

Women and the economy

1. Global commitments

This chapter of the *Platform for Action* is concerned with the obstacles faced by women in gaining equitable opportunities and rewards in economic participation. There are six strategic objectives.

- ▶ Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources.
- ▶ Facilitate women's equal access to resources, employment, markets and trade.
- ▶ Provide business services, training and access to markets, information and technology, particularly to low-income women.
- ▶ Strengthen women's economic capacity and commercial networks.
- ▶ Eliminate occupational segregation and all forms of employment discrimination.
- ▶ Promote harmonization of work and family responsibilities for women and men.

Article 11 of the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) commits States parties to take "all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights", and "to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work."

The International Labour Organization (ILO) has adopted a number of Conventions of particular relevance to gender equality, in particular the four key gender equality Conventions. These are the *Discrimination (Employment and Occupation) Convention, 1958* (No. 111), the *Equal Remuneration Convention, 1951* (No. 100), the *Workers with Family Responsibilities Convention, 1981* (No. 156) and the *Maternity Protection Convention, 2000* (No. 183).

The Commission on the Status of Women continues to emphasize the importance of achieving equality in employment and economic activities. In particular, with the ten-year review and appraisal of implementation of the *Beijing Declaration and Platform for Action*, the Commission adopted a resolution that called for ratification and full implementation of the ILO Conventions ensuring women's rights to work and for other policy measures to support women economic equality for women.¹ In the same year, the 2005 World Summit Outcome reiterated the commitment "to promote gender equality and eliminate pervasive discrimination" by "...promoting women's equal access to labour markets, sustainable employment and adequate labour protection."²

ILO Conventions promoting gender equality and ratifications as of January 2007

Four key equality conventions:

- *Equal Remuneration Convention* (No. 100, 1951) – 163 ratifications, Recommendation No 90
- *Discrimination (Employment and Occupation) Convention* (No.111, 1958) – 165 ratifications, Recommendation No 111
- *Workers with Family Responsibilities Convention* (No.156, 1981) – 37 ratifications, Recommendation No 165
- *Maternity Protection Convention* (No.183, 2000) – 13 ratifications, Recommendation No 191

Other conventions

- *Worst Forms of Child Labour Convention* (No. 182, 1999) – 163 ratifications, Recommendation No 190
- *Home Work Convention* (No. 177, 1996) – 5 ratifications, Recommendation No 184
- *Part-Time Work Convention* (No 175, 1994) – 11 ratifications, Recommendation No 182
- *Night Work Convention* (No. 171,1990) – 9 ratifications, Recommendation No 178
- *Minimum Age Convention* (No. 138, 1973) – 147 ratifications, Recommendation No 146
- *Abolition of Forced Labour Convention* (No. 105, 1957) – 167 ratifications
- *Right to Organise and to Bargain Collectively* (No. 98, 1949) – 156 ratifications
- *Freedom of Association and Protection of the Right to Organise Convention* (No. 87, 1948) – 147 ratifications
- *Forced or Compulsory Labour Convention* (No. 29, 1930) - 171 ratifications, Recommendation No 35

Source: ILO, *Gender Equality and Decent Work* and the ILOLEX database³

Summary of key ILO Conventions promoting gender equality

States parties that have ratified the, *Equal Remuneration Convention 1951* (No. 100) agree to promote the principle of equal remuneration for men and women workers for work of equal value and its application through laws, wage-fixing machineries, collective agreements or a combination of these means.

The *Discrimination (Employment and Occupation) Convention, 1958* (No. 111) provides a comprehensive statement on discrimination on grounds of sex, race, colour, religion, national extraction or social origin and other factors and requires member States to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in order to eliminate discrimination.

The *Workers with Family Responsibilities Convention, 1981* (No.156), applies to all women and men workers with responsibilities for their dependent children or other members of their immediate family where such responsibilities restrict their entering, participating in or advancing in economic activity. It requires States to make it an objective of national policy to enable workers with such responsibilities to engage in employment without being subject to discrimination.

The *Maternity Protection Convention, 2000* (No.183) is related specifically to pregnant or breastfeeding women and their protection from performing work determined to be prejudicial to the health of the mother or the child or a significant risk to them. Other conventions with particular implications for gender equality include those related to child labour, part time work, home work, forced labour, night work.

2. Progress at the national level

Two areas in which there has been marked progress over the decade since the *Beijing Platform for Action* was adopted are in increased labour force opportunities for women and in the framework of norms for the functioning of the labour market.

