Reconciling work and family responsibilities

Practical ideas from global experience

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Catherine Hein

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Preface

Conflict between work and family responsibilities has become a burning social and political issue in many countries during the latter part of the twentieth century. A major response of the international community to the policy challenge occurred in 1981 when the International Labour Organization (ILO) adopted the Workers with Family Responsibilities Convention (No. 156). Family responsibilities were already addressed by the basic ILO standards concerning maternity protection and hours of work adopted in 1919. However, Convention No. 156 took a much broader perspective, seeking to combat the labour market discrimination resulting from family responsibilities and to promote policies to reduce work–family conflict.

Since 1981, families where both members of the couple work outside the home have become increasingly common, as have single parent families. The struggle to earn a decent living for the family while ensuring care for dependants is often posing insurmountable problems. Low-income families are particularly affected since incompatibilities between work and family responsibilities add to their difficulties and decrease their chances of being able to work their way out of poverty.

In order to mark the tenth anniversary of the Year of the Family in 2004 and to promote measures for reconciling work and family, the ILO has used this occasion to look at and synthesize the experience of governments, employers and trade unions in various countries. By presenting practical examples, it is hoped that this book provides useful ideas on measures that can be taken by governments, employers' and workers' organizations as well as concerned civil society organizations.

As noted in the Report of the Director-General of the ILO on the World Commission on the Social Dimension of Globalization (ILO, 2004a, p. 5), "the livelihoods of many families throughout the world are under serious stress and social policies must respond to their needs and aspirations, and to changes in gender roles and responsibilities." The problem of reconciling work and family is one area where social policies have often been slow to take into account new needs of families and changing gender roles. It is hoped that this book will contribute to greater awareness of the problem and increased action to address it.

Assane Diop, Executive Director, Social Protection Sector François Eyraud, Director, Conditions of Work and Employment Programme, Social Protection Sector

Contents

Pref	ace
Con	tents
Ack	nowledgements
Wor	k-family reconciliation: The policy challenge
1.1	International labour standards
1.2	Origins of the problem
	The separation of home and workplace
	Increasing labour force participation of women
	Declining availability of family assistance
	Increasing care needs of the elderly
	Increasing pressures of work and long working hours
	Increasing travel time
	HIV/AIDS increases stress
1.3	Difficulties faced by workers and their families
	Organizing family schedules
	Coping with emergencies
	Coping with longer care periods
1.4	
	6 · · · ·
Wh	y governments and social partners are intervening
2.1	Differing visions of the role of government
2.2	The social and economic costs of non-intervention
	Sub-optimal family solutions for care
	Under-utilization of women's education and skills
	Economic vulnerability of women and families
	Increasing inequalities
	Health costs
	Low fertility in industrialized countries
2.3	Why employers are becoming more family friendly
	Addressing problems at the workplace
	The "business case": A win-win situation
	Con Ack Wor 1.1 1.2 1.3 1.4 Why 2.1

Reconciling work and family responsibilities: Practical ideas from global experience

	2.4	Why trade unions are becoming more involved	29 29 30 32
3.	Ove	erview of national policies and measures	33
	3.1	A framework	33
		Establishing routines	35
		Coping with major events	35
		Coping with emergencies	35
		Coherence between measures	36
	3.2	Measures under the primary responsibility of governments	37
		Research	38 39
		Measures encouraging care services	42
		Lightening the burden	46
		Facilitating re-entry into the labour force	49
		Communication and information	49
	3.3	Promoting change through advocacy and tripartite participation	50
		Government advocacy	51
		Employer advocacy	54
		Trade union advocacy	54
		Expanded dialogue	56
	3.4	Work–family measures and the objective of gender equality	57
		A factor in inequality	57
		Challenging the models of female carer and male ideal worker	59
4.	Poli	cies and practices at the workplace	61
	4.1	Policies for a family-friendly workplace	61
		Family-friendly is more than women-friendly	62
		Family-friendly policies as part of broader policies	62
		Creating a family-friendly organizational culture	63
	4.2	The process for introducing family-friendly practices	64
		Needs assessment	64
		Designing the programme	66
		Implementation	69 69
		Special problems of small enterprises and organizations	70
	4.3		71
	4.3	Factors promoting success	71
		Consultation	73
		Commitment	73
5.	Car	e arrangements	75
	5.1	Informal care	75
	5.2	Household employees	76
	٥.2	The demand for household employees	77
		The supply of household employees	78
	5.3	Services for children before compulsory school age	79

Contents

		Use of formal childcare outside the family home	79
		Childcare and child development	80
		Types of facilities	81
		Employer involvement	85
		Quality and cost	87
	5.4	School-age services	88
	5.5	Care services for the elderly	90
		Problems specific to elder care	91
		Care for the elderly	91
		Employer and trade union initiatives	95
	5.6	Care services for the sick and disabled	96
		Short temporary illness	96
		Long-term sick and disabled	97
	5.7	The need for a tailor-made approach and closeness	97
	5.8	The working conditions of careworkers and domestic workers	99
		Careworkers	99
		Domestic workers	101
_	Loo	ro ontitlements	105
6.		ve entitlements	105
	6.1	Annual leave	105
		Duration	105 107
		Taking leave entitlements	107
		Time flexibility and time banking	108
	()	· · · · · · · · · · · · · · · · · · ·	
	6.2	Short leave for family emergencies	109
		Using annual leave for emergencies	109 110
	6.3	•	112
	0.5	Maternity leave	112
		Eligibility	113
		Level of payments	115
		Who pays?	115
		Returning after maternity leave	117
		Lactation breaks	119
	6.4	Paternity leave	120
	6.5	Parental leave	122
	0.5	Scope	122
		Duration and payment	123
		Take-up rates by men and women	123
		Maintaining social security benefits.	124
		Avoiding the leave trap	125
		Flexibility in the timing of parental leave	125
	6.6	Carer's leave	126
7.	Wes	rk schedules and location	129
1.	7.1	Long hours persist	129
	/.1	Trends in working hours	129
		Effects of long hours	131
		Addressing long working hours	132
	7 2	Asocial hours are increasing	134
	1.4	4 1000 1 11 11 10 11 10 11 11 11 11 11 11	1.74

	Trends in asocial hours and shifts	134
	Effects of asocial hours	135
	Addressing the problems of asocial hours	136 137
7.3	Lunch breaks	137
7.3	What is part-time work?	138
	Trends in part-time work	139
	Improving the quality of part-time work	141
	Moving between full-time and part-time work	144
	Why employers create part-time work	145 146
7.4		146
7.4	Flexibility of working time	140
	Flexitime	148
	Time banking	149
	Compressed work-week	150
	Staggered working hours	151
7.5		151
	Home work	151 153
	Telework	133
Annex .		157
Wo	rkers with Family Responsibilities Convention, 1981	
	(No. 156)	157
Wo	rkers with Family Responsibilities Recommendation, 1981	
	(No. 165)	162
	ternity Protection Convention, 2000 (No. 183)	168
Ma	ternity Protection Recommendation, 2000 (No. 191)	172
Bibliog	raphy	177
Index		191
Tables		
3.1	Measures that facilitate the reconciliation of work with family	24
<i>5</i> 1	responsibilities by type of problem	34 80
5.1	Percentage of children in formal childcare, selected countries	
6.1	Statutory annual leave and public holidays in selected countries	106
6.2	81	110
6.3	Leave provisions which can be used by new fathers	120
Figures		
1.1	Economically active women	5
1.2		7
2.1	Women economically inactive due to family responsibilities	19
2.2		21
4.1	Implementing family-friendly practices	65
6.1	Length of maternity leave in 166 ILO member States	114
7.1	Average weekly hours of work by sex	131
7.2		140

Boxes		
1.1	The terminology	3
1.2	The transformation of family work roles in the United States	4
1.3	Declining family support for childcare	7
1.4	Increasing work–life conflict in Canada	8
1.5	Travel time around the world	9
1.6	Who does the housework and cooking?	11
2.1	Differing visions of responsibility for elder care	13
2.2	Childcare in Malaysia	15
2.3	National expenditure on childcare	16
2.4	"Weary" grandparents in the Republic of Korea	16
2.5	Removing girls from school for childcare	17
2.6	Who cares for the baby in Nairobi?	17
2.7	Death of children left alone	18
2.8	Mothers' preferences for employment and childcare	20
2.9	Female-headed households	21
2.10	The need for childcare in Guatemala City	22
	Employer initiatives not reaching those most in need	23
	Fertility and pension schemes	24
2.13	Family-friendly measures reducing turnover	25
	Reducing turnover related to non-return after maternity leave	26
	Flexible hours preferred to more money	26
	Work–life conflict affects absenteeism	27
	The "high road" to increased productivity	27
	Increased job satisfaction and morale	28
	Problems of staff retention in retail companies in Australia	28
	Policies to increase union membership in Ireland	30
	Increasing women's participation in trade unions	30
	Collective agreement including family-related benefits	31
	Certified agreement at Barnardos Australia	31
	Trade unions pushing for pre-school care in Brazil	32
3.1	Childcare and reconciling work and family in Spain	36
3.2	Problems of coordination in industrialized countries	36
3.3	Gender equality objectives in Sweden	37
3.4	Examples of policy research	38
3.5	Legislation generalizes benefits in collective agreements	40
3.6	Difficulties of implementing legislation in the Russian Federation	40
3.7	Action against dismissal of pregnant workers in Guatemala	41
3.8	Duplicating maternity protection legislation in collective agreements	41
3.9	Public-private and employer mix of day care in Brazil	43
	Civil society involvement in Kenya	44
	Family care programmes by Singapore trade unions	44
	Targeted allowances for care	45
3.13	Some fiscal provisions for care expenses	45

Reconciling work and family responsibilities: Practical ideas from global experience

3.14	Care costs removed from taxable income	46
3.15	Tax relief for employers	46
3.16	Extending hours of government services to the public	47
3.17	Timing of medical appointments	47
3.18	Union services to alleviate the household burden in Benin	48
3.19	Support for women to return to work in Geneva, Switzerland	49
3.20	Examples of government communication	50
3.21	Some examples of work–family units	51
3.22	Government guidelines	52
3.23	Enterprise awards	52
3.24	Tripartite committees	53
3.25	National Framework Committee for Work-Life Balance Policies in Ireland	53
3.26	Employers for Work–Life balance in the United Kingdom	54
3.27	Trade unions lobbying for legislative improvements	55
3.28	Trade union federations produce resource kits	55
3.29	National discussions	56
3.30	Reinforcing the unpaid care work of women in the Republic of Korea	58
3.31	Care provision that results in discrimination against women	58
4.1	A male-dominated organization addressing work–family needs	62
4.2	Creating a competitive edge – Hewlett Packard, Spain	63
4.3	A needs assessment	65
4.4	Cafeteria approach in a Korean firm	66
4.5	Perceived equity among employees without children	67
4.6	Support for breastfeeding	68
4.7	Cost-effective lunch discussions	68
4.8	Employers' Child Care Alliance	68
4.9	Costing turnover	70
4.10	Sharing a receptionist job	71
4.11	Flexible hours in a small laundry business	71
4.12	Widespread unawareness of existing practices	72
4.13	Marriott listening to its employees	72
4.14	Employee participation as a key to success	73
4.15	Providing role models	74
4.16	Importance of training managers	74
	Promoting family-friendly strategies in the organization: A checklist	74
5.1	Role of relatives in childcare	76
5.2	Widespread employment of household workers	77
5.3	Growing demand for domestic helpers in China	77
5.4	Demand for household employees in Europe	78
5.5	Child domestics in Nepal	9
5.6	Head Start: An American programme for low-income families	81
5.7	Study on the effects of childcare on child development	81
5.8	Care by childminders in France	82
5.9	Community childcare programmes in Latin America	83

Contents

5.10	Extended hours for day-care centres in Japan	84
5.11	Trade union childcare cooperatives in Singapore	84
5.12	Childcare support for employees	85
5.13	Some examples of workplace care	86
5.14	When women bring their babies to work	87
5.15	Care outside school hours	89
5.16	The Students' Place, Singapore	90
5.17	A room where children can wait	90
5.18	The main types of facility for elder care	92
5.19	Free choice of domiciliary service provider in Denmark	93
5.20	Using existing structures to give carers some respite, Switzerland	93
5.21	Housing policies for independence in old age	94
5.22	Company services to assist workers with responsibility for an elderly relative	95
	Trade union initiatives	95
5.24	Trade union contacts for care of sick children of workers in the United States	96
5.25	Hospice care for life-limiting illnesses	97
5.26	Decentralized care in Denmark	98
5.27	Decentralized private-public partnerships	99
5.28	Innovations in recognition of carers' work	100
5.29	Legislating improvements for domestic workers	102
5.30	Organizing domestic workers	102
5.31	Organizing home carers: Trade union innovation in California	103
6.1	Workers take only half their holidays in Japan	107
6.2	Discouraging working during holidays	107
6.3	Flexible working year arrangements in Australia	108
6.4	Using sick leave for emergency care in New South Wales	110
6.5	Legislation on leave for caring in the Netherlands	111
6.6	Childcare leave for parents	111
6.7	General provisions for short leave	112
6.8	Compassionate leave in Uganda	112
6.9	Who is covered by the Family and Medical Act (FMLA) in the United States?	114
	Financing maternity benefit in Latin America	116
	Different trade union views on who should pay in Denmark	116
	Trade union provides maternity benefit	116
	Pregnancy and maternity leave in Latin America	117
	Examples of enterprise improvements on national provisions	117
	The importance of planning ahead for return	118
	Payments to encourage return after maternity	118
	Facilities for expressing breast milk	119
	Enterprise provisions for paternity leave	120
	Grandparents eligible for parental leave	123
	Some examples of parental leave provisions	123
	Encouraging fathers to take parental leave in Norway and Iceland	124
6.22	Taking parental leave part time	126

Reconciling work and family responsibilities: Practical ideas from global experience

6.23	Carer's leave provisions	127
7.1	Both part-time work and long hours on the increase in Australia	130
7.2	Legislation to reduce standard working hours	133
7.3	Firms addressing the long-hours culture	133
7.4	Increasing prevalence of non-standard working hours	135
7.5	Night work by parents may affect children	136
7.6	Shift swapping in a collective bargaining agreement	137
7.7	New daily hours for civil servants in China	137
7.8	Flexible lunch break in a collective agreement	138
7.9	Hours threshold for Family and Medical Leave in the United States	139
7.10	Attitudes to part-time work in Tunisia	141
7.11	British study compares full-time and part-time jobs	141
7.12	Part-time Work Convention, 1994 (No.175)	142
7.13	National legislation on part-time work	143
7.14	Some examples of provisions for part-time work in collective agreements .	143
7.15	Facilitating movement between full-time and part-time work	144
7.16	Benefits of letting employees work part time	145
7.17	Job-sharing agreement	146
7.18	Employer resistance to flexible schedules	148
7.19	Examples of flexitime arrangements	148
7.20	Advantages of flexitime for employers in the United States	149
7.21	Time banking at a health care provider	150
7.22	Time banks in CBAs in Brazil	150
7.23	Avon Brazil	151
7.24	Employment of homeworkers in Germany	153
7.25	Organization of homeworkers	153
7.26	Increasing numbers of teleworkers	154
7.27	Preferences to work outside the home	154

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1. Work-family reconciliation: The policy challenge

Reconciling work and family responsibilities is a major concern for many of the world's adults wherever they live. In both industrialized and developing countries, people are struggling to try to earn a living for the family while coping with the care needs of their dependants, such as children or elderly parents.

The objective of this book is to encourage governments, employers, trade unions and non-governmental organizations (NGOs) to consider how the conflict between work and family responsibilities could be addressed more actively in their country. This book argues that work–family conflict can cause major problems for societies, enterprises, families, men and particularly women and that policies and measures by governments and the social partners can make a difference. By presenting practical examples from the concrete experience of governments, employers' and workers' organizations as well as concerned civil society organizations, this book seeks to provide useful ideas on feasible measures which could be envisaged by others.

Pressures for measures to help reduce work–family conflicts have been particularly strong in industrialized countries, where the issues involved have been pushed high on the political agenda and a voluminous literature exists. In developing countries, the work–family problem has not, so far, been voiced to the same extent and the literature is sparse. But this does not mean that there is no problem, or that nothing is being done. As will be seen from the examples in this book, the work–family stresses are also evident in developing countries and are likely to increase. Thus the experience in those countries which have been facing the work–family policy challenge for a longer period may be useful for those for which it is more recent.

Where possible, this book includes examples from developing countries, but lack of documentation means that many of the examples are from industrialized countries. These examples are not necessarily "best practices" nor are they directly transposable to other countries and contexts. They are intended to provide ideas of practical and feasible measures that have some potential for adaptation to local conditions and contexts where resources may be more limited.

To set the stage for considering solutions, this introduction looks first at the relevant international labour standards. It then discusses briefly the origins of work–family conflict, the current exacerbating factors and the difficulties resulting for workers and their families.

1.1 International labour standards

Since the first session of the International Labour Conference in 1919, when it adopted the Maternity Protection Convention (No. 3), the ILO has shown its concern about work and family responsibilities. At a much later stage in 1965, a Recommendation was adopted on Women with Family Responsibilities. However, it soon became apparent that many of the Recommendation's measures could be counter productive for women, as they reinforced the concept that women were less committed to work than men because of a responsibility to the family which men did not have. There was a need for recognition of the role of men in the family. This led to the adoption of the Workers with Family Responsibilities Convention, 1981 (No. 156), and the Workers with Family Responsibilities Recommendation, 1981 (No. 165), the latter superseding the previous Recommendation of 1965 (see Annex for full texts).

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)

Since the Convention was adopted in 1981, the issues that it addresses – conflict between work and family responsibilities and its implications for equality of opportunity in the labour market – have become increasingly prominent. Reducing inequalities between men and women in the labour market has become a key objective and achieving it clearly requires measures related to family responsibilities and the effects they are having on women.

The Workers with Family Responsibilities Convention No. 156 and its accompanying Recommendation No. 165 give considerable guidance on policies and measures which are needed to help workers with family responsibilities and to reduce work–family conflict (see box 1.1 for definitions). This book attempts to bring together concrete experience on how these principles have been put into practice and the lessons learned.

In recent years there has been a broadening of the work–family problematic to talk about work–life reconciliation or balance. This is a way of recognizing that other workers who do not have family responsibilities at a particular point in time are also concerned about the quality of their lives outside work. Some measures, in particular those involving annual leave, flexible working time or teleworking, usually benefit all employees irrespective of their family responsibilities and therefore promote work–life reconciliation for all. However, the focus of this book is particularly on work–family issues and measures as covered by Convention No. 156.

The focus is also mainly on workers who are in employment and who therefore have an employer. The self-employed have problems which are, to some extent, similar to those of the employed; however, those benefits and measures which depend on an employer obviously are of little use to the self-employed.

Box 1.1 The terminology

What are family responsibilities?

In the Workers with Family Responsibilities Convention, 1981 (No. 156), family responsibilities refer specifically to responsibilities in relation to "dependent children" and "other members of the immediate family who clearly need their care". It is up to each country to define which persons would be covered by these terms, given that the notions of "family" and "family obligations" can take many forms in different societies and contexts. But the Convention clearly includes dependent sick or elderly as well as children. Domestic work in the household would be considered as part of family responsibilities.

What is work-family conflict?

Work–family conflict refers to simultaneous pressures from the work and family domains which are mutually incompatible in some respect, such that meeting the demands of one role makes it difficult to meet the demands of the other (Greenhaus and Singh, 2003).

"Reconciling" or "balancing" work and family responsibilities?

This book uses the terminology of reconciling work and family responsibilities, since Convention No. 156 refers to reducing or eliminating the conflict between work and family responsibilities. Another term that is often used is balancing work and family responsibilities, which highlights the problem of imbalance. The issues being addressed are basically the same – it is the image that is different. The conflict image would seem to have the advantage of better reflecting how difficult and stressful the daily problems really are for those who live them.

1.2 Origins of the problem

This section examines in brief the origins of work—family conflict, looking at the historical and current trends in work and in the family that have resulted in this conflict becoming a problem for many, particularly since the second half of the twentieth century.

The separation of home and workplace

Historically, most societies were agricultural, with both men and women working around the home. During the industrial revolution of the nineteenth century, work in those nations affected moved outside the home and into the factories and mines (see box 1.2). Initially, both men and women (as well as children) were employed, but women gradually withdrew as the view prevailed that there should be a "family wage" and that women should not need to work outside the home. Men became the visible income earners or "breadwinners". Women were expected to concentrate on caring for dependants and domestic tasks, which, being unpaid, were not seen as work. Many women did have activities to increase family income, but these tended to be invisible, often being based in the home. In this model of division of the labour, with the woman looking after the home, the male breadwinner was not encumbered by family responsibilities and could work long hours, be available for overtime and rarely miss work because of family problems.

Box 1.2 The transformation of family work roles in the United States (1830-1920)

Until the mid-1880s, most children were raised in farm families in which both parents worked at home. In 1830, 70 per cent of children lived in farms and only 15 per cent had a father who was a wage earner. As the industrial revolution progressed, the number of families in which the father was a wage earner increased. By the 1920s, the majority of children were growing up in families in which the father worked outside the home. The majority of the female labour force was composed of unmarried women.

Source: Heymann, 2000.

The male-breadwinner assumption was to some extent transplanted to the colonies and to non-industrialized countries, where it was sometimes consistent with local traditions. However, lack of correspondence has been apparent in a number of African societies, for example, where women had access to farmland, and mothers, not fathers, were traditionally responsible for providing food for their children. This responsibility typically continues to fall on the mother, who thus needs independent income.

Increasing labour force participation of women

Since the Second World War, women's participation in income earning outside the home has been increasing in almost all countries. Patterns whereby women tended to be economically active before marriage but withdrew from the labour force at marriage or childbirth, which were common particularly in industrialized countries, have become less frequent. Overt barriers to the employment of married women and rules that women must withdraw on marriage have gradually disappeared. Employed women are increasingly married and/or mothers.

Figure 1.1 shows the trend in the participation rates of women between 1960, 1980 and 2000 for selected countries from all regions. In almost all countries, there has been a significant increase in the proportion of women aged between 15 and 64 who are active in the labour market. In Canada, the increase has been spectacular: the activity rate has risen from 31 per cent in 1960 to about 72 per cent in 2000. The increase was greatest in the period before 1980 in Canada, as was also the pattern in Denmark, France and the Republic of Korea. In the 1980–2000 period, the increase was particularly marked in some of the Latin American countries, such as Costa Rica, Honduras and Venezuela. In Costa Rica, women's participation rate rose from a low 18 per cent in 1960 to 24 per cent in 1980 and then jumped to 40 per cent by 2000. Even in countries which still have low levels of participation by women, such as Pakistan and Syria, the increase in the later period was relatively substantial.

