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Ensuring Appropriate Representation of Arab Women in the Civil Service in Israel

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In 2012, Israeli government ministries should have attained the targeted quota of 10% Arab representation in the civil service, as set in Government Decision No. 2579 of 2007. This decision, like earlier government decisions, was made in accordance with the legal obligation set in Article 15a(a) of the Civil Service Law (Appointments) - 1959, which stipulates that government ministers must ensure appropriate representation of both women (as amended in 1995) and the Arab population (as amended in 2001).

The representation of Arab women in civil service positions is negligible, and these low numbers have extremely grave implications on the overall proportion of women integrated into the labor force. According to a March 2012 Bank of Israel study, the percentage of Arab women in the labor market stands at 20.5%,¹ and the percentage of Arab women among civil service employees stands at 1.8% in contrast with 56.6% among Jewish women.² There is no dispute that this low percentage affects the economic and social status of Arab women, their children and their families, and that it also has equally severe ramifications on their economic independence and their prospects of fulfilling their right to autonomy, self-fulfillment and self-actualization.

Legal provisions that guarantee appropriate representation of both women, in general and the Arab population, in particular were meant to serve as a tool to ensure that government ministries take operative steps to raise the percentage of Arab women employed in their offices. However, a study of the recruitment rate of civil service employees reveals that these legal provisions were implemented effectively only as regards to Jewish women and that, in practice, there is a lack of implementation as to Arab women. While the proportion of Jewish women in the civil service has risen significantly, the number of Arab women remains minimal today, 18 years after the enactment of the amendment that ensures appropriate representation for women in civil service.

In view of this failure, in 2008, Adalah approached several government ministries demanding to information concerning the officials in charge of implementing the law, the budget allocated for ensuring its implementation within the ministries, and the steps being taken by the ministries to guarantee the appropriate representation of Arab women. In light of the insufficient progress, in 2012 Adalah approached the same offices again demanding

¹"Arab Women in the Labor Market in Israel: Characteristics and Policy Steps", the Research Division, Eran Yashiv and Nitza (Kliner) Kasir, Bank of Israel, Publication number 2012.05 in the series of "Articles for Discussion", Jerusalem 2012. In Hebrew: <http://www.boi.org.il/deptdata/mehkar/papers/dp1205h.pdf>

²"Suitable Representation for the Arab Minority, including the Druze and Circassians in the Civil Service", Henya Markovitz, Civil Service Commissioner – Senior Unit for Planning and Oversight, State of Israel 2011. In Hebrew: <http://www.civil-service.gov.il/NR/rdonlyres/2FCC4CD2-01DD-4FFB-B2B7-CEB995FE0F9F/0/representation2011.pdf>



they take action to employ Arab women. This paper presents and analyzes the ministries' responses, and offers effective recommendations to implement the Civil Service Law.

Table: Arab Women in the Civil Service in the Years 2006-2011 (Israel Civil Service Commission)

Government ministry	2006		2011	
	Percentage of Arab women relative to all employees	Percentage of Jewish women relative to all employees	Percentage of Arab women relative to all employees	Percentage of Jewish women relative to all employees
Finance	0.2%	51%	0.29%	52%
Transport	0.2%	48%	1.34%	50%
Industry, Trade and Labor	0.8%	54%	1.4%	57%
Energy and Water	0%	51%	0%	53%
Construction and Housing	0.4%	62%	0.57%	61%
Communication	0.76%	50%	1.3%	51%

Ostensibly, the ministries' responses to our 2008 appeals were positive in that all confirmed the importance of employing Arab women in civil service positions. But a deeper study of the responses reveals that, in practice, no effective operative steps were taken. For instance, officials in the Ministry of Finance claimed that they are diligent in recruiting Arab women in the framework of public tenders and proposed that Adalah advertise its tenders. The Ministry of Industry, Trade and Labor stated that, "from time to time, the ministry publishes tenders designated for members of the Arab population, however these do not always yield candidates". The Ministry of Communication contended that it is "one of the smaller government ministries and it must be remembered that the number of positions available in it decreases from year to year due to government decisions of recent years", and that the principle that guides them is that in cases when "a woman and a man have a comparable level of education and experience, it is the woman who will be preferred over the man when it comes to choosing a candidate for a certain position."