Improvements in some aspects of the labour market

While the evidence on changes in economic opportunities is mixed, progress can be reported on the indicator on women's employment identified for the Millennium Development Goals (MDGs). This indicator is *women's share of non-agricultural paid employment*, which increased in all regions between 1990 and 2003. In 2003 it was 50.3 per cent in the Commonwealth of Independent States (CIS), 46.4 per cent in developed regions, 43.5 per cent in Latin America and the Caribbean, and 40.0 per cent in Eastern Asia (40.0 per cent). However, women's share of non-agricultural paid employment remained low in Southern Asia, Western Asia and Northern Africa at 18.0, 20.2 and 21.5 percent in 2003, respectively.⁴

Women's share in the non-agricultural sector is one of the four indicators under the third Millennium Development Goal (MDG3), "promote gender equality and empower women." The indicator is intended to measure "the degree to which labour markets are open to women in the industry and services sector." However, this indicator provides only limited insight into progress toward equality in the labour market as it does not capture information about the quality of employment or changes in occupational segregation, gender wage gaps, women's disproportionate representation in informal employment and unpaid work and higher unemployment rates.⁵ For example, if an increase in women's share of non-agricultural employment is due to an increase in unprotected or low-paid work, then an increase in the indicator does not reflect an increase in gender equality.⁶

One sector of non-agricultural employment in which women have found new opportunities in some countries as a result of trade liberalization is in *export-oriented light manufacturing*. This has been the case in Bangladesh, China, Malaysia, Mexico and Thailand, where there has been considerable growth in export-oriented manufacturing. However, this is a sector in which the movement of opportunities between countries can happen quickly, so gains in one country may be at the expense of another, and the jobs often do not benefit from minimum labour standards. Another concern is that women lose their foothold to men when these industries mature and need a more skilled labour force.⁷

Considering two other key indicators of gender equality in employment, the pay gap between women and men, and horizontal occupational segregation, the picture is also mixed. In the countries of the Commonwealth of Independent States and South-Eastern Europe, the *gender pay gap* (average female wages compared to average male wages), which had been increasing since 1995, began to narrow in 2002.⁸ Gender pay gaps have decreased in the manufacturing sector in a number of developing countries, including Brazil, Egypt and the Republic of Korea. However, improvements may be overstated since the data exclude small enterprises in which many women work. There were also notable trends toward an increase in the pay gap in other countries, including Swaziland, El Salvador and Paraguay.⁹

Horizontal occupational segregation (the extent to which men and women work in different occupations) decreased in the 1980s and 1990s in most countries. The largest decreases were observed in countries where segregation had been relatively high, such as in several small developing countries and a few OECD countries. Opposite trends were observed in China, Hong Kong and the transition economies.¹⁰

Strengthened framework of norms and laws for economic equality

Increased momentum for progress toward achieving the strategic objectives of the Beijing *Platform for Action* on economic equality has been provided 1998 adoption of the ILO *Declaration on Fundamental Principles and Rights at Work*. The Declaration is evidence of a renewed commitment by ILO constituents (governments, employer and worker representatives), to promote and realise four categories of principles and rights, one of which is the elimination of discrimination in respect of employment and occupations (the others are freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, and the abolition of child labour).

New annual reporting processes were established with the adoption of the Declaration, which both increases the momentum for action within reporting countries and provides the inputs for a database of information that can be used by other countries in formulating their own strategies. Annual reporting by countries reflects the four themes of the Declaration identified above. In comments on the elimination of discrimination theme in the 2006 Review of Annual Reports, the Expert Advisors welcomed the growing number of ratification of the Equal Remuneration Convention, 1951 (No. 100) and Discrimination (Employment and Occupation, 1958 (No. 111), both of which are among the most widely ratified of ILO Conventions. Ratifications of Convention 100 increased from 136—at time of the adoption of the ILO Declaration in 1998—to 163 in 2006; and ratifications of Convention 111 increased from 129 to 165 during the same time period. The Expert Advisors stated that the high number of new ratifications together with the intentions expressed by a number of governments, “means that the ILO can envisage a time of nearly complete ratification in the not too distant future.”¹¹

3. Gaps and challenges

Progress toward gender equality in economic participation and the labour market has been mixed. There have been increases in the number of women employed in all regions, and new opportunities have been provided in the service sector and as a result of new trade relationships. However, the increased numbers of jobs have not been matched with increased job quality or an improved position for women in the labour market.¹² Discriminatory patterns in the labour market have proved to be very persistent. Further, trends associated with recent economic growth—laws and policies favouring labour flexibility, outsourcing of production, increased numbers of temporary and part-time jobs—have led to insecurity in the workplace, particularly for women workers.¹³

Labour markets remain characterized by inequality

Persistent inequality in labour markets is evident in the factors outlined below.