In sub-Saharan Africa, women's participation in economic activity has always been high: in 1980 it was estimated to be 63 per cent, remaining at around the same level in 1997 (UN, 2000, chart 5.2). Similarly, in Eastern and South-Eastern Asia, rates were already relatively high in 1980, estimated at 57 and 59 per cent respectively, and increased by an additional 3 per cent over the period to 1997. In Eastern Europe, women's economic activity has traditionally been high but has recently dropped in some countries. This is the case in Estonia, where the female labour force

participation rate decreased from 65 per cent to 52 per cent between 1980 and 2001, and Bulgaria, where it declined from 60 per cent in 1980 to 46 per cent in 2001 (ILO, 2003b).

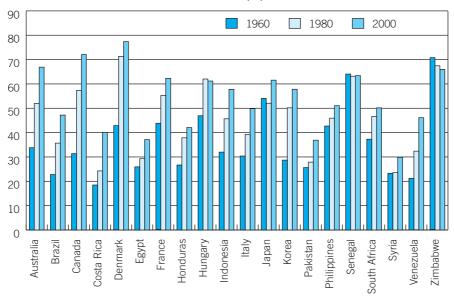


Figure 1.1 Economically active women, selected countries, 1960, 1980 and 2000 (%)

Note: Age range of 15-64 years.

Source: ILO Estimates and Projections Databases (LAPROJ).

The increase in women's labour force participation has been caused by factors related to both supply and demand. On the supply side, the trends toward later marriage, never marrying, single motherhood and marriage breakdown mean that increasing numbers of women in many countries need an income since they do not have a male partner for financial support. Indeed, with the increasing insecurity of marriage and the frequency of co-habiting, many women may prefer to have the security of an independent source of income.

For women with partners, even in countries with a male-breadwinner tradition, financial pressures for cash income to ensure survival or to assure a certain quality of life have encouraged women to share the breadwinning role with men. Earnings which are low (at least compared with aspirations), unpredictable and insecure mean that one income is frequently not considered sufficient and that families cannot take the risk of depending on only one earner. In addition, with higher educational levels, women's expectations concerning their work activities have increased concurrently with their earning potential. Access to contraception has, at the same time, made it possible to reduce fertility and the number of children who need to be cared for.

On the demand side, economic growth and the growth of sectors where female labour has traditionally been particularly appreciated (such as textiles, health, education, hotels and restaurants) have provided employment opportunities for women.

Women's rising educational levels have meant that they are also in demand for jobs where there are shortages of skilled and educated workers. That women can often be hired at cheaper rates and on less secure contracts than men has also encouraged their employment, as for example in export processing zones.

The rise in employment levels of married or co-habiting women has meant that dual-earner couples employed outside the home have become much more common, and in fact the norm in certain countries. For example, data from the mid-1990s (Anxo, 2004) indicate that slightly over half of all couples were dual-earner couples in Australia, France and the United Kingdom, while in Sweden and the United States dual-earner couples were the vast majority – 76 and 70 per cent respectively.

Declining availability of family assistance

For domestic tasks and childcare, many workers in dual-earner couples or single parent situations have traditionally been able to count on help from non-working women relatives and kin (sisters, mothers, aunts, co-wives and sometimes daughters). Indeed, in both developing and industrialized countries, family members, particularly grandmothers, have been a major source of childcare support.

However, regular help from grandmothers is relatively rare in industrialized countries. For example, a survey in the United States found that only one in ten working parents had received eight or more hours of assistance from their parents in the previous month, while eight out of ten had received none (Heymann, 2000).

In many developing countries, it is often assumed that almost all workers can solve care problems by appealing to traditional family solidarity and finding a relative who can help. It is considered that families can find their own solutions and there is no need for outside intervention except, perhaps, in cases of very poor families who are unable to cope or whose children may be at risk.

Systematic evidence on family support is rare, particularly in developing countries, but indications are that such solutions, while very frequent, may sometimes involve considerable strains and may be becoming less available. Urbanization, the increased labour force participation of women, and migration (both internal and international) mean that traditional family support for care roles and domestic tasks is more difficult to arrange. Grandmothers may no longer live nearby and may themselves be working and unable to look after grandchildren (see box 1.3).

The extent of this phenomenon has not been fully recognized in some countries where policies continue to be based on the increasingly unrealistic assumption that all families can count on extended family support. Low-income families have the most difficulty since satisfactory care solutions are often beyond their means (see Heymann, 2004, for concrete examples from Botswana, Honduras, Mexico, the Russian Federation, the United States and Viet Nam).

Increasing care needs of the elderly

With the ageing of populations and increasing life expectancy, care for the elderly is taking on growing importance as part of family responsibilities. This is particularly the case in countries where fertility declined in the 1960s and 1970s, namely in industrialized and transition countries.

Figure 1.2 shows the trend for selected countries in the proportion of the population that is over age 60, by comparing the proportion in 1990 with the projection for 2010. In most European countries, for example the Czech Republic and France,

Box 1.3 Declining family support for childcare

Brazil In Brazil, the availability of grandparents who can allocate a good part of their time to helping look after grandchildren may be changing as older women continue to work and be active outside the home.

South Asia In South Asia, the increasing lack of family support for childcare and the resulting burden and role strain for working women occurs particularly in urban areas: "The traditional family structure in these societies is breaking up and women are having to bear the dual responsibility of home management and market-based work."

South-East Asia A review of early childhood care in Cambodia, Indonesia, Laos, Malaysia, Thailand, the Philippines and Viet Nam concludes that "despite the limited data, it seems [reasonable to conclude] that women are increasingly unavailable to provide care at home for young children and the need for non-parental care is likely to increase even more in the future".

Source: Sorj, 2004, for Brazil; Mukhopadhyay, 1999, p. 41, for South Asia; Kamerman, 2002, p. 8, for South-East Asia.

well over 20 per cent of the population will be over 60 years in 2010. The increase in this age group is particularly rapid in the Republic of Korea and even more so in Japan where the over-60 age group was 17 per cent of the population in 1990 and will constitute 30 per cent by 2010.

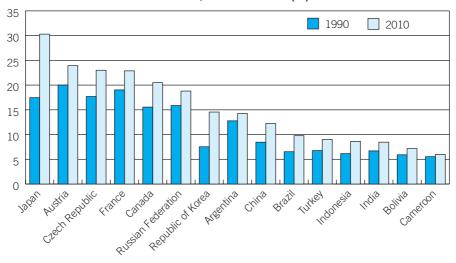


Figure 1.2 Actual and projected population over 60 years old, selected countries, 1990 and 2010 (%)

Source: UN Population Division, Department of Economic and Social Affairs, 2002.

Increasing pressures of work and long working hours

Enterprises are also under pressure as they face an increasingly competitive business environment, often on a global market. Managers are under strong pressure to deliver in terms of quality, costs and strict deadlines. These pressures may be passed on to

their personnel, resulting in high demands for speed, productivity and long working hours.

In the United Kingdom, for example, Kodz et al. (2003) note that various researchers discuss how the restructuring and downsizing of enterprises in recent decades appear to have led to increased workloads, a faster pace of work and an intensification of work pressures. This increased work burden is argued to be pushing up the pressure on employees to work longer hours. Box 1.4 gives the example of a large study in Canada examining the effects of the pressures of work, particularly with respect to employees with family responsibilities.

Box 1.4 Increasing work-life conflict in Canada

Evidence that work-life pressures are increasing comes from a survey of 32,000 Canadian workers employed in 100 large organizations in 2001. The survey found that the proportion reporting feelings of role overload (feeling that there is too much to do and too little time to do it) had risen to 58 per cent from 47 per cent in 1991. The authors attributed much of the rise to the increasingly pervasive use of information and communications technologies, the continuation of work cultures that reward long hours, and downsizing (too few employees to do the work). Workers with family responsibilities reported higher levels of overload than those without. Employees with high levels of role overload were more likely to report feelings of stress, burnout and depression, as well as less satisfaction with both their jobs and their family life.

Source: Duxbury and Higgins, 2003.

Increasing travel time

Time spent in travelling to and from work is neither work time nor family time and therefore long journey times make reconciliation of work and family more difficult. In urban areas of developing countries, particularly in large cities where public transport systems are often inadequate and traffic congestion is increasing, considerable time can be taken commuting, often in uncomfortable conditions. The difficulties in metropolises like Cairo, Bangkok, Delhi, Lagos, Manila, Mexico City and Rio de Janeiro and many others are notorious. Even in smaller cities, traffic congestion seems to be an increasing problem; Moghadam (1998) mentions this time and distance quandary as a major factor exacerbating work–family conflict in Ankara and Istanbul, for example.

Irrespective of the type of transport used, whether it is a private car, public transport, a bicycle or walking, travel conditions have become more and more difficult, and workers of different social status lose both time and productivity in commuting (see box 1.5). For women transport can be more difficult than for men, and travel time can often be longer. Women's access to a number of forms of transport is restricted because of social and cultural rules. Generally, women do not have access to private vehicles and are more dependent than men on public transport. In addition, in some societies, men traditionally board buses first, with the consequence that women often do not get on. Using public transport can also be unsafe for women and in some places it can be socially difficult for women to share crowded public transport with men (Peters, 1998).

Box 1.5 Travel time around the world

Bangkok Upper- and middle-income employees spend about four hours a day in traffic jams travelling to and from their workplace.

Nairobi Some workers are so poor that the only mode of transport they can afford is walking. As a result they spend almost four hours a day getting to and from their place of work while breathing polluted air.

Rio de Janeiro Low-income workers spend around four hours a day in overfull public transport.

Source: Williams, 1998.

HIV/AIDS increases stress

For families affected by HIV/AIDS, the situation is often dramatic as the caring needs increase at a time when additional income is needed for medical expenses and to compensate for the possible loss of the income of the infected family member. HIV-and AIDS-related illnesses of a family member not only mean a loss in income for the person affected, but also often force other family members, mostly women, to give up paid employment or schooling to care for the sick person.

The ILO Programme on HIV/AIDS and the World of Work (2004) has estimated the "social burden" for families by considering the change in dependency caused by death and illness of all persons of working age. The ratio relates young and old dependants to working-age persons and is adjusted to take into account persons who are partially or fully unable to work because of AIDS. It thus reflects the increased dependency burden of healthy adults.

The estimates indicate that the social burden for families will increase in many African countries affected by HIV/AIDS, as dependency caused by death or illness of persons of working age becomes heavier. By 2005, the social burden is expected to have grown substantially: by about 10 per cent in Botswana, Lesotho, Swaziland and Zambia, and by 15 per cent in Zimbabwe. In 2015, in the absence of treatment, eight countries will be dealing with greatly increased burdens of dependency; the increase is estimated to 30 per cent in Zimbabwe and 12–26 per cent in Botswana, Lesotho, Malawi, Namibia, South Africa, Swaziland and Zambia (op. cit.).

As a consequence of HIV/AIDS, the problem of finding ways to combine paid work with caring for the sick has become a critical issue, with implications for gender inequalities. As the burden of caring for sick persons falls more heavily on women and girls, it adds to their workload and makes it difficult for women to find and continue in employment. When women's time is spent caring for the sick, they have less time not only for employment but also for other tasks that contribute to the well-being of the household, such as growing food.

1.3 Difficulties faced by workers and their families

The current trends in the work environment and in the family are making it increasingly hard for workers in many countries to reconcile their care responsibilities with the demands of work, as they find themselves caught in a "time—money squeeze". The squeeze can be particularly difficult when public and enterprise policies are blind

to the pressures that workers have to deal with. The most common difficulties faced by workers with family responsibilities are summarized below.

Organizing family schedules

Organizing family schedules to fit with normal working hours is difficult. Opening hours of schools and kindergartens may not be convenient; long unsupervised lunch breaks must be dealt with; school holidays are longer than workers' vacation leave – and not necessarily synchronized. Normal working hours may be inflexible and long, particularly when travel time is taken into account, leaving little time for the family and domestic tasks. Jobs with unforeseen overtime and unpredictable shifts can make organizing family schedules even more difficult.

Hectic schedules can result as workers run between work demands and family responsibilities, in some cases worrying about children or the sick who may be insufficiently supervised. Workers often arrive home exhausted and may feel they do not have enough time to be with their children. The stress can be particularly great for women workers who remain responsible for childcare and home management and thus work a "second shift".

Coping with emergencies

Workers with family responsibilities can have problems coping with family emergencies, such as a childminder who is absent or a child who is sick and unable to go to crèche or school, or a relative needing to be taken to the doctor during working hours. Dealing with such family emergencies can lead to lateness or absenteeism for which pay may be lost and, in some extreme cases, the result may be dismissal. Field workers on a sugar plantation in the United Republic of Tanzania, for example, were found to be penalized for taking a sick child to the clinic as they were counted as not in attendance and missed out on bonuses (Mbilinya and Semakafu, 1995), while in some textile factories in the region of Southern Africa (which are likely to be typical of those in other regions), lateness and unauthorized absence lead not only to lost earnings because of piece rates but also to penalties or fines (de Haan and Phillips, 2002).

Coping with longer care periods

Various events in the life cycle of workers may mean that they can have great difficulty continuing their employment. A major example is childbirth, which means that women workers need a period of absence in the interests of their health and that of the child. For the many women workers with no right to maternity leave, childbirth means that they will have no income around the time of the birth and, in addition, may risk losing their employment. Similarly, caring for a young child, a sick spouse or dying parent may mean that workers have to resign and then hope they can find employment at a later stage.

Discrimination at work

When society is organized such that family responsibilities conflict considerably with work demands, the responsibilities constitute a disadvantage in the labour market. As recognized in Convention No. 156, the resulting disadvantage may apply to all workers with family responsibilities, whether they are men or women.

However, despite the fact that women are increasingly employed and "breadwinners", they continue to assume the bulk of family responsibilities in most societies and thus are particularly affected by work–family conflicts. In theory, if care work were equally shared by men and women, then the labour market disadvantage would apply equally to men and women and family responsibilities would not be a source of gender inequality. However, a significant redistribution of family responsibilities between men and women does not seem to have occurred.

Research suggests that even when men spend time on household tasks, they tend to spend much less time than women (see box 1.6 for evidence from Europe). The longer working hours of men (which are themselves a result of less family responsibilities), in turn, may mean that men have less time available for household tasks, thus creating a vicious circle. Cultural conceptions of men's roles no doubt also play an important part. Consequently the labour market disadvantage related to family responsibilities falls mainly on women.

Box 1.6 Who does the housework and cooking?

The Third European Working Conditions Survey in 2000 found that about 64 per cent of working women spent at least one hour per day doing the cooking, compared to 13 per cent of men. Similarly, 63 per cent of working women spent at least one hour daily on housework tasks, compared to 12 per cent of men. Source: European Foundation, 2002.

The conflict of work with family responsibilities affects both the supply and demand sides of the labour market. On the supply side, there is a tendency for one member of a couple (usually the man) to try to continue to perform as an "ideal" worker with no family responsibilities while the other member (usually the woman) looks for work options that are more compatible with family responsibilities, such as part-time work, self-employment or home work. Similarly, women may withdraw temporarily from employment with a resultant negative impact on future job opportunities and earnings in labour markets where full-time, continuous employment is the idealized norm and often the reference point for social protection and wage systems.

This labour supply behaviour within a dual-earner couple is particularly encouraged by:

- a lack of affordable and convenient support services such as childcare (which would lighten the burden of family responsibilities); and
- the culture of long hours which makes it very difficult for both partners to have a demanding full-time position.

Similarly, on the demand side, there is a persistent image of women as not being serious about their jobs and careers because of family responsibilities. This is reinforced particularly in contexts where a good-level job with career potential requires an "ideal" worker prepared to put in long hours, while little support is provided for care of dependants. This image may limit the career opportunities of women, even those who are childless: "Even if women are as skilled, clever and talented as men, competitively placed employers will rationally prefer male to female workers if they expect that women, and not men, experience a productivity decline due to childbirth"

(Esping-Andersen, 2002, p. 123). At the same time, men are under labour market pressure to perform as ideal workers and work long hours leaving little time for family.

Yet men are increasingly expressing concern about the long hours culture in the workplace and the resulting lack of opportunities to spend more time with their family. In the United Kingdom, for example, eight out of ten fathers complained that hectic work schedules created difficulties in fulfilling family duties and household tasks, but felt forced into longer hours to provide for their children (Daycare Trust, 2003).

Family responsibilities and their conflict with work demands are a major factor contributing to women's disadvantage in the labour market, while work demands and their conflict with family responsibilities are contributing to men's disadvantage in the family and are limiting their ability to be involved in family matters.

1.4 Addressing the problem

Measures at the national, community and workplace levels can have a major impact on the extent of the conflicts and pressures experienced by workers and potential workers with family responsibilities. The less-than-satisfactory solutions which families are sometimes forced to find for lack of other alternatives affect not only the well-being and quality of life of workers and their families but have major repercussions for the society as a whole, including enterprises and other work organizations.

Looking at evidence from both industrialized and developing countries, this book first considers in Chapter 2 the reasons why intervention to reduce work–family conflict is in the interests of governments and the social partners. It examines in more detail the economic and social repercussions of work–family conflict for society and work organizations and looks at why some governments and social partners have been making efforts to improve work–family reconciliation.

The remainder of the book goes on to consider possible policy responses, based on examples of what is being done and the lessons learned from past experience. Chapter 3 considers the wide range of policies at national and community level which help reduce work—family conflict, highlighting the role of government in setting the legislative and policy framework in collaboration with employers and trade unions. Chapter 4 focuses on attitudes, policies and practices that can make the workplace more family-friendly and considers how family-friendly policies can be implemented successfully.

Making family responsibilities more compatible with work involves mainly measures related to the availability of care arrangements for dependants. Chapter 5 considers in more detail the different kinds of arrangements that can help workers with responsibility for a child, an elderly relative or a family member with a disability.

Conversely, making working conditions more compatible with family responsibilities is an essential component of work–family reconciliation: childcare for 12 hours every day, for example, is not a viable solution either for parents or children. Measures concerning working conditions relate particularly to leave entitlements as well as to regulations and arrangements concerning working time and working place. Chapter 6 focuses on leave arrangements and Chapter 7 on work schedules and location.

2. Why governments and social partners are intervening

This chapter focuses on why interventions to help reduce the conflict between work and family responsibilities are desirable and in the interest of governments, employers and trade unions, as well as society as a whole.

In many countries, public and workplace policies have been slow to catch up with the social and economic realities of work–family conflicts and their impact on society, the workplace and the lives of men and women. This is understandable since questions related to family are at the core of the organization of society, highly emotional and strongly linked to national or local values concerning the family and the roles of men and women. In some cases, it is only when problems lead to demonstrations and pressures on governments (sometimes by trade unions) that action is considered.

The chapter first highlights differing visions of the role of government and then considers some of the implications and costs of non-intervention as families struggle to find their own solutions based on the often-limited choices available to them. Employers and trade unions have also found it in their interest to become involved in efforts for work–family reconciliation and the last two sections consider why.

2.1 Differing visions of the role of government

There are considerable differences among countries in their conception of the role of government and whether it is thought appropriate for government to intervene in family life. The understanding of the division of responsibilities among families, employers, the state, local authorities, trade unions, traditional or religious groups, and NGOs is very different from one country to another and from one political party to another. Even within Europe, for example, there has been a lively controversy on work–family reconciliation and the role of state intervention (Hantrais, 1999). Box 2.1 provides examples of differing views on the responsibility of children for their elderly parents.

Box 2.1 Differing visions of responsibility for elder care

Austria and Germany In Austria and Germany, adult children are obliged to care for their parents and to help them in case of financial need.

Nordic States There is no care obligation on adult children and municipalities are responsible for the adequate provision of day care services for older people. Singapore The Maintenance of Parents Act in Singapore (which came into force in 1995) gives parents above sixty years old who cannot support themselves the legal means to claim maintenance from their children.

Source: Lohkamp-Himmighofen, 1999, for Austria, Germany and Nordic states; Mathi, 1999, for Singapore.

As a broad simplification, government approaches may be seen as on a continuum between two extremes:

- High degree of intervention and/or support. The state considers that it should
 intervene in family affairs in the pursuit of national objectives. The types of
 interventions vary from those that are regulative and backed by sanctions to the
 more social democratic approaches where the state provides for services and
 paid leave for those with caring responsibilities.
- Minimal intervention and support. The family is considered a private domain where government interference is not appropriate and should be kept to a minimum (sometimes referred to as "liberal state regime"). It is considered that it is up to families, possibly with the assistance of employers, to manage their private lives and their care responsibilities and thus there is little direct state provision of services or of paid leave.

Countries with policies near to the high-intervention pole are the centrally planned and socialist economies. The example of China is well known, with its rather directive one-child family policy including expensive sanctions for non-compliance, as well as (until 2003) the requirement of employer's permission before obtaining a marriage licence. In Cuba, the Family Code of 1976 recognized the economic value of household tasks and established the duty of both spouses to cooperate in them.

Another variant of the interventionist approach occurred in the former socialist countries of Central and Eastern Europe, where the state and state enterprises used to provide a range of family support services of varying quality to keep women in the workforce on a full-time basis – nurseries, kindergartens, after-school programmes, summer camps and extended maternity leave. In this system, women were assumed to be responsible for care work within the family and there was little concern to encourage sharing with men (Makkai, 1994). With the transition towards a market economy, state-funded and state-run systems of childcare have greatly diminished, particularly those for children under three years.

A different type of interventionist approach is found in countries with highly developed social welfare systems, such as France, Norway and Sweden, which provide considerable public financial support to both care services and the different forms of family leave. Under this approach, public funds are used to subsidize services, such as childcare and elderly care. In addition, payments during maternity leave and other types of family leave are funded through social insurance schemes or other forms of public funding. Public support to family-friendly policies tends to allow families more options. Parents of young children, for example, are able to take extended parental leave to look after a young child. They can then decide whether to return to work while leaving the child in an affordable childcare arrangement of good quality or if they would prefer to share the childcare responsibilities between themselves, each parent working part time.

The "liberal" countries which tend to be closest to the pole of minimal support are those where the payment of maternity and other family-related leave is left to be negotiated between workers and employers, and care provision receives little direct financial support, being left mainly to fiscal incentives and market forces. Examples are Australia and the United States where there is no national provision for paid maternity leave.

Policies and government action in countries with more "liberal" approaches tend to concentrate on efforts to encourage enterprises to provide benefits and include family-friendly measures in collective bargaining agreements (see Chapter 3 for details). Not surprisingly, it is in such countries that there are more diverse examples of improvements based on collective bargaining agreements or enterprise initiatives.

Many developing countries could be considered to be in the "minimal intervention" category, although virtually all have provisions in national legislation for paid maternity leave. However, other types of support for working parents after maternity leave or for care of sick elderly parents are usually not provided and families must make do with what they can provide themselves or can afford on the market.

Minimal intervention may be due to the assumption in some developing societies that family solidarity enables most workers to cope with family responsibilities. However, as mentioned in the introduction, evidence increasingly indicates that support from within the family is problematic, particularly in urban areas. But it may be considered that even if a problem exists, it is up to the family, or possibly the employer, to find solutions, not the government (see box 2.2).

