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# Maternity Protection Resource Package

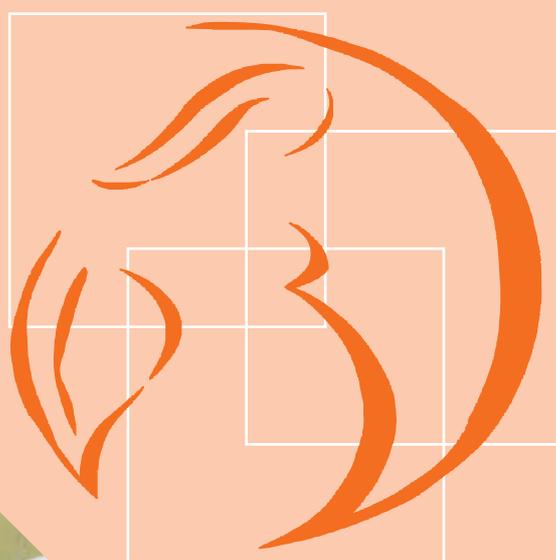
From Aspiration to Reality for All

## PART TWO

Module

# 11

## Beyond maternity and back to work: Coping with childcare





# Maternity Protection Resource Package

From Aspiration to Reality for All

## Module 11: Beyond maternity and back to work: Coping with childcare



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*Maternity Protection Resource Package - From Aspiration to Reality for All  
Module 11: Beyond maternity and back to work: Coping with childcare*

ISBN: 978-92-2-125487-4 (print)  
978-92-2-125488-1 (web pdf)  
978-92-2-125489-8 (CD-ROM)

*ILO Cataloguing in Publication Data*

Maternity Protection Resource Package: From Aspiration to Reality for All/International Labour Office, Conditions of Work and Employment Programme (TRAVAIL).- Geneva: ILO, 2012  
1 v.

ISBN: 9789221254874; 9789221254881 (web pdf); 9789221254898 (CD-ROM)

International Labour Office; Conditions of Work and Employment Programme  
maternity protection/maternity benefits/childcare  
13.03.1

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# Module 11: Beyond maternity and back to work: Coping with childcare<sup>1</sup>

## Key contents

This module addresses the need for policies and measures that can support the care of children after maternity leave when women return to work. It covers:

- ➔ Main challenges in coping with childcare upon return to work
- ➔ Definitions of family responsibilities and unpaid care work
- ➔ International frameworks and instruments for addressing work–family reconciliation
- ➔ Laws and policies promoting gender equality in the division of paid work and unpaid care work
- ➔ Discussion of the main measures for supporting work–family reconciliation
- ➔ Roles and responsibilities of the main stakeholders

In an effort to enhance gender equality, maternity protection at work is essential to safeguard the health of mothers and their children and to preserve the economic security of women and families. However, policies supporting the care of children and the economic security of families do not end with maternity leave and breastfeeding. Measures that enable parents to provide the unpaid care that their families require, while still providing economic security to their families, are absolutely vital to the health of children of all ages. They also bring broader benefits to families, especially the most vulnerable, as well as to workplaces and societies, while contributing to gender equality and decent work for all women and men.

<sup>1</sup> This module draws from C. Hein: *Reconciling work and family: Practical ideas from global experience* (Geneva, ILO, 2005).  
C. Hein and N. Cassirer: *Workplace solutions for childcare* (Geneva, ILO, 2010).  
ILO: “Family-friendly measures”, in *Work Improvement in Small Enterprises - Revised (WISE-R)* (Geneva, 2009), Module 5.  
ILO: *Work and family: The way to care is to share* (Geneva, 2009b).

## Workers with “family responsibilities” and unpaid care work

“Family responsibilities” refer specifically to responsibilities in relation to dependant children and other members of the immediate family who clearly need their care or support (Art. 1 of Convention No.156), such as elderly, disabled or sick family members. The United Nations Systems of National Accounts (SNA) of 1993 includes some unpaid work activities among “economic or market work”, for example: unpaid work in a family business or the market, subsistence production or the collection of water and fuel. However, unpaid family responsibilities or “unpaid care work” are excluded from the SNA and Gross Domestic Products (GDP) calculations and encompass the non-economic activities that enable the care and maintenance of every member of society, which underpin societal health and survival. Such unpaid care work includes:

- providing care (active and passive) for infants and children, the permanently ill or temporarily sick, as well as for frail older relatives and disabled family members;
- travelling and time to obtain medical attention for these people;
- household maintenance, cleaning, washing, cooking, shopping; and
- volunteer work for community services.

Reconciling paid work and the unpaid care work that stems from family responsibilities is a major concern for many adults throughout the world. Even as more women than ever work for pay, their share of family responsibilities has not diminished significantly and there continues to be low participation by men in most regions. There are fewer extended families and more single-parent, especially women-headed, households. At the same time, many countries have cut back on their spending for health and public services, thus shifting greater responsibility for unpaid care work onto family members. These changes, together with migration and other social and economic factors, have diminished traditional and informal unpaid care support mechanisms and thus intensified pressures on workers with family responsibilities, especially women.

Moreover, the current state of working conditions in many countries has made it increasingly difficult for both women and men to balance their paid work and family responsibilities in a satisfactory manner. These conditions include precarious work arrangements, low wages and long and more intense working hours. These, together with irregular hours due to unpredictable demands for working overtime, result in a lack of time available to fulfill other responsibilities.

These changes and realities put women in particular in a vulnerable situation, as they continue to be the main care providers in addition to their paid work. Family responsibilities are one of the reasons women turn to vulnerable and informal work, as the latter provides a degree of flexibility and proximity for better balancing of paid and care responsibilities, often at the expense of economic security. For instance, due to their family responsibilities, women may involuntarily choose to work part-time, which is often synonymous with low status jobs and limited career opportunities.<sup>2</sup>

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<sup>2</sup> ILO, 2009b, op. cit.

Increasing evidence from both developed and developing countries shows that the lack of effective policies to address paid work and unpaid care responsibilities can cause other major problems for societies, enterprises, families, men and women. For example, poor and ineffective formal mechanisms to allow better reconciliation of paid work with family responsibilities have contributed to the decline in fertility rates in many countries. Where childcare is lacking, parents may face difficult options, such as enlisting older children to care for younger ones, or even taking them to the workplace. This can lead to lower school enrolment and more child labour.

Policies and measures by governments and social partners to help workers reconcile work and family responsibilities are crucial to address these challenges. In 1981, ILO member States adopted the Workers with Family Responsibilities Convention, 1981 (No. 156) and its accompanying Recommendation (No. 165). These two instruments firmly place equality of opportunity and treatment for both women and men workers with family responsibilities, within the wider framework of measures to promote gender equality, alongside the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Equal Remuneration Convention, 1951 (No. 100) and Maternity Protection Convention, 2000 (No. 183). The United Nations Convention on the Elimination of All Forms of Discrimination Against Women, 1979 (CEDAW) also recognizes the importance of sharing family responsibilities.

These international instruments recognize that gender inequality is deeply intertwined with the gender division of productive and reproductive work and that both women and men need support for these roles. Thus, in light of Convention No. 156, achieving gender equality requires policies to better enable men and women with family responsibilities to prepare for, enter into, advance and remain in employment. To this end, reducing gender inequalities in the labour market and at home must be a key objective of national policies.



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## A framework for supporting paid work and unpaid care work

The ILO Workers with Family Responsibilities Convention, 1981 (No. 156) and its accompanying Recommendation No. 165, give considerable guidance on policies and measures that are needed to help workers with such responsibilities and promote greater gender equality at work and at home. Convention No. 156 takes a broad perspective and seeks to promote policies to harmonize paid work and unpaid family activities and to tackle labour market inequality resulting from family responsibilities.

### Box 11.1 The Convention on Workers with Family Responsibilities, 1981 (No. 156)



The core of **Convention No. 156** reads as follows:

*With a view to creating effective equality of opportunity and treatment for men and women workers, each Member [State] shall make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities.*

Article 3, Paragraph 1.

Government has a leadership role to play in setting policy orientation and creating a social climate that is conducive to dialogue and change for improving work–family reconciliation. In particular, government has the key responsibility to design legislation related to equality objectives, thus challenging existing gender inequalities in paid work and unpaid care work. The contributions of employers, trade unions and workers, academia and civil society to the design and implementation of work–family measures are also vital. Policies and measures at the workplace and in collective bargaining agreements and services at the community level, designed for workers with family responsibilities, can make an enormous difference for businesses, workers, their families and communities.

The following diagram (**Figure 11.1**) summarizes the diverse measures to promote work-family reconciliation established by ILO standards on workers with family responsibilities, which fall mainly within the direct means of action of governments, social partners and civil society actors.

**Figure 11.1**  
Types of measures for promoting work–family reconciliation



**Policy research** is necessary to understand the challenges that workers and employers are facing in relation to balancing work and family responsibilities and their preferences for addressing those challenges, and is a key means to identify and set priorities.

**Education, information and advocacy** are required to improve awareness and understanding of the principle of equality of opportunity and treatment for men and women, and problems facing workers and employers in addressing work–family conflict, and the implications of such conflict for societal goals such as human rights, gender equality, business productivity, individuals' well-being, child education and development. Education programmes and information campaigns can be targeted at a range of different stakeholders, from government officials to the general public and children.

**Active labour market measures** refer to measures that specifically address ways to enable both women and men to become and remain integrated in the labour force or to return to work after a period of absence. They can include remedial education, vocational guidance and training, job search assistance, in-job training, paid educational leave arrangements and other supports. Such measures help to ensure that family responsibilities do not undermine men and women's equitable access to and participation in paid work and, they promote broader conditions for equality in both paid and unpaid work.

**Fair and adequate wages and incomes** are important for establishing minimum standards of living that enable workers to provide for care and basic needs their dependants. Policies and practices promoting equal pay for work of equal value help to reduce the gender pay

gap that persists in virtually all countries around the world. Such a gender pay gap both undermines women's bargaining power in the home and provides economic incentives for households to reduce women's paid work in response to the demands of unpaid care work.<sup>3</sup>

**Working time, care services and leave policies** are key areas influencing the ability of workers to reconcile work with family responsibilities and are covered in more detail later in this module.

**Basic infrastructure and services to support family responsibilities** are those that affect the amount of time and timing required for workers to meet their paid and unpaid work commitments. Roads and transportation services affect commuting time; the availability of housing with labour-saving layouts reduces the time devoted to household work. The means to access water and energy affect the amount of time spent obtaining these resources. The locations of schools, school hours, day care centres, health services and utility payments are all examples of the logistics town planners, architects, workers and businesses must consider in reconciling paid work and family responsibilities.

**Social security benefits**, contributory and non-contributory, play a key role in providing support for the costs of family care responsibilities, for example, through social health protection, support for childcare, support during family related leaves and support for senior citizens, with countries using means as diverse as conditional or unconditional cash transfers, insurance mechanisms and tax policies. See **Module 7** for more information on strengthening and extending maternity cash and medical benefits.

When considering work–family conflict, it is also helpful to categorize the **types of workers' challenges** that need to be addressed. For example, workers who provide care and their employers face specific issues in the reconciliation of work and care for family dependants in terms of:

- **establishing routines** (often on a daily basis but sometimes on a weekly or yearly basis) so that both work commitments and family responsibilities can be met satisfactorily and with a minimum of stress;
- **coping with major family events**, such as childbirth or the long illness of a close family member, which require some prolonged, though temporary, arrangement;
- **coping with short-term emergencies or demands**, such as a sick child, a care arrangement that breaks down or an elderly relative who needs to be taken to the doctor.

For each of these types of workers' challenges, **Table 11.1** provides an overview of specific measures that could be taken to support the work–family balance.

<sup>3</sup> ILO: *Global Wage Report 2010/11* (Geneva, 2010), p.51.  
-: *Equality at work: Tackling the challenges* (Geneva, 2007).  
J. Lewis: *2009: Work–family balance, gender and social policy* (Cheltenham, Edward Elgar Ed).