In 2012, after learning that the proportion of Arab women in government ministries is still extremely low, Adalah once again approached the ministries. The ministries' responses at this time was perplexing, considering the legal obligation and governmental decisions



decreeing that suitable representation of the overall Arab population, and of women in particular, be ensured.

In November 2012, the Ministry of Transport responded that the directive issued by the head of the Civil Service Commission on 5 January 2012 determines that 30% of new positions will be allocated or reserved for absorbing employees who are members of national minorities. The Ministry reported that it is acting as required by the government decisions relating to the representation of all Arabs, not only of Arab women, and therefore an examination of minority representation should be based on the percentage of all Arabs. According to the ministry, as Arab employees constitute 8% of all ministry staff, it is in compliance with the target quota set in the government's decision. In addition, the ministry maintained that it has encountered difficulties in employing Arab women, as Arab women do submit their candidacies but they fail the Civil Service Commission entrance examination.

The response of the Ministry of Construction and Housing in August 2012 claimed that many professional academics were integrated in various fields in its office, but it did not provide the number of new Arab employees. They maintained that, as of 2012, ten Arab women were employed in the ministry, seven in professional ministry positions and two in the capacity of attorneys. Therefore, the Arab women comprise 2.36% of the female workers in the ministry in contrast with 0.86% in 2008.

The Ministry of Communication responded in December 2012 stating that it continues to diligently implement the government's decisions, laws and directives. During procedures of recruiting employees for regular vacant positions, the ministry's staff makes certain to emphasize the issue of the representation of Arab women to the human resources director. However, only a small number of Arab women apply for the tenders as compared with men. The ministry approaches organizations such as "Kav Mashve"³ in order to recruit Arab employees.

In November 2012, the Ministry of Energy and Water responded reporting that "[it] is one of the economic ministries and its work is carried out by professionals in the fields of electronics, geology, engineering and so forth. These professions are not common among women and apparently also not among women from the Arab sector. This is attested to by a tender that was published in the field of geology which was designated and reserved for a member of the minorities but did not yield any candidates."

The Ministry of Industry, Trade and Labor stated in its response of November 2012 that the office takes steps to absorb Arab women but that these measures do not always lead to the desired results. It contended that not every initiative receives the confirmation of the Civil Service Commission. For example, the ministry proposed the active recruitment of Arabs but the Commission raised legal objections "according to which active recruitment may lead to the employment of relatives thus violating the principle of equality." Moreover, the ministry claimed that the "Commission did not authorize [it] to maintain internal

³ Kav Mashve is a non-profit organization whose goal is to promote the employment of Arab Academics in jobs suited to their training and education. See <http://www.kavmashve.org.il/en/home/page/12>



identification/locating committees for the recruitment of Arab employees." Nonetheless, the ministry approached the Commission from time to time for authorization for an exemption from examinations, in the framework of tenders designated for the non-Jewish population requesting that evaluation centers be established in their stead. An additional step initiated by the ministry is that, in a tender for a position designated for Arabs which includes fewer than 8 candidates, the candidates will be exempt from appearing at the tender". Furthermore, the ministry stated that it has a planned policy which determines that 20% of future public tenders will be designated for Arab employees in order to bridge the gap and reach the goal of 10% Arab representation, although the office did not indicate how many of the designated positions will be allocated to Arab women. The ministry noted that despite the steps that were taken, there are obstacles to the absorption of Arab women into the ministry, as there are tenders to which very few Arab women apply, a large proportion of Arab women do not pass the Civil Service Commission's written examination, and some of the Arab women who pass the examination withdraw at various stages of the tender of their own will, and do not complete the process.

Despite the law, which sets forth the guarantee of appropriate representation for both women and the Arab population, and despite government decisions to implement the law, it appears that each ministry acts individually and that there is no coordinated process and/or overall comprehensive plan aimed at raising the proportion of Arab women or the Arab population as a whole, within the civil service. Furthermore, the existing legal situation, which guarantees appropriate representation of women on the one hand, and the Arab population on the other hand, may be an obstacle to taking steps that ensure the absorption of Arab women. In fact, some ministries reported that they are not obliged to ensure appropriate representation of "Arab women" as a group and that the proportion of this group can be calculated as part of the overall percentage of the Arab population in the Civil Service.