Box 2.2 Childcare in Malaysia

It has been suggested that in Malaysia the state perceives childcare as "an entirely private, individual affair and there is no provision to enable women to combine paid employment and childcare." This is supported by the observation that even during the early 1990s, when Malaysia experienced an economic boom and corresponding acute labour shortage, "women were merely expected to juggle their multiple roles as mothers, wives and workers" (p. 99). Source: Hew. 2003.

Another reason for lack of government intervention may be fear that implementation of measures with cost implications for employers would damage competitiveness, particularly when industries are producing export products for highly competitive international markets. Even existing maternity provisions in labour legislation, such as paid maternity leave and banning discrimination based on pregnancy, may be laxly enforced with governments taking few steps to apply the texts and eliminate abuses.

Indeed in industrialized countries, the business costs of legislation to individual firms as well as the overall impact on the competitiveness of the economy have been highly debated between proponents and opponents. Much depends on the design of measures and the time horizon adopted. The United Kingdom Government, for example, argues that "[a] more effective use of human resources within the economy ... is likely to have a beneficial impact on the UK's productivity" (HM Treasury and Department of Trade and Industry (DTI), 2003, p. 22).

Governments in developing countries may feel that they lack the resources to address work–family problems, given the many other pressing problems to be addressed. It is true that some interventions require considerable resources, such as extensive government funding for childcare (box 2.3 gives some idea of the expenditure in Nordic countries). Nevertheless, more limited and targeted interventions for childcare may be envisaged as well as measures that are more a question of political

will and creating a favourable climate. Examples of the latter would be such as reconsidering the hours of primary schools or encouraging more flexible work schedules.

Box 2.3 National expenditure on childcare

Expenditure on childcare is difficult to calculate and data are not readily available nor comparable across countries. Nevertheless, estimates for the Nordic countries for the early 1990s indicate that public expenditures for early child-hood programmes amounted to 2.4 per cent of GDP in Sweden, 2 per cent in Denmark, 1.1 per cent in Finland and 6 per cent in Norway.

Source: Kamerman, 2000.

The costs of interventions need to be compared with the costs of inaction; these costs are very real, but their impact may be more long-term. The following section looks at some of the repercussions of work–family conflict and the costs to societies that are moving governments in some countries to intervene.

2.2 The social and economic costs of non-intervention

The problems encountered by workers with family responsibilities and the ways they are resolved by individual families can accumulate to become major socio-economic problems for the whole society. This section looks at some of the public costs, inefficiencies and inequities that can result from private solutions to work-family conflict.

Sub-optimal family solutions for care

The solutions that workers can find for their care responsibilities depend on the facilities available and their cost. Unpaid help from family members, when it can be found, has the obvious advantage of being relatively costless but is not always without its own problems. This section focuses mainly on the care of children, for which there is more documentation than for other types of dependants.

Support from grandparents (particularly grandmothers) is a common way of coping with care of young children in many countries. However, in some cases, this solution may mean that the child has to go away to live with them, far from the parents. In addition, some of the grandparents are themselves in need of care and have difficulty coping with a young child. The strains involved in having grandparents care for young children in the Republic of Korea, where workers often send young children to their grandparents or have grandparents move in, are described in box 2.4.

Box 2.4 "Weary" grandparents in the Republic of Korea

In Korea, dual-earner households with young children often rely on one of the spouse's parents for childcare. When the grandparents live far away, this may mean that the parents do not see their child regularly. In other cases, a grandparent may move in until the child is three, a situation which may also create stresses. Grandparents are "weary" and their health may be adversely affected. Researchers note that "it is a strategy that seems to be too unstable to solve the systemic problem of the family—work conflicts" (p. 34).

Source: Kim and Kim, 2004.

Another well-known "family" solution for looking after young children is to have them looked after by an older sibling (usually a sister) who may be removed from school. When this solution interferes with the education of an older child, it is clearly sacrificing that child's future to the more immediate needs of today. Moreover, when these child carers are quite young, it may be inappropriate to entrust them with the responsibility of looking after a baby. Box 2.5 provides some evidence from Indonesia, Kenya and the United Republic of Tanzania (which are probably typical of other countries) on the tendency for girls to leave school to care for younger siblings. For the future of the child, of her family and of society, this may be a high cost to pay, but in the current situation of the family there may be little choice.

Box 2.5 Removing girls from school for childcare

Indonesia Approximately 40 per cent of working women care for their children while working, 37 per cent rely on female relatives, especially grandmothers, and 10 per cent use older female siblings to help. In rural areas, older female siblings are the primary caregivers for young children.

Kenya In Kenya, the gender effect of care cost and wages is startling: an increase in mothers' wages raises school participation of boys but depresses that of girls, who substitute for the mother at home; higher prices for childcare have no effect on boys' schooling, but decrease the number of girls in school. United Republic of Tanzania A study covering three sugar cane plantations in Tanzania indicated that a problem for women field workers at all three estates was the lack of care facilities for children under three years. This forced many women to leave their children at home with young child minders or to carry them on their backs to work.

Sources: Kamerman, 2002, for Indonesia; Lokshin et al., 2000, for Kenya; Mbilinyi with Semakafu, 1995, for United Republic of Tanzania.

As seen in the cases of Indonesia and Kenya in box 2.5, without childcare support many women who cannot afford domestic help have little choice but to bring their children to work with them. Box 2.6 on Nairobi illustrates how low income is related to bringing the child to work. In fact, many women may only consider doing types of work where children can accompany them. A glance at market stalls in most developing countries will show that many women have their children with them. This is often the case in construction work in India, where an estimated 7 to 8 million children accompany their parents to work on building sites (Evans, 2000). Data available from Demographic and Health Surveys indicate that in Pakistan and Peru, as well as in 10 out of 12 countries surveyed in Africa, over 40 per cent of women workers have their small children with them when they work away from home (UN, 2000).

Box 2.6 Who cares for the baby in Nairobi?

A study of women workers who had recently given birth in Nairobi compared the childcare arrangements of better-off mothers, many of whom were in formal employment with those less well off who were mainly self-employed. Care by a relative was rare in both groups (17 per cent for the poorer mothers and 5 per cent for the better off). The main arrangement of the poorer mothers (54 per cent) was to bring their babies to work, whereas 85 per cent of the better-off group had house-girls. Among the poorer group 17 per cent also had house-girls. Source: Lakati et al., 2002.

Bringing the child to work may be very advantageous for breastfeeding when the baby is young and is clearly preferable to leaving it at home without supervision. However, some work environments may present serious dangers to the health of babies and young children, such as pesticides, dust, noise or overexposure to heat or cold. Also, the presence of children can affect the mother's work and mothers may resort to drastic measures to keep their children quiet. For example, it is reported that women working in the sand mines in Rajasthan (India) frequently give opium to their babies so they can work undisturbed (Wazir, 2001).

When there is no alternative, an even more extreme "solution" may be to leave children at home by themselves. Karega (2002) describes how a hospital cleaner in Nairobi tied her toddler to the bed while she was out working. Cases of serious injury or even death of children left alone in a locked house while their parents were at work have been regularly reported in both developing and developed countries (see box 2.7 for an example). Similar accidents can also occur when elderly are left with insufficient supervision.

Box 2.7 Death of children left alone

An extreme example of the dangers of leaving children at home alone comes from the Republic of Korea. In 1990, a fire accident resulted in the death of a brother and sister who were left alone in a locked house while their parents were at work. This incident accelerated the grassroots movement for demanding childcare services.

Source: Kim and Kim, 2004.

When children are in school, a major problem for working parents is leaving them alone after school, before their return home. In focus group discussions and interviews in Mauritius, opinion leaders raised concerns that these children left to their own devices after school were at risk of both physical and moral harm (University of Mauritius, 2002).

Difficulties of worker-parents in coping with child illness may also have negative effects on the health of children. In the United States, for example, Heymann (2000) reports the results of a survey in which 41 per cent of parents said their working conditions had affected their children's health mainly through lack of appropriate care for children when they were sick, which included not being able to take them to the doctor and inadequate early care so that their condition worsened. Often parents felt they had little choice but to go to work, either sending their children to school sick or leaving them at home alone.

In summary, the care arrangements that some families may be forced to make for lack of better alternatives can be having serious impacts on the social, moral, physical and cognitive development of children, perpetuating income inequalities and jeopardizing the future human resource base of society. In addition, parents' work performance may be affected as they worry about their children while they are at work. The alternative of one parent not working for a long period in order to look after children is impossible economically for some families and does not correspond to the preferences and aspirations of many others (see below).

Under-utilization of women's education and skills

Women's continued responsibility for care work may mean that their skills and the investment of society in their education are not utilized efficiently. Work–family conflicts may be leaving women little choice but to withdraw from the labour market to care for children or the elderly or to take employment that under-utilizes their skills and capacities.

Figure 2.1 shows the proportion of working age women (aged 25 to 54 years) in various countries of the European Union (EU) who indicated in 2001 that they are not working because of family responsibilities. It is striking that the proportion is highest (around 30 per cent) in Ireland, Italy and Greece, countries where childcare facilities are limited, whereas the proportion is particularly low in Denmark and Sweden (2–3 per cent), countries known for their facilities for childcare and other work–family measures.

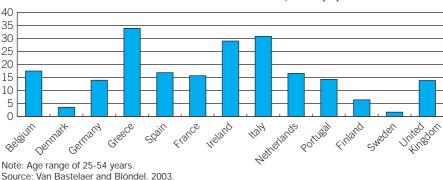


Figure 2.1 Women economically inactive due to family responsibilities, selected industrialized countries, 2001 (%)

A number of countries have a policy goal of increasing women's labour force participation. In countries experiencing shortages of labour and skills, it makes economic sense to facilitate work–family reconciliation as part of policies to increase the employment of women. Although some countries prefer to increase immigration to cover labour shortages, other countries prefer, where possible, to increase the participation of women nationals.

In East Asian countries such as Japan, the Republic of Korea and Singapore, declining labour force growth has resulted in the need for the increased participation of women and has been one of the concerns driving government measures for workers with family responsibilities. For the United Kingdom Government, new work–family measures introduced in 2003 aim at using human resources more effectively within the economy, including "the better utilization of the skills of those with caring responsibilities" (HM Treasury and DTI, 2003, p. 22).

At the Lisbon European Council in 2000, the EU adopted the major target of increasing the female employment rate from 51 per cent to 60 per cent by the year 2010. This target was part of its strategic goal to strengthen employment, economic reform and social cohesion.

Women's labour force participation is linked to work–family measures. The availability of suitable childcare is particularly critical, as shown in box 2.8 on women

in the United Kingdom who were not employed in 1998. Recognizing the role of childcare in facilitating women's employment, the EU has set goals related to childcare as part of its strategy for reaching its female employment target. Similarly, in Singapore, where female labour force participation was only 53 per cent in 1999, a recent guide for employers on flexible work arrangements notes that one of the advantages of flexibility is to tap the experience and expertise of the female labour force, which may not be able to work traditional hours (Singapore, Ministry of Community Development and Sports, 2002).

Box 2.8 Mother's preferences for employment and childcare in the United Kingdom

A 1998 survey found that two-thirds of mothers in the United Kingdom who were not employed felt it was important not to work in order to spend time with their children. However, their responses indicated that this choice was not entirely free: nearly 40 per cent said they could not find work with suitable hours, one-third were unable to find the sort of childcare they considered suitable, and nearly half thought care was too costly.

A further survey in 1999 confirmed these conclusions: two-thirds of nonemployed mothers said they would prefer to work if they had better childcare, and 40 per cent mentioned that they would have to earn enough to make returning to work worthwhile.

Source: Fagan, 2002.

Evidence suggests that extended periods of absence from employment can lead to difficulties in returning to paid work, deterioration of earnings and diminished pensions. Research looking at the life-cycle effects of interrupting work shows how the wage losses are not only due to foregone earnings but also to skills erosion, less experience and lost seniority (Esping-Andersen, 2002). However, few households are in a position to foresee the longer-term effects and make the calculation of foregone lifetime income arising from employment interruption (Fagan and Rubery, 1996). Work–family measures which reduce the need for prolonged breaks to care for children and other dependents help ensure that women's labour market skills are maintained so that the investment in their education is able to benefit society, their families and themselves. Research suggests "the real pay-off from day care provision is that it substantially diminishes the likelihood that mothers must interrupt employment careers" (Esping-Andersen, 2002, p. 121). A recent study in Switzerland (Müller Kucera and Bauer, 2001) also highlighted waste of educational investment and loss of human capital as justifications for increasing public subsidies to childcare.

Economic vulnerability of women and families

In cases where one person (frequently a man) is the sole breadwinner, the family is particularly vulnerable to rapid income decline if he loses his job or his earnings drop. Having more than one income earner provides a hedge against such risks. Trends towards more insecure employment relations have made it more risky for women and families to count on one breadwinner and more stressful for men when they are the sole income earner in the family.

Reducing work-family conflict promotes women's capacity to earn income and helps to protect them and their households against the financial risks associated with separation, divorce and widowhood. The number of women who eventually find themselves alone to support themselves and their children seems to be increasing for various reasons, including single motherhood, instability of marital or consensual unions and HIV/AIDS. Figure 2.2 shows the proportion of households with children where there is a lone parent in the late 1990s. It can be seen that a substantial proportion of families with children are one-parent families, with the proportion reaching 20 per cent or more in Argentina, Austria, Belarus, Belgium, Brazil, Finland, Germany, Latvia, Sweden and the United States.

One-parent households Couples with children

Report of the couples with children

Report of the couples with children

Couples with children

Report of the couples with children

Report of the couples with children

Couples with children

Couples with children

Figure 2.2 One-parent households as a proportion of all households with children, selected countries, 2000

Note: Data for Argentina and Brazil from 2001.

Source: UNECE Ğender Statistics Database except for Brazil: B. Sorj (2004) and Argentina: INDEC, Senso Nacional de Población, Hogares y Viviendias (2001).

Data available for developing countries concern mainly female-headed house-holds (see box 2.9). Although this category is somewhat heterogeneous (some are one-person households and some may have income support from absent men), it does provide an indication of the considerable proportion of households where women have sole responsibility for financial support.

Box 2.9 Female-headed households

In Europe, about 28 per cent of households are headed by women, of which almost half are over age 60. Figures for the 1990s indicate that female headship is common in some sub-Saharan African countries: over 30 per cent of households in Botswana, Ghana, Kenya, Namibia, Swaziland and Zimbabwe are headed by women. In the Caribbean, the rate of female headship is also high, estimated at 36 per cent of households. In Africa and the Caribbean, women household heads are younger than those in Europe, with only one-quarter being over age 60. In Latin America and Eastern Asia, about 22 per cent of households are headed by women.

Source: UN, 2000, Chart 2.21.

Poverty among children in single-parent households often far outstrips poverty in couple households, particularly in societies where there has been little attempt to introduce policies to support parenting and equal opportunity policies (Rubery et al., 2003). Providing an environment where women can progress in work and build up their financial independence helps to reduce the need for special programmes and benefits for those who lose (or never have) the support of a partner. Intervening to promote work–family reconciliation also helps parents who are currently supporting children on their own to be able to work.

Increasing inequalities

A lack of intervention by governments in work–family conflict can exacerbate inequalities based on income. When childcare arrangements are left to the market, for example, families which are well off can afford good-quality care whereas those with more limited means either make do with low-quality care or forego earnings to do the caring themselves. Lower-quality care can perpetuate disadvantage from one generation to the next. At the same time, looking after children themselves can limit income-earning possibilities of mothers, as shown in box 2.10.

Box 2.10 The need for childcare in Guatemala City

The availability of informal care is limited for many of the randomly sampled mothers working in the slums of Guatemala City and over 40 per cent are caring for their children themselves while working in the informal economy. Lack of available childcare limits the ability of many women to take advantage of the better paying jobs in the growing formal economy where children cannot accompany their mothers to work.

Source: International Food Policy Research Institute (IFPRI), 2003.

In the case of the United States, where government relies heavily on voluntary initiatives of business, Heymann (2000, p. 134) notes how low-income families are particularly affected: "Because of our nation's failure to provide public services and set even minimal public standards for working conditions that affect families, lower-income families have a much smaller chance of simultaneously succeeding at work and caring well for family members than do middle-income ones, who in turn have a smaller chance than the well-to-do."

The experience of relying on voluntary work–family measures by individual employers indicates that they are found in only a minority of organizations and benefit particularly the regular, highly-skilled workers who need them least (see below on the limits to the business case). Work–family measures are more likely to be found in firms that depend on a highly-skilled workforce (financial services, information technology). Even within firms, benefits available to workers can vary considerably depending on their contract status and skill level. A recent OECD (Organisation for Economic Co-operation and Development) review of policies for the reconciliation of work and family life concludes that "Relying on the business case as the main way of promoting family-friendly work practices risks the outcome that such provisions are restricted to the public sector and to highly-skilled highly-paid professionals" (OECD, 2002, p. 200). Box 2.11 presents the situation in Australia.

Box 2.11 Employer initiatives not reaching those most in need

In Australia, where government policy has been to encourage voluntary employer initiatives, either unilaterally or through enterprise bargaining, most studies conclude that agreements have a low incidence of genuine "family-friendly" provisions. For example, payment during maternity leave (no payment is provided by national legislation) has remained a benefit available to only a small minority of women and the duration of the payment is often not very long. The results of research show paradoxically that employed women with a child under five are the least likely to have access to family entitlements yet they are those who need them most.

Source: Charlesworth et al., 2002.

When benefits are voluntary, small firms (which account for a large proportion of the workforce in many countries) may be particularly reluctant to offer them. In addition, when they are offered voluntarily, firms can decide to cut them in difficult financial times.

Governments are increasingly recognizing there is a need to ensure a framework of minimum standards and entitlements for those who are employed so that basic benefits are available to all and reach those most in need. In addition, economywide policies for leave and childcare arrangements spread the cost more evenly across employers and are more likely to stimulate women's labour force participation (Fagan and Rubery, 1996).

Health costs

As already noted, although they are participating in the labour market and sharing the "breadwinner" role, when they return home, women still tend to find themselves responsible for family and household tasks. This additional work can be particularly arduous and damaging to health in many developing countries where there is relatively little access to labour-saving devices and poor households may lack electricity and running water. Even in Europe, research is indicating that the double workload faced mainly by women can have serious health and safety consequences (European Foundation, 2002).

Low fertility in industrialized countries

Declining fertility rates have been a concern in a number of countries, particularly those where fertility levels have fallen well below the replacement level of about two children per woman. Declining fertility has been linked to the increasing labour force participation of women. Difficulties in combining parenthood, particularly motherhood, with employment can lead to choices to delay childbirth, to restrict the number of offspring or to not have children at all. These low fertility solutions of families to work–family conflict can have high public costs for the future.

In many countries where it is difficult for mothers to work, such as Germany, Italy and Japan, there has been a sustained decline in fertility that is expected to lead to an actual decline in the native-born population over the next several decades. Fertility decline below replacement rates is a preoccupation because it alters the structure of populations, with the proportion of young people declining and the

proportion of older persons increasing. Low fertility has raised concerns about future labour shortages and also the viability of pension funds (see box 2.12). In some countries, there are already labour shortages which mean that greater participation of women in employment is a goal, as well as increased fertility.

Box 2.12 Fertility and pension schemes

Declining fertility (combined with increases in life expectancy) in the industrialized countries is seen as a threat to the viability of national pension schemes. In Europe, this has been called the "the slow-motion explosion of the most predictable economic and social time-bomb in its history", and the solution is simply seen as "work longer, have more babies".

Source: The Economist, 2003.

A policy environment that makes work more compatible with motherhood may have some effect on fertility. In the Nordic countries where work–family reconciliation measures are highly developed, high rates of female participation coexist with fertility rates which are among the highest in industrialized countries. In contrast, fertility rates are particularly low in the Mediterranean countries where work–family incompatibility is greatest (OECD, 2003a). This would suggest that making motherhood less problematic for women workers could be an important element in policies aimed at increasing fertility. However, as pointed out in a recent OECD report (op. cit., p. 118), "expecting reconciliation policies to bring fertility rates back to levels experienced in the 1960s is unrealistic and, given the paradigm shift that has taken place, inappropriate."

This section has considered the possible repercussions and costs of work–family conflicts for society as a whole and the need for government intervention. The next section considers the effects on the workplace and why some employers are addressing these problems.

2.3 Why employers are becoming more family friendly

The problems which work—family conflicts pose for workers inevitably impact on the workplace. Obviously, the problem for the workplace will be less in contexts where there is greater public support for family care responsibilities and thus less need for workplace measures. This section looks at how work—family conflicts can lead to problems for employers and the "win—win" solutions which some organizations have been finding.

Some employers have traditionally been involved in family support, particularly when they needed to maintain a labour force in remote locations such as plantations or mines. However, in most industrial and service activities, and in urban or semi-urban settings, the prevailing attitudes of management on work and family have been that these are two separate spheres. Although most employers accept a degree of social responsibility, getting involved in family matters of employees has not traditionally been seen as their responsibility: family and private life is the personal responsibility of the employee, who should ensure that it does not interfere with work.

The development of this "ideal worker" model was linked to a norm of household structure in which men were the breadwinners and women dealt with family responsibilities. The corollary was that, as the sole support of the household, the male breadwinner was more vulnerable to management pressure. He could not afford to take risks or behave in ways that might have negative consequences on his career prospects, or endanger his job. However, today, many employees are from two-income couples, so the male-breadwinner assumption does not represent a realistic view of most societies or workforces.

For many employers, the work–family issue is simply one that they have not thought very much about: they are family blind. Basic legislative provisions, on maternity for instance, are (usually) conformed with. But the silent majority of enterprises or public administrations would probably regard any perceived work–family problems among their staff as "not their problem". The possible negative impacts on the work performance of staff have not really been properly assessed and compared with any additional costs that would result from adopting family-friendly arrangements. In fact, research suggests that many enterprises are just unaware of the business benefits that can be acquired by adopting a more family-friendly stance (Evans, 2001).

Addressing problems at the workplace

Family-unfriendly working conditions, such as long working hours and asocial and unpredictable schedules, can have a negative impact on the physical and mental health of the staff in terms of increased stress, employee burn-outs, marriage break-ups, and so forth. Also, employees may perceive these practices as contributing to a negative working environment where there is little concern for the worker as a human being (Dench et al., 2000). Employees who are having difficulty balancing their work with life outside work tend to feel less satisfied with their job and less committed to the organization.

Cost of turnover

It is possible that some employees are leaving an organization as a result of working conditions that are difficult to combine with their family responsibilities. Box 2.13 provides an example of a pharmaceutical company which found that some employees would have left if family-friendly measures had not been introduced.

