mentioned in the Findings section, seventy days of paid maternity leave was not seen to be enough by participants with dependent children. Both Kuwait's public and private sectors provide only two months of paid maternity leave. Public sector employees are granted the possibility to ask for an additional four months of half-paid leave to take care of their babies. In the private sector, on the other hand, only provide an additional four months of non-paid leave. This can be found in Article (24) of Kuwait's Private Sector Labor Law: "After the end of the maternity leave, the employer may give the working woman, at her request, unpaid leave for a period not exceeding four months to take care of the baby". This difference in maternity leave policy between the two sectors, while reducing the opportunity of women employees of private banks to pursue motherhood, it also further enforce the still dominant male-oriented ideology that, as previously discussed, appears to be at the root of the issue. In contrary to Kuwait, the law in the UK does not oblige an employer to offer paid leaves and breaks from any job to breastfeed or for any nursery matter.

##### 5.4.1. Recruitment

Women were more likely than men to be asked about their family responsibilities. Unlike in the UK, this did not raise any unlawful concerns in Kuwait and was openly accepted, even encouraged, by all participants. Surprisingly, this fact did not affect the

recruitment processes or disadvantage women applicants. As previously explained, cultural ideologies do affect, and sometimes limit, women's careers. Long working hours or two daily shifts may not be suitable to women due to their caring responsibilities, and financial provision is not considered a woman's responsibility in the Kuwaiti society. Participants thus indicated that their banks are aware of these customs, and justify their asking personal questions by their intention to provide women employees with flexible working conditions when required. This shows that recruitment is not gender-biased in Kuwaiti banks and that enquiries regarding current or planned motherhoods are aimed at adjusting working conditions to women's needs.

On the other hand, such enquiries are illegal in the UK as they do often bias the hiring process, as denounced by Equality and Human Rights Commission (2018). This is reported to be due, once again, to a belief. In the UK, an employee pursuing motherhood is seen as less work committed, and less interested in career advance; they are also reported to "take advantage of their pregnancy", and to be "an unnecessary cost burden" on the workplace" (EHRC, 2018).

#### 5.4.2. Promotion

Vertical gender segregation was reported by employees from both banks, whereas horizontal segregation was not as apparent. This was connected to the unbalanced load of domestic work for women, but also to cultural ideologies and behaviours of employees. This is still also a problem in UK banks, where female employees, as previously explained, are often prevented from reaching higher roles.

In recent years, the topic of women in leadership has gained momentum more than ever (Eagly & Heilman, 2016, p. 349) and being discussed on several platforms (Carnes et al., 2015, p. 221). At the bottom of women's scarce representation in "higher" and leading roles is the deeply rooted stereotypical idea that considers men as natural leaders. This has been reported (Bobbitt-Zeher, 2011, p. 764) to affect not only how men perceive their role within society and with respect to women, but also how certain women still consider themselves as unfit for leading, or for other traditionally male roles. This helps explain why vertical gender segregation is still prominent in both these two very different countries.

#### 5.4.3. Pay

Throughout this research, the pay was a very vague topic to speak about merely because employees were not sure if their male colleagues were receiving the same amount of money as they were. Publicly available financial accounts were also not available. This lack of transparency can be seen as an essential indicator of gender pay gaps. It is also worth mentioning that bonuses and performance-related pay rises were not indicated by the participant to affect the gender pay gap in Kuwait. This may be corresponding to reality, but it may also be due to the rooted culture of secrecy with regards to pay. This topic needs further investigation, since it is

considered a vital element of discriminatory practices within the UK where, although only recently, transparency regarding gender pay gaps is starting to be enforced by law (Equality Act 2010 Regulations, 2017).