Further, despite the ministries' statements regarding the importance of employing Arab women, and the steps taken by some of the ministries, it is not possible to conclude that there is a genuine internalization of the importance of taking positive, operative measures to absorb Arab women into government offices. For example, a large number of ministries reported that despite the existence of tenders designated for the Arab population as a whole, the number of Arab women who apply is small, and that many either fail the Civil Service Commission's examinations or withdraw during the process. The ministries did not specify what steps were taken, if at all, to make information regarding designated tenders accessible, and how they ensure that this information will reach potential candidates. Additionally, there is no specification or reference to the difficulties and reasons as to why Arab women usually fail the Civil Service Commission examinations, or to the extent to which these tests are designed in a form that is suitable to potential candidates.

Although some of the government ministries reported that they take measures to absorb Arab women, these efforts did not indicate positive, effective and tangible steps that demonstrate that efforts are being made to make information on tenders accessible to potential Arab candidates, and particularly to Arab women. In 2008, for instance, the Ministry of Finance proposed that Adalah advertise its tenders instead of the ministry taking



steps to publicize these tenders to potential women candidates. Other ministries advertised tenders but did not take action to adopt further measures to pass this information on to the relevant population groups.

Moreover, although Adalah requested information regarding the designation of financial resources to implementation the law and the relevant government decisions, no ministry reported that it had such budgets allocated. The absence of resources renders even the most minimal measures null and void, and depletes the ministries' declarations and measures of any value.

Some of the ministries, including the Ministry of Energy and Water, are tainted by negative gender stereotypes regarding the expertise and higher education of women in general and of Arab women in particular. The fact that the proportion of Jewish women employed at this ministry in 2011 was 53%, or more than half of the ministry's overall employees, refutes the claim concerning the absence of expertise in the field of engineering and natural sciences among women as a whole. Moreover, a study of the data published in 2010 by the Knesset Research and Information Center reveals that 4.7% of Arab women studying in universities study engineering. The proportion of Arab women studying in these fields in colleges stands at 6.2%. Moreover, the percentage of Arab women who study natural sciences including geology is 11.4%.

The response of the Ministry of Industry, Trade and Employment reveals that instead of authorizing and encouraging initiatives by various government offices, the Civil Service Commission actually rejects the ministry's initiatives to hire Arab workers.

Recommendations

In light of the above, Adalah recommends that the following measures be taken:

1. In view of the extremely low percentage of Arab women in the civil service, the Knesset should amend the Civil Service Law (Appointments) - 1959 to include an article guaranteeing appropriate representation for "Arab women" thus creating a legal obligation to ensure the employment of Arab women as a separate, distinct group.
2. The government should approve a comprehensive, uniform plan for all ministries, which will specify operative, positive measures for the implementation of the law and prior government decisions. Additionally, the government should direct the Civil Service Commission to accept appropriate proposals made by government ministries, the objective of which is to increase the rate of integration of Arab women into the civil service. Furthermore, the government should provide incentives to ministries that take tangible actions to employ Arab women.
3. The government should guarantee financial resources designated for the adoption and realization of operative action plans for the recruitment and employment of Arab women into the civil service.



4. Government ministries should act to increase the number of designated tenders and positions specified for the Arab population as a whole, and for Arab women.
5. The government should establish a database, which will make it possible to identify Arab women who are qualified for vacant positions. Additionally, the government should take and adopt positive measures for raising awareness among Arab men and women regarding tenders published by all ministries.
6. The government should advertise the benefits granted to new civil service employees and raise awareness of these benefits among the Arab population; such as Government Decision No. 4436 of 25 January 2009, which determined the provision of rent assistance of up to NIS 2000 per month to new Arab employees who move their place of residence more than 70 km. due to their employment in a civil service position.

Despite legislation making it compulsory to guarantee the appropriate representation of both Arab women and the Arab population in general in the civil service, and the issuance of government decisions on the implementation of these laws, if the government and its ministries do not take tangible, concrete steps to ensure the increase of the percentage of Arab women in the civil service, their proportion will remain exceedingly negligible. Moreover, as long as there is no recognition of the historical discrimination against the Arab minority, including Arab women, along with the importance of implementing affirmative action measures, it will not be possible to increase in practice the percentage of Arab women in civil service positions.