Box 2.13 Family-friendly measures reducing turnover

United Kingdom The managers in a pharmaceutical company in the United Kingdom were able to identify six people who had stayed in the company because it offered special leave or flexibility of hours at virtually no cost to the business. The direct replacement costs that were saved amounted to £7,500 per person – a total of £45,000 in one year. The same company reported that staff turnover had fallen by 15 per cent due to the improved atmosphere and positive responses to some of the family-friendly practices.

United States The American division of the furniture retailer IKEA reports that turnover among sales staff declined from 76 per cent in 2001 to 56 per cent in 2003. Since 2001, IKEA has expanded various flexible work arrangements. Parttime employees who work at least 20 hours a week get full benefits and workers can job-share, working flexible part-time hours to fill one full-time position.

Source: Dench et al., 2000, for the United Kingdom; Stapinski, 2003, for the United States.

Turnover involves costs for the recruitment, induction and training of replacements. Depending on the skills of the person concerned, these costs for a new employee can be as much as one year's salary, so that retaining the right people within the organization can become an important business objective. The Institute for Employment Studies in the United Kingdom estimates that replacing a leaver costs a minimum of one-third of the new recruit's annual salary but can be as much as one year's salary (Bevan et al., 1999).

One cause of turnover among women staff may be maternity and their inability to return after maternity leave. Box 2.14 gives the example of a firm where turnover costs were reduced by family-friendly measures that increased the rate of return after maternity.

Box 2.14 Reducing turnover related to non-return after maternity leave

In Australia, the work and family programme of AMP, a financial services corporation, had a major effect on the rate of return after maternity leave: in 1992, only 52 per cent of employees returned after maternity leave but by 1997, 90 per cent were returning. The company has a comprehensive programme which includes flexible working arrangements, six weeks' paid parental leave, personal emergency leave and a keep-in-touch programme for employees on parental leave. Major efforts were made to ensure that employees were aware of the family-friendly policies and encouraged to use them.

Source: Australia, Department of Employment and Workplace Relations, Work and Family Unit, 1998.

Difficulties in attracting staff

Another concern for employers can be the difficulty of attracting a broad range of high-quality candidates in a competitive market. Family-friendly practices can help. In various contexts, it has been found that employees may prefer an employer with family-friendly or life-friendly attitudes to a "family blind" one that offers higher remuneration. Indeed, a study of graduates worldwide found that for 45 percent, work—life balance was key in choosing an employer, compared to salary which was key for 22 percent (Earle, 2003). Box 2.15 presents similar results for jobseekers in the United Kingdom. Employers with family-friendly reputations have also found they get more spontaneous applicants, thus saving on recruitment costs.

Box 2.15 Flexible hours preferred to more money

In the United Kingdom, jobseekers would rather work flexible hours than get extra money, according to new research. In 2002, one in three of the 4,000 people looking for a job questioned in an on-line survey said flexibility was more important to them than an extra £1,000 a year.

Source: United Kingdom, DTI, 2002.

Governments also want to attract good staff and so have every interest in proposing family- and life-friendly working conditions. It is interesting that even in a country like the United States, where legislated benefits on work and family are very limited, the federal Government is particularly advanced in policies for its own

employees. Under several presidential directives, it is pushing managers to be more flexible on work organization, the objective being not so much to give the example to other employers but to compete successfully with them for attracting the right calibre of staff.

Absenteeism and lateness

Family-friendly policies can also help workplaces avoid work—family conflicts that may be the cause of absenteeism and tardiness (see box 2.16). Family-friendly practices giving employees more control over their work situation, such as choice on starting time, can address this problem.

Box 2.16 Work-life conflict affects absenteeism

The results of a large Canadian study of some of Canada's largest employers show that organizations which have a higher proportion of their workforce with high levels of work–life conflict also experience increased absenteeism and substandard organizational performance. This result leaves little doubt that high work–life conflict negatively affects an organization's bottom line.

Source: Duxbury and Higgins, 2003.

The "business case": A win-win situation

Because of the problems discussed above, employers are changing their assumptions as concerns policies to improve productivity (see box 2.17). Traditionally such policies might have been seen as welfare measures to help employees, with no benefit for the organization. However, an increasing number of organizations and enterprises are implementing family-friendly policies, going beyond the provisions of the law, because they find it in their interest to do so. This is reflected in the following statement from a senior executive in Australia: "It is easy to see the benefits for the employer. It means higher staff morale, reduced staff turnover, reduced training and induction costs and better service for our members" (Department of Employment and Workplace Relations, 2003a, p. 4).

Box 2.17 The "high road" to increased productivity

A study in the United Kingdom has found family-friendly working conditions in the private sector to be associated with company productivity and improvement in employee commitment. Flexitime working, job-share arrangements, assistance with childcare and possibilities to work from home were all associated with lower staff turnover. Nine out of ten companies offering flexible working arrangements said there were cost-effective. "These findings strongly challenge the belief that longer hours, more intensive working and cutting back wage costs hold the key to business success."

Source: Judge Institute of Management, 2002.

Thus, work–family measures can benefit employers as well as employees, resulting in a win–win situation. Box 2.18 provides an example of how family-friendly initiatives increased job satisfaction and employee motivation in a hospital in Singapore.

Box 2.18 Increased job satisfaction and morale

The annual employee satisfaction survey of KK Women's and Children's Hospital in Singapore showed the positive impact of the hospital's family-friendly initiatives; 56 per cent of the employees found that they help to reduce work-related stress, 66 per cent felt more energized and motivated to help the organization and 66 per cent felt a greater sense of job satisfaction. Over 90 per cent of the staff found the family-friendly initiatives as a help to better balance work and family. The hospital was the Singaporean Government Family Friendly Firm Award Winner of 2000 and 2001 for initiatives such as several flexible work arrangements, a kids-at-work scheme, lactation rooms in the facility and lactation counselling.

 $Source: Singapore, Ministry of Community \ Development \ and \ Sports, \ http://www.mcds.gov.sg.$

Limits to the business case

The skill level of employees is known to have an important impact on the implementation of family-friendly practices (Wood, 1999). The business case for introducing family-friendly practices is strongest in high-skilled industries and sectors where the costs of losing and replacing an employee are high and the benefits of family-friendly practices easier to quantify. It is not a coincidence that most of the examples that can be quoted, including those in this book, concern organizations in sectors that depend on a highly-skilled workforce, such as financial services or information technology.

The "business case" for voluntarily providing benefits to less-skilled workers who are cheaper to replace is not as strong. In industries or sectors viewed as low-skilled, such as retailing, assembly and manufacturing, and in activities where productivity is more difficult to measure, such as in public services, the business efficiency and cost effectiveness of measures are harder to apprehend. This is also the case in low-skill, labour-intensive, and relatively less well-paid employment in many developing countries, where a large pool of unemployed or underemployed labour is readily available.

Nevertheless, staff within those sectors and those countries also experience work–family pressure and the resulting turnover and recruitment costs and implications for productivity are not necessarily negligible. In fact, the business case may be stronger than might appear at first sight, as in the case of the Australian retail industry described in box 2.19.

Box 2.19 Problems of staff retention in retail companies in Australia

A survey of several companies in retailing, traditionally viewed as a low-skilled industry, found that employers were placing a very high priority on recruiting while low priority was given to efforts aimed at retaining employees. One of the main reasons why people were leaving jobs in retail companies was lack of flexibility and of family-friendly working conditions.

The industry was not recognizing the problem of turnover and the many skills that employees were acquiring and that therefore were being lost when they left. As suggested by one of the investigators in the project, "the retailing

industry is not an unskilled industry but it is an under-credentialed one in which many skills are not formally recognized". This undervaluing of skills resulted in underestimations of the actual costs of turnover and a corresponding failure to implement work–life provisions that could improve employee loyalty and retention. If staff retention were improved through greater flexibility, recruitment would be less of a problem.

Source: Earle, 2003.

This section has considered the reasons why employers are increasingly implementing family-friendly measures as part of their human resources policies and strategies to improve productivity. The next section considers why trade unions have been increasingly concerned with work–family issues.

2.4 Why trade unions are becoming more involved

Like employers, trade unions are increasingly realizing that the traditional male breadwinner model no longer reflects the evolving needs and concerns of workers. As women join the workforce in greater numbers, they are making up an increasing proportion of potential and actual trade union members. Thus the needs and concerns of trade unions are changing, not only because of the rising numbers of women, many of whom are mothers, but also because working men are increasingly from dual-earner couples. Work–family conflicts, although particularly acute for women, are also of concern to male workers.

Trade union action to help workers with family responsibilities is a way of strengthening the attraction of the union, of making gains through collective bargaining and of increasing union visibility.

The need to widen the union membership base

The attraction of a union for non-members will depend on whether they consider that the union is defending their interests and taking up issues related to their needs. As more women have become employed, their participation in trade unions has not always grown proportionately. Although there are various reasons for this, addressing the problems of work–family conflicts helps to show the relevance of trade union activities to the concerns of women and may be a means of attracting more women members.

Taking up the work–family issue indicates more generally that a trade union is keeping abreast of the changing social and economic realities which are affecting the lives of men as well as women workers and responding to the needs of their members. As can be seen in box 2.20 on the Irish Congress of Trade Unions (ICTU), the need to recognize this new reality is seen as a major way of strengthening the trade union movement.

Family responsibilities can constitute a barrier to women workers becoming members of trade unions and participating in union activities and committees. Participation of workers with family responsibilities in union activities and committees is an important way of ensuring that activities and decisions reflect their concerns and interests. Although the number of women in trade unions is increasing, women still

Box 2.20 Policies to increase union membership in Ireland

In considering how to increase its membership base, the ICTU notes that the principal reason why workers are not in trade unions is that nobody has asked them to join. A second issue is a structural one. "Trade unions do their business, for the most part, in a way that was appropriate to the age of the male breadwinner. The structure of work has changed radically in recent years. Two thirds of the 450,000 new jobs created in the Republic of Ireland since 1994 were filled by women. The twin pressures of commuting and caring are making participation difficult for people. This is a reality that has to be recognized and accommodated in some way."

Source: ICTU, "Introduction", in $Strengthening\ the\ trade\ union\ movement,$ available at http://www.ictu.ie (consulted on 22/10/2004).

constitute only about 1 per cent of union decision-making bodies (ILO, Gender Promotion Programme, 1999).

Trade union organizations are increasingly taking into account family responsibilities when organizing their activities. For example, the Unions for Women Campaign Kit prepared by the ICFTU and the Global Union Federations (GUF), provides suggestions on ways affiliates can address women's family responsibilities in order to facilitate their participation in trade union activities (see box 2.21).

Box 20.21 Increasing women's participation in trade unions

Given that family responsibilities are a constraint to women's participation in trade unions, the Unions for Women Campaign Kit of the ICFTU suggests that unions should take into account these constraints by:

- arranging meetings and activities at times that do not conflict with family responsibilities;
- providing childcare facilities to assist women to participate in union activities.

In budgets for seminars or training activities, it is ICFTU policy that there should be a provision for paying a carer so that women are not prevented from participating by childcare responsibilities. A number of unions are now encouraging greater participation of women by having childcare available if needed.

Sources: ICFTU Campaigning Kit: 3 Year Global Unions' Organising Campaign, available at http://www.icftu.org (consulted 22/10/2004), and Ramos, 2004.

The need to show impact on poor working conditions

In many countries, collective bargaining on measures to help reconcile work with family responsibilities is probably the area in which trade unions can have the most impact on the conditions of workers with family responsibilities. The scope for gains through collective bargaining will naturally vary depending on the systems in each country. Numerous examples from collective bargaining agreements are presented throughout this book.

Research in the United Kingdom has found that workplaces with one or more recognized union were more likely to have parental leave, paid family leave and job-sharing policies than those that did not – although this was not the case for other family-friendly options such as home working or flexible hours (Budd and Mumford, 2004). Similarly, in Australia it was found that better leave policies were associated

with union presence but not with other family-friendly polices such as flexible work options or childcare (Bardoel et al., 1999).

In developing countries, where the legislative provisions are often very limited and there is considerable scope for improvement, trade unions are playing an important role in negotiating agreements which go beyond minimum standards set in legislation. The case of an agreement at a Honduras garment factory signed in 2001 (presented in box 2.22) illustrates how trade unions are negotiating for family-related benefits as well as wages. Indeed it may be easier to negotiate improvements in these benefits than increases in wages.

Box 2.22 Collective agreement including family-related benefits

After a struggle of two and a half years, workers at the Yoo Yang garment factory in La Lima, Honduras, signed their first collective bargaining agreement in 2001. The Brussels-based International Textile, Garment and Leather Workers' Federation (ITGLWF), to which the union of Yoo Yang workers is affiliated, provided support in this process.

The contract provides a number of improvements, including a grievance procedure, the expansion of medical benefits provided by the on-site clinic, increased maternity leave, higher transportation benefits, transportation and meals during overtime, education scholarships, assistance with education costs for workers' children, and additional benefits associated with holidays. A small raise was also secured.

Source: ITGLWF, 2001.

In collective bargaining, there is often more scope for non-wage benefits than for wage increases and thus for visible gains by the union. The Trades Union Congress (TUC) of the United Kingdom notes that negotiating time benefits can be an effective strategy for delivering what many members want from their work. Such gains can make a big difference to employees and their ability to reconcile work with life outside work, including family responsibilities. Box 2.23 presents an extract from a certified agreement at a company in Australia where some interesting flexibilities were negotiated for employees, particularly for those with children.

Box 2.23 Certified agreement at Barnardos Australia

Acknowledging the caring responsibilities of many employees, the Directors will, as far as practical in meeting the needs of clients:

- Allow a reasonable number of short personal calls
- Allow work that can be undertaken at home to be done there when family illness or other pressing reason exists and clients are not disadvantaged
- Permit a child to be temporarily at work in emergency situations where there
 is no direct contact with the client and where clients are not disadvantaged
- Allow young babies being breastfed to be brought to the office, if not too disruptive
- Allow flexibility in hours to meet family obligations if they do not interfere with services to clients
- Allow unpaid leave in school holidays where this does not interfere with client service

Source: Australia, Department of Employment and Workplace Relations, 2003b.

Increased visibility

Involvement of trade unions in various types of tripartite forums on policies and programmes related to work–family conflicts has provided unions with opportunities to express their views and those of their members and to reaffirm their role in social dialogue. The multi-faceted aspects of the problems involved have encouraged some unions to forge new alliances with other social actors at the local and national levels. These activities give them more visibility and broaden and strengthen their influence. Box 2.24 shows an example from Brazil where trade unions linked up with other organizations to lobby for the implementation of existing entitlements to childcare.

Box 2.24 Trade unions pushing for pre-school care in Brazil

In Brazil, in the 1970s, in the face of increasing urban deprivation and the timid response provided by the public authorities, a popular movement emerged in favour of pre-schools in Brazil's major urban centres. Trade unions (alongside mothers' organizations, neighbourhood networks, feminist groups, housing associations and the Catholic Church) influenced the discourse on pre-schools as "a right of the working mother". Women in industry, especially in the electroelectronic sector, demanded the inclusion of issues specific to women workers in negotiations with employers. One of the principal demands was that firms should comply with the labour legislation which stipulated that pre-schools be provided for the children of workers.

Source: Sorj, 2001.

This section has focused on trade unions and why they have been increasingly concerned with work–family conflict and its effects on workers. The next chapter looks at policies and measures at the national level. These are considered essentially from the point of view of governments, but the roles that the social partners have been playing to encourage and support national policies are also discussed.

3. Overview of national policies and measures

Government has a leadership role to play in setting policy orientation and creating a social climate that is favourable to dialogue and change for improving work–family reconciliation. Government creates the legislative and social security context, but much also depends on measures taken within the workplace and within communities. Open dialogue and strong partnerships are critical to success.

The chapter starts by providing a framework that classifies the main types of measures aimed at reducing work–family conflict. It then goes on to look at measures which fall mainly within the competence of government. Given the importance of advocacy and the involvement of the social partners, the next section looks at how governments have been promoting dialogue and how trade unions and employers' alliances have been contributing. Finally the chapter considers what is probably the greatest policy challenge in measures for work–family reconciliation – their implications for the objective of equality of opportunity and treatment for men and women in the labour market, as specified in Convention No. 156.

3.1 A framework

When considering work–family conflict, it is helpful to categorize the types of problems that need to be addressed. Whoever the dependant involved (child, elderly parent), the reconciliation problems can be schematically classified into three main types for which quite different kinds of measures are useful:

- 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 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 type of problem, table 3.1 provides an overview of some of the main measures that can be taken with respect to leave entitlements, working time, working place, care facilities and other measures to lighten the burden of family responsibilities, indicating the chapter where the measures are discussed in detail.

Table 3.1 Measures that facilitate the reconciliation of work with family responsibilities by type of problem

responsibilities by type of problem			
Types of measures	Types of problems in reconciling work and family		
	Establishing workable routines (daily, weekly, yearly)	Coping with major family events/needs	Coping with emergencies
Leave entitlements (Chapter 6)	At least 3 working weeks' annual leave entitlement as per Holiday with Pay Convention, 1970 (No. 132) Ability of worker to choose when to take annual leave	Maternity leave (mothers) Paternity leave (fathers) Parental leave (both) Long carer's leave (men and women) Programmes for re- integration	Annual leave Sick leave that can be used for family emergencies Emergency/ compassionate leave Parental days
Work schedules (Chapter 7)	Avoiding long hours and overtime Predictability of work schedule (particularly for those working overtime, shift work, asocial hours) Part-time hours Flexitime Working during school term-time	Ability to reduce working hours temporarily	Flexitime or time banking schemes where workers have some control over their hours
Place of work (Chapter 7)	Working from home Partial teleworking	Working from home Partial teleworking	Ability to work from home in emergency Partial teleworking
Care facilities (Chapter 5)	Access to affordable, appropriate care for young children and elderly School canteens for lunch Out-of-school hours supervision	Breastfeeding facilities at work	Access to emergency care when main arrangement not available Ability to bring child to work in emergency Possibility of using workplace phone
Lightening the burden of family and domestic tasks (Chapter 3)	School hours that coincide with working hours Opening hours of government services, medical services, stores Transport facilities and spatial planning Labour-saving technology or services for cooking, cleaning, laundifamily planning	у	

Establishing routines

The ability of workers to establish routines that combine work commitments with satisfactory arrangements for dependants is probably the most frequent problem that workers and would-be workers face. In the case of children, a satisfactory schedule for most parents would include time in their daily schedules to spend time with their children. As can be seen in the second column of table 3.1, the problems of establishing daily routines (as well as weekly and yearly routines) can be addressed by a wide range of measures related to working schedules and work location, leave entitlements, care facilities and other measures to lighten the burden of family responsibilities.

Working time and the related options available are determined by labour legislation, collective bargaining agreements and enterprise policies in varying degrees depending on the industrial relations system of the country. Similarly, support for family responsibilities through care facilities may be the result of measures at the national, community or workplace level and often involves a combination of measures and various sorts of partnerships. Other measures to lighten the burden of family responsibilities may come from diverse sources, often not directly related to the workplace nor the industrial relations system, as their impact is particularly on family and domestic tasks and the time and energy needed to do them.

Coping with major events

The availability of arrangements which permit workers to stop work for a certain period to cope with a key family event, while being guaranteed the right to return, can be important at certain life stages. As can be seen in the third column of table 3.1, this possibility depends mainly on leave entitlements, such as maternity leave, parental or carer's leave, as provided in labour legislation, collective agreements or enterprise policies.

Maternity leave contributes to the protection of the health of women workers and their babies, while providing a guarantee of employment continuity for the mother. Other types of leave, such as parental leave, also provide workers (usually both men and women) with the option of caring for dependants themselves at certain critical stages. Social security usually plays an important role in the financing of payments to workers during these periods.

Coping with emergencies

Family emergencies, such as a sick child, an elderly relative who needs to be taken to the doctor or an unanticipated school holiday, are almost inevitable. Some can be avoided by measures that promote viable daily routines and others can be less disrupting for work when possible solutions have been foreseen.

As can be seen in table 3.1, the ability of workers to cope with family emergencies can be influenced by working time arrangements and leave entitlements, as well as measures related to care. Flexible arrangements at the workplace (such as time banking or allowing children to come to work when there are care problems) help to alleviate these problems for both the employee and the employer. In some cases, some sort of short emergency leave which can be used on such occasions may be provided by legislation, collective bargaining agreements or management practices as discussed in Chapter 6.

Coherence between measures

As can be seen in the framework of table 3.1, there is a wide range of potential measures for work–family reconciliation. Many ministries can become involved, such as Ministries of Labour, Finance, Planning, Social Security, Health, Transport, Education, Youth and Sports, Home Affairs and so on. Various levels of provincial, local or municipal government are also concerned, since they have a crucial role in local arrangements, which may include childcare, spatial planning, transport and social services. There is accordingly considerable scope for synergies, partnerships and complementarity of actions. At the same time, the risk of incoherence and working at cross-purposes can also be high.

Measures which are assumed to be improving work–family reconciliation are often part of policies to reach other goals, such as policies on the family, population, employment, social security, childcare and education. For example, measures for improving the education provided for pre-school children are understandably focused on the development of children and may or may not be helpful for working parents (see box 3.1 below for the example of Spain). Working-time measures, such as increased flexibility or annualized hours, may be introduced for economic reasons but they may or may not be useful in combining work with family responsibilities. Moreover, governments may be promoting the notion of flexible employment while making it increasingly difficult for flexible workers to have access to benefits (Rubery et al., 2003).

Box 3.1 Childcare and reconciling work and family in Spain

In Spain there is a relatively generous supply of pre-school services for children aged four and five. But their hours are wholly incompatible with employment and are predicated on a parent being able to stay at home over an extended lunch period.

Source: Lohkamp-Himmighofen, 1999.

Because of the cross-cutting nature of the issue, the coherence and synergy of measures affecting work–family reconciliation are a concern. Box 3.2 gives three examples from industrialized countries which illustrate problems of coordination.

Box 3.2 Problems of coordination in industrialized countries

Austria While women are entitled to take 24 months' maternity leave from employment, childcare benefit is paid for 30 months. This may encourage mothers not to return to work after the leave period is over since they may lose the childcare benefit if their income is higher than a certain threshold.

Japan In Japan, the policy objective is to provide parents with choice in allocating their time between work and care activities. However, certain aspects of the health and pension insurance regulations mean that dependent spouses have an incentive to limit their working hours and earnings, particularly those with low-paid work. Once earnings go over a certain threshold, the dependant (usually the wife) can no longer continue to benefit from the social security contributions of the spouse and must make a separate contribution which is considerable.

Portugal The Portuguese Government emphasizes the potential role of parttime work as a way for families to reconcile their work and care responsibilities. Yet childcare facilities require the purchase of full-time care and therefore are not very useful for those wanting to work part time.

Source: Adema, 2003, for France; OECD, 2003a, for Japan; OECD, 2004, for Portugal.