**Table 11.1**  
**Measures that facilitate reconciliation of work and family responsibilities by type of workers' challenges**

Types of measures	Types of workers' challenges in reconciling work and family		
	Establishing workable routines (daily, weekly, yearly)	Coping with major family events/needs	Coping with emergencies
<b>Leave entitlements</b>	<ul style="list-style-type: none"> <li>• At least 3 working weeks' annual leave entitlement as per Holiday with Pay Convention, 1970 (No. 132)</li> <li>• Ability of worker to choose when to take annual leave</li> </ul>	<ul style="list-style-type: none"> <li>• Maternity leave (mothers)</li> <li>• Paternity leave (fathers)</li> <li>• Parental leave (both parents)</li> <li>• Long carer's leave (men and women)</li> <li>• Social security benefits</li> </ul>	<ul style="list-style-type: none"> <li>• Annual leave</li> <li>• Sick leave that can be used for family emergencies</li> <li>• Emergency/compassionate leave</li> <li>• Parental leave days</li> </ul>
<b>Active labour market policies</b>		<ul style="list-style-type: none"> <li>• Programmes for reintegration</li> <li>• Remedial education</li> <li>• Vocational guidance and training</li> <li>• Job search assistance</li> <li>• In-job training</li> <li>• Paid educational leave arrangements</li> </ul>	
<b>Working schedule or time</b>	<ul style="list-style-type: none"> <li>• Avoiding long hours and overtime</li> <li>• Predictability of work schedule (particularly for those working overtime, shift work, anti-social hours)</li> <li>• Part-time work</li> <li>• Flexitime work during school term time</li> </ul>	<ul style="list-style-type: none"> <li>• Ability to reduce working hours temporarily</li> </ul>	<ul style="list-style-type: none"> <li>• Flexitime or time banking scheme where workers have some control over their hours</li> </ul>

	<b>Establishing workable routines (daily, weekly, yearly)</b>	<b>Coping with major family events/needs</b>	<b>Coping with emergencies</b>
<b>Social security benefits</b>		<ul style="list-style-type: none"> <li>• Maternity benefits</li> <li>• Paternity benefits</li> <li>• Parental benefits</li> <li>• Child or other family benefits (contributory and non-contributory)</li> <li>• Social health protection (including maternal and infant health care)</li> </ul>	<ul style="list-style-type: none"> <li>• Social health protection (infant health care)</li> <li>• Benefits during short-term leave</li> </ul>
<b>Care services</b>	<ul style="list-style-type: none"> <li>• Access to affordable, appropriate care services for dependants (young children, disabled people, permanently ill and elderly)</li> <li>• Home-help and home-care services</li> <li>• Before/after-school programmes</li> </ul>	<ul style="list-style-type: none"> <li>• Breastfeeding facilities at work</li> </ul>	<ul style="list-style-type: none"> <li>• Access to emergency care when main arrangement not available</li> <li>• Ability to bring child to work in emergency</li> <li>• Possibility of using workplace phone</li> </ul>
<b>Basic infrastructure and services</b>	<ul style="list-style-type: none"> <li>• Roads and supply of water, energy and sanitation</li> <li>• Transport facilities and spatial planning</li> <li>• Schools, health, and daycare centres</li> <li>• Family planning</li> <li>• Labour-saving technology or services for cooking, cleaning, laundry</li> <li>• School hours that coincide with working hours</li> <li>• School canteens for lunch</li> <li>• Opening hours of government services, medical services, stores</li> </ul>		

Table adapted from C. Hein, 2005, op. cit., Table 3.1, p. 34.

Categorizing measures in this way could shed light on a range of obstacles faced by workers and employers. For example, **Table 11.2** suggests a number of policy challenges that currently exist in many countries, followed by the types of measures drawn from **Figure 11.1** that might be relevant for addressing them.

**Table 11.2**  
**Measures that facilitate reconciliation of work and family responsibilities by type of policy challenges**

Policy Challenges	Types of measures
<ul style="list-style-type: none"> <li>• Poor understanding of the problems and lack of priority setting</li> </ul>	<ul style="list-style-type: none"> <li>• Policy research, education and information</li> </ul>
<ul style="list-style-type: none"> <li>• Strong societal/business stereotypes about women as caregivers and men as breadwinners</li> <li>• Poor understanding of the principle of equal opportunity and treatment for men and women, the needs of workers with family responsibilities and the aims and benefits of work–family policies</li> </ul>	<ul style="list-style-type: none"> <li>• Improved education and information</li> </ul>
<ul style="list-style-type: none"> <li>• Unequal sharing between women and men of unpaid care work, as well as gender inequality in paid work</li> </ul>	<ul style="list-style-type: none"> <li>• Active labour market policies, wage policies, working time and leave policies, social security benefits, education and information campaigns</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of a basic floor of social protection and poor capacities of workers to provide care and economic security</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate wages and income; social security benefits; social care services; public infrastructure; active labour market policies</li> </ul>

### Family-friendly is more than women-friendly!

It is important to keep in mind two essential aspects that impact on the division of family responsibilities:

- There are some biologically-determined and universal physical differences that exist between women and men (i.e. biological differences linked to one’s **sex**). For example, only women can bear and breastfeed children.
- There are other socially and culturally determined roles, responsibilities and expectations concerning women and men, or girls and boys, which are changeable and can vary over time, both within and between cultures and social groups (i.e. societal **gender-related expectations**). For example, both women and men can rear children, take care of dependants and perform unpaid work in the house or community work.

In developing and implementing work–family policies and measures, it is not uncommon to see policies and measures that focus only on women. In the interest of promoting gender equality, public policies and workplace measures must support **both women and men** in caring for family dependants, while also allowing them to be productive and valued employees at work. Pregnancy, childbirth and breastfeeding are the only circumstances that require special measures only for women, in the form of maternity protection as presented in the previous modules.

However, many well-meaning policies and measures designed to reduce work–family conflicts turn out, in practice, to reinforce unequal sharing of unpaid care work. To increase men’s participation in the latter and to improve women’s equitable access to opportunities and treatment in the workplace, policies and measures must challenge assumptions based on the “female carer model”. These take for granted that caring is naturally done by women in the family, thus men are free for paid work without any competing responsibilities in the home.

There are many examples of care-related leave policies (other than maternity, where specific measures for women are required) or childcare services or part-time work schedules which are offered only for female workers, despite the fact that many men also have family responsibilities and are equally capable and often very keen to share in them. Thus, policies and measures that facilitate the reconciliation of paid work and unpaid care work should be available to both men and women (as foreseen in Convention No.156).

Gender equality can be promoted by establishing working conditions that take into account the work–family needs of all workers (i.e. men and women, workers with and without family responsibilities). Such measures help to reduce the need for special measures to accommodate those with family responsibilities, while also creating the possibility of more equitable sharing of family responsibilities. For example, policies discouraging excessive working hours for all workers can reduce the need for special working schedules for workers with family responsibilities. Part-time, temporary and home work, which are options often used, especially by women, to accommodate family responsibilities, should be adequately regulated, as called for in Recommendation No. 165 (Paragraph 21). Thus, workers with family responsibilities using these options do not find themselves in vulnerable situations and these working arrangements can become equally attractive to men and women (see below for examples).

Gender equality can also be promoted by developing childcare services that support the needs of workers and employers. Lack of childcare services constrain workers’ opportunities to participate in paid work, especially in the case of women with dire consequences for gender equality, workplace productivity, economic development, child development and the well-being of families and society as a whole. Developing childcare services can expand (mostly) women’s employment opportunities, create formal jobs in care provision and provide strong foundations for children.

Promoting greater acceptance of the caring role of men in the family, at the workplace and in society, is also important for challenging gender inequality at work and at home. Workplace culture also plays a role in discouraging men from assuming family responsibilities. For example, managers and co-workers may be less understanding of a father who needs to get a sick child from school than of a mother. Fathers may fear that giving some priority to family responsibilities means that they will be seen as less committed to their work. Education policies, information and awareness-raising programmes help to challenge these practices and encourage greater acceptance and participation of men in caring.

Finally, surveys among men workers, especially young men, show that in many regions they want to be more involved in family life. Thus, challenging gender inequalities in paid and unpaid work should not only avoid singling out women in work–family policies, but also set up measures which proactively encourage men’s equal share of family responsibilities.

## Main measures to support childcare upon return to work

In the framework of the diverse policies for promoting a balance between paid work and family responsibilities (as shown in **Figure 11.1**), this section specifically considers measures for supporting the care of young children (under three years) following the mother's return to work, namely: leave, working time, organization and care arrangements. See the *Resources section* for more references that go into greater depth on each of these options.

### Leave arrangements

Leave entitlements influence the ability of workers to be absent for a short period to deal with a family emergency or to take more prolonged leave for caring responsibilities. In addition, having annual leave at the same time as the rest of the family, particularly children, is important for the quality of family life. Maternity leave, paternity leave, parental leave and adoption leaves are dealt with in **Module 6**. Apart from these provisions, the main leave entitlements of importance to workers with family responsibilities are annual leave and emergency leave.

#### Annual leave

Annual leave applies to all workers, irrespective of their family responsibilities. For a worker with family responsibilities, the length of the annual leave entitlement is a first basic factor influencing not only how easily a worker can cope with emergencies, but also how much time she/he can spend on holiday with the family. Allowing these employees to have some influence on holiday schedules is important to enable them to plan holidays with the family. The current international standard related to annual leave is the Holidays with Pay Convention, 1970 (No.132), which provides the right to annual leave with pay of a minimum of three weeks for one year of service.

#### Emergency leave

In order to deal with short-term family emergencies, some workers may have various alternatives: annual leave, a quota of sick leave, leave for family reasons, time available through time banking or other flexible time arrangements. In contrast, other workers may have such entitlements but may have great difficulty accessing them without risking their employment.

Diverse types of provisions exist to provide for short emergency leave, some with wide definitions of emergency and others for more specific events (such as bereavement, see **Box 11.2**) or certain family responsibilities, in particular parenting. Provisions can be found in national legislation, collective agreements or in workplace policies.

## Box 11.2 Compassionate leave in Uganda

**Kakira Sugar Works.** As part of its collective bargaining agreement, Kakira provides “compassionate leave”. This leave is handled on an individual basis between the manager and the worker. The latter can receive a maximum of 14 leave days per year for bereavement due to death or illness in the family, or for customary obligations (such as weddings).

Source: C. Hein, 2005, op. cit.

### Paternity leave

Some countries explicitly recognize the caring role of fathers and provide specifically for paternity leave by granting new fathers a specific period of leave around the time of childbirth. No international standards exist concerning paternity leave, but it is becoming increasingly common in national law and in enterprise practice. The growing frequency of this leave, particularly in collective bargaining agreements, reflects the increasing importance attached to the presence of the father around the time of childbirth. The duration of paternity leave ranges from one to 15 days and it is usually paid. In a number of countries, there is no specific paternity leave, but there is a more general emergency leave or family leave which can be used by new fathers. See **Module 6** for more information.

### Parental leave

Parental leave refers to a relatively long-term leave available to either parent to allow them to take care of an infant or young child over a period of time usually following the maternity or paternity leave period. As provided in both the Recommendation on Workers with Family Responsibilities, 1981 (No. 165) and the Recommendation on Maternity Protection, 2000 (No.191), both the mother and the father should have the right to take parental leave.

Provisions concerning parental leave vary across countries and reflect the wider concerns within society in relation to child development, fertility, labour supply, gender equality and income distribution. In some countries, long parental leave may be seen as a way to reduce the need for childcare services, particularly for young children for whom services can be relatively expensive. It may also be seen as a way to increase official employment if those on parental leave are counted as employed, as is usually the case. In other countries, shorter parental leave entitlements may be preferred to prevent long absences from the labour market which may result in skill deterioration. Evidence suggests that extended periods of absence from employment (more than one year), without adequate training and reintegration programmes, can lead to difficulties in returning to paid work and earning loss in the long term. See **Module 6** for more information.

### Working time, schedules and location

Working hours and location are probably the most important factors in determining whether one’s work is compatible with family responsibilities and, more generally, with life outside work. Providing workers with some influence, through social dialogue, over the organization of their working hours, reducing very long working hours for everybody, and where possible, considering flexibility in the work location, can all help workers. From a gender perspective, better balance of working hours between women and men is essential

to reinforce women's position in the labour market and promote gender equality in households and workplaces. This section considers measures that can make working time, schedules and locations more “family-friendly”.

### Working time duration

Working conditions that demand long hours in paid work undermine both men's and women's capacity to fulfill their care responsibilities. ILO global estimates indicate that about one in five (614.2 million workers) around the world are working more than 48 hours per week.<sup>4</sup> Men are more likely to work excessive hours in paid work. This is both a consequence and a cause of gender stereotypes, which reinforces existing divisions of labour.<sup>5</sup> Long hours of paid work, as well as low and unequal wages and incomes, often reduce women's options of whether to work, where to work and in which types of employment.

Recommendation No. 165 (Paragraph 18) sets out that among all the arrangements to enable workers to reconcile their work and family responsibilities, particular attention should be given to measures for improving working conditions and the quality of working life, including the progressive reduction of daily hours of work and the reduction of overtime.

#### Reducing daily hours of paid work

Long working hours (i.e. more than 48 hours per week<sup>6</sup>) leave little or no time for family life, including evenings and weekends. Research in Europe has concluded that “the key working conditions that reduce the ‘work–family’ compatibility of jobs are long weekly and unsociable hours (long days, evenings, nights and weekends) for both women and men”.<sup>7</sup>

The regulation of the reduction of standard daily hours of work is not found in national legislation, but it exists in some countries. For instance from 1998 to 2008, France introduced a statutory 35-hour week for all workers. While its main focus on employment creation, the measure had a largely positive impact on work–family balance for a majority of parents with school-age children, although less so for parents in the private sector who worked non-standard hours with little control over their working time.<sup>8</sup>

#### Reducing overtime

Overtime is often not paid for managerial workers and long hours are considered the way to prove commitment and therefore progress up the hierarchical ladder in many organizations. For other workers, paid overtime may not be family-friendly but can be an important way to increase earnings. Some workplaces have tried to restructure work incentives and pay to move away from the “working longer” or towards a “working smarter” culture, which rewards results instead of “presenteeism”.

When overtime is required, **advance notice** is important to all workers, particularly those with family responsibilities, so that they can make arrangements for such things as childcare. In developing countries, where it may be difficult for workers to contact their

<sup>4</sup> Excessively long hours of work are particularly frequent in countries such as Ethiopia, Honduras, Indonesia, the Republic of Korea, and Pakistan, where more than 30 per cent of all employees are reported to work more than 48 hours per week.

<sup>5</sup> S. Lee, D. McCann and J.C. Messenger: *Working time around the world: Trends in working hours, laws and policies in a global comparative perspective* (Geneva, ILO, 2007), p. 240.

<sup>6</sup> This figure is in line with the ILO *Hours of Work (Commerce and Offices) Convention, 1930 (No.30)*.

<sup>7</sup> Fagan and Burchell: *Gender, jobs and working conditions in the European Union* (European Foundation for the Improvement of Living and Working Conditions, 2002), p.79.

<sup>8</sup> Fagnani and Letablier: “Work and family life balance: The impact of the 35 hour laws in France”, in *Work, Employment and Society* (2004, Vol. 18, No. 3), pp. 551– 572.

families from the workplace, advance notice is particularly critical. Recognizing the importance of this issue, some national legislation and collective agreements require that a worker be notified in advance of overtime work.

