

Professor Dr. h.c. Christa Randzio- Plath Gender equality at work

Is gender equality on the labour market a fundamental right or an economic necessity? There is no doubt: gender equality on the labour market is a fundamental right but also an economic necessity for women like for men.

The gender equality impact of industrial relations has always been problematic. The advancement of gender equality in employment needed integrated regulatory and policy frameworks which was rarely reality. Even on the international level the masculine domination of the United Nations contributed to the construction of human rights as men`s rights in equating them with the masculine and relegating the feminine to the “other” (see Simone de Beauvoir). Therefore it was so important to have equality of women and men in the UN Charta, the EU Charta on fundamental Rights as well as in the European constitutions and in the German fundamental Law (art.3).

Women and Equality in Employment

The EU has always been a frontrunner striving for women`equality in employment by deciding upon directives, funds and programs. Women are used in the global competition like an inexhaustible resource because they are cheap, docile, and flexible. The deregulation of labour markets, the informal and flexible employment, the expanding informal sector in all continents and the new social class of "working poor" are indicators for this trend.

For the second women movement the economic independence of women was key for emancipation and clearly a human right. The very good ILO campaign on decent work took up the human rights` approach in making gender inequality a mainstream industrial relations concern. This was even more important because of the globalisation with profound changes for the economy and the labour market and increased demand for work but also with more risks and uncertainty. The concept of decent work has the potential to move beyond the confines of the work place to “work`s” place in personal, social and economic life and it has overcoming inequality at the heart of its agenda. The framing of equality embraces according to the ILO equality of opportunity and treatment, equality of remuneration and access to safe and healthy working environments, equality in association and collective bargaining , equality in obtaining meaningful career development, maternity protection and a balance between work and home life that is fair to both men and women.

The decent work perspective can be used as a regulatory and policy starting point to gender equality in paid work. Gender equality might even contribute to achieve decent work because the concept requires redistribution of work between women and men and the employed and unemployed. If women rights are human rights women have like men the right to decent work, decent pay and decent working conditions. The new economy needs not intensify inequality and exclusion. It can also mean equality and inclusion by accommodating a different range of different types of jobs and workers. Integrated legislative frameworks, policies and practices are needed.

The economic relevance of Gender equality attracts more discussion than ever. With the Lisbon agenda(2000) for growth and employment and the new EU 2020 strategy the EU follows the same path and so do the member states in discovering in women employment a means for an employment reserve, innovation, productivity and thus growth.

The EU's share of world GDP will drop from 18% to 8-10%. A major factor that will influence, if not determine, long-term growth of mature economies is the labour supply and how effectively it is utilised. Gender equality seems to strengthen long-term economic development because the demographic development in Europe makes women equity necessary. The relationship between birth rates and attitudes toward gender equality in a range of countries makes clear that more traditional family structures in modern economies face chronically low birth rates, whereas the demographic structure is more balanced and the economy is more robust in countries where gender equality in the workplace is more developed. The best example is the Nordic countries and all countries with the dual breadwinner's model. Among the worse examples is Germany where the one and a half breadwinner model is still relevant following a more patriarchal societal approach.

The need to raise female participation employment is widely recognised, but the problem is seen as regulatory and not as the challenge to change underlying social attitudes. Women in societies with traditional values towards family and gender equality postpone or abstain from childbearing. This affects long-term growth for these countries. Therefore the EU 2020 strategy combined with the gender equality strategies faces the gender related dimension of growth gaps in the EU and strives to contribute to changes of attitudes in order to improve the growth prospects of Member States. The strategy Europe 2020 addresses again growth and employment. Gender equality should be viewed as an important factor in achieving long-term sustainable economic growth in the EU.