Coherence requires clear objectives. According to Convention No. 156, the overall objective of work–family measures is "creating effective equality of opportunity and treatment for men and women workers". Measures for work–family reconciliation may also improve childcare, increase employment or influence fertility, but their main objective, which provides the coherence, is equality.

As will be seen in section 3.3 below, some governments have set up work—family units with the main roles of research and advocacy to encourage measures within enterprises (see box 3.21 below). These units may have a role of proposing policy change, but do not seem to assume a major role of policy coordination within the government.

The main examples of countries which have addressed work–family conflicts as part of a gender equality strategy come from the Scandinavian countries, where family policies have converged with equality policies, with the aim of encouraging and facilitating greater participation of men in family life and of women in employment. Box 3.3 shows how work–family reconciliation is an integral part of objectives for gender equality in Sweden.

Box 3.3 Gender equality objectives in Sweden

In Sweden, gender equality is not considered an issue for one minister alone and a gender equality perspective is to pervade all areas of government policy. The Equal Opportunities Ombudsperson is a government authority responsible for supervising the enforcement of equality legislation in working life and at universities. The overall aim of the Swedish Government is for women and men to have the same opportunities, rights and obligations in all the most important walks of life. Thus objectives incorporate issues related to work–family reconciliation and include:

- equal conditions and opportunities in respect of jobs, terms of employment and advancement;
- the same chance of achieving economic independence; and
- · shared responsibility for children and the home.

Source: Sweden, Ministry for Industry, Employment and Communications, 1999.

3.2 Measures under the primary responsibility of governments

This section considers the diverse measures to promote work–family reconciliation which fall mainly within the direct means of action of governments:

- Policy research and research supporting promotional efforts
- Labour legislation and social security benefits related to leave and working time

Reconciling work and family responsibilities: Practical ideas from global experience

- Strategies for promoting care facilities
- Measures to lighten the burden of family responsibilities
- Facilitating re-entry into employment
- Communication and information to explain measures and encourage change

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 needs and preferences. For governments reviewing work–family policies, a first step is to take into account current trends; these can be seen in certain statistics, usually available at national level. Population census or demographic surveys can give information on developing patterns related to marriage, fertility rates, age distribution and household composition. Labour market surveys and population censuses can provide information on labour market participation rates by sex and age, occupations, status in employment, working time, wages and income levels. Household budget surveys can also be a source of information on household composition and incomes.

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;
- 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; and
- worker and employer ideas and preferences concerning solutions.

Extensive research has been carried out in industrialized countries, not only nationally but also at the level of the EU and OECD. University researchers from numerous domains (sociology, psychology, law, industrial relations, economics) have become increasingly interested in issues related to work and family. An example of government/university collaboration for national research is presented in box 3.4, as well as two examples from developing countries.

Box 3.4 Examples of policy research

Chile In Chile, the National Service for Women (SERNAM) undertook a survey of enterprise experiences in improving work–family reconciliation as well as 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.

United Kingdom The Work–Life Balance 2000 baseline study was conducted jointly by the Institute for Employment Research, University of Warwick and IFF Research. The study was commissioned by the Department for Education and Employment in order to provide baseline information for the Government's work–life balance campaign. The study provides representative information about the availability of work–life balance arrangements in British workplaces with five or more employees. It comprises three surveys: a survey of employers covering 2,500 workplaces, interviews with the head offices of 250 participating workplaces, and a survey of around 7,500 employees.

Source: ILO, 2000, for Chile; University of Mauritius, 2002, for Mauritius; Hogarth et al., 2001, for the United Kingdom.

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. The alternative of leaving these issues entirely to employer initiatives or collective agreements necessarily leads to inequities, as discussed in Chapter 2.

Two key areas of labour legislation influence the ability of workers to reconcile work with family responsibilities: leave entitlements (annual leave, sick leave, maternity leave and other forms of family leave) and working time provisions (including normal working time, overtime and part-time work). Various international labour standards exist in relation to leave and working time and provide the basis for national legislation. Details concerning these two types of measures are discussed in Chapters 6 and 7 respectively.

The balance between law and collective bargaining varies depending on the industrial relations system in each country, as does the scope for improvement through collective bargaining. The remainder of this section looks briefly at some issues concerning the roles of labour legislation, collective bargaining and social security in addressing work–family conflict.

In some cases, legislation may be used as a means of generalizing practices to ensure that all workers benefit from provisions that exist in related collective bargaining agreements. Box 3.5 provides examples from Malaysia and the United Kingdom.

A recent tendency is to enact legislation which gives workers more choice and flexibility and increases the scope for collective bargaining. In the case of maternity leave, for example, instead of specifying the number of weeks to be taken before and

Box 3.5 Legislation generalizes benefits in collective agreements

Malaysia In 2000, maternity leave for workers in the private sector was extended from 45 to 60 days, following the minimum already established in collective agreements in the banking sector.

United Kingdom New legislation in 2003 provides rights to take parental leave and to request a reduction in working hours – rights which already existed in a number of workplaces and were more common in unionized than in non-unionized ones.

Source: Jikunan, 2003, for Malaysia; Turner, 2003, for the United Kingdom.

after childbirth, a total number of weeks is specified, indicating only that at least six weeks of the leave must be taken after childbirth.

Similarly, in the case of working time legislation, there has been a shift to legislation that allows some degree of local influence over working hours. The legislation embodies a rule or principle, sometimes with incentives, and leaves the social partners to determine the specific ways it will be applied. This allows for collective bargaining to adapt the principle to specific conditions and tends to enhance worker influence (McCann, 2004). Leaving room for flexibility means that local or sectoral circumstances can be taken into account and the resulting measures have more legitimacy (Dickens, 2000).

A major responsibility of government is to ensure that legislation is effectively implemented. Even in industrialized countries, there are problems concerning leave and working time. For example, a report on work–life conflict in Canada (Duxbury and Higgins, 2003) concludes that one of the things the Government could do to help reconciliation is to enforce the implementation of existing legislation, in particular certain specific provisions related to overtime and leave entitlements.

For governments in many developing and transition countries, the effective implementation of legislation is fraught with difficulties. Labour inspectorates may be understaffed, inspectors underpaid and means of transport very limited. Workers are often unaware of their rights or unwilling 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) seems to be particularly difficult and reports of abuses in many countries abound (see box 3.6 on the Russian Federation for one example). Box 3.7 on Guatemala provides an encouraging example of action by the labour inspectorate against the illegal dismissal of pregnant workers.

Box 3.6 Difficulties of implementing legislation in the Russian Federation

A recent report notes that in the Russian Federation, violations of the labour law include non-payment of maternity allowances and dismissals of pregnant women and women with children under three who may be on parental leave. Survey data indicate that these violations seldom become a subject of labour disputes and even less, of court procedures. Women do not insist on receiving their benefits and feel unable to stand by their rights.

Source: Chetvernina et al., 2003.

Box 3.7 Action against dismissal of pregnant workers in Guatemala

In its report to the ILO in 1996, the Government of Guatemala indicated that the labour inspectorate reinstated 349 women who had been dismissed during the period July 1995 to June 1996 for sickness related to maternity or for breastfeeding.

Source: ILO, 1996.

In many countries, trade unions seek not so much to improve legislation as to ensure the implementation of existing laws. When there are problems of enforcement of existing rights, duplicating them in collective agreements can be an important safeguard (Olney et al., 1998). Thus in some developing countries, trade unions include maternity protection in collective bargaining agreements (see box 3.8), as already provided in labour legislation.

Box 3.8 Duplicating maternity protection legislation in collective agreements

In Brazil, an analysis of clauses in collective agreements established in 2000 found that the most frequent clause, found in 85 per cent of agreements, concerned job security for pregnant workers: a right already established by the law. The unions feel that this will help ensure that these provisions are applied and that, in case of infringement, they will be in a stronger position to defend the worker.

Source: Sorj, 2004.

In many countries, both industrialized and developing, social security plays a role in providing support for the costs of family care responsibilities. By paying contributions (alongside the employer) for health insurance, unemployment insurance, pension funds and so forth, workers and their families are insured against various risks related to health-care costs, disability, unemployment and loss of income in old age.

Payments received during maternity leave, paternity leave and parental leave usually come from some kind of social insurance (be it health insurance, a special fund or unemployment insurance) to which the employee must have contributed for a minimum time in order to benefit. However, this means that those who do not contribute, who are frequently in self-employment or under casual or precarious contracts, are excluded from these benefits.

The successive ILO Maternity Protection Conventions have specified that payment during maternity leave should come from social security or public funding. This helps to spread the costs of reproduction to all employers and employees who contribute to the fund and to society more generally (see Chapter 6 for more details).

Retirement or old-age pensions play an important role since they provide some autonomy to older people and help to relieve workers of some of the 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 developing countries, many people, particularly the majority who work in the informal economy, are not covered by social security. They have little or no pension, and therefore are financially dependent on their children once they have no earnings. A full discussion of social security issues and options in developing countries is beyond the scope of this book, however; for more discussion see, for example, van Ginneken, 2003.

Measures encouraging care services

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. This section looks briefly at strategic approaches by governments for the financing of care services, while Chapter 5 looks in more detail at provision for different types of dependants.

The degree to which governments are involved in supporting care financially is highly variable. While imitating the Nordic models with high government provision is clearly beyond the resources of most other states and certainly of developing countries (see box 2.3 on expenditures on childcare in Scandinavia), there are less costly ways in which governments can intervene to address strategically the provision of care services of acceptable standards.

In virtually all countries, there is a private sector of care facilities, particularly for children, including day care, crèches, childminders and nannies, responding to the demand for such facilities and financed entirely by families. Facilities for the elderly have not been as much in demand, although the situation is changing in countries with high life expectancy. Private facilities tend to be of variable quality, depending mainly on the family's ability to pay. Some governments have intervened with a view to controlling quality and ensuring minimum standards.

The most frequent facilities provided directly by some governments are preschools or kindergartens. These are often an extension of the primary school system to younger ages so that children receive social and cognitive preparation for school, the main objective being to provide for the educational needs of children and not the childcare needs of working parents (see box 3.1 on Spain). Pre-schools or kindergartens that are part of the public educational system are well established in many European countries, and a number of developing countries are trying to move in this direction (see boxes 3.9 and 3.10 below on Brazil and Kenya).

For younger children under age three, public financing is more rare but found in some European countries, in particular the Nordic countries. Central governments usually do not run facilities themselves: for example in Norway and Sweden,

government subsidies for childcare facilities are given to municipalities which are responsible for running them. For younger children, most countries rely mainly on commercial private sector provision. "Part of the reason for the lower provision of formal childcare for the under-threes is the greater costs involved in caring for very young children" (OECD, 2001, p. 144). Also, there may be less need for formal childcare provision for very young children since families may favour care by the mother, facilitated by longer maternity leave and parental leave (the latter typically available for either the father or the mother).

As concerns childcare, and to a lesser extent elderly care, governments have attempted to reconcile considerations of quantity, quality and cost by encouraging the private sector, NGOs at the community level, religious institutions and private entities, as well as unions and employers, to become active providers. This policy, as well as being less costly for the state, can bring services more in line with the precise needs of the workers concerned.

In Japan, for example, a new market-oriented approach was adopted in the late 1990s which allowed private provision of licensed day care in order to offer greater choice and more flexible services to consumers. Commercial centres can receive substantial local government subsidies, provided they comply with the standards set by each local government and charge parents no more than the prescribed maximum (OECD, 2003a).

The example of pre-school childcare in Brazil (box 3.9) demonstrates the variety of arrangements and resources that can be used to finance childcare facilities. Likewise the example of Kenya (box 3.10) illustrates the use of partnerships for the provision of pre-school care.

Box 3.9 Public-private and employer mix of day care in Brazil

The 1988 Constitution of Brazil guarantees pre-school care for all children below the age of six. In 1996, the National Education Guidelines Law included infant education within the school system. By 1998, over a quarter of children in the relevant age group attended pre-school. The varied supply of pre-schools prevents any simple distinction between private or public, market or state responsibility. A more adequate classification refers to the method of financing:

- public pre-schools, entirely under the financial control and direct management of the public authority;
- philanthropic pre-schools, run by religious or philanthropic institutions;
- employer pre-schools, provided by firms for their employees in fulfilment of labour legislation;
- community pre-schools, emerging from associations of informal groups which receive support from NGOs and from public authorities;
- private pre-schools supplied by the market, whose services are designed and paid for by higher-income families.

With responsibility for pre-school care, municipalities have the option of concluding varied agreements with society-based initiatives, and most institutions combine various types of financing simultaneously. Non-government bodies (community organizations, NGOs and philanthropic institutions) have now become the principal instruments for implementing childcare. They are considered less corrupt, administratively more streamlined and better informed about the real needs of the population.

Source: Sorj, 2001.

Box 3.10 Civil society involvement in Kenya

Primary schools in Kenya are required to have a unit for pre-school education for children from the age of three, known as Baby Classes, where parents can leave their children in the morning and pick them up on the way home from work. The Government has adopted a policy of partnership which allows parents' associations, religious and welfare organizations, private firms and individuals to cooperate with local authorities for the creation, financing and management of these units. These partners have also played a key role in training pre-school teachers.

Source: Karega, 2002.

Some governments try to make childcare more affordable for parents by providing subsidies to care providers or income-based allowances to parents. In most countries where formal childcare has developed, public subsidies cover part of the cost, in varying degrees. In the United States, parental fees constitute 76 per cent of childcare financing and low-income families devote about 25 per cent of their family income to childcare (OECD, 2001). By contrast, in Japan, parents' share of total costs is under 30 per cent and the average fees paid by parents amount to about 8 per cent of average earnings (OECD, 2003a).

Government subsidies for care facilities have in some cases been utilized by trade unions, who have established facilities themselves as a way of broadening the services they provide for members and workers. Singaporean trade unions, for example, are renowned for the facilities they provide, which go well beyond child-care (see box 3.11).

Box 3.11 Family care programmes by Singapore trade unions

In 1969, the Government of Singapore encouraged the labour movement to redefine its role from one narrowly focused on collective bargaining and grievance handling to helping workers in all aspects of their life. It was thus that the National Trades Union Congress (NTUC), composed of 63 unions, set up a series of cooperatives related to family care including an Elder Care cooperative (see box 5.23). Most of these are open to all workers, regardless of whether they are union members or not, but union members have an additional discount over and above the government subsidies.

NTUC has become the largest single provider of quality and affordable child-care in Singapore. Currently it has 39 centres, with a total intake of over 3,000 children (see boxes 5.11 and 5.16 for more details on childcare programmes). NTUC Childcare is a leading training agency in early childhood care and education, providing a range of training courses and workshops for childcare professionals. It also offers consultancy on workplace childcare, customized training and projects in early childhood development and education.

Source: NTUC Childcare web site: www.ntuc-childcare.com (consulted 10/11/2003).

Fees linked to parents' income can be a way of making childcare facilities more affordable. In both Austria and Japan, for example, fees are determined in relation to the income of the parents, and fee subsidies are paid directly by the state to the

provider. Similarly, in Australia there has been a move away from direct subsidies to providers to funding for reducing the fees paid by parents. Allowances or vouchers to low-income parents to help pay the costs of care are another way of providing support. Box 3.12 provides some examples of allowances which target low-income families. One disadvantage of relating subsidies to family income is that they can represent a highly regressive tax on the earnings of a family member (usually the woman) who is considering whether to work or not, if, as is usually the case, total family earnings are tested.

Box 3.12 Targeted allowances for care

France The AFEAMA (Family Assistance for the Employment of a Registered Childminder) grants a means-tested allowance to parents placing a child under six with a registered childminder. To be registered, the childminder must follow 60 hours of training. The social insurance contributions for employing the childminder are paid by the state and not the parents.

United Kingdom Government measures announced in 2003 include direct financial support to lower- and middle-income working parents for the cost of approved childcare.

Source: Fagnani, 2002, for France; HM Treasury and DTI, 2003, for the United Kingdom.

In developing countries with more limited government resources, there has been a tendency to concentrate initiatives on populations and geographical areas where need is perceived to be greatest. For example in South Africa, an early child-hood development project targets extremely poor families in inner cities (Sadasivam, 2001). Similarly in Guatemala, the government programme of Community Daycare Centres ("Hogares Comunitarios") targets particularly destitute communities in the city (IFPRI, 2003).

Taxation policy is another way in which governments can compensate workers for the cost of caring for dependants, as can be seen from the examples given in boxes 3.13 and 3.14.

Box 3.13 Some fiscal provisions for care expenses

Australia Childcare services are free of the goods and services tax (GST), which means that providers do not need to add GST to the fees paid by parents. Providers do have to pay GST on goods and services purchased for the service, but can claim it back as a tax credit.

France Any household which provides home care to a person over 75 years old without sufficient income can claim a lump-sum tax deduction, whether the old person is a member of the family or not. In addition, tax relief is granted for half the cost of employing home help on a regular basis, whether this service is provided privately or by a public agency.

Source: Press and Hayes, 2000, for Australia; Hoskins, 1996, for France.

In many poor developing countries, only a minority of households are liable to income tax, so relief and incentives on income tax would be helping mainly those who are better off, while not providing any help for the poor. However there may be

Box 3.14 Care costs removed from taxable income

In its Labor Project for Working Families, the AFL-CIO in the United States has enabled unions to win a number of care provisions in union contracts to benefit workers with family responsibilities. The Transport Workers Union negotiated with the New York City Transit Authority to allow employees to redirect up to \$5,000 of their pay, tax-free, into an account to fund dependant care expenses. The sums so accumulated can be used to reimburse workers for day care for children under 15 years or for any dependant who is mentally or physically unable to care for him or herself. The only expense to the employer is the administration cost of the scheme.

Source: AFL-CIO, 2001a and 2001b.

some potential for tax incentives to encourage employers funding care initiatives. Box 3.15 provides examples from the Netherlands and the United Kingdom of how employers' costs of supporting childcare may be tax deductible.

Box 3.15 Tax relief for employers

Netherlands Employers pay a share of employee childcare costs, as determined by collective labour agreements, 30 per cent of which is tax deductible. The contribution is paid to a foundation which purchases the care service. When both parents are in employment, the employers must agree between themselves on the contribution they cover.

United Kingdom The costs of supporting childcare for employees' children are tax deductible for employers, as part of the cost of employing staff. In addition, while employees are normally taxed on employer-provided benefits in kind, employer-provided childcare facilities are tax-exempt.

Source: OECD, 2002, for the Netherlands; HM Treasury and DTI, 2003, for the United Kingdom.

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. There are many ways to go about this: sometimes, innovative thinking can produce useful ideas which are not necessarily expensive.

A major service provided by governments is schools, whose hours have a major impact on working parents. School hours are, in principle, designed for the well-being of the children but can sometimes be adapted to be more convenient for parents; in Saxony Anhalt (Germany), for example, primary school hours were extended for this purpose (Commission of the European Communities, 2003).

The opening hours of other government services (such as postal services, processing of birth certificates and drivers' licenses) can also exacerbate work—family

conflicts when these services are open mainly during conventional working hours. With more flexible approaches to working schedules, it might be possible to extend the opening hours of these services and perhaps, at the same time, provide government workers themselves with more choice concerning their working time (see box 3.16 for an example from Singapore).

Box 3.16 Extending hours of government services to the public

The Civil Service of Singapore introduced a flexitime scheme in the 1970s, a major objective being to ease traffic congestion during peak hours. Recently, a number of ministries, including the Ministry of Manpower (MOM), have extended the hours of their services. For the MOM, its departments remain open for an extra half-hour each weekday. To cover the opening hours, staff working schedules were adjusted. Apart from improving the service to the public, the arrangement allows the staff to rest on some days, including Saturdays. This was favourably received by employees as it enables them to have a better work–life balance. For the Ministry, the scheme has helped attract and retain valued employees.

Source: Singapore, Ministry of Manpower, 2001.

In some countries, government services (such as medical visits, vaccinating a child, paying bills) can involve long queues where workers can waste many hours, sometimes losing pay because of their absence from work. Finding ways of better organizing these services to avoid long waits would already go some way to reducing work–family conflicts.

Other services which affect the burden of family tasks and may be indirectly influenced by governments are banking hours, store opening hours and medical appointments. Regulations concerning the timing of store opening hours can be quite controversial, since extending hours may be helpful for employed consumers but may mean asocial or long hours for store workers. Box 3.17 highlights the problem of the timing of medical appointments in the Netherlands, a situation which is far from being limited to that country.

Box 3.17 Timing of medical appointments

In the Netherlands, a study in 2000 found that only 3 per cent of doctors offered evening appointments. It was noted that almost all veterinarians had evening office hours, resulting in a situation where health care for pets was more accessible to workers than health care for humans.

Source: Netherlands, Ministry of Social Affairs and Employment, 2002.

As discussed in Chapter 1, a factor exacerbating work–family conflict is the time and effort spent travelling between home, work and care services. The problem of long and tiring trips to work can be partially addressed by transport policy and spatial planning – issues that are rarely considered in the context of work and family reconciliation.

To help workers with transport problems, some large enterprises may organize transport facilities themselves, but this profits only a small minority of workers.

Decentralizing to "satellite" offices may also help reduce workers' travel times. Flexibility of working schedules (see Chapter 7) is another way for workers to avoid traffic jams and peak hours. In addition, if measures related to working hours become more diffuse, they may have the overall effect of spreading the rush hour over a longer period thus reducing the congestion.

Spatial concentration of services in the community, both private and public, is another means of reducing transport problems. In the Netherlands, experiments on daily routine arrangements found that infrastructure, such as social welfare centres, primary schools or youth centres, was often under-utilized and that local authorities may be able to find ways of augmenting the use of such buildings while grouping services (Netherlands, Ministry of Social Affairs and Employment, 2002).

Various technological advances are reducing the time required for domestic chores – from running water to electrical appliances. Services and products for reducing time spent in cooking are multiplying. The main problem is the cost, which may be too high for those with low incomes who need these facilities most. Governments could envisage measures to help alleviate household tasks and facilitate access to labour-saving technology. In Mauritius, for example, the Employees' Welfare Fund of the Export Processing Zone has made loans available to workers at concessionary rates to enable them to buy domestic appliances (University of Mauritius, 2002). In many rural and peri-urban communities of developing countries, considerable time is spent (mainly by women) doing unremunerated household chores, such as collecting water and fuel. Reducing this time would be one of the benefits of providing utilities such as water and energy.

Providing access to services to reduce household work is another way of lightening the domestic burden. Such services (laundry, take-away meals) typically develop in the private sector once there is a demand. Box 3.18 on the trade unions in Benin provides some innovative examples of how trade unions can work in a developing country context to help workers cope with domestic responsibilities by providing services which help with domestic tasks and create employment.

Box 3.18 Union services to alleviate the household burden in Benin

In Benin, unions have projects for:

- staff cooperatives which buy household goods (rice, soap) in bulk to enable women members to obtain them at lower prices;
- laundry services for working women in their neighbourhood so as to alleviate their heavy workload at work and in the home while creating employment for other women in the neighbourhood;
- childcare facilities near the main market for children of women vendors to facilitate breastfeeding, while allowing women to continue working.