- ▶ *Occupational segregation remains firmly entrenched*, both horizontal segregation (men and women found in different sectors) and vertical segregation (men and women found at different levels in the hierarchy, with women more likely to be at the lower levels). A disturbing finding is that vertical segregation frequently increases as horizontal segregation decreases.¹⁴
- ▶ *Women remain over-represented in insecure and lower-paid work*. Women are over-represented among part-time workers, and the upward trend in part-time work seems to be increasingly involuntary. Women are also over-represented among home-workers, casual

workers, and temporary workers. Among the self-employed, women are less likely than men to be employers, and more likely to be in the informal economy and to be unpaid family workers.¹⁵

- ▶ *Wage gaps between women and men remain large.* Employers and unions still tend to consider pay equity between women and men as being less important than other issues, and as a costly and “special interest” concern. (However, an encouraging sign of change in these views is the campaign to promote equitable pay recently launched by Public Services International, an international association of public sector unions.)¹⁶
- ▶ *Many women lack protection from minimum standards legislation and social security schemes.* Legislation on pay, working hours and conditions of work in many countries does not extend to sectors in which many women work, such as domestic work, agricultural labour and informal sector employment. Women are over-represented in the informal sector and in self-employment and others types of work that tends to be lower-paid and insecure. At the same time, they are less likely than men to be covered by social security schemes, which is another hidden cost of precarious employment.¹⁷

Dimensions of labour market inequality

The ILO summarizes the three persistent dimensions of labour inequality.

- i) “*Supply side of the labour market:* Women are disadvantaged relative to men in terms of the quality of their labour supply and preparing for the job market. Gender inequality persists in access to and control over productive resources, and in training and retraining opportunities. Women also have not been backed by the practical measures and basic support services and infrastructure they need to enable them to actually take up opportunities in the formal labour market.
- ii) “*Demand side of the labour market:* Gender segregation by occupation still represents a major labour market rigidity and source of labour market inequalities. Women continue to face discrimination in recruitment for employment and barriers to occupational mobility. Different values and remuneration continue to be attached to men’s and women’s jobs, so that labour markets are still characterized by wage differentials and discrimination on the basis of sex.
- iii) “*Labour market processes:* Women tend to face greater difficulties than men in gaining access to labour market schemes and other forms of policy assistance if unemployed or if they are in particularly vulnerable economic or social positions. They may also need special forms of assistance to enable them to compete on an equal basis with men for employment.”

Thus, despite increased in the quantity of women’s employment,

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

Source: ILO (2000). *Decent work for women.*¹⁸

Legislative approaches are insufficient on their own

The strengthened framework of norms and laws discussed above is important for progress. Legislative prohibitions against discrimination in employment, pay and other conditions are a critical foundation for developing an equitable labour market. However, continuing disparities are evidence of the stubborn nature of discriminatory practices and indicate the need for pro-active approaches to complement legislative steps. As noted in the ILO’s 2003 report, *Time for Equality*:

“A growing number of countries have moved away from a legal approach exclusively based on the imposition of the negative duty not to discriminate to a broader one encompassing a positive duty to prevent discrimination and promote equality. While an anti-discrimination legal model based on prohibiting discriminatory practices has proven successful in eliminating the most blatant forms of discrimination, such as direct pay discrimination, it has encountered less success with the more subtle forms, such as occupational segregation. Moreover, its effectiveness in eliminating discrimination is heavily dependent on litigation and this prevents it from reaching those workers who are the most disadvantaged and vulnerable to discrimination. These workers tend not to make use of the law to have redress because of ignorance or fear of retaliation.”¹⁹

One set of challenges is to find ways to increase awareness of the law among employers, managers and workers and to develop enforcement approaches that do not put the onus for enforcement on complaints from workers. Another set of challenges arises from the need to ensure that the objectives of economic equality and of non-discrimination legislation are reflected in public policy, including policies related to the labour market, education, social protection, and the family. A further challenge is to extend the protections of labour legislation to the informal sector.

Discrimination and economic opportunities in agriculture

The forms of discrimination targeted by the decent work agenda and ILO conventions may occur in different work setting and forms of employment, and the informal sector as well as the formal sector This is illustrated by the example provided in the ILO's *Time for Equality*.²⁰

“The refusal to allow a peasant woman to own or inherit the land she farms is an illustration of discrimination in access to particular occupations. For example, in **Lesotho**, as in many other African countries, women do not have the right of landownership. The refusal to allow women to own land not only impinges upon women's ability to work as farmers, it also limits access to credit and cooperative membership, as both often require landownership. Women's restricted access to agricultural extension services is another impediment to productivity enhancement, and hence to higher incomes. In **Viet Nam**, while women account for nearly 50 per cent of the total agricultural labour force and for a large share in the total number of new jobs created annually in agriculture, they make up only 10 per cent of the beneficiaries of cultivation extension services.”