### **Part-time work**

In order to better balance paid work with their unequal share of unpaid care work, women are overrepresented among part-time workers.<sup>9</sup> Working part-time may involve taking up part-time jobs or reducing standard working hours, moving from full-time to part-time for a specific period of a workers' life, for example, when their children are young. A number of countries have legislation that allows reductions in working time for carers. For example, in Denmark, Germany and the Netherlands, all employees, with no requirement to have caring responsibilities, have the individual "right to part-time", as part of flexible working time arrangements. On the other hand, working parents in Austria, Finland, Greece, Italy, Portugal and the United Kingdom have the "right to request" flexible working hours, which could be reduced hours. Even without legislation, a number of enterprises, for instance in Chile and Colombia, have policies that may be part of collective bargaining agreements, workplace measures or informal practices, that allow workers to reduce their working hours for family reasons, mainly in order to retain personnel and avoid turnover costs.

Although part-time work can be a solution for some women with unpaid care responsibilities, there is considerable debate about the implications for gender equality. First, part-time work tends to reinforce the traditional "male breadwinner model", with women taking a secondary role in the labour market because of their caring responsibilities at home. Second, the types of part-time jobs which are available and the conditions of work of part-time workers, are affected by major decent work deficits. Third, part-time affects women's position in the labour market, in terms of earnings, career progression, training opportunities, seniority and pensions. On the other hand, part-time work may provide employment opportunities for women who otherwise would have to withdraw from the labour market. For employers, part-time work provides a way of coping with extra workloads and is a frequent solution for extending opening hours in the retail trade.

To protect the situation of workers with family responsibilities, it is important to ensure that the terms and conditions of part-time work, temporary and home work, are adequately regulated and supervised, and, to the extent possible, are equivalent to those of full-time and permanent workers. In appropriate cases, entitlements should be calculated on a pro rata basis, as highlighted in Recommendation No. 165 Paragraph 21(1) and (2). In addition, part-time workers should be given the option to obtain or return to full-time employment when a vacancy is available and the circumstances determining assignment to part-time work no longer exist (Paragraph 21(3)).

Improving the conditions of these alternative working arrangements will make them equally attractive to men and women. Also, making these schemes universally available to all workers should result in family-friendly ways of working becoming more generally acceptable. In particular, from the employers' point of view, a universal approach should avoid resentment on the part of the workers excluded from these schemes. From the point of view of the employees, an inclusive approach seems more likely to promote a change in work culture, with less emphasis on "face time" and "presenteeism"; the presence of the

<sup>9</sup> In 2009, part-time work constituted 31.4 per cent of women's employment in the European Union (EU-27) compared to 8.1 per cent of men's. European Commission: *Report on Progress on Equality between Women and Men in 2010: The gender balance in business leadership* (Brussels, 2011).

(male) worker for long hours in the workplace, often unrelated to the effective and efficient achievement of work results.

### Box 11.3 Family-friendly work arrangements

**Germany.** The *Erfolgsfaktor Familie* [Business Programme Success Factor Family] programme was launched in 2006 to promote family-friendly measures. These measures include flexible working hours, teleworking, company-supported childcare and financial assistance to employers who set flexible working arrangements that promote work–family balance. This programme gives special attention to establishing networks and alliances that allow forums for the exchange and mutual learning of experiences.

**Cyprus.** A programme entitled “Promotion of flexible forms of employment (FFE)” was launched for the period 2007–2013. This programme provides a scheme to subsidize businesses/organizations that promote flexible employment regulations particularly addressed to combating long-term unemployment and people with dependants (a majority of whom are women).

**Romania.** Several measures exist to encourage women to keep their job after childbirth. First, women have the right to return to the same position after their statutory parental leave. If they do not take the leave in full, they can choose either to take reduced working time or more flexible working hours. Second, if women with children under six have no kindergarten available, they are allowed to work part-time, with their work being considered full time in terms of seniority. An effort to preserve seniority rights for women with children is a step forward in achieving gender equality at work in line with ILO standards.

Source: European Commission: *Gender mainstreaming active inclusion policies*, Directorate-General for Employment, Social Affairs and Equal Opportunities (Brussels, 2010).

### Job-sharing

Job-sharing is a form of part-time employment in which one full-time job is filled by two or more part-time employees. Their working responsibilities and time are shared and the full-time salary divided between them. Job-sharing should not be confused with work sharing, which refers to a reduction of working time intended to spread a reduced volume of work over the same (or a similar) number of workers in order to avoid layoffs, for example during an economic recession or, as a measure to create new employment.<sup>10</sup> The same considerations presented in the section on part-time work apply to job-sharing.

### Work schedules

Work schedules that provide workers with more control over the organization of their working hours are becoming increasingly common: this section discusses shift swapping, flexitime and time banking.

### Shift predictability and swapping

As with overtime, predictability of shifts and knowledge of one’s schedule well in advance help shift-workers to cope with their family responsibilities. When working hours fluctuate and are unpredictable, organizing daily or weekly routines is very difficult and stressful. Asocial working hours are easier to cope with when they are known well in advance. One way that shifts can be organized which helps workers with family responsibilities is to allow workers to exchange shifts or swap shifts.

<sup>10</sup> J. Messenger: *Work sharing: A strategy to preserve jobs during the global jobs crisis*, TRAVAIL Policy Brief No.1 (Geneva, ILO, 2009).

## Box 11.4 Shift swapping in a collective bargaining agreement in the United States

**New York.** In the agreement between Teamsters Local 445 and St Luke's Hospital in Newburgh, New York, the union negotiated with the hospital to allow employees to switch working days with other employees, provided that employer approval was obtained.

Source: AFL-CIO Working Women's Department: *Bargaining fact sheet: Control over working hours and alternative work schedules* (Washington, D.C., 2001).

### Flexitime

Flexitime requires employees to be present at their place of work for certain specified periods (called "core time"), and allows them to vary their starting and finishing hours. In some systems, the number of hours to be worked each day is fixed, and employees must select their hours and adhere to them on a daily basis. Lunchtime can also be part of variable, rather than core, hours. Sometimes the arrangement is more informal, allowing some flexibility on daily hours, such as taking a short lunch break and leaving early, or allowing a half-hour flexibility to arrive early and leave early.

Flexitime arrangements present obvious advantages for workers with family responsibilities who can adapt their starting and finishing times to school schedules, for example, as well as for other workers who may just want to avoid rush hours. For employers who are service providers, flexitime may make it possible to extend operating hours. Not all jobs are suitable for flexitime schedules, such as assembly lines, shift work and other situations requiring the simultaneous presence of all workers.

### Time banking

Time banking or "working time accounts" involve keeping track of hours worked in "accounts" for each individual worker; in some cases, it is combined with flexitime. Workers can accumulate leave time, often by working overtime during peak periods, which can be used for unexpected family events or for other personal reasons.

A major advantage of these flexible schedules is that they are normally available to all workers in a given category, whatever their family responsibilities, and thus do not lead to jealousies. For employers, any additional administrative cost may be far outweighed by the benefits due to worker satisfaction and improved time accountability.

### Work location

In many cases, the location of the workplace is fixed and workers are required to be present in order to fulfil their work tasks. However, in others the physical presence of the worker at the workplace is not required and it may be possible to introduce telework arrangements allowing the worker to temporarily work remotely. Some teleworkers work only from home, whereas others alternate between the workplace and home on a regular or an emergency basis.

Telework eliminates travel time and costs, and allows the workers to perform their paid task at convenient times to deal better with family responsibilities. For organizations, telework can reduce the cost of office space. However, for workers, teleworking on a continuous basis can lead to isolation as well as to difficulties in separating paid work and private life at home.

## Childcare arrangements

Workers' family responsibilities include care for children, the elderly, the temporarily or permanently ill and adults with disabilities. Given the focus of this package, the following sections look at some of the main features and issues regarding childcare services for infants and children less than three years of age.<sup>11</sup>

For the worker or would-be worker with infants, a major problem is how to provide care for them during working hours. Workers rank reliable and affordable social care services, in particular childcare, among their topmost concerns, along with transportation, water and energy supply. However, few countries provide these services on a large enough scale to address the increased need of workers.

### Types of childcare services<sup>12</sup>

Childcare arrangements can be roughly divided into three categories:

- care in the child's home, such as:
  - ➔ informal unpaid care;
  - ➔ employing a paid caregiver (especially domestic workers);
  - ➔ domiciliary services;
- care in a childminder's home;
- centre-based care.

#### Care in the child's home

This usually includes: 1) informal unpaid care; 2) employing a paid caregiver; 3) domiciliary services. **Informal unpaid care** is usually provided by family members, often women or girls, or in some cases friends or neighbours. This type of care plays a major but undervalued role in rearing and socializing children (as well as meeting the needs of the elderly, sick, or disabled relatives). Many workers prefer leaving their young children with family members, who are considered more trustworthy than other carers. Particularly for workers earning relatively low incomes, this may effectively be the only option since paid arrangements may be too expensive. Even when formal paid care is arranged, help from relatives or friends is often still needed.

Hiring a paid caregiver, in particular **domestic workers** (such as nannies, cooks and maids), is a common way for families in middle to high income groups, to cope with the lack of childcare in both industrialized and developing countries. Domestic work provides millions of jobs throughout the world, in countries at all levels of development, and contributes to a considerable amount of home-based care. Domestic workers are predominantly women and girl children from more vulnerable societal groups (e.g. from poor communities, rural areas, ethnic and racial minorities and immigrants). Often they are employed informally at very low wages, with few legal rights or social protections and little political voice or representation (see **Modules 5** and **7** for more information on domestic work).

<sup>11</sup> For further discussion, see C. Hein, 2005, op. cit., Ch. 5, and C. Hein and N. Cassirer, 2010, op. cit.

<sup>12</sup> This section draws from C. Hein and N. Cassirer, 2010, op. cit., Ch. 2.

**Domiciliary services** are another type of formal paid care in which caregivers, doctors, nurses and other professionals may come to the family's home to provide assistance or health visits. Whether or not formal paid care services are convenient to workers depends upon the hours of the services, the location vis-à-vis work and home, and the cost, the quality, and the flexibility of the services. In most countries, the demand for care services, particularly affordable services, exceeds the supply.

### **Care in a family day carer's home**

Paying a person, almost always a woman (variously called child-minder, family day-carer, day mother), to look after a child in her home is often an informal arrangement that parents make with neighbours, in which case it is impossible to know the numbers involved. Increasingly governments are seeking to formalize this type of care by registering family day-carers and setting standards. In a number of countries (e.g. France, Singapore and the United Kingdom), there is a system for their registration and a minimum level of training is required, as well as local (often municipal) information services which can help parents to find local child-minders.

For children under the age of three who require childcare, there seems to be a preference in some countries, such as France, for home-based care rather than centres, since childminders' service hours are often more flexible. However, finding child-minders willing to work evenings or weekends may not always be easy. A major disadvantage of using child-minders is that they often have little training and may not provide the stimulation and educational opportunities that children are more likely to receive in centre-based care. Research also shows that working conditions and career perspectives of family day-carers are a major concern.

### **Centre-based care**

Centres for the care of babies and toddlers (called crèche, nursery, daycare, kindergarten or childcare services) are increasingly needed in countries around the world to enable families to sustain themselves while looking after their dependants. These programmes typically provide organized custodial care (regular or emergency) and, in some cases, health services and educational activities.

Almost half of the world's countries have no formal programmes for children under three, and for those that do have such programmes, coverage is very limited.<sup>13</sup> For parents with pre-school children, early childcare and education programmes are more frequent and expanding in most developing countries, although these too remain uneven in their coverage, with little access in particular for poor and rural communities. Moreover, they often do not meet the needs of working parents in terms of duration, quality and cost.<sup>14</sup> In many countries, school hours tend to end long before the working day finishes, or they include long lunch breaks, making it difficult for working parents to accommodate them within their own working schedules.

For children under three years of age, the costs of childcare centers can be very high since young children need much more attention than older children and each caregiver can look after fewer children at a time than is the case with older children. In countries where there is little government support for daycare centres, the cost for working parents can be particularly high between the end of maternity leave and the start of pre-primary school.

<sup>13</sup> UNESCO: "Strong foundations: Early childhood care and education", in *Education for All Global Monitoring Report 2007* (Paris, 2007).

<sup>14</sup> C. Hein and N. Cassirer, 2010, op. cit.

In order to promote employment growth, social protection, women's labour force participation and gender equality, some governments have developed programmes to make childcare for young children more accessible to workers. In some cases, such efforts are targeted particularly at lower-income families who are less able to purchase care services on their own (see **Box 11.5**). Means of improving access can vary widely, from government financing or subsidizing the development of facilities and services, to government subsidies directly to parents through vouchers, tax exemptions, fee supports and conditional and unconditional cash transfers.<sup>15</sup>

### **Box 11.5** Government efforts to expand childcare for workers with young children

**Chile.** In recognizing that lack of childcare poses significant barriers to women's labour force participation, the government of Chile, which ratified Convention No. 156 in 1994, has made considerable efforts to expand childcare services as a means to create better quality jobs and to promote gender equality and national development. Since 2005, the number of free public nursery places for children aged from 3 months to 2 years who are living in the poorest areas of Chile increased from 14,400 to 64,000 in 2008; in addition, kindergarten places for children aged 2–4 years, which numbered 84,000 in 2005, expanded to about 127,000 by 2009. In addition, in 2006, the Chilean government launched the *Chile Crece Contigo* programme, which provides free childcare for the most vulnerable 40 per cent of the population. Between 2006 and 2009, a total of around 3,500 free centres were opened, caring for 70,000 infants. A law guaranteeing crèche and kindergarten rights for young children has been passed in Congress, allowing this programme to further expand.