The European Pact for Gender Equality and the new EU strategies stress the need to eliminate employment and pay gaps to draw full benefit from European workforces and their productive potential. This commitment has the capacity to move equality from being regarded as a cost to one where equality is important for a productive. These economic benefits can be seen in the advantages of higher female employment rates, women's contribution to GDP, fiscal contributions and sustainable fertility rates. The actual Gender Gap Report of the World Economic Forum 2010 warned that women were still left out of the labour market – including salaried and skilled jobs as low gender gaps are directly correlated with high economic competitiveness. Women and girls must be treated equally if a country is to grow and prosper. Europe still needs a true gender equality revolution, not only to mobilise a major pool of talents both in terms of volume and quality, but also to create a more compassionate value system within all institutions.

State of Play in Germany

In the latest Gender Gap report of the world Economic Forum 2010 Germany is still rated amongst the 20 best performing countries and ranks 13th. But Germany's gender pay gap is more than 23% compared to EU average of 17%. The German strategy for equality in employment does not reach international and European standards. The German strategy parts like the US with a hierarchical passive regulation but is not accompanied by control and sanctions. Germany fails also to introduce hierarchical activating regulations with demands on companies to present equality reports, plans, activities like France did. Unlike the Nordic equality approaches Germany does not address the structural inequalities or introduces monitoring and mediation systems. And Germany also lacks progressive procedural laws to facilitate women the access to courts by changing the rules of proof and offer the collective right of action. In contrast to France Germany did not introduce either

early child care or the minimum wage which promoted full time employment for women. Germany does not compare with France with women in leading position not even reaching 10% of managing position in Dax noted companies. Germany has in contrast to most EU countries no equality employment legislation for the private sector, only for the public sector legislation is in force.

Germany has tried to catch up to gender employment equality in legislation and implementation but still is far away from equality as CEDAW reports reveal. In view to the German public budget it can be seen that Germany foresees a lot for families: 114.8 Bio €. Out of this 37 Bio are paid for widows and 20.6 Bio for the tax splitting privilege because individual taxation for couples is not existing in Germany. This is a disincentive for women to work. The facts and figures therefore are the following:

- Women in Germany are less economically active than men but have now an employment rate of more than 60%.
- Women are responsible for the care economy. If they work they remain responsible for the conciliation of work and family life. Only 5% of men are regarded as being real partners.
- The gender segregations of jobs is still existent. Women concentrate to choose 20 out of 400 professional alternatives. In the younger generation there is progress to reduce the gap.
- Working hours demonstrate the biggest gender gap. This is due to part-time work of women.
- The feminisation of employment is clearly the result of women working part-time and women working in double numbers than men in insecure jobs.
- Gender pay gap persists: in Germany 23% (EU average 18%). This especially applies to the private sector.
- Gender gap in leading positions violates the principle of gender equity.
- Policies and incentives contribute to the cementation of the gender specific structures of the labour market.

The main reason for the increase of the female employment rate is part time employment as dependent employee with increasing marginal part time employment. 83.6% of part time employees are women (2009) with less than 20 hours per week. This means that women in majority cannot manage with their own income.

Women – the crisis discriminates

Both women and men have been hit by job losses in the downturn. The European Commission's annual report on equality between women and men shows that despite a generally positive trend towards a more equal society and labour market in the EU, progress in eliminating gender inequalities is slow. Gender gaps persist in employment rates, pay, working hours, positions of responsibility, share of care responsibilities and poverty. Considerable progress was made in women's

employment between 1998 and 2008, with a rise in the female employment rate of 7.1 percentage points to 59.1% - but this positive trend has been interrupted by the economic crisis also in Germany. There may be the risk of a delayed impact on women, as job losses spread from predominantly male sectors such as construction and manufacturing, to more gender-mixed sectors and the public sector, where more women are employed. The economic development is a potential threat for women's employment and gender equality but also an opportunity. With a labour market in gender balance, in which women were gainfully employed to the same extent as men are, the EU member states would theoretically be able to boost their GDP by between 14 and 45 per cent.