Adequate childcare and dependent care still scarce

The lack of child care is a major constraint on women's economic participation, given the division of labour within households. Adequate, affordable and reliable child care is an issue for women working in all sectors. Care services for disabled, ill and elderly is also important to women's participation.

Many European countries provide publicly-supported childcare and/or other programmes that help absorb the costs of raising children. Some countries in Latin America, such as Argentina, Brazil and Chile, require employers with a specified number of female workers to cover child care expenses, but enforcement is not strict.²¹ Requiring employers to bear the costs of child care could be seen as introducing new barriers to equal opportunities, as it can result in women being seen to be more expensive workers than men.²² Some countries consider child care a private responsibility and that costs should be absorbed by the family, which is an approach that puts lower income parents at a disadvantage.

Another approach is to consider child care as an aspect of education. Some countries support child care because of the value placed on early education. For example, free pre-schools

were recommended by a government commission in India in 1944, and today a network of federal, private and voluntary preschool programmes in India provide child care to a large share of children. Institutionalized child care is provided in China, where 90 percent of young mothers are employed.²³

Although many countries have undertaken efforts, the conclusion of the 2005 review done by the UN Millennium Project was that “not one country provides the investment in care services that is required to fully meet the needs of women and their children. Filling this gap is essential for meeting Goal 3.”²⁴

4. Strategies to accelerate implementation

There is much still to be done to implement the commitments made in the *Beijing Platform for Action* commitments. National governments can take action in a wide range of areas. They can, for example:

- ▶ bring national employment legislation into conformity with international norms on non-discrimination, equal pay, workers with family responsibilities, and maternity leave;
- ▶ promote awareness among employers and the work force about employment rights, practical approaches that employers can take in implementing them, and steps workers can take when rights are violated;
- ▶ ensure that public employment services providing labour market information, assisting in job placement and delivering labour market adjustment programs promote equal opportunities and non-discrimination through these functions;
- ▶ take a leadership role in demonstrating how an employer can structure and implement equitable employment practices, including practices related to recruitment, promotion, training opportunities, working hours, leave, and pensions;
- ▶ apply the decent work concepts to policies related to the informal sector and support for informal sector workers;
- ▶ support innovative approaches to making child care available and affordable for working parents;
- ▶ advocate family-friendly practices by employers through measures such as legislation, information campaigns, and guidance on good practices with respect to leave, hours, flexibility, and advocate the use of provisions for family responsibility by men as well as women;
- ▶ incorporate gender perspectives to the development or review of social security and pensions programs; and
- ▶ improve the quality, dissemination and use of data on women’s economic participation and contributions.

Selected issues and related strategies are discussed further below.

Strengthening enforcement of the legal framework for economic equality

As stated by the ILO in its 2003 report, *Time for Equality at Work*: “Effective enforcement of any law requires government investment in human and financial resources, establishment and operation of administrative and judicial structures, knowledge about the subject matter of the law, and worker and employer confidence in the system.” A problem with

most enforcement systems is that they are complaints-based and thus rely on individual workers or their representatives to activate the law, which can mean that they are unevenly applied and in particular deny protection to the more disadvantaged workers.²⁵

The report reviews a number of ways in which different countries have strengthened enforcement of the law through promotion and enforcement mechanisms. The labour inspectorate has been an important target in some countries, as inspectors can contribute to preventing as well as resolving disputes. Inspectors can also assist other enforcement bodies if they are mandated to do so and the officers are given sufficient training in discrimination issues. Several country examples illustrate possible approaches:²⁶

- ▶ Cyprus adopted the Equal Pay Act (2002) that afforded a specific role to the labour inspectorate on equal pay inspections and established a technical committee to evaluate equal value in equal pay complaints;
- ▶ Brazil established inspectorates at the state level that specialized in employment discrimination; and
- ▶ The Philippines added questions on discrimination to the list of inspection questions used by inspectors.

Another important strategy has been the establishment of specialized bodies to strengthen enforcement of legislative provisions. Some of these bodies have advisory or promotional roles, while others have quasi-judicial powers.²⁷ Advisory and promotional bodies generally collect and disseminate information, analyse and advise on legislation, and provide training and could be commissions for the advancement of women or inter-ministerial coordination bodies. For example, the Tripartite Commission on Equal Opportunities and Treatment in Employment in Uruguay, composed of representatives of workers, employers, the Ministry of Labour and Social Security and the National Institute for Family and Women's Affairs, provides assistance and disseminates information on equal opportunity legislation. Bodies with quasi-judicial powers can examine complaints on discrimination in employment, as is the case in Austria and Brazil. Some bodies have the power to both initiate complaints and investigations themselves, as is the case in Ghana, Hong Kong and the United States. Some bodies, such as the Human Rights and Equal Opportunity Commission in Australia, have both promotional and monitoring powers.