**India.** The National Rural Employment Guarantee Programme (NREAGA), launched by the government in 2005, recognizes that family responsibilities need to be considered alongside women's ability to freely engage in paid economic activities. The NREAGA includes on-site crèches among other worksite facilities (e.g. medical aid, drinking water and shade) that local implementing agencies have to set up in order to ensure the effective implementation of the employment-generating programme. In addition to this, the Indian government launched in the early 1990s the Integrated Child Development Scheme, focusing mainly on decreasing maternal and infant mortality. It is the largest programme of this type in the world, and includes a nutrition programme, requiring children's presence in government-run childcare facilities. However, a lack of means and infrastructure has prevented these centres from developing and in its current state this programme cannot be considered a viable childcare solution.

**South Africa.** The government is implementing a non-conditional cash benefit programme, the Child Support Grant, in the form of child allowances paid to the caregiver, instead of the mother. The merit of this "follow the child" approach is to avoid the reinforcement of the role of women as primary caregivers. In addition, the grant is not conditional on the mother having to attend training sessions or performing unpaid community work, a controversial feature of family and child allowances in other developing countries. In May 2006 the size of the grant stood at US\$25.50 per month per child under 14 years of age. The total number of beneficiaries amounted to almost seven million children.

Sources:

Government of India: *Operational Guidelines of the National Rural Employment Guarantee Programme* (New Delhi, 2006), Sect. 5.6.

C. Hein and N. Cassirer, 2010, op. cit.

ILO/UNDP: *Work and family: Towards new forms of reconciliation with social co-responsibility* (Santiago, 2009).

S. Razavi: "The political and social economy of care in a development context: Conceptual issues, research questions and policy options", in Programme on Gender and Development, Paper No. 3 (Geneva, UNRISD, 2007).

UNRISD: *Combating poverty and inequality: Structural change, social policy and politics* (Geneva, 2010).

<sup>15</sup> For more discussion on this topic, see C.Hein and N.Cassirer, 2010, op. cit.

There is no universal model for the best way to provide care services. However, it does seem to be universally true that the closer the service provision is to the user, the better it fulfils its role. Recommendation No. 165, Paragraphs 24(b) and 25(a), mentions two aspects of “closeness”: providing services at the local level of government, and consulting those concerned as to their particular needs, especially those employed. Involving the beneficiaries and working locally can help to ensure that the services are relevant to users’ needs and are used.

### Care for children with illness and disabilities

In addition to regular childcare services, workers may need support in caring for children who fall sick, are chronically or terminally ill, or have a disability. Most of these services are similar to those mentioned in the preceding sections. In this section, the distinction is made between short illnesses and long term-sickness or disability, as the problems posed are very different.

#### **Short temporary illness**

Short sickness is one of the many unforeseeable family crises which may arise for the employed. The most frequent problem is probably the sick child who cannot go to school, or to the normal care arrangement in the case of a younger child. But illness or accidents of other family members can also pose major problems for workers. For example, in many developing countries, hospital stays require considerable efforts from the family who may have to provide regular food, medical supplies or clean linen.

A current cost-reducing effort by governments in many countries is to decrease institutional care, including the length of hospital stays. The cost of the extra burden on families, and especially on those who are workers, is rarely, if ever, taken into consideration.

Employers who provide information and referral programmes at the workplace, or who allow employees to make telephone calls for family reasons, make continuing to work in these crises much easier, because a large part of the problem lies in the time it takes to organize emergency care until a short-term solution (such as a relative or neighbour) is in place. Many collective agreements include provisions related to the care of sick children and emergency leave entitlements.

#### **Long-term sickness and disability**

Care of children with physical disabilities, visual or sensory impairment or intellectual disabilities can present an additional challenge to the worker, depending on the level of support needed. Daycare, respite care and other specialized services are particularly important in these cases. However, care for children with high support needs presents some distinctive problems, although it is also likely to be highly rewarding.

Care for individuals that have chronic sickness or illness results in a complex range of care needs and becomes particularly challenging when the outcome is terminal care. For a person with paid work obligations, the time-consuming nature, financial costs and other unknowns of this type of care may add additional stress.

HIV and AIDS have had a devastating effect on family life, above all in large parts of sub-Saharan Africa. Apart from workers taking leave of absence to care for an infected member of the family, deaths from this illness and related complications have dramatically increased the number of single-parent families, for whom juggling work and

family is intensified. The increasing numbers of orphans who rely on households of relatives often places a heavy load on already burdened people. AIDS mortality has also created a growing phenomenon of child-headed families, detrimental to the education of older children and to the care of younger ones. Some domiciliary services (see **Box 11.6**) include accompanying a dying person at home, and the hospice movement is also a relief during this phase for both patient and family.

### **Box 11.6** Home-based care in sub-Saharan Africa

In several countries in sub-Saharan Africa, home-based care schemes are promoted as a complement to traditional health care services. With the widespread epidemic of HIV and AIDS, health care demand in the region greatly exceeds its availability. In theory, because of these home-based programmes, trained nurses should be given limited healthcare supplies and the possibility to travel directly to patients' homes and provide basic care and support. This practice can help greatly in relieving the burden placed upon family members. These programmes receive certain external funding from non-governmental (NGO), community and faith-based organizations.

Unfortunately however, they suffer from a severe lack of funding, and the amount of training received by nurses is in many cases too rudimentary to be effective. Tasks can be demanding and stressful upon these care workers, who receive little compensation or none at all. With heavy reliance on external funding, the system is fragile and needs greater development to achieve its true potential.

Source: UNRISD, 2010, op. cit.

Caring for a child with a disability can make it difficult for workers to fulfil their professional responsibilities. Some countries (**Box 11.7**) recognize the time-consuming nature of care for disabled family members and the consequent loss in workers' wages by granting assistance while parents care for a disabled child at home. In some countries, parental leave entitlements are longer for disabled children and can be taken up to an older age.

### **Box 11.7** Leave arrangements for children with disabilities

**France.** For children under the age of 20 with high levels of disability, parents are allowed up to 310 days of leave within a three year period. Benefits depend on the duration of work in the enterprise as well as family structure.

**Ireland.** For workers with at least 12 months of continuous service, three days of fully paid leave is available to care for disabled children. Unpaid leave however can go up to a period of 65 weeks if necessary.

**Italy.** Workers are entitled to up to two years of fully paid leave to care for disabled children, with a benefit ceiling of €36,151. However, fathers and mothers cannot take this leave at the same time.

Source: OECD: *Gender brief*, OECD Social Policy Division (Paris, 2010).

## What can the stakeholders do?

The availability of work–family policies and measures, including access to quality, affordable care for dependants is an important determinant of workers’ employment opportunities and workplace productivity. Poor access to work, lower earnings, lower productivity and higher absenteeism are just a few of the consequences of the lack of suitable support for childcare, all of which jeopardize families’ income security and company success. Existing public policies, programmes and services are rarely adequate to meet workers’ and employers’ needs for childcare even in many industrialized countries. In developing countries, the problem is even greater. To fill the gaps, initiatives to find suitable solutions have been taken by governments, employers, trade unions and their organizations, NGOs and workers in countries around the world. Maximizing the leverage of the different stakeholders and encouraging coordination and partnership can go far in addressing some of the problems workers and businesses are currently facing.

### Governments

Measures to promote work–family reconciliation that fall mainly within the direct means of action of governments include the following:

- ratification of ILO Conventions;
- policy and advocacy-related research;
- labour legislation and social security benefits related to leave and working time;
- promotion of the establishment of childcare services and facilities;
- reduction of the family care responsibilities burden through policy measures;
- facilitation of re-entry into employment after leave;
- information, education and advocacy;
- promotion of social dialogue.

### Ratification of ILO Conventions

Only States have the responsibility to decide whether or not to ratify an ILO Convention, be it on maternity protection, balancing paid and unpaid work for workers with family responsibilities, or any other employment-related issue. Ratification may or may not be a realistic strategy as this depends on existing social and economic conditions, national laws and capacities for their implementation, the political agenda and other factors. When a government does submit a Convention to the competent authority, it should provide a statement or proposal concerning the most appropriate action to be taken with regard to the Convention. For more information regarding the ratification process, refer to **Modules 5** and **12**.

**Research**

*The competent authorities and bodies in each country should take appropriate measures [...] to undertake or promote such research as may be necessary into the various aspects of the employment of workers with family responsibilities with a view to providing objective information on which sound policies and measures may be based.*

Recommendation No. 165, Paragraph 11

As for any other issue, policy development needs to be based on information about workers' needs and preferences. For governments reviewing work–family policies, a first step is to take into account sex-disaggregated statistical trends, usually available at national level. Population censuses, labour force and health and demographic surveys can give information on developing patterns related to marriage, fertility rates, age distribution and household composition, labour market participation rates by sex and age, occupations, status in employment, working time, wages and income levels, unpaid care work and time use.

**Box 11.8 Examples of policy research**

**Chile.** In Chile, the National Service for Women (SERNAM) undertook a survey of enterprise experiences in improving work–family reconciliation and a study to examine public opinion on childcare systems.

**Mauritius.** The Ministry of Labour and Industrial Relations commissioned the University of Mauritius to conduct an assessment of the current situation of work–family conflict in the country, including surveys of employees and employers, as well as interviews with key informants.

Source: C. Hein, 2005, op. cit.

Governments have initiated and sometimes sponsored research on issues such as:

- the nature of work–family conflicts and how families are coping, including their effect on women's labour force participation and equality of opportunity and treatment;
- working conditions, including working time and its flexibility, and any benefits currently being offered at the initiative of employers or through collective bargaining agreements;
- good practice in enterprises and links to productivity;
- use of care facilities and their adequacy in terms of quality and demand;
- worker and employer ideas and preferences concerning solutions.

## Labour legislation and social security



*With a view to creating effective equality of opportunity and treatment for men and women workers, all measures compatible with national conditions and possibilities shall be taken [...] to take account of their needs in terms and conditions of employment and in social security.*

Convention No. 156, Article 4

Ensuring basic minimal entitlements to decent working conditions in terms of working time, leave and family-related benefits for all workers through labour legislation and social security is usually considered the responsibility of the state. Two key areas of labour legislation influence the ability of workers to reconcile work with family responsibilities: leave entitlements (i.e. annual leave, sick leave, maternity leave and other forms of family leave) and working time provisions (including standard working time, overtime and part-time work).

Apart from developing legislation, a major responsibility of government is to ensure that legislation is effectively implemented. For governments in many countries, the effective implementation of legislation is fraught with difficulties. Labour inspectorates may be understaffed, inspectors underpaid and means of transport limited. Workers are often unaware of their rights or unable to claim them. Implementing basic legislation related to maternity (that women do not lose their jobs when pregnant and that they are able to take maternity leave) can be challenging.

In many countries, both industrialized and developing, social security plays a key role in protecting families against various risks, including the costs of family care responsibilities health-care costs, disability, unemployment and loss of income in old age. Payments received during maternity, paternity and parental leave usually come from social insurance (be it health insurance, a special fund or unemployment insurance), to which the employee (alongside the employer), must have contributed for a minimum time in order to benefit. It can also come from social assistance funds, usually funded by tax revenues (public funds). This helps to spread the costs to all employers and employees who contribute to the fund and to society more generally.

Retirement or old-age pensions play an important role since they provide some autonomy to older people and help to relieve workers of some financial and care responsibility for ageing parents. This helps avoid the paradox of workers with family responsibilities taking extended leave or withdrawing for a time from employment in order to look after dependants, and consequently ending up with shorter periods of contribution and reduced pensions themselves.

In both developed and developing countries, many people, who are in the informal economy, self-employment or under casual or precarious contracts, are not covered by social security. They have no maternity benefits and, during old age, little or no old-age pension. They are therefore financially dependent on their children once they have no earnings. For more information on cash and medical benefits see **Module 7**.

**Promotion of the establishment of childcare services and facilities**

*All measures compatible with national conditions and possibilities shall further be taken –*  
 (a) *to take account of the needs of workers with family responsibilities in community planning; and*  
 (b) *to develop or promote community services, public or private, such as child-care and family services and facilities.*

Workers with Family Responsibilities Convention, 1981 (No. 156), Article 5

Care facilities play a key role in helping reconcile work and family.<sup>16</sup> There are several key ways in which governments can strategically address the provision of care services of acceptable standards:

- supporting care financially;
- setting standards for quality of care services.

**Financial support for care**

Basically, there are two main strategies for government funding of care: **funding the supply of care services** by giving subsidies to facilities or supplying services directly; and **funding the demand for care** by providing subsidies to families/parents. These strategies are not mutually exclusive and can be combined.

By **funding the supply of care services**, governments can help to ensure that there is a supply of care services available. Direct government funding and provision of facilities is most common for early childhood education for children over the age of 3, while providing childcare or subsidizing it for children under the age of 3 is rarer.

The responsibility for care provision is often decentralized, with funds going to local governments, which have a major role in organizing, regulating, and providing oversight for childcare services in line with government standards. Thus municipalities can, and may also contribute some of the funding. Decentralizing the funding and provision of childcare to the local level has the potential advantage of making services more responsive to local needs, including those of local workplaces.

Apart from direct public provision of services, national or local government funding to facilities may be in the form of subcontracts to childcare service organizations. Grants to providers can sometimes be used for capital expenditure to encourage start-ups, and at other times may apply to recurrent expenditures such as staff salaries, rent or meals.