Source: ILO, Gender Promotion Programme, 1999.

In some countries with high levels of fertility, governments see lowering fertility as a way of creating family structures that are more easily reconcilable with work responsibilities (ILO, 1993). When levels are high, reducing fertility through family planning and family welfare programmes is often an aim in itself. Lower fertility is expected to contribute to raising the educational levels of children while

limiting the future growth of the labour force, which in some countries risks outstripping possibilities for employment creation. It is also felt to help work–family reconciliation since families with numerous and closely spaced children are likely to have difficulties coping with earning a living while caring for children.

Facilitating 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 the absence from work, the more skills are likely to have deteriorated or need to be updated. When the absence is covered by a leave (typically maternity or parental leave), some employers make an effort to keep in touch with employees and provide them with training on return. When the person must find new employment, they are in a similar situation to the many unemployed who need measures to give them a second chance.

Many countries pursue active labour market policies in order to help people back into employment after they have dropped out of the labour force, or to help them return to work after periods of unemployment. Active labour market policies have a long tradition in countries such as Sweden, Denmark and Germany and are more or less systematically pursued today in all EU Member States (ILO, 2003a). Evaluations suggest that active labour market measures are likely to be most effective in (re)integrating people into employment when they are part of a package of mutually supportive services that may include remedial education, job training, job search assistance and direct provision of work experience. Box 3.19 provides an example of such an approach in Switzerland, which is directed specifically at women wishing to rejoin the labour force.

Box 3.19 Support for women to return to work in Geneva, Switzerland

The careers advice and training office of the Canton of Geneva in Switzerland 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.

Source: Official site of the Canton of Geneva, Office d'Orientation et de Formation Professionnelle http://www.geneve.ch/oofp) (consulted 22/10/04).

Communication and information

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)

Information and communication are functions where government can play a major role. 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 governments in industrialized countries have extensive web sites giving information about legislation and worker rights and provide guidance both to working parents and employers, as can be seen from the bibliography to this book. In some Latin American countries, there have also been efforts by governments to communicate new ideas on family responsibilities to the general public (see box 3.20 for the example of Chile).

Box 3.20 Examples of government communication

Chile In Chile, the Government's National Service for Women (Servicio Nacional de la Mujer, SERNAM) has produced a booklet, *Shared responsibilities: A new deal for the family*, which has been widely disseminated.

Netherlands In the Netherlands, the "Daily Routines" project of the Ministry of Social Affairs and Employment has conducted annual national television and radio campaigns on combining work and private life. In 2001, the theme was the "time squeeze" and the slogan "The Netherlands is ready for new arrangements".

Source: ILO, 2000, for Chile; Netherlands, Ministry of Social Affairs and Employment, 2002, for Netherlands.

In addition, national leaders can provide powerful role models and promote behaviour that breaks away from traditional gender stereotypes. For example, when the wife of the Finnish Prime Minister, Paavo Lipponen, had a baby in March 2000, he took the two weeks of paternity leave which are available to Finnish fathers. His example was seen as a move to encourage others.

This section has reviewed the diverse types of measures which governments can envisage to reduce work–family conflict. The next section focuses on encouraging the change process.

3.3 Promoting change through advocacy and tripartite participation

Employers' and workers' organizations shall have the right to participate, in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Convention.

(Convention No. 156, Article 11)

This section looks at how governments and social partners can promote change and support measures at the workplace, emphasizing the importance of social dialogue and highlighting the roles of the social partners in the change process.

Government advocacy

A particular focus of government advocacy with the stakeholders in a number of countries (for example, Australia, Canada, Singapore and the United Kingdom) has been the encouragement of more work–family measures at the workplace. Although Chapter 2 noted the limitations of policies (often found in more "liberal" countries) based on voluntary initiatives of employers and workplace-specific collective bargaining agreements, this approach has the merit of highlighting for employers the benefits of work–family measures, many of which depend on initiatives at the workplace and can complement basic minimum measures provided in national legislation and social policies.

Some governments have created units with specific responsibility for advocacy and research on work–family issues. Box 3.21 gives the examples of Australia and Singapore.

Box 3.21 Some examples of work-family units

Australia The Work and Family Unit in the Department of Employment and Workplace Relations provides information and advice to employers and employees on how to improve the balance between work and family life, with a focus on flexible working arrangements. The information is designed to encourage organizations and individuals to use the opportunities for agreement making in the workplace relations system and promote the adoption of best practice work and family policies.

Singapore The Work–Life Unit, located in the Ministry of Community Development and Sports was formed in 2000 to help Singaporeans achieve better work–life harmony in a 24/7, fast-paced, knowledge-based economy. The Unit promotes good work–life practices among employers through organizing consultancies, training and research. It organizes the Singapore Family Friendly Employer Award in collaboration with the Ministry of Manpower and the social partners.

Source: $http://www.workplace.gov.au (consulted 12/02/2004) for Australia; \\ http://www.mcds.gov.sg (consulted 2/02/2004) for Singapore.$

Governments have published various types of documents to encourage the family-friendly workplace, as can be seen in box 3.22. Apart from providing general advice, another way of influencing workplace practices is to provide consultancy services to firms. In the United Kingdom, as part of the government campaign to persuade employers to introduce ways of working which meet business and customer needs while improving the work–life balance of employees, a Work–Life Balance Challenge Fund was launched. The Fund provides subsidized consultancy advice to employers (more information can be found on the Department of Trade and Industry web site http://www.dti.gov.uk).

To encourage enterprises to adopt "family-friendly" practices, governments in a number of countries (Australia, Hungary, Japan, Singapore) provide national

Box 3.22 Government guidelines

Australia The Department of Industrial Relations in New South Wales has published a guide with family-friendly ideas for small businesses, along with brochures on related topics such as flexible work practices and different forms of family leave.

Canada The Federal Government has published a study of family-friendly provisions found in major collective agreements. This information is meant to help employers, unions, labour practitioners and researchers to gain a better understanding of policies and practices conducive to the balancing of work and family responsibilities, identify some of the more innovative practices, and assess the feasibility of implementing such arrangements in a variety of contexts.

Singapore The Ministry of Community Development and Sports has published guides and a promotional film for employers on making organizations work–life friendly, and on flexible work arrangements.

Source: New South Wales, Department of Industrial Relations, 2003a, for Australia; Rochon, 2000, for Canada; Singapore, Ministry of Community Development and Sports, 2002, for Singapore.

awards which are given in major ceremonies with extensive press coverage. Box 3.23 provides information on the enterprise awards in Australia and Hungary.

Making the workplace and working conditions more family-friendly while ensuring the competitiveness of enterprises requires tripartite dialogue and collabo-

Box 3.23 Enterprise awards

Australia The National Work and Family Awards were initiated by the government Work and Family Unit, but are now run by a partnership of the Australian Chamber of Commerce and Industry, the Business Council of Australia, the Council for Equal Opportunity in Employment Ltd. and the Department of Employment and Workplace Relations and Office of the Employment Advocate. Shortlisted enterprises are visited and employees interviewed as part of the selection process.

Hungary The Hungarian Ministry of Employment and Labour has initiated a family-friendly programme targeting and highlighting good practices among companies and the public sector. This is an award scheme with prizes for enterprises that include some of the following in their work–family policies:

- · working time flexibility, part-time work
- training and its organization in relation to the life cycle of workers
- reintegration after parental leave (Hungarian legislation allows for leave until the child is three years old)
- events and holiday arrangements for workers and their families
- provision of facilities which support childcare, given that company-sponsored kindergartens have disappeared with privatization.

Applications for the award have doubled since 1999, with 98 applications being received in 2002. Typical winners are the large former socialist companies, branches of international companies and Hungarian companies with female managers.

Source: http://www.workplace.gov.au/ for Australia; Rice, 2002, for Hungary.

ration. Dialogue on work–family issues can take place on an ad hoc basis or within various types of existing committees, but some governments have set up specific committees to try to ensure extensive and regular consultations with the social partners (see box 3.24).

Box 3.24 Tripartite committees

Singapore The government Work–Life Unit works through the Tripartite Committee on Work–Life Strategy. The Committee aims to promote good work–life practices and facilitate the implementation of work–life strategies. It collaborates on the Singapore Family Friendly Employer Award, which is organized biennially.

United Kingdom In January 2000, the Minister for Employment and Equal Opportunities set up a new Advisory Committee to provide expert advice on the development of the government campaign to promote a better work-home balance for employees. It brought together key partners from business, trades unions and the voluntary sector. One of the objectives was "to unify the interests of employers and employees – so that employers improve their profitability and productivity and employees achieve a better balance between work and home life for employees".

Source: http://www.mcds.gov.sg (consulted 22/10/04), for Singapore; DTI, 2000, for the United Kingdom.

A somewhat different approach was taken in Ireland, where government and the social partners set up a tripartite committee that has responsibility for overseeing the promotion of work–life balance policies at enterprise level. In this way, the implementing institution itself is tripartite and its composition includes the social partners as well as a number of key government ministries (see box 3.25). The Committee has a web site and works with the employers' and workers' organizations on various publications and other activities to facilitate practices for work–life balance.

Box 3.25 National Framework Committee for Work–Life Balance Policies in Ireland

In Ireland, the promotion of the development of family-friendly policies is coordinated through a tripartite committee. Under the Programme for Prosperity and Fairness, the Government, the Irish Business and Employers' Confederation (IBEC) and the Irish Congress of Trade Unions (ICTU) agreed to work together to identify actions that could be undertaken by them at national level to support the development of family-friendly policies in the workplace. The National Framework Committee for Work–Life Balance Policies is chaired by the Department of Enterprise, Trade and Employment and comprises representatives of the following entities:

- IBEC
- ICTU
- Department of Enterprise, Trade and Employment
- Department of the Taoiseach
- Department of Finance

Source: http://www.familyfriendly.ie/ (consulted 15/02/04).

- Department of Justice, Equality and Law Reform
- Department of Social, Community and Family Affairs
- The Equality Authority

Employer advocacy

In some cases, employers have created promotional alliances, helping to convince other employers of the benefits of work–life policies, often in cooperation with government. This is the case, for example, of the Employer Alliance on Work and Family in Singapore that comprises companies that have won the Family Friendly Employer Award. Activities of the Alliance include promotional talks to share good practices, hosting company visits and supporting a mobile exposition of family-friendly practices.

In the United Kingdom, part of the Government's work—life balance campaign included the setting up of Employers for Work—Life Balance, an independent alliance of 22 leading work—life balance employers committed to working in partnership with government to promote good practice in the business community (see box 3.26).

Box 3.26 Employers for Work–Life Balance in the United Kingdom

The mission of Employers for Work–Life Balance (EfWLB) was to improve the productivity and the quality of working life in the United Kingdom through research and analysis, consultancy and practical interventions in British organizations, and by influencing the public debate about work–life balance. Initially planned for only one year, the alliance lasted for three years. It was disbanded in 2003 since it had fulfilled its awareness-raising objectives and its brief was passed on to the Work Foundation.

The EfWLB publication *Getting the balance right: United Kingdom working life in 2000* incorporates the six key principles agreed with the Government, together with case studies of the 22 founding companies. Together with other stakeholders, EfWLB and the Department of Trade and Industry (DTI) developed the Investors in People Work–Life Balance Model, which provides employers with a nationally accredited benchmark and with assessments and guidance for creating enterprise specific work–life solutions. EfWLB has also provided advice to the Government which has contributed to the creation of new employment legislation.

Source: http://www.employersforwork-lifebalance.org.uk and http://www.theworkfoundation.com/ (6/9/04).

The Irish Business and Employers' Confederation (IBEC) has also taken a number of initiatives to promote family-friendly, work—life balance among its members, including management training, research and publications on measures to promote work—life balance. IBEC has developed case studies, as a service for its members, and replies to many frequently asked questions are available on its web site (www.ibec.ie).

Trade union advocacy

In order to promote the well-being of workers and improve work–family reconciliation, trade unions have been active in advocating improvements in national legislation and policies, supporting the collective bargaining processes and informing workers of their rights. Box 3.27 provides examples of such trade union action.

To promote the family-friendly workplace, trade unions have also been working to increase the number of work–family provisions in collective bargaining agreements. A number of trade unions have produced information materials or toolkits to

Box 3.27 Trade unions lobbying for legislative improvements

Australia In Australia there is national provision for maternity leave, but this is unpaid. The Australian Council of Trade Unions (ACTU) has been actively lobbying for federal government-backed paid maternity leave of at least 14 weeks for all working women.

Peru In Peru, a group of NGOs in collaboration with workers' organizations have conducted a campaign to improve legislation on the rights of men and women workers with family responsibilities and to emphasize the importance of the role of men in the family and their need for greater work–family reconciliation.

United Kingdom In the United Kingdom, where the proportion of workers working long hours remains high, the TUC has been campaigning to end the United Kingdom's opt-out from the European Working Time Directive (European Council, 2003), which allows employees to sign away their right to work no more than 48 hours a week on average.

Source: http://www.lactu.asn.au, for Australia; ILO, 1994, for Peru; http://www.tuc.org.uk, for the United Kingdom.

assist negotiators. As noted by the TUC, "Being aware of tried and tested options for work–life balance is important to the process of agreeing new ways of working" (TUC, 2001). Box 3.28 provides examples of materials produced by unions in Australia (ACTU), Ireland (ITUC), the United Kingdom (TUC) and the United States (AFL-CIO) which could be of interest to readers in other countries.

Box 3.28 Trade union federations produce resource kits

Australia As part of its Work and Family Campaign, ACTU has developed a resource kit that is designed to assist delegates and organizers to recruit new members or encourage activist involvement in bargaining for improved family rights at work. The kit can be used as a tool to assess the work–family needs of members and provides fact sheets, surveys and suggestions for workplace activities.

Ireland In order to prepare its guide, Family Friendly Working and Work Life Balance Guidelines, the ITUC first held a series of regional seminars for trade union officials and representatives as well as focus groups to find out what the trade unions needed to assist them to move the family-friendly, work-life balance agenda forward. The main stumbling blocks found for employers and trade unions were 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.

United Kingdom The TUC is starting an online course on work–life balance for union representatives based on its publication *Changing times: A TUC guide to work–life balance.* In addition, it publishes a free fortnightly bulletin on work–life balance issues which is available on its web site.

United States On its web site, the AFL-CIO provides bargaining fact sheets on issues such as control over work hours, comprehensive advice on forms of family leave, as well as possible questions for a questionnaire which affiliates could use to better identify the work and family needs of workers.

Source: http://actu.asn.au; http://www.ictu.ie; http://www.tuc.org.uk; http://www.aflcio.org.

National trade union organizations can also disseminate information on profamily legislation. Workers cannot exercise rights that they do not know about. Various means can be used to reach workers with this information, such as newsletters, information kits, study circles and training of shop stewards. In the industrialized countries, the Web is providing new possibilities for reaching workers and their representatives

Evidence from the United Kingdom indicates that trade unions can make a difference to whether or not workers are aware of family-friendly benefits. Using the data from the Workplace Employee Relations Survey of 1998, an analysis by Budd and Mumford (2004) suggests that in workplaces where parental leave and jobsharing were available, union members were more likely to be aware of the availability of these policies: "The results are suggestive of important union facilitation effects for increasing the effective coverage of parental leave and especially jobsharing options" (p. 220).

Even when pro-family legislation exists, vigorous action is often necessary to ensure not only that workers know their rights but also that they are able to exercise them. The ICTU maintains that "every day women are let go or discriminated against in the workplace for pregnancy-related reasons". It has launched a campaign to inform women of the maternity protection under existing legislation, encouraging them to join the union to help them protect their rights.

Expanded dialogue

Work–family issues can be highly controversial, with different opinions being held not only by employers and workers but also by religious groups, women's NGOs, care organizations, consumer associations, child protection agencies and so forth. Such groups can be important for supporting or opposing government policies. Thus,

Box 3.29 National discussions

Jamaica Realizing that its current legislation on working time was too rigid and constraining, the Ministry of Labour of Jamaica has been trying to find a consensus of all stakeholders on legislative changes. A National Tripartite Meeting on Flexibility in Working Time was held in 2003 to bring together representatives of workers and employers as well as non-governmental and religious organizations. The meeting adopted a National Plan of Action that lays out the points of consensus regarding a way forward that balances the needs of stakeholder while ensuring adequate social protection.

Mauritius Concerned by the problems workers were facing in coping with their family responsibilities, the Ministry of Labour and Industrial Relations commissioned a national study on work and family from the Centre for Applied Social Research of the University of Mauritius. A subsequent National Conference on Work and Family was held in 2003, which included not only trade union and employer representatives but also representatives from other ministries (education, women's rights, health, social security) and participants from civil society organizations. The conference led to the elaboration of a National Action Plan on Work and Family which has been officially approved by the Government.

Sources: Hein, 2003, for Mauritius; Messenger and McCann, 2003, for Jamaica.

apart from the social partners, it is important to identify other stakeholders and find ways of consulting them. A national effort that has impact on the organization of society requires the involvement of partners beyond the employment domain. Box 3.29 provides examples from Jamaica and Mauritius where expanded national consultations have taken place.

3.4 Work-family measures and the objective of gender equality

As noted in the introduction, the Workers with Family Responsibilities Convention, 1981 (No. 156), replaced a previous Recommendation on Women with Family Responsibility, which had been adopted in 1965. The 1981 Convention not only concerns both men and women but also specifies that work–family reconciliation measures should be undertaken "with a view to creating effective equality of opportunity and treatment for men and women workers".

In 1992, the ILO requested governments to report on their law and practice with respect to Convention No. 156. The review of the reports received by the Committee of Experts concluded that "relatively few governments have yet adopted and implemented an explicit national policy concerning men and women workers with family responsibilities in line with the Convention" (ILO, 1993, p. 23). Trying to assess whether the various measures concerning employment, the family, social services and benefits were sufficient to comprise a national policy was difficult, "especially when many of the measures taken in these areas appear to have been inspired by concerns largely irrelevant to the overall objective of creating effective equality between men and women" (ibid.).

The objective of equality is elusive and it is important to review the design and implementation of measures from the equality point of view. Given the centrality of equality to the Convention, this section first looks at how measures may be reinforcing the gender division of labour in the household rather than reducing inequalities, and then considers some strategic orientations for measures with the potential to promote equality of opportunity and treatment.

The persistence of the female carer model: A factor in inequality

The increasing employment of women has led to the erosion of the male breadwinner model, yet its mirror image, the female homemaker/carer norm, tends to persist. Women continue to be expected to take the main responsibility for family care.

As a result, many well-meaning measures designed to reduce work-family conflicts and protect workers with family roles, can turn out, in practice, to reinforce the gender distribution of household responsibilities, perpetuate the ideal worker model, and end up discriminating against women (see box 3.30 on Korea). As has been noted in the ILO report Time for equality at work (2003a), "there is a danger that as work-family policies are so often aimed explicitly or implicitly at women in particular, they may end up reinforcing the image of women as "secondary" earners and accruing to the double burden of working women" (p. 75).

Box 3.30 Reinforcing the unpaid care work of women in the Republic of Korea

In Korea, it has been noted that the main features of government policies for the elderly are to encourage families to provide care through tax incentives and awards but little is provided in the way of domiciliary services or community or institutional care. The result is a high burden of unpaid care work on women. Source: Sung, 2003.

Legislation that assumes that only women have care responsibilities can reinforce women's disadvantage in the labour market. For example, obliging enterprises to set up childcare centres when they have a certain number of women workers overlooks any possibilities that men might have childcare responsibilities. Commenting on such legislation that exists in a number of countries, the ILO Committee of Experts noted that "measures designed to promote harmonization of work and family responsibilities, such as childcare services, should not be specific to women" (ILO, 1999, Paragraph 3). Such legislation provides an incentive to employers to limit the number of women workers to less than the number that would require the establishment of a crèche, as seen in the examples in box 3.31.

Box 3.31 Care provision that results in discrimination against women

Brazil and Chile Legislation requiring childcare rooms directly financed by employers in those firms with a minimum number of women workers (29 in the case of Brazil and 20 in Chile) raises the possibility that women may not be hired in order to avoid these legal thresholds.

Egypt In Egypt, where the law required that employers having more than 100 female employees set up a nursery close to the workplace, it is reported that many private enterprises found ways of circumventing this legislation and some deliberately hired less than 100 women.

Source: Abramos and Todaro, 2002, for Brazil and Chile; Moghadam, 1998, for Egypt.

Maternity leave and other measures related to childbearing are clearly only for women and allow them to combine their productive and reproductive roles under satisfactory conditions for both mother and baby. Job-protected leave for maternity is indeed the cornerstone of work and family measures. However, measures that put the costs of maternity benefits directly on the employers of women may be adding to women's disadvantage in the labour market (as discussed in Chapter 6).

Measures providing leave for family care, such as parental leave, are normally available to both men and women. However, they are often implicitly encouraging family care by women. The leave tends to be taken by women not only because of women's traditional role as carers but also because of the tendency for women's salaries to be lower than men's and thus for the loss in family income to be smaller. While the option to spend some time looking after young children or the sick can be very useful at certain periods in the life cycle, when long periods are involved the future employment and pay prospects of the family carer are likely to be affected

should they wish to return to employment (see Chapters 2 and 6 for further details on parental leave).

Measures related to working time, in particular part-time work, may also end up reinforcing the traditional division of labour between men and women as women reduce their hours and thus continue to assume primary responsibility for domestic work and childcare. Policies of this kind propose a "mommy track", offering flexibility or shorter working hours at the price of work success, career development and higher future earnings (Williams, 1999). The implications of part-time work for gender equality are debatable and depend on national conditions and legislation (see Chapter 7 for discussion). But part-time work will almost inevitably continue to be linked to the traditional gender division of household and caring tasks until a significant proportion of men with family responsibilities begins to use this option.

Challenging the models of female carer and male ideal worker

The persistence of the female carer model, which assumes that caring is done by women, also implies that men can continue to behave as ideal workers unencumbered by family responsibilities. Policy orientations which challenge these assumptions are therefore more likely to promote equality.

Workplace culture and expectations concerning the ideal worker who puts job and career concerns over any desire for family involvement play a role in discouraging men from taking advantage of entitlements such as parental leave. Fathers may fear that giving some priority to family responsibilities will mean they are seen as less committed to their work and that their career may be affected. For this reason, "It is important that reconciliation measures incorporate elements that address the organizational and attitudinal obstacles that deter male take-up" (Fagan, 2004).

Gender equality can be promoted by employers changing their expectations concerning the ideal worker and trying to find ways in which new working practices can take into account both business and personal needs for all employees (see Chapters 2 and 4 on workplace initiatives). Workplace policies such as discouraging excessive working hours and promoting flexibility can reduce the need for measures to accommodate those women who cannot behave as ideal workers and also create the possibility of more equitable sharing of family responsibilities.