This study discussed the main findings of the conducted primary research in two of Kuwait's private banks. It was clear from the interviews that traditional gender roles were being challenged by several participants who appeared determined to occupy positions that are mostly male-dominated successfully. The Kuwaiti society as a whole is developing, and women who are willing to challenge traditional ideologies do find the right opportunities. This argument is supported by the increasing number of Kuwaiti females entering senior positions in Kuwaiti jobs during recent years. In 2009, Kuwaiti women achieved an exceptional accomplishment when four females became members of the Kuwaiti legislature. "In 2012, 28 women held the position of assistant deputy minister; that number rose to 33 in 2013, and six women were appointed to diplomatic positions in 2013, up from two in 2005" (UN, Economic and Social Council, 2014, p. 9). Despite this, traditional gender roles do persist, and cultural processes often lead both men and women to accept diversity and behave accordingly: where ascertain women are increasingly calling for equality, others still happily accept traditional gender roles.

## 6. CONCLUSION

This paper aims to examine gender employment issues in Kuwait's banking industry and compare it with the UK. Besides, a primary qualitative research method is used in the existing research between two Kuwaiti banks. The research findings were indistinguishable in both conventional and Islamic banks. Results represented a strong prevalence in Kuwait for both cultural and social factors, which form ideologies and gender roles. Occupational gender segregation, and accordingly pay inequalities, were found to be a distinct feature of the private sector in Kuwait. This was linked to the long working hours, the unbalanced load of domestic and care burden between males and females, together with discretionary managerial practices for selection, hiring and promotions. The current paper highlights the critical aspects of improvements according to equality practices and legislative policy planning in Kuwait.

The term "equal opportunities", in the UK, is associated with the employment equality legislation which refers to discriminations resulting from individuals' characteristics, such as gender, age, ethnicity, religion, physical ability, and sexual orientation. Many national governments have promulgated equal-opportunity-related legislation over the last three decades, although what equal opportunities mean, and who they include within protected categories, varies from country to country.

This paper contributes to this wide and complex topic by providing unprecedented insights into gender and equality issues in the Gulf region, specifically in Kuwait. The research focused on bank working environments. It was performed both by interviewing female employees from Kuwaiti banks



and by comparing the outcomes of such primary research with the recorded equality regulations and practices of the UK. As the history and culture of these two countries are extremely different, the purpose of this method was to understand better the deep mechanisms underlying the evolution and the nature itself of equality systems. In comparison with the British extensive equality legislation, Kuwait falls short in the development of policies concerning discrimination issues. According to the World Bank Group 2015, the constitution of Kuwait's employment law does not include any detailed non-discrimination clauses. The only Article relating to equality is Article 29 (1), which states: "All people are equal in human dignity and public rights and duties before the law, without distinction to race, origin, language, or religion". It was observed, however, that despite the lack of legislation, Kuwaiti female employees described a level of vertical discrimination that was comparable to the one reported in British companies. This indicates that, despite the very different background of Kuwait and the UK, the main culprit for such types of working environment gender discriminations need to be found elsewhere: the laws of market and competitiveness.

Another discrimination factor, nationality discrimination, was highlighted here due to its relevance within Kuwait's context. In Kuwait, where more than 60% of the population is non-Kuwaiti due to the country's bloodline citizenship policy (Shah, 2007, p. 2), special effort needs to be made to promote nationality equality. Apart from the fact that non-Kuwaitis, after living in Kuwait for two or three generations, are still called foreigners and denied Kuwaiti citizenship, or even a permanent residency, as well as basic human rights such as the right to property, they are discriminated against in the workplace in various ways. Specifically, as resulted from our primary research, recruitment was recently restricted to Kuwaiti citizens only, promotions were particularly hard for non-Kuwaitis, and pay was unequal. This calls for serious legislative attention.

After writing "with" women in Kuwait, rather than writing "about" them, we can conclude that participants were divided into those who were ready to challenge traditional gender roles and call for equal employment opportunities with their male counterparts, and those who were happy to accept diversity in roles and responsibilities within their society, while still pursuing a career and being active in employment. Reskin (2000) argued that discrimination occurs not only through intentionally excluding certain members of the society from their rights but also through the practice of unconscious bias connected to human cognitive processes. We argue that although this might stand true in the case of the UK, we need to consider different meanings of equality around the world relating to different religions, cultural norms, and different political-historical contexts. At times, women choose to accept diverse roles and thus, cannot be said to be discriminated against either intentionally or unconsciously. However, having considered this, we maintain that Kuwaiti women have been, and increasingly are, entering the job market and

pursuing long-life careers. Their increased knowledge and skills are valuable assets to organisations and cannot be overlooked. Consequently, equality and anti-discrimination policies in workplaces are essential to ensure the rights of those who are calling for it and looking to prosper in their careers.