More and better jobs for women – pursuing the decent work agenda

“Decent work” is an organizing concept developed by the ILO that brings together four strategic objectives: (i) achieving fundamental principles and rights at work, (ii) creating greater employment and income opportunities for women and men, (iii) extending social protection, and (iv) promoting social dialogue. The aim is to promote opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity.²⁸

An important part of the decent work agenda is to increase employment and income opportunities with attention to the quality as well as the number of jobs. Aspects of job quality include “wage[s], non-wage benefits, regularity of employment, length and terms of the employment contract, social protection (health, unemployment, pension), representation (trade-union or other forms), working time, intensity of work, occupational risks, participation in decision-making, possibility of career advancement or skill up-grading, social status attached to a job, etc.”²⁹

Women's disadvantage in relation to most of these aspects of job quality reflects continuing discrimination that must be addressed in labour market policies. The ILO has highlighted the need for gender-sensitive labour market policies that in accordance with the decent work agenda that pursue the four aims outlined below.³⁰

- ▶ *Widening women's occupational choices* – the sex segregation of the labour force has a major influence on the quality of work for women and is also a source of labour market rigidity and economic inefficiency. Given that segregation has multiple sources, it must be addressed through various complementary approaches, including:
 - facilitating policies that address the constraints faced by women due to child and family care responsibilities that are a major constraint for women;
 - affirmative action, equal opportunity programmes and anti-discriminatory laws, to break down barriers based on sex stereotypes; and
 - increased education and training for women in non-traditional subjects.
- ▶ *Developing skill acquisition and training* – both pre-employment and while employed, to increase women's access to more rewarding areas of employment. This requires measures related to training and retraining, but also complementary approaches to enable women to find and keep jobs in which they can use the skills gained:
 - encourage and attract girls and women to skills training, for example, through targets for girls in various types of training programmes, assistance with family responsibilities, more effective linkages between training systems and labour markets, entrepreneurship training for women in self-employment; and
 - create conditions to support entry and participation in the labour force, for example, by encouraging and complementing employer measures to enable workers to handle family responsibilities, such as child care and paternity leave to encourage men.
- ▶ *Enhancing the demand for female labour* – using labour market policies to improve the distribution of opportunities between women and men. This could include, for example:
 - changing the incentives to promote private sector employment;
 - demonstrating good practice through public sector employment practices;
 - creating direct wage-employment schemes to provide paid opportunities to the most poor, targeting women as they are often missed by such schemes; and
 - supporting women's self-employment and entrepreneurship and their development of small businesses.
- ▶ *Improving women's awareness of employment opportunities* – using, for example, employment services to ensure that information about potential jobs and employers is easily accessible at low cost. This would include information on employment, wages, vacancies, hiring requirements and conditions of work. Employment services can also assist women seeking jobs with skill testing, vocational guidance, and assistance with job search strategies. Also important is monitoring of private employment services and temporary employment agencies to protect women against malpractice).

Strengthening leave provisions to assist in reconciling work and family responsibilities

About half the country reports for the ten-year review and appraisal of implementation of the *Beijing Declaration and Platform for Action* highlighted the adoption of policies and

legislation to assist workers in coping with the competing demands of work and family responsibilities. Measures taken included parental leave and benefits, support for labour market re-entry, family-friendly working hours, support for child and dependent care and family-friendly tax schemes.³¹

Maternity protection has long been recognized as essential to equal opportunities for women, although eligibility for leave, whether benefits are provided and the extent of enforcement vary greatly among countries. A 2004 ILO brief outlined four other types of leave that are important to family well-being and that recognize the family responsibilities of men as well as women.³²