Modern family policies and employment

According to the latest report on family policy in Germany (2010) the vast majority of young mothers and fathers want to share care of their children and continue at the same time their professional activities. For all of them leeway concerning their working hours are a very important factor for their way to conciliate working and family life. Working conditions have to be more flexible in order to harmonise the different patterns of life. But employees do not want to translate flexibility with permanent availability. Because of higher employment rates of women more and more families live at different places and reduce their family and private life to the week-ends. The actual mobility rate of women is 19%, most women are daily commuters. But this stops as soon as there are children. Parents and mothers complain that time for family is not enough.

Modern Family policies are an important factor to promote gender equality at the work place. In Germany family policies have concentrated on family models with the man as the breadwinner and thus encouraged men to earn and women to care. Family policies influence the social construction of gender in a society by providing resources and incentives for gendered behavior, role models, gender stereotypes and attitudes. Family policies also have the potential to contribute to female labour market contribution and men and women combining their work and family lives. Family policies can regulate parental leave, family leave, and taxation, leave benefits and invite for incentives, allowances or indemnities but also give rights to men and women to take off time, to work part-time or allow for flexible working hours because of family constraints or family needs.

The German model has come under pressure: by the women's movements, by female economic independence and by the assessment that women's employment and gender equality are key for the economic, employment and demographic changes. Only in this century legislation has introduced men's entitlement to parental leave and changed parental leave by pegging the amount of leave benefit to the amount of the previous income, the expansion of childcare services from 0 to 3 years, more temporary child benefits as well as new tax allowances and tax reduction for childcare. Parents were allowed to reduce their work hours to between 15 and 30 hours per week in companies with more than 15 employees. Legal protection against dismissal was part of this program. Despite the parental leave giving an individual right of each parent only a limited percentage of men took part given the men's higher earnings and the leave benefit uncoupled from the previous income. This has been changed by the 2007 legislation which has the objective to provide material incentives

for families having children earlier in life and for fathers to become active in child-rearing. All parents now receive at least E 300 per month per child for 14 months regardless of their employment status before birth. Two out of the 14 month of parental benefits are considered “partner months”.

With regard to childcare services Germany tries to catch-up. The Lisbon Strategy and the Barcelona EU Summit obliged member countries to do more for equal partnership, competitiveness by increasing women`s employment rate to 60% and thus contributing to more childcare services. 90% of children from 3- 6 and 33% of children under 3 years should have access to childcare services. In 1997 only 3.6% of children younger than 3 years had daycare facilities offered. In 2007 the way for more and better facilities was paved by the Federal Government and the Länder.

Nevertheless Germany remains the only EU country refusing individual taxation, keeps income taxation based on joint income, supports the male breadwinner model and discourages by those tax incentives married women to work full time.

Germany today faces a more “hybrid type of regime” than ever before. The gender regime types are those where in the families women provide welfare and care and men continue to be bread- winners. At the same time there is a more progressive regime in which both women and men provide care and employment. EU and UN policies have often urged Germany to take European gender equality values in mind and change attitudes and legislation in view to gender equality and measures to conciliate work and family. Modern Family Policies in Germany are more supportive than ever to shift towards gender being equal and same but still more “traditional” than policies in other EU countries

Companies' actions

Actually companies have to consider the needs and interests of families. 92% of parents between 25 and 39 with professional experience are of the opinion that for their job choice the family friendliness of a company is decisive and as important as their salary. Even employees without children agree in majority. Interestingly 26% of employees have changed jobs because of the family friendliness of an employer. 78 % say they would do it. There are good practices in German companies. A whole culture of awards, prizes and certificates has been developed in order to promote equality in employment, female entrepreneurship and family friendly companies.

Europe 2020

The Europe 2020 Strategy will only deliver the desired results if gender equality becomes a crucial issue and is addressed by all means of policy measures from taxation to social services, by overcoming gender stereotypes and traditional role models. Women and men walking side by side has been a very successful program of Swedish governments. It is time for Europe to follow the Nordic example.