The female carer model places constraints on the participation of women and influences whether they can consider taking employment. This is particularly the case with regard to their traditional role as primary carer for children; as the Equal Opportunities Commission in Britain notes, "Childcare is crucially important for women to achieve true equality of opportunity. Lack of childcare has a large impact on women's pay rates because it affects both the type of work they are able to take and their hours of work" (Equal Opportunities Commission, 2003, p. 3). Thus, the availability of professional services providing childcare, care for other dependents and housework is important; as are measures that recognize and encourage greater participation of men in caring.

The Nordic countries have, for example, introduced various measures to encourage men to take parental leave, in an effort to promote more sharing between spouses. But use by men is still considerably less than by women, although it is rising (Esping-Andersen, 2002; see also Chapter 6). If men took more of the leave available to them, not only would this provide practical relief to women with care

responsibilities, it would reduce the bias of the labour market against women as potentially more expensive employees.

Part-time work and home work are options used to accommodate family responsibilities, especially by women. As foreseen in Recommendation No. 165 (Paragraph 21), it is important to ensure that the terms and conditions of part-time work and home work are adequately regulated. Workers with family responsibilities who use these options should not find themselves in vulnerable situations, paying an inordinately high price for family constraints. Improving the conditions of these alternative working arrangements will also help to promote them as equally attractive to men and women.

The above measures try to challenge the models of male ideal worker and female carer. It is when these assumptions are challenged – by policies, by enterprises and by individual men and women – that men will have more options to increase their participation in the family and in care and that women will be able to participate in the labour market on more equal terms with men.

4. Policies and practices at the workplace

Government legislation affects basic working conditions, but policies and measures at the workplace can make an enormous difference for workers with family responsibilities. The earlier chapters considered the reasons why employers have been finding it in their interest to make working conditions more compatible with family responsibilities and why trade unions have been taking up the issue. This chapter looks at how these partners go about making changes.

Advances beyond basic legal conditions can come through collective bargaining agreements and through management policies. Details on specific measures and collective bargaining clauses related to care, leave and working time are presented in Chapters 5, 6 and 7 respectively. In this chapter, we consider family-friendly policies and practices at the workplace – generally implemented at the management's own initiative – discuss their development and examine the factors related to their success. The underlying theme of this chapter is that being family-friendly means more than having a set of family-friendly measures recorded in the organization's rules and regulations; it is also about having a commitment to the implementation of these measures and a corporate culture supporting the values of work–life balance.

4.1 Policies for a family-friendly workplace

A family-friendly workplace is one where employees feel that they are supported in meeting both their work commitments and their family responsibilities. It is one where the employer accepts that family responsibilities will have an impact on employees' working lives and is prepared to accommodate these responsibilities wherever possible.

(New South Wales, Department of Industrial Relations, 2003a, p. 3.)

The family-friendly organization recognizes the family responsibilities of its employees and tries to facilitate the reconciliation between both work and family responsibilities by implementing policies exceeding the statutory minimum that could help its employees to fulfil both (Strachan and Burgess, 1998). The components of what constitute family-friendly arrangements vary from workplace to workplace, but a fundamental point is that it is not for governments, employers or researchers to define family-friendly policies. Employees are the ones who must perceive that the practices, no matter their definition, are helping them to reconcile their individual work-life situation. As a recent OECD report notes, "only employees can decide whether or not a particular arrangement is actually family-friendly" (OECD, 2001, p. 129).

Family-friendly is more than women-friendly

The scope and content of practices in many organizations, notably those with mainly women employees, is often restricted to childcare. But, as reiterated throughout this book, the family is not composed only of a mother and her child. Being a family-friendly organization goes beyond being just child- or women-friendly, even if such policies could be part of a family-friendly policy framework. As demographic changes occur and as the gender and cultural composition of the workforce diversifies, it is important for managements to have a more comprehensive view of the "family", extending beyond childcare responsibilities of women, to include any person dependent upon any staff member (male or female) for care and support, such as an elder dependant or an disabled partner. Indeed, under the wider work–life concept, many employers now see the importance of making family-friendly agreements available to all employees, not just those with care responsibilities (Kodz et al., 2002).

The family roles of men and their appreciation of work–family policies are now increasingly recognized. For instance, an international employee survey from the global organization IBM found that in all regions the inability to manage work–life demands was one of the top three reasons for employees potentially leaving the company and that both men and women expressed this problem to the same extent. Based on these findings, the company concluded that work–life issues are universal but their solutions have to be country specific (Gemini Consulting, 1998).

Some organizations in male-dominated sectors have found that men also appreciate work–family programmes, as can be seen in the example in box 4.1.

Box 4.1 A male-dominated organization addressing work–family needs

The proportion of male staff at the Los Angeles Department of Water and Power (DWP) is high: about 76 per cent. The department offers a comprehensive set of work–family services that also address the needs of its male staff, such as a Fathering Program including classes on family issues and parenting support groups.

The genesis of the DWP's Work–Family Program can be traced to a comprehensive childcare study in the early 1980s targeting female employees. The survey yielded two important findings:

- The employees had critical childcare needs.
- Many of the DWP's male employees were outraged that they had been excluded from the survey, because they had childcare problems too.

The greatest advantage of the present Fathering Program is reduced turnover: the turnover rate of employees involved in the program is 2 per cent, compared to 5 per cent among employees who are not involved in the program.

Source: Solomon, 1992.

Family-friendly policies as part of broader policies

As discussed in Chapter 2, the main reason why employers implement family-friendly policies is that they feel it is in the interests of higher productivity and reduces turnover costs (the "business case"). The introduction of such policies can

also be triggered by employers' perception of employment diversity as an important business issue. Implementing family-friendly practices can help to attract and recruit employees from a larger part of the labour force. In such firms, the policies can be part of a more overall strategy achieving diversity and equity in the organization, helping to attract and retain employees with varying needs and values. Linking family-friendly policies to "diversity management" enables the organization to maximize the potential of all employees by helping them to perform to their full potential, which in turn can help the organization to gain a strategic and competitive advantage (Taylor, 1995).

For some companies, family-friendly policies are part of a general strategy to create and maintain a competitive edge (see box 4.2 for an example). As Business School Professor Linda Duxbury (quoted in *Financial Times*, 2002) puts it, "More and more companies are beginning to realize that if you want the financial results, you've got to get customer satisfaction. If you want customer satisfaction, you have to have employee satisfaction."

Box 4.2 Creating a competitive edge – Hewlett Packard, Spain

Establishing a creative and innovative workforce was the basic motivation for Hewlett Packard (HP), Spain, to set up its comprehensive Work-life Harmony Programme. At HP, work-family initiatives are viewed as essential to competitive advantage as they build the kind of relationship between the enterprise and its staff that fosters creativity and innovation. The quality of its workforce is perceived as being HP's most valuable source of competitive advantage. Some of the initiatives promoting work-life harmony include:

- · Time management courses;
- A "workaholic" programme to re-organize time for the employees working longer that stipulated; and
- Telecommuting practices benefiting about half of the workforce.

For its extensive programme, the enterprise received a Social Balance Award in the category "Social Initiatives in Human Resource Management". Source: Poelmans and Chinchilla, 2001.

Finally, it has even been claimed that the introduction of family-friendly initiatives can increase the value of the firm on the stock market. A study of 130 announcements in the *Wall Street Journal* found that the introduction of family-friendly practices had a positive link to the firm's stock price. This relationship to work–family initiatives was higher in high-tech industries and, to a lesser extent, also in female-dominated industries. But the overall results illustrate that adoption of family-friendly policies is expected to affect the bottom line of the business (Arthur, 2003).

Creating a family-friendly organizational culture

As mentioned above, a family-friendly workplace goes beyond specific measures; it includes the general work culture. To have family-friendly policies formally established in the organization is a necessary but insufficient condition to ensure their effectiveness. Even if such policies exist, employees may be hesitant to use the measures officially provided, due to career concerns or line managers who discourage

use, which can limit the percentage of those eligible who actually benefit from the practices.

A supportive organizational culture where attitudes, values and behaviour support the content of the policies has been proven to be one of the most essential factors for their effectiveness. Changing organizational culture is about changing basic and underlying assumptions that often are implicitly embedded in the organization. Top and middle management support becomes critical for their success and use in the organization (Lewis, 2001). Senior managers must be unambiguously in favour of these practices and preferably be seen to be using them themselves. Further, the role of line managers is of critical importance since they often have the power to decide how leave or working-time arrangements are made. As one human resource director emphasizes, "As a line manager you should lead by example, but not by sticking to hefty workloads and working long hours. When a company introduces a concept as work—life balance, the most essential part — following the launch and communication — is implementation. To convert the words from the PowerPoint slides into reality often is the true challenge."

4.2 The process for introducing family-friendly practices

This section considers how an organization can find out which measures to use and how to develop and implement the policies most suitable for its characteristics.

Before introducing family-friendly practices it is important to define the purpose of introducing such arrangements in the organization. The reasons for identifying a need may be several and can include:

- A wish to become a best-practice organization to attract and retain the best possible staff
- A belief that work and family is an important business issue
- Indications from staff that there is a need for more flexibility in working conditions
- Problems with high absenteeism or late arrivals/early departures
- High turnover
- Recruitment difficulties and skill shortages in the labour market
- Planning for the future and as a response to predicted challenges
- Perception that employees are stressed and distracted

The process of development and implementation of family-friendly practices is not essentially different from that involved in any organizational change. However in this case, since the outcome depends importantly on employees and their perceptions, the process needs particular attention. Many managers are quoted as saying that "the advantages are obvious", "let's go", and need no convincing on the principle, but, as in many other areas, the devil is in the details, and there are advantages in being systematic. A systematic process of implementing family-friendly practices is presented in figure 4.1 and involves the following phases, discussed below: needs assessment; design; implementation; evaluation and review.

Needs assessment

Establishing a win-win situation means that measures must satisfy both employees and the organization. Since each organization/workforce combination is unique, a

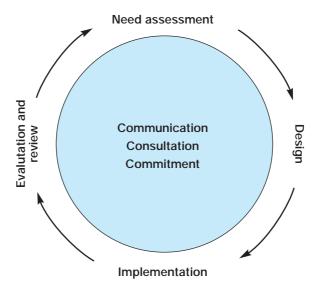


Figure 4.1 Implementing family-friendly practices

needs assessment, estimating the needs of both the organization and the staff, should precede design and implementation. Not only present but also future needs should be considered.

One way to begin is to examine the workforce demographic profile. For instance, knowing that the average age of the workforce is about 45–55 years indicates that staff would be more likely to be concerned about caring for ageing parents, rather than childcare or parental leave. More elaborate staff surveys are usually required to provide managements with a picture of the staff's specific needs (see box 4.3 for an example).

Box 4.3 A needs assessment

The work and family needs analysis at the Chubbs' Group of Insurance Companies determined that, of 7,800 American employees, 60 per cent were in dual-career families, 50 per cent had care responsibilities for children or elderly dependants, and 20 per cent anticipated having them within three years. Further, over 30 per cent of the employees leaving the company thought the decision would help them balance their work and family responsibilities.

This study raised concern about the company's ability to attract and retain staff and the related costs. The estimated cost of replacing a manager was 150 per cent of annual salary, for an average employee this number was estimated as being 97 per cent. As a response, Chubbs' replaced its "one-size-fits-all" approach to its flexible work arrangements with a variety of arrangements such as job-sharing and telecommuting programmes, better suited to meet differing needs identified among the employees. The adjustments made a business case by improving productivity, employee retention and customer satisfaction.

Source: Graham, 1996.

Some unanticipated results may come up from employee consultations. For instance, at IGT, an Australian enterprise in the manufacturing industry, employees expressed their need for support from the company to manage to cope during the difficult time of losing someone close. It consequently introduced an enhanced bereavement policy which included extended family members and personal friends (Australian Chamber of Commerce and Industry (ACCI), 2002).

Even within the same organization, there are generally different employee needs. An increasing number of organizations are using a "cafeteria approach" with a "menu of benefits" as a way of matching the practices with the needs of staff. This approach enables the employees to choose their benefits from a fixed set of benefits, thereby creating a personal set of benefits most suitable to their personal preferences and needs. Box 4.4 presents an example from the Republic of Korea.

Box 4.4 Cafeteria approach in a Korean firm

As the previous employee welfare and benefit system at the Korean firm, Cheil Jedang Corporation, did not take into consideration the differences in individual needs, the company introduced a "cafeteria system" of welfare and benefit programmes. The cafeteria system is applicable to all employees, with few exceptions, and leaves it up to the employees to choose their own life–welfare programme.

The cafeteria system provides all employees, regardless of rank, tenure or number of dependants an annual number of points (555) which can be used to select benefits from a fixed selection menu, each with a "cost" in number of points. The menu offers a variety of benefits, such as use of vacation condominiums in the Republic of Korea or abroad, support for kindergarten, school and college expenses for employees' children, product gifts, payment of expenses for cultural events such as movies, theatres, membership fees for company fitness centre, etc. Unused points can be transferred to the following year, but only for one year. The new approach better satisfies the changing needs of the company and maximizes individual satisfaction with benefits.

Designing the programme

Family-friendly arrangements can be of two kinds:

- permitting the adaptation of working conditions to better fit in with family responsibilities or life interests (measures related mainly to work schedules and leave entitlements)
- providing benefits, information and training which ease the family commitments of employees (measures related mainly to care responsibilities).

In Chapter 3, table 3.1 provides an idea of possible family-friendly measures related to leave, work schedules and care arrangements. These are discussed in more detail in the corresponding chapters where concrete examples of employer practices are described.

Some of these arrangements may be more appropriate for some organizations than others. For example, teleworking is not the most suitable solution for making a nursing job more family-friendly, whereas flexitime arrangements and job-sharing might be more feasible.

When designing family-friendly programmes and deciding which practices to use in the organization, two important issues have to be kept in mind: equity, and the cost–benefit balance. We shall consider each in turn.

The perceived equity of the programme among the staff is highly important for its efficiency. Whose needs are targeted by the measures and whose are not? Who is eligible for the programme? Childcare and parental leave practices, for example, target only those having children. Those employees without any children may feel marginalized by such programmes, and, in some cases, may resent having to work more to replace those on family leave. Programmes need to recognize that workers without children may also experience family emergencies (such as sick parents) and have some provision for their needs (see box 4.5). The equity issue underscores the necessity of an initial assessment of needs and also of communication support to explain the benefits.

Box 4.5 Perceived equity among employees without children

The large document company Xerox has a work–life balance programme that accommodates all of its workers in the United States, not only employees with family and children. A cafeteria-style benefits plan provides flexible options in order to capture the diverse needs of its staff, including those without a family. Further, the company includes "marital status" in its non-discriminatory policy and single people in its diversity programme. For these personnel policies Xerox received the "Singles-Friendly Workplace Corporate Leadership Award". This was the first time that any employer in the United States had been acknowledged for making adjustments in personnel policies to accommodate the needs and concerns of unmarried employees.

The second element to be considered is the cost—benefit balance. Although some family-friendly programmes are not expensive, many involve costs. Immediate short-term costs must be carefully weighed and balanced against longer-term benefits for the business. Adopting a longer-term perspective is essential since not all family-friendly practices work efficiently to start with. A long-term focus is also important for the organization to be able to capture and take future concerns in consideration, instead of just reacting to an existing problem (Dench et al., 2000).

Small changes and low-cost solutions can also have a major impact of the work-life conflicts of employees. The following are examples of some inexpensive family-friendly ideas that employers could consider.

- Schedule meetings within normal working hours
- Allow staff to have some control over their working hours
- Allow staff to use their sick-leave entitlements to care for family members
- Consider a broad definition of "family" for the purpose of bereavement leave
- Provide a phone for employees to use to contact their families in case of emergency.
- Extend social events within the company to families and partners
- Discourage weekend work and working late nights except in exceptional circumstances

- Introduce a workplace policy for employees who are breastfeeding (see box 4.6)
- Introduce a "keep in touch" plan for staff on maternity leave
- Promote discussions on family issues within the organization (see box 4.7)

Box 4.6 Support for breastfeeding

Lactation breaks allow the mother to either feed her baby or to express breast milk during working hours. There are several practical low-cost measures employers can introduce to support breastfeeding employees, such as providing a clean, hygienic and private area where mothers could feed or express. The initial costs for setting up such arrangements can be held low, which make it a suitable measure also for smaller enterprises. Introducing lactation breaks is a very tangible sign of family-friendly attitudes within an enterprise. Among the positive effects reported are an earlier return to work from maternity leave, improved retention of skilled and experienced employees, and health benefits to the mother and child which have a positive effect on the sick leave and turnover rates within the enterprise.

Source: New South Wales, Department of Industrial Relations, 2003a.

Box 4.7 Cost-effective lunch discussions

The Los Angeles Department of Water and Power (DWP), the largest public utility in the United States and a heavily male-dominated workplace (76 per cent), has introduced lunchtime discussions for its Fathers Support Group as a component of a more formalized and extended Fathering Program for its male employees. The support group meets once a month over lunch to share informal information about their family situation and to discuss concerns and questions relating to their role as fathers. A family counsellor supports the discussions. According to the director of human resources at DWP, small efforts like this play a critical role for the institutionalization of work–family programmes in the organization and their integration in the corporate culture of the company. Source: Solomon, 1992.

In order to benefit from economies of scale for service provision, in particular childcare, some employers have joined forces and created alliances. For example, in a rural county of Alabama in the United States, human resource managers of four companies got together after a symposium on family issues to discuss childcare needs in the community and decided that, by working together, local companies could help. Box 4.8 describes briefly how the alliance has mobilized professional and financial support for improving childcare facilities.

Box 4.8 Employers' Child Care Alliance

With the assistance of the Child Care Resource Centre, four companies in a rural county of Alabama started the Employers' Child Care Alliance to help employees find quality childcare. The Alliance has grown to include 17 members, with a total workforce of 12,000 workers. Activities have included information on resources and referrals as well as scholarships for training of local providers

and support for accreditation of local centres. Apart from its own budget, the alliance has received support from various state organizations and private foundations.

Source: Web site of National Child Care Information Center, Employers' Child Care Alliance, http://nccic.org/ccpartnerships/profiles/ecca.htm, consulted 2/07/2004.

Implementation

Implementation requires an active information campaign to inform staff of the benefits available and encourage their use. Indeed, an important implementation issue is how to deal with the so-called "take-up gap" – that is, the gap between those who are eligible and those who use the benefit – a phenomenon observed in a large number of cases.

As an illustration, a recent study among six British enterprises known to be proactively engaged in implementing work—life balance identified a wide take-up gap between the level of demand and interest expressed in family-friendly options and their use, thus reducing the impact of the programmes (Kodz et al., 2002). Despite the effort made by employers to design family-friendly practices, many employees experienced difficulties and obstacles toward their use in practice. Some of the major obstacles identified as hindering take-up were:

- perceived impact on career prospects;
- incompatible organizational cultures and unsupportive attitudes of senior managers;
- heavy workload;
- lack of knowledge of availability; and
- lack of supporting infrastructure and technology.

Hence, in implementing family-friendly practices, employers should foresee and address these obstacles so that practices are used and effective.

Evaluation and review

Once implemented, work–family policies, like other policies, need to be continuously monitored and then revised as necessary. Putting family-friendly policies into practice is an ongoing and evolving process. Changes in needs of staff, in business objectives, as well as in the external environment need to be taken into consideration and policies revised accordingly.

The main questions to be looked at in evaluation and review concern the takeup of work–family measures by eligible employees and analysis of the costs and benefits of the measures. The latter would consist of comparing the cost of implementing the measures against the savings made by their positive outcomes, such as reduced turnover, reduced absenteeism, greater ability to attract recruits, improved productivity or customer satisfaction and improved morale and commitment among the staff.

Most firms would normally generate regular administrative information, such as use of benefits, return after maternity leave and changes in turnover or in absenteeism, that could be used to assess the positive impact of work–family measures. A study of small and medium companies in the United Kingdom noted that managers

could sometimes indicate the number of employees who, within the previous year, would have resigned had it not been for family-friendly practices. The savings resulting from reductions in turnover or from an employee not leaving can be estimated, as described in box 4.9.

Information concerning the effects of work–family measures on productivity and staff morale and commitment is more difficult to obtain. Often this information is rather anecdotal, since many companies are not able to carry out regular surveys of their personnel. Where performance appraisals are conducted, they can be used to evaluate the perceived benefits of the practices among staff.

Box 4.9 Costing turnover

Trying to use data which employers were likely to have, a study in the United Kingdom developed a checklist to help managers calculate the cost implications of replacing an employee. The four main elements were identified:

- · Separation costs: administration time, holiday pay
- Temporary replacement costs: temporary cover of the post after departure (overtime, recruitment of temporary worker)
- Recruitment and selection costs: advertising, clerical and management time in processing applications, organizing and conducting interviews
- Induction and training costs: administrative time, training costs (including time of trainer), equipment costs, lower productivity during induction/training period (this depends on quality of new recruit).

Source: Bevan et al., 1999.

Special problems of small enterprises and organizations

As can be noted in the examples in this book, many of the documented cases relate to relatively large firms in industrialized countries, often with multinational connections, as well as well-established public administrations and services. For the majority of enterprises, which are small or medium enterprises (SMEs), the situation may in some respects be different.

Some small organizations, being more informal and less bureaucratic, are "naturally" family-friendly. In fact many are organized around a family. However, in other cases, the work and family pressure on employees in a smaller organization can often be higher than in a larger one, since the smaller number of employees may limit the opportunities for flexibility and mean high dependence on each person's contribution. The limited financial and staff resources mean that the methods of achieving flexibility in a smaller business often hinge on innovative and low-cost solutions, where small and relatively simple initiatives can make a major difference.

Creating multi-skilled employees who are able to fill in for each other and share the workload may be useful for making smaller businesses more flexible. Box 4.10 provides an example of how a small firm and its employees benefited from a job-sharing arrangement. Box 4.11 describes how a small laundry business helped solve its problem of high turnover by adopting a more flexible schedule for working hours.

Box 4.10 Sharing a receptionist job

A small Australian import-export firm was having problems providing relief for its switchboard and reception area. The company decided to recruit two friends for the receptionist position who could share the job, one working mornings and the other one in the afternoons. The two employees were able to re-organize the days they worked when necessary and also help each other out with family responsibilities, as both the employees had children. Sharing the job meant that one took the children to school and the other one picked them up in the afternoon. Being friends enhanced the job-sharers' cooperation and the flexibility benefited both the company and the two employees. Company managers believe it was one of the best decisions they ever made.

Source: New South Wales, Department of Industrial Relations, 2003a.

Box 4.11 Flexible hours in a small laundry business

In a response to problems such as a high turnover rate and a traditional inflexible culture, a small British enterprise in the laundry service industry improved its work-life balance by adopting a simple and informal work-life approach, including an "open-door" policy allowing any employee to make a request to work flexible hours at any time, and the introduction of part-time jobs.