To conserve resources and target those most in need, governments may concentrate on creating or subsidizing facilities in specific disadvantaged regions, so that the most disadvantaged in those areas may benefit. However, such programmes may fail to benefit the equally disadvantaged in other regions that have no such facilities. Another problem of targeted facilities is the potential segregation of low-income children. Governments sometimes provide subsidies to registered facilities based on the income of parents (i.e. the subsidy is intended for low-income parents).

<sup>16</sup> This section refers primarily to childcare services. Further discussion can be found in C. Hein, 2005, op. cit. and C. Hein and N. Cassirer, 2010, op. cit.

**Funding the demand for care** rather than providing public facilities or public support to facilities has been viewed as a means to rapidly stimulate the creation of childcare services (mainly private), to better address parents' needs, bring innovation and efficiency to the sector, and reduce government expenditure. In countries with a more market-based approach to childcare, governments tend to prefer to give funding support for childcare to parents, who can then decide which facility they want to use. One of the advantages of programmes providing subsidies to parents is that they can offer governments a way to focus support on those most in need and can make support contingent on certain factors such as income, the ages of children, employment and the number of hours worked.

A common form of government subsidy to parents is through tax systems whereby working parents can claim reductions based on childcare expenses. However, some poor households who do not pay tax do not benefit and those in higher tax brackets would benefit more than those in lower ones. Other governments have systems for financial transfers to parents using registered childcare, the amount of which is generally greater for lower-income parents.

However, parental subsidies also have their shortcomings. The amount of the subsidies is often low compared to the cost of good-quality care and so recipients may tend to choose cheaper, poorer-quality care options. The OECD suggests that funding childcare through parental subsidies weakens the capacity of public services and tends to lead to the proliferation of family daycare (see above), characterized by lower standards and quality than professional childcare centres.

Whether through support to parents or to facilities, there seems to be general agreement that substantial government funding and interventions are needed in order for workers, particularly the less affluent ones, to have access to care services which they can afford that are of a reasonable quality.

### Box 11.9 **Organizations of migrants' families demand public policies for care**

**Nicaragua.** In 2006, the election agenda for Nicaraguans abroad, which was drawn up by a network of migrants (*Red de Migrantes*) included demands for developing social care programmes for migrants' families, particularly children and adolescents who stay behind in the home country. This point on the agenda proposes a collective approach, with participation from the mayor and other local actors, to mitigate the high social costs of migration to those who stay behind. Until then, families alone had borne the brunt of these problems.

**Ecuador.** Several local governments have responded to the demands of associations of migrants, by including care for family members who stay in the home country in their action plans. Quito, for example, offers psychological support to grandparents engaged in care-giving, and provides children with care and recreational activities.

Source: ILO/UNDP, 2009, op. cit.

### Setting quality standards

Those who pay for childcare, whether parents, national governments, municipalities, NGOs, employers, private providers or some other entity, are caught in the inherent conflict between ensuring the quality of the care and its affordability. Cutting costs tends to mean reducing the quality while ensuring quality increases the cost. This dilemma raises important policy questions about the setting of quality standards and the conditions of work of childcare workers.

In order to ensure that childcare environments are safe and healthy and that practices promote children's development and learning, most governments have regulations or standards that relate to childcare centres (including those that are employer sponsored). In some countries, regulations or standards relating to childcare workers also exist. Childcare quality is usually assessed by indicators such as:

- staff-to-child ratios;
- group size;
- premises and space;
- age-appropriate curricula and settings;
- hygiene and safety standards;
- staff qualifications and training;
- staff salaries and turnover.

In Estonia, for example, the state has set definitions of child-minders and requirements for child-minding premises. In Portugal, the state promotes evaluation and monitoring of childcare quality and has published a reference manual on quality procedures and evaluation.<sup>17</sup> Concern about quality raises major issues for poorer countries and locations where resources are scarce. Importing standards from developed countries may be unrealistic for many developing country settings where facilities that do not meet standards of "high quality" may nevertheless improve the situation for children at risk. Experience from developing countries suggests that low-cost community-based initiatives can have a positive impact on child development (see **Box 11.10**).<sup>18</sup>

<sup>17</sup> European Commission: *The provision of childcare services: A comparative review of 30 European countries* (Brussels, 2009).

<sup>18</sup> See also the example from Chile in **Box 11.6** above, and C. Hein and N. Cassirer, 2010, op. cit., pp. 45-47.

## Box 11.10 Positive effects of home-based daycare for poor children in Bolivia

Bolivia has undertaken a large-scale home-based early childhood development and nutrition programme, PIDI (*Proyecto Integral de Desarrollo Infantil*) that provides daycare, nutrition and educational services to children who live in poor, predominantly urban areas. Under the programme, children from six months to six years old are cared for in groups of 15 in homes in their own neighbourhood. The community selects local women to become paid family daycarers. These non-formal, home-based day-care centres, with two or three caregivers, provide integrated child development services. The women receive child development training prior to becoming educators, but are usually not highly trained.

When children participating in the programme were compared with others on a range of bulk motor skills, fine motor skills, language skills and psychosocial skills; participation in PIDI had a positive impact on all test scores for children aged 3–4.5 years. Impacts were almost always positive for children who had participated in the programme for at least 13 months.

Source: World Bank: ECD program evaluations in the developing countries, <http://go.worldbank.org/S2GDFHOB0>

### Lightening the burden



*The competent authorities and bodies in each country should promote such public and private action as is possible to lighten the burden deriving from the family responsibilities of workers.*

Recommendation No. 165, Paragraph 32

In their role as providers of essential services, governments can do a lot to alleviate the burden of family responsibilities. Areas in which governments have intervened to facilitate the balance of work and family include:

- adapting school hours to be more convenient to working hours;
- adapting opening hours of government services (postal services, licences, birth certificate registration, etc) to be more compatible with working hours;
- improving the organization of government services (vaccinations, medical visits, paying bills) to reduce time needed off work;
- improving transportation and infrastructure to reduce commuting times for workers;
- improving basic infrastructure (electricity and fuel, piped water) to reduce unpaid work time spent on tasks such as fetching water and firewood;
- facilitating access to products and services that reduce the time spent on household chores.

A number of crises have added to the burdens of unpaid care work and identifying solutions to address these crises is critical. Heavy health burdens have increased unpaid workloads: the spread of HIV and AIDS has led to huge increases in care-giving, for

example, increasing the time spent on fetching water or visiting health clinics, particularly in Africa. A great deal of care has been provided by family members, usually women and often older women.

Land degradation and climate change have also increased the demands of unpaid work. For instance, in rural sub-Saharan Africa, women typically spend from two to six hours per week carrying water from a source within 400 metres of their household. This is expected to worsen as a result of climate change and environmental degradation.

The current economic crisis is resulting in even more tightening of (fiscal) policy space and greater pressure on cutting public expenditures on facilities and services for health, early childhood development, education and sanitation, shifting even more of the burden of providing such needs onto women and girls' time, with adverse effects on child labour, household poverty and overall economic and social development.

Access to usable roads and safe and adequate transportation would enhance women's capacity to engage in paid and productive work. In Africa, women transport head loads of an average of 26 tonne-kilometres a year, compared with less than seven for men. It has been estimated that women account for two-thirds of rural transport in Africa<sup>19</sup> and that head-loading adds 20 per cent to women's travel time.<sup>20</sup> Limited access to roads was found to be strongly correlated with high rates of female mortality and low rates of school enrolment, particularly among girls<sup>21</sup>. Addressing practical gender-related needs in transportation, the delivery of water and sanitation, and educational and health-care services would greatly lighten the burden of unpaid work demands on women and girl-children, thus contributing to gender equality and women's economic and social empowerment (Millennium Development Goal, MDG, 3).<sup>22</sup> For more on the contribution of maternity protection and work-family policies to the MDGs, see **Module 3**.

### Facilitation of re-entry into the labour force



*All measures compatible with national conditions and possibilities, including measures in the field of vocational guidance and training, shall be taken to enable workers with family responsibilities to become and remain integrated in the labour force, as well as to re-enter the labour force after an absence due to those responsibilities.*

Convention No. 156, Article 7

The longer a worker's absence from paid work the more their skills are likely to have deteriorated or need to be updated. Many countries pursue active labour market policies in order to help people back into employment after they have been absent or on leave from the labour force, or to help them return to work after periods of unemployment.

These policies are essential to ensure that family responsibilities do not undermine men and women's possibilities for paid work and to promote broader conditions for equality in both paid and unpaid work. Active labour market policies have a long tradition in countries

<sup>19</sup> C.M. Blackden and C. Bhanu: *Gender, growth and poverty reduction: Special programme of assistance for Africa* (Washington, D.C., World Bank, 1999).

<sup>20</sup> World Bank/FAO/IFAD: *Gender in Agriculture Source Book* (Washington, D.C., World Bank, 2009).

<sup>21</sup> P. Roberts et al.: *Rural access index: Key development indicators* (Washington, D.C., World Bank, 2006).

<sup>22</sup> UN: *2009 World Survey on the Role of Women in Development*, Department of Economic and Social Affairs (New York, 2009).

such as Denmark, Germany and Sweden, and are more or less systematically pursued today in all EU Member States.

Evaluations suggest that these measures are most effective in (re)integrating people into employment when they are part of a package of mutually supportive services, including: remedial education, job training, job search assistance and direct provision of work experience (see **Box 11.11**).

## Box 11.11 Support for women to return to work

**Hungary.** In 2007, the government launched its “Start Plus” programme, encouraging employers to hire people returning from long-term unemployment, including women returning from childcare. An incentive is given to employers in the form of reductions of their social security contributions.

**Sweden.** Between 1999 and 2006, the Swedish government launched a programme to encourage employers to hire persons enrolled in the Public Employment Service for at least 24 months. A cash incentive was given by the government to companies to help to pay the employee’s salary, up to a certain ceiling. Although it had no specific gender orientation, this programme proved to benefit women wishing to return to work but who were unable to do so.

**Switzerland.** The careers advice and training office of the Canton of Geneva has a special programme, *Femme et Emploi* (Women and Employment), which provides counselling and support for women who have been out of the labour market and wish to return to work. The programme helps women to assess their capacities, interests and constraints. Initiatives include additional training or internships in enterprises, as well as help with finding a job.

Sources:

European Commission, 2010, op. cit.

Official site of the Canton of Geneva, Office d’Orientation et de Formation Professionnelle, <http://www.geneve.ch/oofp>

## Information, education and advocacy



*The competent authorities and bodies in each country shall take appropriate measures to promote information and education which engender broader public understanding of the principle of equality of opportunity and treatment for men and women workers and of the problems of workers with family responsibilities, as well as a climate of opinion conducive to overcoming these problems.*

Convention No. 156, Article 6

Governments need to ensure that existing rights are known and they can set the tone for public debate on work–family issues. Various governments publish newsletters, pamphlets, manuals and other material to disseminate information on their work–family legislation and policies and to promote the policy debate. A number of countries have extensive web sites giving information about legislation and workers’ rights and provide guidance both to working parents and employers. In Liechtenstein, the Office for Equal Opportunities created an exhibition presenting information on balancing work and family life, which can be rented by firms to initiate discussions and action on gender equality issues.<sup>23</sup>

<sup>23</sup> European Commission: *European Gender Equality Law Review* (Brussels, 2010b).

Another advocacy and communication strategy is to encourage employers by offering recognition awards for work–family policies. When the awards are well designed and publicized, they give good publicity to firms that are making efforts and provide examples for others. In Hungary, the Ministry of Labour launched a family-friendly employer competition, where small, medium and large companies receive awards at a ceremony with extensive media coverage. In Singapore, the Ministry of Manpower chairs a tripartite committee to present Work–Life Excellence Awards to employers that help employees harmonize work and personal commitments. In Thailand, childcare provisions are among the criteria considered by the ministry of labour when awarding enterprises with good working conditions prizes.<sup>24</sup>

Some governments have created units with specific responsibility for research and advocacy on work–family issues; they have published various types of documents and led public; they awareness-raising campaigns to encourage understanding of the issue and to promote a better sharing of family responsibilities among women and men. In 2004, the Women’s Secretary of Paraguay launched a three-year global campaign entitled “*Women and men, equal in all the realms*”. Against the backdrop of Paraguay’s poverty rate, among the highest in Latin America, and women’s lower labour force participation rate (56.3 per cent) compared to men’s (85 per cent), the campaign had extensive media coverage and aimed at changing historical cultural patterns of discrimination at home as well as at work.

### Promotion of Social Dialogue

Governments have a lead role in promoting tripartite consultation and social dialogue on maternity protection and on work–family issues. Dialogue can be on an ad hoc basis, or within various existing committees, or new committees may be set up to ensure extensive and regular consultation with social partners. It is also important to identify other stakeholders, including those beyond the field of employment, and to consult with them.

#### **Box 11.12** Social dialogue and ratification of Convention No. 156 in Paraguay

Just eight months after members received the draft law, Paraguay’s national parliament approved the adoption of Convention No. 156, thanks to active advocacy from a wide range of national actors. A Tripartite Commission for Equality of Opportunities (*Comisión Tripartita de Igualdad de Oportunidades*) led the process, providing technical assistance while the bill was being drafted and developing a highly effective lobbying strategy. The commission also ran an information and awareness-raising campaign aimed at business and trade union leaders, public opinion and the media, to build support and commitment. Representatives of government, employers and workers and all commission members worked together, partnered across the whole political spectrum and closely monitored parliamentary debate during the ratification process. The senate held a public hearing during which representatives of workers’, employers’ and civil society organizations debated with members of parliament and government authorities about the importance of ratifying the Convention to advance gender equality. The result was a unanimous vote for ratification, followed by the Vice Minister for Employment starting implementation through several different initiatives.

Source: ILO/UNDP, 2009, op. cit.