There are some limitations to this study. Due to time and resources constraints, gender and, to a lesser extent, race discrimination was the only focus of this study. Secondly, the generalization of the research findings to the whole banking industry of Kuwait is weakened due to the involvement of only two banks out of the total of 10 in the country, and to the low number of participants from both banks (12 employees in total). This study focused mainly on female employees and their experiences and perceptions.

Women were more likely than men to be asked about their personal family life and circumstances during recruitment. As a result, their employability may be affected, even if participants did not indicate this. More research regarding this issue is needed, and encouragement; governmental legislation and specific educational programs will help improve gender employment equality.

An increase in staff training and communication programs on gender equality and diversity can raise awareness within the workplace, encourage more women to tap into male-dominated occupations and, as a result, reduce vertical occupational segregation (Galinsky & Moskowitz, 2000, p. 708).

Transparency in remuneration policy and, in particular, in relation to performance-related payment systems, is vital to increase equality. Banks are encouraged to publish pay scales and ranges for different occupations, performance targets, and any other pay-related benefits. To eradicate any pay inequalities between males and females, for both Kuwaiti and non-Kuwaiti staff.

An interesting further research question concerns Islamic and conventional banks. It was found, in this study, that Islamic banks can sometimes stop the recruitment of females due to the lack of job vacancies in female branches. Would that imply that segregated branches affect women's employment negatively? Or do segregated branches increase women's employability and career prospects because of having the entire organizations occupied only by women?

Statistical evidence of Kuwaiti to non-Kuwaiti employees' ratio was not obtainable due to the scarcity of published statistical records. It is highly recommended for banks to collaborate with Kuwait's Central Statistical Bureau to conduct research and to publish statistical data regarding this subject matter. Both banks had excluded non-Kuwaiti nationals from recruitment processes. Hence, the mentioned nationality statistics will indicate whether discriminatory conducts against non-Kuwaitis are taking place or not since banks are only obliged to employ 64% of Kuwaitis. Aspects such as age, religion, ethnicity, and sexual orientation were not touched upon. Also, perceptions of male employees and managers were not taken into account in this study.

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## APPENDICES

### Appendix A. Female managers' interview questions

#### Opening

1. (Establish rapport)
  - Greetings/gratitude for accepting to take part in the interview.
2. (Permission to record the interview)
  - I would like to take your permission to record the interview instead of trying to write everything while we speak if that is okay with you.
3. (Address issues of confidentiality/give the interviewee the freedom not to answer any question that he/she do not feel comfortable with)
  - I would like to assure you that both your details and the bank's details will be anonymous in any written report and all responses will be treated strictly with confidence. If you find any questions difficult please ask for clarification and if you ever feel like you do not want to answer any question, please feel free not to.
4. (Purpose and the topic of the interview)
  - We are meeting here today to conduct an interview which is part of my university course work. It will be concerned with the barriers of women's employment and the difficulties they might be facing to develop their careers or the reasons behind this trend.
5. (Timeline)
  - The interview will take approximately 30-40 minutes.