- ▶ *Paternity leave* provides some time to the father around the time of the birth of the child. It is becoming increasingly common in national law and in employment practice of enterprises in countries in various regions.
- ▶ *Parental leave* is longer than maternity or paternity leave and is available to either parent to allow for care of an infant or young child, generally following maternity or paternity leave. The actual length of parental leave in different countries varies greatly, influenced by concerns such as the availability and cost of child care and the costs to skills and earnings potential of long leaves. In Latvia, all employees are eligible for parental leave to a maximum of 1.5 years before a child reaches 8 years, taken in a single period or in parts with adequate notification of the employer. In Japan leave can be taken up to the child's first birthday and is partially paid – 30 per cent of previous salary is paid during the leave, and a lump sum of 10 per cent six months is paid after return to work.
- ▶ *Short leave for emergencies* includes various types of provisions, including leave for family responsibilities, bereavement leave, time banking arrangements, options of using sick leave or annual leave. Such leaves have been provided for through various means, including legislation, collective agreements or workplace policies. One example is provided by the Netherlands, which has a Work and Care Act that provides for short-term emergency leave (e.g., for the death of a family member), or short-term care of up to 10 days per year to care for sick children or spouse; the leave is paid at minimum wage or at 70 per cent of full wages, whichever is the highest.
- ▶ *Annual leave* is important to the work-family balance, not only to be able to respond to an event that arises but also enjoy holiday time with other family members. Work-family issues related to annual leave include the length of the leave, and the influence of the worker on the timing of leave. The *Holidays with Pay Convention, 1970* (No.132) – the ILO international standard for annual leave – provides for the right to annual leave for a minimum of three weeks with pay for one year of service.

Recent developments encouraging fathers to take up care-related leave

“Childcare leave entitlement is a policy area that has undergone significant changes in various countries in the past years. There has been a move towards encouraging fathers to take up care-related leave through the introduction of paternity leave or modifying parental leave.

“Recently introduced **paternity leave** entitlements, a short leave immediately after childbirth, can be optional or obligatory: in Italy fathers are entitled, but not obliged, to take two weeks’ post-natal leave, while in Portugal paternity leave is of 20 days, of which five days are compulsory. It can be of varied length (ranging from one day in Chile, Saudi Arabia and Tunisia to 90 days in Iceland and Slovenia) and paid or unpaid (although the latter is often the case), and financed by the employer, through social security or by a combination of both.

“In Iceland, since the 2001 law reform, no distinction is made between paternity and maternity leave, but a nine-month paid leave (at 80 per cent of salary) after childbirth is granted instead. This leave is split into three equal parts between the mother, the father (whose share is non-transferable) and the couple.

“Parental leave, a relatively long period following the expiry of maternity leave, is available in some countries for both women and men. It can be a shared entitlement either parent can take (for example, Cuba, Estonia, Hungary and Viet Nam), or an individual, non-transferable entitlement (for example, Belgium, Iceland and Ireland), or a mixed entitlement, combining individual and family entitlements (Norway and Sweden). “

Source: ILO (2007), *Equality at Work: Tackling the Challenges*³³

Demonstrating good practices through public sector employment

The public sector is potentially an important source of good jobs for women, and can provide leadership to other employers on equitable employment practices through their own example.

The Commonwealth Secretariat’s manual on *Gender Mainstreaming in the Public Service* outlines several categories of gender-related policy issues to be addressed in personnel management in the public sector by the public service commission or central personnel office but also the personnel divisions of central agencies and line ministries. The main elements are summarized below.³⁴

Staffing and conditions of employment:

- ▶ eliminating gender-based discrimination as regards pay – through policies for equal pay and for equal pay for work of equal value, and also encouraging women and men to enter fields traditionally dominated by the other sex;
- ▶ ensuring an adequate gender balance in decision-making roles – by active measures to encourage women to apply for senior jobs and review of selection practices to remove possible sources of bias against women; and
- ▶ determining equitable conditions of employment – through reviewing terms and conditions to change those that discriminate against women either directly or indirectly, and taking measures that allow reconciliation for work and family responsibilities.

Discipline:

- ▶ ensuring that disciplinary measures are gender-aware, and are applied equitably – review to ensure that they do not apply double standards and thus disadvantage women; and
- ▶ eliminating sexual harassment – through codes of conduct that prohibit harassment and set out penalties.

Training and capacity building:

- ▶ providing gender awareness training to decision-makers at senior levels – for all management, with particular attention to heads of core ministries such as finance, planning, personnel and justice;
- ▶ ensuring equal opportunities for women and men to participate in training – including training courses and on-the-job training; and
- ▶ establishing partnerships with NGOs and the academic community – drawing on women’s organisations as a resource and partner for both gender awareness training and the development of more equitable personnel policies.

Incentives and sanctions:

- ▶ providing incentives for good performance and sanctions for practising discrimination – through performance appraisal systems that provide recognition and feedback and other non-financial rewards such as certificates or awards of merit.

Equal opportunities policy:

- ▶ adopting and implementing a broad-based multi-pronged equal employment opportunities policy to address all the above issues.