<sup>24</sup> See C. Hein and N. Cassirer, 2010, op. cit.

## Trade unions

Trade unions have become increasingly involved in promoting the needs of workers with family responsibilities, in particular through collective bargaining. Some of the concrete ways in which trade unions are helping workers with family responsibilities include:

- facilitating the participation of workers with family responsibility in unions activities;
- negotiating measures for work–family reconciliation;
- supporting the exercising of existing rights;
- intervening directly;
- advocating, conducting research and disseminating communications.

## Facilitation of workers' participation in union activities

With the increasing employment of women in most countries, new needs are arising, not only for women workers but also for men, as dual-earner couples with dependants may face challenges on all fronts. Recognizing this trend can be a way of strengthening the trade union movement by showing that trade unions are responding to the pressing needs of workers.

In particular, trade unions have made efforts to ensure the representation of workers with family responsibilities, in particular women, in their committees and activities. This is not always easy since family responsibilities can be a barrier to participation. The “Unions for Women” campaign kit prepared by ICFTU/GUF<sup>25</sup> provides suggestions on ways affiliates can take into account the unequal share of women’s unpaid work in order to facilitate their participation in trade union activities by:

- arranging meetings and activities at times that do not conflict with family responsibilities;
- providing childcare facilities to enable women’s participation in union activities.

In budgets for seminars or training activities, it is standard policy and/or practice for many unions to pay for a carer so that women with young children are not prevented from participating. Such provisions, as well as efforts to hold meetings and events during family-friendly times (e.g. after, rather than during, typical dinner times) are important for encouraging greater participation of women in union activities.

## Negotiation of work–family measures

In many countries, trade unions have negotiated various types of measures to help to reconcile work with family responsibilities. When there are enforcement problems of existing rights, duplicating them in collective agreements can be an important safeguard. This can help to ensure that the provisions are applied and that, in cases of infringement, the affected workers’ rights are defended. Although legislation in virtually all countries provides for maternity leave, improving legislation by increasing its length or its benefits has been one of the more frequent gains through collective bargaining. In collective bargaining, there may sometimes be more scope for non-wage benefits than for wage

<sup>25</sup> ICFTU: *Unions for women campaign kit* (Brussels, ICFTU, 2001).

increases and thus for visible gains by the union. Such gains, for example flexible time arrangements or short leave for a family emergency, can still make a big difference to employees and their ability to reconcile work with family responsibilities, and may be more important to them than a small wage increase.

To negotiate effectively, those involved need to know the problems and preferences of workers and also the good practices used elsewhere. Thus, to support collective bargaining for the development of family-friendly policies, a number of trade unions have produced information materials or toolkits to assist negotiators. For example, the Labor Project for Working Families in the United States has produced a guide for union leaders and negotiating teams to help organize and bargain for work-family issues.<sup>26</sup> In the United Kingdom, both the TUC (Trades Union Congress) and UNISON (the public service union) have produced materials with extensive advice and explanations concerning childcare needs and options.<sup>27</sup> Sometimes, the main stumbling blocks are simply a lack of information on the options available and no clear method for beginning a process of developing family-friendly/work-life balance policies and arrangements.

### Support for exercising existing rights

Ensuring that pro-family legislation and collective bargaining agreements are actually implemented is a key role of trade union organizations, the more so in contexts of weak government control mechanisms. Workers cannot exercise rights that they do not know about and trade unions play an essential role in disseminating this information. Various means can be used to reach workers with this information such as newsletters, information kits, study circles, training of shop stewards and other methods. In some countries, web sites provide new possibilities for reaching workers and their representatives. Vigorous action is often necessary to ensure that workers not only know their rights but are also able to exercise them. Even when they know their rights, without support, workers may hesitate to claim them.

### Direct interventions

There are some cases where trade unions have played a significant role in providing facilities such as childcare to help workers with family responsibilities. Taking advantage of government subsidies as a way of broadening the services provided for members and workers, the NTUC of Singapore, for example, is renowned for the childcare facilities it developed and runs for workers. In Costa Rica, the Trade Union CMTC (*Central del Movimiento de Trabajadores Costarricenses*) started a childcare facility in partnership with its informal workers (see **Box 11.13** for this and more examples).<sup>28</sup>

<sup>26</sup> See the LEARN website, <http://www.learnworkfamily.org/>.

<sup>27</sup> TUC: *Who's looking after the children: A trade union guide to negotiating childcare* (London, 2006).  
UNISON: *Bargaining support guide series (including on childcare, parental leave, time off for dependants, working time and location arrangements)* (London).

<sup>28</sup> N. Cassirer and L. Addati: "Expanding women's employment opportunities: Informal economy workers and the need for childcare", ILO Paper DEPTS-2007-10-0394-2(b) (Geneva, ILO, 2007).

### Box 11.13 Examples of trade union efforts to expand childcare for workers with children

**On-site childcare centres.** It is rare that trade unions set up their own childcare facilities, but examples do exist. In the industrial areas of Nawanahkon and Phra Pradaeng in **Thailand**, unions set up childcare facilities for workers because of the many problems their members, many of whom were migrants, were facing in providing care for their children during working hours. In **Costa Rica**, the CMTC created the *Guardería Solidaridad* for informal workers of San Jose's Central Market, especially young single mothers, mostly Nicaraguan immigrants. With childcare services, mothers could maintain or increase the time spent on paid work, thus improving their families' living standards. Mothers' mental health also benefited, thanks to the knowledge that their children were well cared for. Children's physical (nutrition) and educational (school marks) development also improved, as they were removed from dangerous environments (contamination, traffic, sexual abuse) and protected from the risk of child labour. The centre closed in 2005, when support from national and international organizations ceased. The CMTC emphasized the importance of receiving ongoing assistance from the State and other national institutions to turn this into a permanent service.

**Organizing childcare workers.** In Australia, the Liquor, Hospitality and Miscellaneous Union (LHMU) has worked to develop the skills of the early childhood workforce, to create career paths to reduce turnover, fight for better ratios between caregivers and children, improve working conditions, gain recognition of early childhood professionals' skills and seek financial support for training.

**Raising requests for work–family measures.** A major way in which unions have been involved in improving childcare access for workers is by raising requests to governments and leading and participating in national dialogues on work–family reconciliation, as well as making requests to employers, sometimes as part of a collective bargaining process.

In Thailand, for example, the Women Worker's Unity Group has been asking the government to set up childcare centres in industrial communities, and requesting that state-run day-care centres prolong their opening hours to accommodate the needs of workers. In South Africa, the National Union of Metalworkers of South Africa (NUMSA) approached the motor company BMW regarding on-site childcare facilities which today provide learning centres for children aged from 3–6 years, as well as emergency back-up care and care during school holidays.

**Funds for care.** The Hotel Employees and Restaurant Employees (HERE) Union Local 2 in the United States negotiated for a Child and Elder Care Fund with the San Francisco Union Hotels. Through employer contributions, the Fund offers support to workers for care expenses; a labour–management committee oversees the design of the programme to suit the needs of the hotel workers.

Sources:

C. Hein and N. Cassirer, 2010, op. cit.

N. Cassirer and L. Addati, 2007, op. cit.

### Advocacy, research and communication: Placing the issue on the agenda

A major role of trade unions is to advocate improvements in national legislation and policies that affect workers' well-being. Trade unions can lobby governments for improvements in legislation concerning working time provisions, leave policies, care services, family benefits and so on. At the national level, trade unions are often involved in various committees dealing not only with labour issues but also socio-economic policy. In these committees, they can play an important role in getting work–family issues on the agenda and taken into account.

In Thailand, for example, the Women Workers' Unity Group (WWUG) has worked to pressure the government to set up childcare centres in industrial communities and to prolong the opening hours of state-run day care programmes to accommodate the needs of workers. In Ireland, Services Industrial Professional and Technical Union (SIPTU) has undertaken research on the possibilities for further developing workplace childcare and has published its views on the directions it thinks childcare policy should be taken.<sup>29</sup>

### Employers' organizations<sup>30</sup>

In a context of growing commitment to gender equality in the workplace, employers can make major contributions and obtain substantial benefits, especially if they adopt a proactive focus.<sup>31</sup> The voluntary adoption of principles and measures on gender equality (for example codes of best practice) has become widespread, with good results. When employers also act through their organizations, they often influence reforms in ways beneficial to themselves and society at large. A growing number of employers have developed guidelines and toolkits to help member companies develop plans for ensuring equal opportunities.<sup>32</sup> Within such plans, there is considerable potential for supporting gender equality through family-friendly policies.

The most immediate reason for employers and their organizations to act collectively and take action on gender equality relates to the growing case of the benefits of gender equality, both for employers and for national economic performance as a whole (for more information see **Module 4**). The International Organisation of Employers (IOE) has stressed the importance of such policies for supporting the inclusion of women in the workplace.<sup>33</sup> Leadership is still required to raise awareness among the members of employers' organizations, both lower-level federations and individual employers, of the importance of adopting a more proactive approach to gender equality and the benefits of such an approach.

Some of the concrete ways in which employers' organizations are helping workers with family responsibilities include:

- engaging in discussions on legislation and policies;
- providing information, training and direct assistance to members;
- setting up women's committees or other bodies within employers' organizations.

### Engaging in discussions on legislation and policies

It is vital for employers' organizations to make their voices heard and to represent the views of their members in national debates, as governments around the world are taking or considering taking action on work-family policies, often through legislation. The Swiss employers' organization (*Union Patronale Suisse*) for example, developed a position paper for the government, which called on it to meet workers' and employers' needs for family

<sup>29</sup> See C. Hein and N. Cassirer, 2010, op. cit.

<sup>30</sup> This section is partly drawn from ILO: *Employers' organizations taking the lead on gender equality. Case studies from 10 countries*, ACT/EMP No. 43 (Geneva, 2008).

<sup>31</sup> ILO: *Employers' organizations taking the lead on gender equality: Case studies from 10 countries*, ACT/EMP No. 43 (Geneva, ILO, 2008).

<sup>32</sup> ILO, 2007, op. cit.

<sup>33</sup> IOE: *Trends in the Workplace Survey 2008: Enterprises in a globalizing world* (Geneva, 2008).

services by making school hours more compatible with working parents' hours and by providing after school programmes.<sup>34</sup>

An integral part of advocacy by employers' organizations on gender issues is for them to ensure that they are members of any permanent or ad hoc national bodies set up on gender and equality matters, to be active in the work of these bodies and even, where such bodies do not yet exist, to promote their establishment. In New Zealand for example, the employers' organization, in a joint initiative with the government, established the Equal Opportunities Trust, which deals with equality issues in employment, including maternity and work–family policies.

### Information, training and direct assistance for members

A number of employers' organizations have been active in gathering information, conducting surveys and studies of gender issues, including work–family issues, disseminating information and raising the awareness of employers. For example, the Employers' Confederation of the Philippines (ECOP) has carried out research and compiled best practices on work–life initiatives in selected firms, as a means to share good practices and inspire leadership and innovation on work–family issues among its members.

Employers' organizations can also provide direct assistance and services to their members for the development of work–family policies and measures, which may consist of policy advice, the production of guidance materials, training and support. The Equal Employment Opportunity Trust Employers' Group in New Zealand, for example, provides its members with a wide range of research, tools, and recognition for workplace practices and initiatives on work–life balance, including its annual Work & Life Best Practice Awards. In Singapore, the Employer Alliance is a network of corporations working to enhance work–life integration by helping and supporting organizations committed to work–life strategies. The Swiss employers' organization has provided its members with information on laws and on workplace work–family initiatives and has promoted collective bargaining as an effective means to address the work–family needs of workers and employers.<sup>35</sup>

### Setting up women's committees

Some employers' organizations have set up specific gender equality or women's committees or similar bodies, to promote the inclusion of women members on existing committees and boards, to appoint staff members responsible for gender equality matters, and to try to set an example by becoming gender-responsive, equal opportunity employers in their own right. It is often through special desks or committees on gender that work–family balance concerns are placed directly on the work agendas of employers' organizations.

### Enterprises

Workplace measures are critical for assisting workers to reconcile work and family responsibilities. Worldwide, various actors are watching how companies may outperform basic legal requirements to improve performance and thus boost productivity. Such measures help to retain talented employees, improve continuity and motivation, and ultimately strengthen the competitiveness and performance of the enterprise. In Latin

<sup>34</sup> See C. Hein, and N. Cassirer, 2010, op. cit.

<sup>35</sup> These examples can be found in C.Hein and Cassirer, 2010, op. cit.

America, where companies are just starting to take such measures, several multinationals have pioneered the use of measures that go beyond current legal requirements. While all companies face the same challenges, large enterprises have led the way, outperforming the small- and medium-sized businesses which are most common in the region.

At the workplace, there are many positive options for addressing the needs of the enterprise and the needs of workers for policies and measures that reduce conflict between work and family. There are also many excellent tools and resources for assisting enterprises to identify and implement such policies and measures.<sup>36</sup> Family-friendly measures can include:

- **working hours arrangements** (flexible working hours, part-time work, job-sharing, telecommuting);
- **statutory and non-statutory leave arrangements** (for family emergencies, maternity, parental care, illness of family members);
- **child- and elder-care** (workplace nurseries or subsidies for child care, breastfeeding facilities, workplace support for employees taking care of a family member, telephone to use for family reasons, participation in government dependent care subsidy programmes, see **Box 11.14**);
- **relevant information and training** (information kits, information on policies, contact during leave, courses and workshops).

#### **Box 11.14**      **Examples of employer efforts to expand childcare for workers with children**

**A children's space at the workplace.** Following an informal discussion, SP Consulting International Pte Ltd in Singapore, which has eight employees, chose to convert office space into a family room, allowing staff to bring their young children to the office when home care is not available. Older children can also use the room for before- or after-school activities, where parents can supervise their homework.