#### Body

1. (General demographic information/history of occupational advancement)  
Please give me some background about yourself.
  - Name
  - Age
  - Qualifications
  - Nationality
  - When did you start working here?
  - Why did you choose banking?
  - What is your current position?
  - What was your position when you first started working here?
  - And what are your main tasks?
  - What are your working hours?
  - What is your marital status?
  - Do you have any children? Elder care/Domestic responsibilities?
2. (General information about the bank and the staff)
  - Could you please tell me about the bank's background? Establishment/number of staff? What are the main positions occupied within the bank?
  - Do you have part-time jobs?
  - Is the working environment segregated between men and women?
  - What is the nature of male and female interaction within the bank?
  - How far is it acceptable for females to interact with their male colleagues?
3. (Recruitment and selection)
  - As a manager, I would like to ask you about the banks' recruitment and selection strategies. How is recruitment normally done? Formal/informal.
  - Do you have part-time jobs?
  - Are males involved in recruiting females and vice versa?
  - Are there specific positions occupied only by Kuwaitis?
  - Do you offer graduate jobs? Or do you require past experiences with specific years of work? Do you think there are any differences between recruiting males and females?
  - Are there specific positions for males and different ones for females? And do they enter on the same pay?
  - When recruiting females, what do you think are the things that the bank's management might be concerned about?
  - What questions are asked about women's personal lives? And are the same questions asked for men?

- Do men and women work in different departments? Segregated or mixed?
- (If segregated) Do you think segregated environments allow women to perform better and have greater careers or the opposite?
- Do you think that there are enough policies that protect women from being discriminated against in the workplace?
- Do you think job opportunities are provided equally for both men and women?
- What was the main thing that helped you get your initial job?
- How were you promoted to your current position? What helped you?
- Do you think if you had more domestic responsibilities it would be harder to be in your current position?

4. (Promotion)

- Do you have a policy for promotions?
- What appraisal systems do you follow? How does it help identify and accomplish women's career aspirations?
- How often do you see women being promoted to higher positions?
- What do you think is a barrier for them?
- Do you feel that women are effectively self-motivated to apply for promotions? Do you feel that they are often interested in their career development? Discuss the idea of traditional male bread-winner families.
- Can an employee nationality be a barrier for his/her occupational promotion?
- What are the bank's policies for maternity leaves? Paid leave?
- Do you think taking time off affects women's promotional opportunities? Do they come back to the same job/a lower job?
- Are mothers usually put on a different track of employment?
- Do you think their career interest changes after motherhood?
- What about training policies in the bank?
- Do women get access to the same training opportunities as men or do they have separate training courses?
- How did you develop in the organization? Tell their story at work
- Was it hard to develop? What were your challenges? Obstacles for career advancements.
- Do you think if you had more responsibilities it would have been harder?
- Do you think balancing work and life responsibilities is achievable for women? If so, how? What is your own experience in this?
- Which policies help or would help women balance their work and life responsibilities and help them progress in their job?
- What are the bank's policies for maternity leaves? Paid leave?
- Do you think taking time off affects women's promotional opportunities? Do they come back to the same job/a lower job? Your own experience.
- What about training policies in the bank?
- Do women get access to the same training opportunities as men?

5. (Pay)

- Are pay provision considered to be equal between men and women employees?
- Do they differ between departments?
- Can this be related to possible gender segregation between retail and corporate jobs?
- Does the nationality of an employee affect their total pay?

**Closing**

1. (Maintain rapport/gratitude)

- It has been a pleasure knowing more about you.
- I really appreciate the time you took for this interview.

2. (Action to be taken)

- I should have all the information I need for the report. In case I have a question, would you mind if I give you a call or send you an email?

## Appendix B. Female employees' interview questions

### Opening

1. (Establish rapport)
  - Greetings/Express gratitude for accepting to take part in the interview.
2. (Permission to record the interview)
  - I would like to take your permission to record the interview instead of trying to write everything while we speak if that is okay with you.
3. (Address issues of confidentiality/give the interviewee the freedom not to answer any question that he/she do not feel comfortable with)
  - I would like to assure you that both your details and the bank's details will be anonymous in any written report and all responses will be treated strictly with confidence. If you find any questions difficult please ask for clarification and if you ever feel like you do not want to answer any question, please feel free not to.
4. (Purpose and the topic of the interview)
  - We are meeting here today to conduct an interview which is part of my university course work. It will be concerned about the barriers of women's employment and the difficulties they might be facing to develop their careers.
5. (Timeline)
  - The interview will take approximately 30-40 minutes.