The United Kingdom specifies a “Gender Equality Duty” for public authorities

The “Gender Equality Duty” effective from April 2007 requires public authorities:

“to promote gender equality and eliminate sex discrimination. Instead of depending on individuals making complaints about sex discrimination, the duty places the legal responsibility on public authorities to demonstrate that they treat men and women fairly. The duty will affect policy making, public services, such as transport, and employment practices such as recruitment and flexible working.”

An introductory guide sets out some gender issues to consider with respect to the employment practices aspect of the gender equality duty:

- “Is there a pay gap between men and women doing the same job or jobs of similar value?”
- How could flexible working help staff and how will it benefit men and women?
- How do we recruit staff and are we likely to get a good gender balance of candidates?
- Do we have a gender imbalance? If so, how could we try and rectify the situation?
- Do we have a good return rate from maternity leave? If not, why and how can we improve?”

It also outlines the benefits to the public sector employer of taking account of the points above:

- Improved recruitment – better ability to fill skill gaps in an organisation
- Happier staff and higher staff retention – as a result of flexible working and improved work
- Prevention of costly tribunal cases on equal pay for like work
- Savings on recruitment as action on maternity leave increases staff returning
- More efficient use of talent in the workforce.

Source: UK (2006). *What is the gender equality duty?*³⁵

Improving data for policy analysis and development

Analyses of the gender dimensions of the labour force and economic activity frequently highlight gaps and deficiencies in the statistics needed to have a good understanding of the issues and to inform policy development. Some of the data gaps reflect weaknesses in the overall statistical system (it is difficult to have good data on women’s employment if overall data on the

labour force participation is weak). Other data gaps are more specifically related to slow progress in incorporating gender equality perspectives in statistical systems.

The World's Women 2005: Progress in Statistics identifies three levels of challenges that need to be addressed to improve statistics on women's economic activity.³⁶

- ▶ *Strengthening statistical capacity.* Some countries do not have regular labour force survey programmes and rely on their census or irregular periodic surveys to collect data on employment, unemployment, occupation, and other economic characteristics. Census data is obtained at long intervals (often every 10 years) and there is often a long delay before it is available. Given the pace of economic and labour force changes, and the complexity of issues related to women's labour force participation, the use of labour force or other household surveys is very important for informing policy analysis and development. However, government commitment and resources would be required to establish such survey programmes.
- ▶ *Mainstreaming gender perspectives in labour statistics.* Incorporating gender perspectives in the collection analysis and dissemination of statistics on work through:
 - more systematic use of information that is already collected by sex through sources such as the census, household surveys or administrative records;
 - encouraging all data collection entities to record data by sex, for example employers who provide wage data from payroll records;
 - improvements in the methods of measuring various types of employment within the regular data collection system, including the non-standard employment in which women predominate (e.g., casual, part-time, contract, home-based);
 - improvements in data on the agricultural sector, in which women's work tends to be under-reported because it is unpaid work (including food processing, or providing water and fuel, which are often considered part of housework); and
 - improvements in the measurement of women's unemployment, especially in rural area, which is again often under-counted.
- ▶ *Improving knowledge and measurement of women's work.* Mainstream employment statistics do not provide a good measurement of many aspects of women's work. Areas in which methodological development and data collection is required include:
 - unpaid work covered by the System of National Accounts (SNA), as well as both paid and unpaid non-SNA work;
 - work in the informal sector; and
 - time-use.

5. Resources

Websites

- ▶ ILO website for follow-up on the *Declaration on Fundamental Principles and Rights at Work*: www.ilo.org/dyn/declaris/DECLARATIONWEB.INDEXPAGE (accessed 5 July 2007). Website which gives access to the Declaration, annual global reports on thematic issues covering all countries, annual reports on implementation by countries that have not ratified one or more of the eight key conventions, a database by theme and country based on country reports, and other research and resources relevant to implementation.

- ▶ European Commission website for EQUAL initiative: ec.europa.eu/employment_social/equal/activities/life_en.cfm (accessed 5 July 2007). See particularly the section on the Equal Opportunities theme (oriented toward “creating and promoting a European Model on Comprehensive Approaches to Equal Opportunities”): includes a set of policy briefs, success stories, and practical examples. There is also a searchable database by theme, type of guidelines and other factors (see under “activities and results”).
- ▶ OECD website on Babies and Bosses: www.oecd.org/document/13/0,3343,en_2649_34819_33844621_1_1_1_1,00.html (accessed 6 July 2007). Focuses on the work-life balance for families and the series of country studies done on this theme, together with issue briefs the OECD recommendations. Also see the OECD website on family policies, www.oecd.org (follow links to topic, employment, family policy, publications) (accessed 5 July 2007).