**On-site childcare for workers.** In Kenya, Socfinaf Co. Ltd, which grows coffee, has established on-site childcare centres (for children from three months to three years old) and nursery schools (for four to six-year-olds).

**Reserving childcare spots for workers.** In the Philippines, Indo Phil Textile Manufacturing arranged with a local childcare centre for employees, particularly those on the night shift, to drop off children and provided fee subsidies.

**Assistance for workers with childcare, school holiday activities.** In Bangalore, India, Baharat Heavey Electrical Ltd. provides crèche services for workers with young children, and makes arrangements for older children to participate in sports activities during school holidays through a partnership with the Sports Authority of India.

**Subsidies for childcare.** Aguas Andinas SA, a water supply company in Chile, offers eligible workers a childcare subsidy to offset the costs of childcare for children up to five-years- old. The childcare payment scheme is the result of collective negotiations between the employer and the union.

Source: C. Hein and N. Cassirer, 2010, op. cit.

<sup>36</sup> In particular, see the ILO *Training Package on Work and Family* for Employers: <http://www.ilo.org/public/english/dialogue/actemp/whatwedo/projects/diversity.htm> and "Family-friendly measures", Module 5, in the ILO Work Improvements for Small Enterprises (WISE+) package: [http://www.ilo.org/travail/whatwedo/instructionmaterials/lang—en/WCMS\\_121229/index.htm](http://www.ilo.org/travail/whatwedo/instructionmaterials/lang—en/WCMS_121229/index.htm).

In addition to policies and measures that can be introduced at the workplace and directly regulated by the enterprise, many enterprises have found innovative ways to address the need for care services by engaging in partnerships with a range of different actors such as government agencies, private service providers, and NGOs.<sup>37</sup> Many family-friendly measures have low costs and can be highly cost effective if implemented according to need. Some general principles for getting started include:

- demonstrating management commitment and support, including setting examples for workers;
- surveying business needs;
- surveying the workforce to find out what the needs are;
- identifying and obtaining general agreement on the aim of family-friendly programmes and measures;
- engaging employees at an early stage in the process and listening to their views;
- collaborating with trade unions to develop and implement family-friendly policies;
- demonstrating or documenting both business and employee benefits;
- including a long-term perspective when weighing benefits against costs for implementation;
- providing relevant information so that everyone can take part in developing and implementing the policies;
- clarifying and agreeing eligibility criteria for accessing specific work–family measures;
- establishing channels for open and ongoing communication;
- ensuring that top management sets the example;
- providing support and relevant training to managers throughout the organization.

For more resources and tools for enterprises, see the ILO ACT/EMP Training Package on Work and Family in **Key resources**.

## Civil society

Civil society and its many organizations, especially women’s rights organizations, play an important role in eliminating discrimination and promoting gender equality. In many countries there are also growing numbers of groups of men who support gender equality and work to stop violence against women or other threats to women’s rights. Recently, there have been greater efforts to insert work–family reconciliation in the public debate, on the policy agenda, and in programmes worldwide. For example, the perspectives, studies and efforts of civil society organizations from around the world were brought together at the 2009 Commission of the Status of Women’s Session on the theme of “The equal sharing of responsibilities between women and men, including care-giving in the context of HIV/AIDS” which culminated in a set of international recommendations for moving forward.<sup>38</sup>

Organizations that address women’s needs (as well as those addressing the care needs of infants, the elderly, people living with HIV and AIDS and people with disabilities, and those

<sup>37</sup> For examples of workplace solutions and private–public partnerships for childcare from around the world, see C. Hein and N. Cassirer, 2010, op. cit.

<sup>38</sup> UN: *Report on the 53rd Session of the Commission on the Status of Women*, Economic and Social Council, 2-13 Mar. 2009.

that in general promote human development for different groups within society) can bring the issue into the public eye by placing it high on their own and others' agendas. One challenge is to connect the efforts of different agents and organizations to both underline the importance of this issue in the public agenda and demand and monitor compliance with policies and conventions. These organizations also have a role to play in finding solutions that are more collective in nature and can build alliances with government, private firms and unions.

## Key points

- ➔ Once women return to work after work interruption around childbirth or maternity leave, policies and measures that support parents in reconciling paid work and family are vital for children's health and development, and bring broader benefits to families, business and society.
- ➔ Family responsibilities have intensified due to increased women's participation in paid work; the weakening of informal family supports; the growth in single-parent (mostly single mother) households, ageing populations, disease burdens (e.g. HIV and AIDS) migrations or other social and economic factors, including the economic, job and environmental crises.
- ➔ The ILO Convention on Workers with Family Responsibilities, 1981 (No.156) provides guidance on policies and measures to promote work–family balance.
- ➔ Existing public policies, programmes and services are rarely adequate to meet workers' and employers' needs for dependant care even in many industrialized countries; in developing countries the problems and challenges are even greater. However, there is growing recognition of the problems that workers are facing.
- ➔ Policies should be designed in integrated and gender-responsive ways, addressing both workers' and employers' needs. Gender inequalities in paid and unpaid work are perpetuated by the lack of work–family policies in general and by the fact that some policies are based on gendered assumptions about men's and women's roles.
- ➔ The development of affordable, reliable and quality childcare services and facilities has been broadly recognized among the most cost-effective and gender-responsive solutions to support the needs of workers with family responsibilities.
- ➔ Governments have the key responsibility to carefully design and implement work–family laws and policies with explicit gender equality objectives.
- ➔ Social partners are increasingly involved in promoting the needs of workers with family responsibilities, in particular, through collective bargaining and work–family workplace measures, which are beneficial to both workers and businesses.
- ➔ Effective responses to work-family conflict often involve partnerships across a wide array of stakeholders at national and local levels. Governments, workers, and employers, together with civil society, have considerable opportunities to build such alliances and find collective solutions to the need for work-family reconciliation policies.

## Key resources



### **C. Hein and N. Cassirer: Workplace solutions for childcare (Geneva, ILO, 2010).**

This book contains information and policy advice on solutions for women to reconcile childcare and work obligations. It provides an overview of good practices in many countries throughout the world, in the public and private sectors. Its recommendations can be the key in balancing work and family, as well as paid and unpaid work, particularly in the care sector.

Available at:

[http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms\\_110397.pdf](http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_110397.pdf)



### **E. Esplen: Gender and care overview report, BRIDGE Institute of Development Studies (Sussex, BRIDGE, 2009).**

This report, which was written under the supervision of the University of Sussex's BRIDGE Institute of Development Studies, analyses key elements of the relationship between gender and care. It provides a practical perspective with an overview of key international law instruments. It also contains an in-depth study of certain policies that can help with balancing paid and unpaid work in the care sector, with a particular focus on gender issues.

Available at: [http://www.bridge.ids.ac.uk/reports/CEP\\_Care\\_SRC.pdf](http://www.bridge.ids.ac.uk/reports/CEP_Care_SRC.pdf)



### **ILO/UNDP: Work and family: Towards new forms of reconciliation with social co-responsibility (Santiago, 2009).**

This book contains extensive explanations on the importance of work and family reconciliation policies, as well as an overview of the implementation of such policies in Latin America. It includes information on the informal economy and balancing paid and unpaid work.

Available at: [http://www.undp.org/publications/pdf/undp\\_ilo.pdf](http://www.undp.org/publications/pdf/undp_ilo.pdf)



### **ILO: Expanding women's employment opportunities: Informal economy workers and the need for childcare, Conditions of Work and Employment Programme (Geneva).**

Childcare plays an essential role in supporting the employment of workers, and particularly women who continue to carry the primary responsibility for childcare in most societies. The lack of childcare support undermines women's employment and steers women into the poorly paid, poorly protected informal economy. To address the gender dimension of informality, policy responses, programmes and projects need to recognize that providing childcare is a basic necessity for expanding women's employment opportunities and enabling them to shift from informal economy activity to formal economic activity. The paper explores good practices on supporting the childcare needs of informal workers through a series of well documented examples from Africa, Asia and Latin America.

Available at:

[http://www.ilo.org/travail/whatwedo/publications/lang—en/docName—WCMS\\_145652/index.htm](http://www.ilo.org/travail/whatwedo/publications/lang—en/docName—WCMS_145652/index.htm)

**C. Hein: Reconciling work and family: Practical ideas from global experience (Geneva, ILO, 2005).**

This book contains an extensive overview of policies for work and family reconciliation. It covers different policy ideas and their advantages, and gives many examples from around the world. It also gives a detailed explanation of the importance of proper work and family arrangements and how these arrangements can be implemented. It includes key recommendations on balancing paid and unpaid work.

Available at: [http://www.ilo.org/public/libdoc/ilo/2005/105B09\\_142\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2005/105B09_142_engl.pdf)

**ILO: "Family-friendly measures", in Wise-R Action Manual, Module 5 (Geneva, 2009).**

Work Improvement in Small Enterprises (WISE) is a training methodology specifically designed to improve working conditions and productivity in small-and medium-sized enterprises around the world. The Wise-R Action Manual Module 5, released in 2009, contains specific recommendations and a comprehensive methodology for these enterprises to implement family-friendly measures that protect the health and safety of pregnant women while addressing concerns about productivity.

Available at:

[http://www.ilo.org/travail/whatwedo/instructionmaterials/lang—en/docName—WCMS\\_145380/index.htm](http://www.ilo.org/travail/whatwedo/instructionmaterials/lang—en/docName—WCMS_145380/index.htm)

**ILO: Policy resource guide on the informal economy: Facilitating transition to formality (Geneva, forthcoming).**

This resource is framed within the ILO's mandate and vision on the informal economy and is aimed at policy-makers. It provides for the first time in a single package many of the key elements of an integrated strategy to support the transition to formalization of the informal economy. There are 28 briefs within the policy guide, each of which synthesizes current debates, policy challenges and policy breakthrough in a range of technical areas cutting across the Decent Work agenda and relating to the transition to formalization. Each brief is divided into three sections: (i) Key Challenges; (ii) Emerging Policy response and good practices from around the world; and (iii) Tools and Resources, which can enable the policy maker or social partner to delve deeper into the issue.

**ILO: Training Package on Work and Family for Employers (Geneva, 2008).**

This package is designed primarily as a training package, but with its easy-to-use structure, it can also be used for self-study or for reference on work and family issues at the workplace. It contains a wide range of information, activities, examples of good practices and other resources to guide action and initiatives on work and family. The training package aims to illustrate, describe and assist in the development of work and family initiatives, and show how they can become enterprise policies, while at the same time, also be an integral and compatible part of competitive and productive enterprise management.

Available at:

<http://www.ilo.org/public/english/dialogue/actemp/whatwedo/projects/diversity.htm>



## **ILO Convention on Workers with Family Responsibilities, 1981 (No. 156) and its Recommendation, 1981 (No. 165)**

Available at: <http://www.ilo.org/ilolex/english/index.htm>



## **ILO Convention on Part-Time Work, 1994 (No. 175)**

Available at: <http://www.ilo.org/ilolex/english/index.htm>



## **ILO Conditions of Work and Employment Programme (TRAVAIL) – Working Time**

The Conditions of Work and Employment programme of the ILO has conducted substantial research with a specific focus on working time throughout the world. It provides a complete and up-to-date database of working time legislation worldwide, with policy advice on working time arrangements. Its publications address concerns of simultaneously employers, workers and governments and provide comprehensive and effective solutions.

Available at:

[http://www.ilo.org/travail/areasofwork/lang—en/WCMS\\_DOC\\_TRA\\_ARE\\_TIM\\_EN/index.htm](http://www.ilo.org/travail/areasofwork/lang—en/WCMS_DOC_TRA_ARE_TIM_EN/index.htm)



## **ILO Conditions of Work and Employment Programme (TRAVAIL) – Work and Family**

The Conditions of Work and Employment programme of the ILO focuses on several particular issues, one of which is work and family reconciliation. It has published a substantial amount of research alongside an overview of policies throughout the world. Its publications contain policy advice as well as extensive explanations of the importance of work and family balance. Publications are addressed to governments as well as employers and trade unions, and can all be found on the website.

Available at:

[http://www.ilo.org/travail/areasofwork/lang—en/WCMS\\_DOC\\_TRA\\_ARE\\_FAM\\_EN/index.htm](http://www.ilo.org/travail/areasofwork/lang—en/WCMS_DOC_TRA_ARE_FAM_EN/index.htm)



## **The Equal Employment Opportunities Trust, New Zealand**

The Equal Employment Opportunities (EEO) Trust focuses on providing a pathway between employers and workers in New Zealand. It encourages diversity and gender balance, and touches upon all aspects of employment, from recruitment to benefits and working conditions. The EEO Trust has played an important role in helping to balance paid and unpaid work in New Zealand, namely by helping informal workers to integrate into the formal economy, and to help non-paid workers to receive remuneration. More information on their actions can be found on their website.

Available at: <http://www.eeotrust.org.nz/>



## **The Labour Project for Working Families: A job and a life: Organizing and bargaining for work–family issues**

The Labour Education and Research Network (LEARN) is a network that provides mainly trade unions with information on bargaining techniques to obtain social benefits for workers. Recently it published a training manual specifically on work and family issues, available via their website. Mainly focused on the United States, it does however provide strategies that can be efficient in many countries and on many levels.

Available at: <http://www.learnworkfamily.org/>

## Resource and tool sheets

### Resource Sheet 11.1: Measures to promote work–family reconciliation (group exercise)

This exercise uses the Visualization in Participatory Programmes (VIPPP) method<sup>39</sup> to promote group participation and discussion on prioritizing concerns about work–family conflict in a national/local/workplace context and thinking about the various work–family balance instruments that might be useful in addressing those concerns.