### Body

1. (General demographic information/history of occupational advancement)
  - Please give me some background about yourself.
  - Name
  - Age
  - Qualifications
  - Nationality
  - When did you start working here?
  - Why did you choose banking?
  - What was your first position when u started working here? What is your current position?
  - What are your main tasks?
  - Working hours? Full time/part-time.
  - Did you have any past experiences before working here?
  - What is your marital status?
  - Do you have any children? Elder care/Domestic responsibilities?
2. (General information about the bank and the staff)
  - Could you please tell me about the branch you work in? Is it a segregated working environment?
  - Do you interact with male colleagues? If yes, do you think you would perform better and have greater opportunities in a segregated environment? If no, do you think this helps you develop your career?
  - What about your colleagues? Do you think they feel the same?
3. (Recruitment and selection)
  - As an employee, I would like to ask you about your experience with the banks' recruitment and selection process.
  - How were you recruited?
  - Are men usually involved in women's recruitment processes?
  - Were you recruited alongside men? And was it for the same positions? (Retail/corporate)
  - Were you recruited alongside Kuwaiti candidates? Do you think non-Kuwaitis go through the same processes?
  - What were the main things that helped you get the job?
  - How competitive was it to get the job?
  - Were you asked any personal questions regarding your family responsibilities? Expand to what normally happens? Is it legal to ask about family situations? Do you think this might be considered as an obstacle to women?
  - Do you think there any differences between recruiting males and females exist?
  - Do you think men and women enter to the same or to different positions? And is it on the same pay
  - Are there specific positions for males and different ones for females? Do "men's work" and "women's work" exist?

- When recruiting females, what do you think are the things that the bank's management might be concerned about?
  - What questions are asked about women's personal lives? And are the same questions asked for men?
  - Do men and women work in different departments? Segregated or mixed?
  - (If segregated) Do you think segregated environments allow women to perform better and have greater careers or the opposite?
  - Do you think there are specific positions occupied only by Kuwaitis?
  - Do you think that there are enough policies that protect women from being discriminated against in the workplace?
  - Do you think job opportunities are provided equally for both men and women?
4. (Promotion)
- Are there any jobs that you would not be able to apply for? Or you are not able to get?
  - Would you be interested in applying for these jobs? What do you think are the barriers that would stop you?
  - Is there any part of the bank you would like to work in?
  - How did you develop in the organization?
  - Was it hard to develop? What were your challenges? Obstacles for career advancements.
  - Is balancing work and life responsibilities achievable for you? If so, how do you manage?
  - Which policies you think would help you balance your work and life responsibilities more efficiently? Which policies you think would help you advance in your career?
  - What are the bank's policies for maternity leaves? Paid leave?
  - Do you think taking time off affects women's promotional opportunities? Do they come back to the same job/a lower job? Your own experience.
  - What about training policies in the bank?
  - Do women get access to the same training opportunities as men or do they have separate training courses?
5. (Pay)
- Do you think that pay provisions are considered equal between men and women?
  - If not, how do you feel about that?
  - Do they differ between departments?
  - Can this be related to possible gender segregation between retail and corporate jobs?
  - Does the nationality of an employee affect their total pay?
  - If so, how do you feel about it?

**Closing**

1. (Maintain rapport/gratitude)
- It has been a pleasure knowing more about you.
  - I really appreciate the time you took for this interview.
2. (Action to be taken)
- I should have all the information I need for the report. In case I have a question, would you mind if I give you a call or send you an email?

**Table B1.** Participants' occupations and assigned numbers

<i>Bank A</i>	
<i>Participant number</i>	<i>Job position</i>
1	Area manager
2	HR business partner
3	HR training manager
4	Senior analyst
5	Receptionist
6	Ex-tiller
<i>Bank B</i>	
<i>Participant number</i>	<i>Job position</i>
7	Branch manager
8	Operation manager
9	HR training officer
10	Operation officer
11	Administration assistant
12	Ex-head teller