Reports and tools

- ▶ ILO (2003). *Time for Equality at Work: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*. Global report under the 1998 ILO Declaration on the theme of elimination of discrimination. Reviews issues, trends, and policy interventions, with reference to country experiences. www.ilo.org/dyn/declaris/DECLARATIONWEB.INDEXPAGE (accessed 6 July 2007).
- ▶ UN Millennium Project 2005. *Taking Action: achieving gender equality and empowering women*. Task Force on Education and Gender Equality. Focuses on seven strategic priorities for achieving MDG 3 (gender equality and the empowerment of women). One of the key strategies is the elimination of gender inequality in employment; and the other priorities are also related to women’s economic opportunities, particularly guaranteeing property and employment rights, and investing in infrastructure to reduce women’s time burdens. www.unmillenniumproject.org/reports/tf_gender.htm (accessed 26 June 2007).
- ▶ UNIFEM (2005). *Progress of the World’s Women: Women, Work and Poverty*. Report that focuses on informal employment and the working poor, providing a detailed analysis and a final chapter with a framework for policy and action, illustrated with good practice examples. www.unifem.org/resources/item_detail.php?ProductID=48 (accessed 5 July 2007).
- ▶ UNRISD (2005). *Gender Equality: Striving for Justice in an Unequal World* (2005) has a major section on “Women, work and social policy,” and a section on “Macroeconomics, well-being and gender equality.” www.unrisd.org/ (search by title) (accessed 5 July 2007).

Notes

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 - ² 2005 World Summit Outcome, United Nations General Assembly Resolution A/RES/60/1, para. 58(d). www.un.org/summit2005/documents.html (accessed 6 July 2007).
 - ³ ILO (2006). *Gender Equality and Decent Work: selected ILO Conventions and Recommendations Promoting Gender Equality*. www.ilo.org/dyn/gender/gender.home (search by title) (accessed 5 July 2007). The difference between conventions and recommendations is explained by the ILO at: www.ilo.org/public/english/standards/norm/introduction/what.htm (accessed 5 July 2007). For ratification information and texts of the conventions, see the ILOLEX database: www.ilo.org/ilolex/english/index.htm (accessed 5 July 2007).

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- ⁴ United Nations, Department of Economic and Social Affairs, Statistics Division (2005). *Progress towards the Millennium Development Goals, 1990-2005*, Goal 3: Promote Gender Equality and Empower Women, mdgs.un.org/unsd/mdg/Resources/Attach/Products/Progress2005/goal_3.pdf (accessed 5 July 2007).
- ⁵ United Nations, Department of Economic and Social Affairs, Statistics Division (2005). *Progress towards the Millennium Development Goals, 1990-2005*, Goal 3: Promote Gender Equality and Empower Women, mdgs.un.org/unsd/mdg/Resources/Attach/Products/Progress2005/goal_3.pdf (accessed 5 July 2007).
- ⁶ UNIFEM (2005). *Progress of the World's Women: Women, Work and Poverty*, p.16. www.unifem.org/resources/item_detail.php?ProductID=48 (accessed 5 July 2007).
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- ⁸ United Nations, Department of Economic and Social Affairs, Statistics Division (2005). *Progress towards the Millennium Development Goals, 1990-2005*, Goal 3: Promote Gender Equality and Empower Women, mdgs.un.org/unsd/mdg/Resources/Attach/Products/Progress2005/goal_3.pdf (accessed 5 July 2007).
- ⁹ UNRISD (2005). *Gender Equality: Striving for Justice in an Unequal World* (2005), pp. 37-38. www.unrisd.org/ (search by title) (accessed 5 July 2007).
- ¹⁰ ILO (2003). *Time for Equality at Work: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, para. 143. www.ilo.org/dyn/declaris/DECLARATIONWEB.GLOBALREPORTDETAILS?var_language=EN&var_PublicationsID=116&var_ReportType=Report (accessed 5 July 2007).
- ¹¹ ILO (2006). *Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Introduction by the ILO Declaration Expert-Advisers to the compilation of annual reports* (Geneva, March 2006), GB.295/5, 295th session of the ILO Governing Body, quote from para. 65, 1998 data from page 81. www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5939 (accessed 6 July 2007).
- ¹² ILO (2000). *Decent work for women. An ILO proposal to accelerate the implementation of the Beijing Platform for Action*. www.ilo.ru/other/event/gendsp2k/decwork1.pdf (accessed 6 July 2007).
- ¹³ UNIFEM (2005). *Progress of the World's Women: Women, Work and Poverty*, p.17. www.unifem.org/resources/item_detail.php?ProductID=48 (accessed 5 July 2007).
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