#### *You will need:*

- A number of blank index cards or pieces of paper that can be pinned and moved on a board (two different sizes/colours can be useful).
- Cut-outs of blue circles with multiple copies of each outer circle in Figure 11.1 that can be pinned and moved on a board.
- A board/cork board for pinning or sticking notes.
- Pins or tape.
- Pens (heavy point so text is visible for all participants).



Depending on the size of the group, you may want to split into smaller groups (approximately 5 to 8 people per group) after Step 1, assigning each group to work on one of the key challenges in Step 1.



**1¼ to 2 hours**, depending on size and number of groups.

### Step 1

Ask the group to brainstorm key challenges facing businesses and workers in reconciling paid work and unpaid care work. For example, these might include:

- Childcare and education for pre-school children.
- Caring for sick children or children with disabilities.
- Coping with family emergencies, e.g. a sick child or relative.
- Long commutes between work/home/schools (including migration for work).
- Care for school-age children before/after school and on holidays.
- Lengthy waits/commutes for public services, e.g. medical visits, vaccinations, paying bills, etc.
- Intensive requirements for basic needs, e.g. collecting water, wood, using energy, etc.
- Lack of knowledge/understanding of the situation.

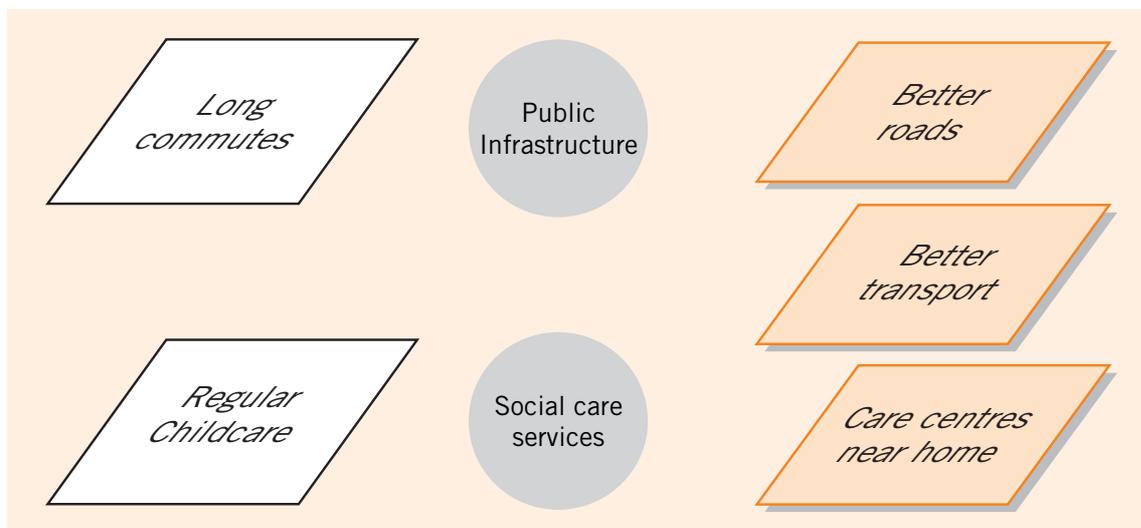
<sup>39</sup> See **Module 15** for more on this type of training method.

Using the blank index cards, write each key challenge on one index card. Place the index cards along the left hand side of the board.

## Step 2

Ask the group to place blue circles to the right of each challenge, indicating types of measures that might be useful. For each type of measure (blue circle) the group will brainstorm specific interventions that could be developed/improved/extended in order to address the key challenge. Ask the group to write down each specific intervention on an index card and pin them on the right hand side of the board next to the blue circles.

The board will look like this:



## Step 3:

If separate groups worked on Step 2, bring the groups back together to present their group work. Continue the exercise with discussion questions such as the following:

- What **key goals** would each of the measures/interventions achieve (e.g. better access to employment for women/girls/minorities/poor families/other groups? Better access to school/education? Greater reliability/less turnover and absenteeism for businesses? Less work–family conflict for individual workers? Gender equality etc?).
- Who are the **key actors** that would need to act for each measure/intervention?

This exercise can also be continued by using SWOT and PESTLE analyses, and action planning tools to prioritize and plan future action (see **Module 15**).

## Visual presentation model

### SLIDE 1: Key contents

Mod.  
**11**
Beyond maternity and back to work: Coping with childcare

### Key contents

Responsibilities for the care of children do not end with maternity leave, and policies and measures that enable parents to provide the unpaid care that their children require after mothers go back to work are vital

This module addresses the need for policies and measures that can support the care of children after maternity leave when women return to work. It covers:

- Main challenges in coping with childcare upon return to work
- Definitions of family responsibilities and unpaid care work  
International frameworks and instruments for addressing work–family reconciliation
- Laws and policies promoting gender equality in the division of paid work and unpaid care work
- Discussion of the main measures for supporting work–family reconciliation
- Roles and responsibilities of the main stakeholders


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### SLIDE 2: “Family responsibilities” and unpaid care work

Mod.  
**11**
Beyond maternity and back to work: Coping with childcare

### “Family responsibilities” and unpaid care work

“Family responsibilities” refer specifically to responsibilities in relation to dependant children and other members of the immediate family who clearly need their care or support

Reconciling paid work and family responsibilities is a major concern for many of the world’s adults wherever they live. For many, unpaid care work has intensified with:

- changes in families
  - more single-parents, especially single-mother households
  - fewer extended family households
- migration
- ageing of society
- growing disease burdens


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SLIDE 3: International labour standards (1)

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### International labour standards (1)

 C156: Workers with Family Responsibilities, 1981 and Recommendation No. 165 with a view to creating effective equality of opportunity and treatment, call for member States to:

Make it an aim of national policy to enable workers with family responsibilities to engage in employment **without discrimination** and, to the extent possible, without conflict between their work and family responsibilities

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SLIDE 4: International labour standards (2)

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### International labour standards (2)

**Types of Measures for Promoting Work–Family Reconciliation**

Measures to promote work–family reconciliation include:

- Leave policies which allow workers to be absent from paid work for caring responsibilities, working time arrangements that enable working hours to be compatible with family responsibilities
- Work schedules that provide workers with more control to organize their own hours
- Childcare services that are reliable and affordable that enable workers to ensure care for their children during working hours
- Others (family benefits, measures to lighten unpaid care work, etc)

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**SLIDE 5: Family-friendly and gender equality**

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### Family-friendly and gender equality

In most societies, unpaid care work is shouldered primarily by women, affecting their labour market opportunities and outcomes

Gender inequalities in paid and unpaid work are perpetuated by the lack of work–family policies in general

Some policies or measures are based on gendered assumptions about men’s and women’s roles and are targeted to women only

Public policies and workplace measures to reconcile work and family should support both women and men

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**SLIDE 6: Leave arrangements (1)**

Mod. **11** Beyond maternity and back to work: Coping with childcare

### Leave arrangements (1)

Leave arrangements can help to reconcile work and family. There are several types of leave that can be useful for different purposes

- ⇒ **Maternity Leave** – for childbirth
- ⇒ **Paternity leave** – for fathers at childbirth 2 paid days in Argentina; 7 in Brazil; 7 in the Philippines; 14 in Estonia
- ⇒ **Parental leave** – provision for extended leave (often after maternity leave) for caring for a young child, often unpaid or low pay
  - Fathers and mothers
  - Most effective when there is flexibility: part time
  - Take up rates tend to be high among women
  - Use it or lose it for men

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## SLIDE 7: Leave arrangements (2)

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### Leave arrangements (2)

- Provisions to provide for short emergency leave; some with wide definitions of emergency, others for more specific events or certain family responsibilities
- These can be found in national legislation, collective agreements, or workplace policies



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## SLIDE 8: Working time (1)

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### Working time (1)

 Working time measures should aim at:

- Reduction of daily hours of work and of overtime
- More flexible arrangements for working schedules, rest periods and holidays

*Recommendation No. 165, Paragraph 18*



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**SLIDE 9: Working time (2)**

Mod.  
11
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### Working time (2)

“Family-unfriendly” working hours:

**Problems of legal limits and actual hours**

- ➔ Negative impacts on workers’ health: More than 48 hours per week may be a significant stress factor
- ➔ Negative impacts on family life
- ➔ May intensify gender division of labour
- ➔ Frequent “forced” overtime should be avoided
- ➔ Problems of overtime payment not being made – importance of knowing ahead

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**SLIDE 10: Care arrangements (1)**

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### Care arrangements (1)

*All measures shall be taken to develop or promote community services, public or private such as childcare and family services and facilities*

Convention No. 156, Article 5(b)

*Childcare is crucially important for women to achieve true equality of opportunity*

*Equal Opportunities Commission, United Kingdom*

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## SLIDE 11: Care arrangements (2)

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### Care arrangements (2)

Types of formal child care for under-school age children:

- Group care in centre – crèches, nurseries, run by individuals, groups, local communities for profit or non-profit basis
- Paid and licensed childminders (day mothers) based in their own home (e.g. France, Peru, Singapore)
- Paid care in home (e.g. nanny, au pair)



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## SLIDE 12: Care arrangements (3)

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### Care arrangements (3)

 Policy approach towards family services:

- **Coverage:** availability for all age groups at the local level
- **Flexibility:** suitability with parents' working needs (duration, opening hours, location)
- **Affordability:** Parents' cost-sharing in accordance with their contribution ability
- **Quality:** compliance with national standard and supervision by competent authorities; decent working conditions of staff

*Recommendation No. 165, Paragraph 5*

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**SLIDE 13: What the stakeholders can do (1): Governments**

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### What the stakeholders can do (1): Governments

Measures to promote work–family reconciliation which fall mainly within the direct means of action of governments include the following:

- Ratifying ILO Conventions
- Policy research and research supporting promotional efforts
- Labour legislation and social security benefits related to leave and working time
- Strategies for promoting care facilities
- Measures to lighten the burden of family responsibilities
- Facilitating re-entry into employment after leave
- Communication and information to explain measures and encourage change
- Promoting social dialogue

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**SLIDE 14: What the stakeholders can do (2): Trade unions**

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### What the stakeholders can do (2): Trade unions

Measures to promote work–family reconciliation which can be undertaken by trade unions include:

- Facilitating participation of workers with family responsibilities in trade union activities
- Negotiating measures for work–family reconciliation
- Support for exercising existing rights
- Direct interventions
- Advocacy, research and communication

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## SLIDE 15: What the stakeholders can do (3): Employers' organizations

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### What the stakeholders can do (3): Employers' organizations

A growing number of employers develop plans to support gender equality at the workplace

Employers' organizations can act in the following ways, in promoting work–family reconciliation:

- Becoming engaged in discussions regarding legislation and policies
- Providing tools, services and information
- Setting up women's committees or other such bodies within their organizations

At the enterprise level, employers can get involved by promoting family-friendly measures. These include:

- Working hours arrangements
- Statutory and non-statutory leave arrangements
- Child and elder-care
- Relevant information and training

Many employers have found innovative ways to reconcile work and family by engaging in partnerships with a variety of actors

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## SLIDE 16: What the stakeholders can do (4): Civil society

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### What the stakeholders can do (4): Civil society

Civil society and its many organizations, especially women's organizations, has played an important role in eliminating discrimination and promoting gender equality

Many organizations can play a role in bringing issues to the public eye. These organizations include:

- Women's organizations
- Organizations addressing the care needs of infants, the elderly, people living with HIV/AIDS and people with disabilities
- Organizations that, in general, promote human development for different groups within society

These organizations also have a role to play in finding solutions that are more collective in nature and build alliances with government, private firms and unions

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**SLIDE 17: Key points**

Mod.  
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**Beyond maternity and back to work: Coping with childcare**

### Key points

- Once women return to work after work interruption around childbirth or maternity leave, policies and measures that support parents in reconciling paid work and family are vital for children's health and development, and bring broader benefits to families, business and society.
- Family responsibilities have intensified due to increased women's participation in paid work; the weakening of informal family supports; the growth in single-parent (mostly single mother) households, ageing populations, disease burdens (e.g. HIV and AIDS) migrations or other social and economic factors, including the economic, job and environmental crises.
- The ILO Convention on Workers with Family Responsibilities, 1981 (No. 156) provides guidance on policies and measures to promote work–family balance.
- Existing public policies, programmes and services are rarely adequate to meet workers' and employers' needs for dependant care even in many industrialized countries; in developing countries the problems and challenges are even greater. However, there is growing recognition of the problems that workers are facing.
- Policies should be designed in integrated and gender-responsive ways, addressing both workers' and employers' needs. Gender inequalities in paid and unpaid work are perpetuated by the lack of work–family policies in general and by the fact that some policies are based on gendered assumptions about men's and women's roles.
- The development of affordable, reliable and quality childcare services and facilities has been broadly recognized among the most cost-effective and gender-responsive solutions to support the needs of workers with family responsibilities.
- Governments have the key responsibility to carefully design and implement work–family laws and policies with explicit gender equality objectives.
- Social partners are increasingly involved in promoting the needs of workers with family responsibilities, in particular, through collective bargaining and work–family workplace measures, which are beneficial to both workers and businesses.
- Effective responses to work–family conflict often involve partnerships across a wide array of stakeholders at national and local levels. Governments, workers, and employers, together with civil society, have considerable opportunities to build such alliances and find collective solutions to the need for work– family reconciliation policies.



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- **Part 1: Maternity Protection at work: The basics**
- **Part 2: Maternity Protection at work in depth: The core elements**
- **Part 3: Taking action on Maternity Protection at work**



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ISBN: 978-92-2-125487-4