The results of these relatively simple changes are visible in improved staff retention and loyalty, reduced recruitment and training costs, and a more efficient and flexible office system due to the introduction of part-time positions. As these solutions cost only management time to implement, the solutions were highly cost-efficient for the enterprise but at the same time very beneficial for its staff, enhancing the work–life balance for the 20 employees by giving them increased control over their working times. As expressed by an employee with three children, "the flexibility in starting times and a shorter lunch, if required, is a huge benefit as it means travelling through lighter traffic and being able to deliver all three children to their destination calmly and safely".

Source: Employers for Work-Life Balance, http://www.employersforwork-lifebalance.org.uk/

4.3 Factors promoting success

There are some factors that require special attention to ensure the success of family-friendly measures. Communication, consultation and commitment have to be present throughout the process of development and implementation since they are critical for making policies effective.

Communication

Establishing the win—win situation that family-friendly policies are expected to achieve requires ongoing communication, starting with the participation of all involved parties in the design of policies, right through to the communication of the agreed policies and measures.

Awareness of family-friendly policies among staff is critical for their effectiveness. It is important that they are clearly written and that the eligibility criteria

are clear and communicated to all employees. The usual channels of communication can be used, such as presentations and workshops, staff meetings, human resource handbooks, intranets, emails and newsletters. Exclusive reliance on electronic communication is not recommended, as research has shown that emails can easily be ignored by staff (Bond et al., 2003).

These methods should be supported by more time-consuming methods, such as individual discussions with managers throughout the organization, presentations for top management on progress, and identification of key-people who can contribute to spreading a positive view of family-friendly practices at all levels of the organization.

It is easy to underestimate the risk of communication failures, as illustrated by box 4.12 below.

Box 4.12 Widespread unawareness of existing practices

In a British research study covering three different employment sectors where family-friendly policies were implemented, 50 per cent of the employees, even those with care responsibilities, were unaware of the family-friendly policies of their employers. Enterprises in all three sectors had a wide range of policies and, overall, one in five of employees cared for a dependent adult and one in three cared for children. Still, only about half of the employees were aware of the policies.

Managers' understanding of the policies they were responsible for implementing varied. Many saw lack of relevant training and communication as the main reason for inconsistencies in the implementation, resulting in low use and awareness of practices among employees.

Source: Yeandle et al., 2002a.

There may not be many companies who are able to afford a multilingual 24-hour counselling service, as provided by Marriott International (see box 4.13), but the experience of this company illustrates the importance of employers being prepared to listen to workers and communicate with them when they have personal and family problems.

Box 4.13 Marriott listening to its employees

In the United States, the hotel company, Marriott International, found that one of the reasons for costly high turnover among its many unskilled workers was that they were often driven away from their jobs by personal problems such as childcare, legal or housing problems. Thus in 1992, Marriott set up a 24-hour multilingual hotline staffed by trained social workers whom employees could call for help and referrals to aid agencies.

The hotline receives about 2,000 employee calls each year. In 1997, 600 cases were documented in which the hotline was a key factor preventing an employee from leaving the company, saving an estimated \$750,000 in that year. The hotline frees supervisors to focus on customer services rather than helping employees with their personal lives, a function which previously took much of their time.

Source: Daviss, 1999.

Consultation

Developing work and family arrangements is an exercise in agreement making. A dialogue between management and employees, and their trade unions, if applicable, is important in identifying the key areas for development of practices well tailored to the organization and in ensuring that the arrangements are jointly agreed and seen as a shared responsibility. As with any organizational change, participation and involvement can foster commitment to the change among the people concerned.

The establishment of joint management/staff committees or employee project teams is one strategy used for securing participation in the development of practices tailored to the needs of the organization (see example in box 4.14). Joint teams also later become an efficient means to spread information about the practices among employees and anchor the process at all levels of the organization.

Box 4.14 Employee participation as a key to success

When implementing work-life programmes, the Millipore Corp., a large American corporation in the filtration industry, saw the need for individuals who could help lead the effort of creating and implementing the new policies. An employee advisory committee consisting of 15 employees from throughout the organization was created for this purpose, overseeing the project from the start.

The committee participated in the establishment of objectives for the work–life programme, identified the needs within the enterprise, made recommendations for suitable improvements, made a business case for their recommendations to senior management, and assigned responsibility and accountability to all parties involved in the implementation. The subsequent evaluation of the programme suggested that the advisory committee was the key to its success, helping to promote its goals during the process of implementing and establishing the programme throughout the organizational hierarchy.

Source: Healey, 1997.

Commitment

As seen in examples throughout this chapter, management support of family-friendly practices has an important impact on their use in the organization. Not only must the family-friendly idea be supported in the attitudes of the leaders but also in their behaviour. Acting upon practices is an important tool for leaders to show commitment and support to the family-friendly ideas. By using the practices themselves, leaders can act as role models, influencing the behaviour of employees in the organization to use the practices (see example in box 4.15).

No line manager can be expected to use practices without receiving relevant training in how they benefit the organization (on a policy level) and how they can be used in practice. As seen in the examples in the box 4.16, lack of training has many times created problems for putting work–life policies into practice.

To summarize the various steps which have been describe for implementing family-friendly policies at the workplace, box 4.17 provides a checklist.

Box 4.15 Providing role models

Australia SC Johnson, a consumer goods company with 124 employees among which 86 are men, has a programme which allows employees to compress their working week and leave work at 1 p.m. on Friday. Senior management also leave work at this time, thus reinforcing the idea that no one is viewed negatively for leaving early and taking advantage of this programme. United States Pernille Spiers-Lopez, President of IKEA, North America, notes that making time for her life is important. When not travelling, she rarely works later than 5.30 p.m. "If I travel too much or work late every night, what kind of example do I set – not just for my kids, but for my co-workers?" Source: ACCI, 2002, for Australia; Stapinski, 2003, for the United States.

Box 4.16 Importance of training managers

England A recent study covering several different types of enterprises in three different sectors in the England where family-friendly policies have been implemented reveals a wide variation in managers' understanding of the policies they were responsible for implementing. Many felt they had not received suitable training and guidance about implementation issues, resulting in low take-up of practices and variation in their implementation.

Scotland A case study of the financial service sector found that lack of suitable training and guidance for line managers led to inconsistency in how work-family measures were implemented and resulted in a reported low staff take-up of such arrangements in many of the enterprises participating in the study. Source: Yeandle et al., 2002b, for England; Bond et al., 2003, for Scotland.

Box 4.17 Promoting family-friendly strategies in the organization: A checklist

- Survey the business needs.
- Survey the workforce to find out what the needs are.
- Identify and obtain general agreement on the aim of the family-friendly programme.
- Engage employees at an early stage in the process and listen to their views.
- Work with trade unions to encourage family-friendly policies.
- · Demonstrate/document both business and employee benefits.
- Include a long-term perspective when weighing benefits against costs for implementation.
- Provide relevant information so that everyone is informed and can benefit from the policies.
- Clarify and agree on eligibility criteria, e.g., which staff have priority claim on provisions made?
- Establish channels for open and ongoing communication.
- Ensure that top management sets the example.
- Provide support and relevant training to managers throughout the organization.

5. Care arrangements

One of the main worries for the worker or would-be worker with family responsibilities is how to cater for those in the family who may need looking after while he or she is away from home, as well as how to ensure that household chores get done. Chapter 3 considered the financing of care facilities and partnerships for resource mobilization. This chapter discusses the different types of care arrangements for various categories of dependants.

Care arrangements can be roughly divided into three categories:

- informal unpaid care (usually family)
- household employees (nannies, maids)
- formal paid care:

care centres paid care in someone else's home domiciliary services

As noted in Chapter 1, informal unpaid care is usually provided by family members, or in some cases friends or neighbours, and the first section considers this type of care. Employing household help such as nannies or maids is another way workers can cope with diverse care responsibilities, including domestic tasks: this alternative is discussed in the second section. The chapter then goes on to discuss how various forms of formal paid care outside the home are being organized for preschool children, school-age children, the elderly and the sick and disabled. Finally, some policy issues concerning the organization of care and the conditions of work for care workers are discussed.

5.1 Informal care

In virtually all societies, caring for children or elderly is traditionally a role for the family. Families play a major but undervalued role in society by rearing and socializing children. For children, parental attention and affection (from both mothers and fathers) can be critical for their social and psychological development. All families want and need time to provide informal care to dependants.

In recent years, governments, particularly those in Europe, have made various types of employment-related provisions to assist families in their caring roles. These measures are typically related to leave or flexibility in working time and concern parents of young children. As noted by Daly (2001), there is a strong trend in Europe

towards parental leave and a policy switch away from investing in childcare facilities to making payments directly to parents. There are many question marks about the implications of leave for gender equality and much depends on how it is designed, as is discussed in more detail in Chapter 6.

In almost all countries, even in those with the most active policies in favour of formal care (Scandinavia, for instance, or the countries of the former Soviet Union), the majority of care work is carried out "free" and informally, by family members, including those in employment. Estimates for the United Kingdom by the Office of National Statistics valued informal childcare at between 19 to 25 per cent of GDP in 1999 (Holloway and Tamplin, 2001). When parents with young children want to take employment, they tend to look first to relatives to help with childcare. Some parents would only consider leaving their young children with family members, whom they see as more trustworthy than other carers. For others, particularly low-skilled workers with low earnings potential, other paid arrangements may not be affordable. Thus, many parents in both industrialized and developing countries call on grandparents or other relatives for childcare, who care for them in their own or in the child's home (see box 5.1 for examples). Even when formal arrangements are made, help from relatives or friends is often still needed.

Box 5.1 Role of relatives in childcare

Ghana In Accra-Tema in the mid-1980s, two-thirds of women called on their mother or other members of the family to look after their babies when they went out to work.

Indonesia In Indonesia, a report at the end of the 1990s indicates that approximately 37 per cent of working mothers rely on female relatives, especially grandmothers, to care for their children.

Mauritius In Mauritius, a household survey in 1999 found that 51 per cent of working mothers left their baby with a grandparent and 14 per cent left the baby in the care of another unpaid relative.

United States In the United States, a quarter of pre-school-age children received care from relatives other than their mother.

Source: Date-Bah, 1986, for Ghana; Kamerman, 2002, for Indonesia; data from the 1999 Continuous Multi-purpose Household Survey as presented in University of Mauritius, 2002, for Mauritius; Brandon, 2000, for the United States.

As discussed in Chapter 1, family support to help with care responsibilities is becoming less available and increasingly problematic even in most developing countries, and thus the need for services outside the family is increasing.

5.2 Household employees

Care provided within the household by domestic help (nannies, au pairs, cooks, maids, cleaning ladies) is a very common way of coping with family responsibilities in both industrialized and developing countries.

Household employees have a direct employment relationship over a certain period with the family that employs them. The situation of household employees is distinct from that of those providing domiciliary services on a contractual basis, who come from an outside organization such as a health service, a cleaning service or a

municipality, or who are self-employed (visiting nurse, physiotherapist, hairdresser). For household employees, social insurance payments (for accidents, pensions, etc.) are the responsibility of the family, whereas for domiciliary services, they are not.

Sometimes the distinction between unpaid family help and paid domestic employee is blurred when a relative, for instance a niece or aunt, lives with the family and provides domestic help in return for her food and lodging, and perhaps some pocket money.

The demand for household employees

The advantage of household employees is that they may deal with care responsibilities while at the same time taking responsibility for other household tasks. In most developing countries, where income disparities are great and there are often large pools of unemployed or underemployed, the great majority of middleclass households employ domestic workers for care work as well as household tasks (see box 5.2). In China, this sector is regarded as a possible new source of employment, replacing the bankrupt inefficient state enterprises (see box 5.3).

Box 5.2 Widespread employment of household workers

Brazil The number of domestic employees in Brazil increased by 47 per cent between 1992 and 2001 and it is estimated that around 10 per cent of Brazilian homes have domestic employees.

Kenya It is estimated that in Kenya one in two of the 2.3 million households of Nairobi engage the services of a domestic worker, usually a young female, illiterate and untrained, working long hours for low pay, and with no statutory regulation or even recognition.

Singapore More than 150,000 foreign domestic workers work in Singapore. The Government notes that by helping out with household chores and bearing part of the responsibility for caring for children or elderly sick, these domestic workers often relieve Singaporean women for the workplace and help contribute to Singapore's economy and the well-being of families.

South Africa In 2002, there were almost 1 million domestic workers in South Africa: 840,000 women and 180,000 men (mainly gardeners), representing about 9 per cent of all formal and informal employment.

Source: Sorj, 2004, for Brazil; Karega, 2002, for Kenya; Ministry of Manpower, 2004, for Singapore; Statistics South Africa, 2003, for South Africa.

Box 5.3 Growing demand for domestic helpers in China

Chinese government officials are hoping that a growing demand for domestic helpers will boost the country's employment situation by creating up to 15 million jobs. According to Deputy Labour Minister Lin Yongsan, rapidly rising income levels in cities have created an unfulfilled demand for domestic staff. In recent years, China has seen a revival of traditional roles as more and more urban families have again begun to employ staff to help with household chores. Most of such helpers work part-time, cleaning, cooking and washing clothes – though if there are young children or old people to look after, they sometimes live in. It's also not only the very rich who are employing domestic helpers. The staff are often young women from the countryside, who are willing to take low

wages to work in the cities, while others are workers laid off from bankrupt state factories. Speaking at a national conference, Mr Lin said the sector could be a major source of employment growth in large and medium-sized towns. Source: Hewitt, 2000.

The demand for household employees is not confined to developing countries. Although the informal nature of much of domestic employment makes it difficult to estimate its extent, indications are that domestic employment is also booming in some European countries (see box 5.4 on France, Italy, Spain and the United Kingdom). In Europe, the traditional view of domestic service as a luxury only within the means of the wealthiest social groups is no longer valid, as there is an increasing demand for household employees from middle-income, dual-earner couples (Parella Rubia, 2003).

Box 5.4 Demand for household employees in Europe

France In France in 2001, about 80,000 children under six were being looked after at home by household employees. Allowances or tax deductions have been used to increase the demand for household workers as a way of diversifying care options and increasing employment. The allocation de garde d'enfant à domicile (AGED) encouraged nanny-type childcare at home for preschool-age children, as it covered most of the employers' social insurance charges for the employee, and allowed the family to deduct half of the costs incurred from their income tax.

Spain and Italy In southern Europe, the boom in the demand for live-in domestic workers can be attributed particularly to the lack of well-developed care services outside the home. Live-in household employees (mainly immigrant women) are particularly popular for elderly care since this permits the elderly to stay in their homes.

United Kingdom There is now the same number of "servants" in households in the United Kingdom as there was in the 1930s. There are more than 4 million nannies, gardeners, cleaners and butlers in homes across the country. One in three dual-earner couples now employ domestic help.

Source: Leprince, 2003, and Fagnani, 2002, for France; Parella Rubia, 2003, for southern Europe; The Work Foundation, 2004, for the United Kingdom.

The supply of household employees

Many household employees in OECD countries, and also in richer developing countries (Malaysia, Hong Kong [China], Persian Gulf countries), originate from developing countries such as the Philippines and Sri Lanka and are often mothers themselves who leave their own children behind. They work under a variety of contracts, some of them at the margin of legality. In the case of countries like Singapore, Malaysia and Hong Kong (China), most locals are no longer willing to do paid domestic work, creating the demand for a flow of foreign domestic workers which has allowed women nationals to enter or return to employment (Huang et al., 2003). Similarly, in Italy and Spain, immigrant women provide a source of labour which is cheaper and more flexible than local workers and provides a solution to care problems without the state having to increase investment in services (Parella Rubia, 2003).

In developing countries, domestic workers are often rural—urban migrants. There is ample evidence that a large number of them are young children. The example of children in Kathmandu in Nepal (box 5.5) is just one case among many which illustrates the problem.

Box 5.5 Child domestics in Nepal

In Kathmandu Municipality, where around 18 out of 100 households employ a child domestic worker, there are some 22,000 children under the age of 15 working in this sector. According to a recently completed ILO International Programme on the Elimination of Child Labour (IPEC) Rapid Assessment Survey, more than half of these are boys (57 per cent). Generally from large poor rural families, young domestics are "invisible" child labourers, as they are often confined within the four walls of their employers' houses and have very little contact with the outside world. At the beck and call of their employers on a 24-hour basis, these children are highly vulnerable to abuse and exploitation. Source: Sharma et al., 2001.

For a variety of reasons, the conditions of work of domestic workers are problematic and are discussed in more detail at the end of this chapter.

5.3 Services for children before compulsory school age

Formal arrangements for childcare outside the family are increasingly needed to help families earn their living while looking after their young children. In most countries, the demand for childcare services, particularly affordable care, is outstripping the supply.

Use of formal childcare outside the family home

The figures in table 5.1 (though not strictly comparable in terms of opening hours, educational content, definitions of formal care and so forth) do indicate that in countries of quite different levels of economic development, childcare outside the home is a significant phenomenon – especially for the older group of children. As discussed in Chapter 3, in the case of three-to five-year olds, the facilities are frequently preschools which have the educational objective of preparing children for school. The objective of serving as a care facility for working parents may or may not be seen as important and taken into account in the organization of the pre-school.

For developing countries, estimates exist on the proportion of three- to five-year-olds in pre-primary education. Although they may not be directly comparable to the data presented in table 5.1 on childcare, they do indicate that in some developing countries, significant proportions of this age group attend pre-primary schools: almost 100 per cent in Cuba, over 80 per cent in Jamaica and 60 per cent or more in Argentina, Barbados, Lebanon, Mexico, Peru and Thailand (UNESCO, Institute for Statistics, 2003).

As can be seen in table 5.1, children under age three are much less likely to be in formal care than those over three who require less care and for whom facilities are less expensive. Proportions of this younger age group in childcare vary from less

than 5 per cent in Austria, the Czech Republic and Greece to 64 per cent in Denmark. The target of the EU for providing day care reflects this difference: by the year 2010, the objective is to provide care facilities for 33 per cent of children under three and for 90 per cent of those between three years and school age.

Table 5.1 Percentage of children in formal childcare, selected countries, 1998-2000

Country	Age group	
	Under 3 years	3 years to school age
Australia	15	60
Austria	4	68
Belgium	30	97
Canada	45	50
Czech Republic	1	85
Denmark	64	91
Finland	22	66
France	29	99
Germany	10	78
Greece	3	46
Ireland	38	56
Italy	6	95
Japan	13	34
Kenya	_	20
Korea, Republic of	7	26
Netherlands	6	98
New Zealand	45	90
Norway	40	80
Portugal	12	75
Romania (1996)	_	55
Slovak Republic	46	90
Spain	5	84
Sweden	48	80
United Kingdom	34	60
United States	54	70

Source: OECD, 2001, except for Kenya (Lokshin et al., 200) and Romania (Fong and Lokshin, 1999)

Childcare and child development

Research evidence has for some time indicated that a stimulating pre-school learning environment can make an important difference to the future school performance of children. Such evidence has motivated efforts to expand pre-school facilities or kindergartens (from about age three) aimed at promoting early childhood development and has led to a high demand among parents for these facilities – whether both parents are employed or not. Concern to ensure that disadvantaged children can also profit from early childhood development programmes led to the "Head Start" programme in the United States (see box 5.6).

Box 5.6 Head Start: An American programme for low-income families

As part of the war on poverty, Project Head Start was launched in the 1960s as a comprehensive early child development programme providing education, health and social services to low-income children and their families. Families whose income was at or below the federal poverty guideline were eligible for these services, which served mainly the needs of four-year-olds and older. In the light of growing evidence that earlier intervention is more effective, Head Start initiated the Early Head Start Programme in 1994 to provide similar programmes for children from age three. Cost-benefit studies show a return of up to 7:1 from this programme, nearly all the returns coming from reduced crime and court costs.

Source: www.headstartinfo.org

For children under the age of three, there is more debate about how much time they should spend outside the family and the sorts of facilities which are most appropriate for them. Box 5.7 presents the results of a British study looking at the effects of childcare arrangements on a child's later development. This study found no adverse effects of maternal employment for the majority of the sample.

Similarly, in Canada, research based on a national longitudinal survey of children indicated that, for most pre-school children, the full-time work of parents and the time spent in substitute care had little or no association with the development of the skills needed to start school. In particular the study points to reading as an important parent—child activity associated with higher school readiness. Trying to isolate the effects of early care arrangements from the effects of other factors such as the income and education of the parents is difficult. It is likely that the main factor is the quality of the care, whether the provider is the mother, the grandmother, a nanny, a childminder or a crèche worker.

Box 5.7 Study on the effects of childcare on child development

A study of 12,000 children by the University of Bristol in the United Kingdom looked at mother's employment in the first three years of life and its effects on later development. For the majority of children, maternal employment did not appear to have adverse effects. The only group which showed some adverse effects were children whose mothers returned full time before 18 months and who were left full time with an unpaid relative or friend. The use of centre-based childcare did not have these negative effects.

The lack of effect of mother's employment was explained by the fact that fathers were more involved in these households and mothers also spent much of their free time with their children. A father's active involvement with a child under age two (playing, reading, singing) was found to be beneficial to its intellectual development.

Source: Gregg and Washbrook, 2003.

Types of facilities

Formal care provided outside the family takes place either in a childminder's home, or in different types of centres generally characterized by the age of the children

accepted and the educational or other content of activities provided (crèche, day care, pre-school, kindergarten).

Several factors are relevant in determining whether a service is convenient for working parents:

- the hours of service offered
- the degree of flexibility in service provided
- the location triangle (distances between home, work and care service)
- the quality of the service
- the cost.

The types of facilities are discussed below in terms of these considerations.

Childminders, who look after children in their own homes, constitute a popular solution in a number of both industrialized and developing countries, in particular for the care of infants. This type of arrangement usually has more flexibility in terms of hours than crèches. In France, the system of registered childminders, or "assistantes maternelles" (see box 5.8), receives government support through allowances and tax deductions for families using its services (see also Chapter 3, box 3.12). Similarly in Singapore, family day-care services are being promoted as particularly suitable for infants from two to eighteen months since they are home-based with a maximum of four children and thus involve less risk of infectious diseases than large centres (Singapore, Ministry of Community Development and Sports, 2004).

Box 5.8 Care by childminders in France

In France, where the educational system takes children from three years old, the main problem concerns the care of children under this age. Of the 2.27 million children in this age group in 2001, 1 million were looked after by a parent and about the same number were in childcare. Of those in childcare, 24 per cent were in a crèche, 30 per cent were at home with a household employee and 46 per cent were kept by an "assistante maternelle", or childminder. Care by a childminder is considered by the French as a better solution than the institutional crèche, which may be beneficial for the child but is not convenient for the parents. Even for children in pre-school, supplementary care is often needed by working parents, and 260,000 out of 2.16 million children of pre-school age are also looked after by a childminder.

Source: Leprince, 2003.

Similar systems of "community homes" and "community mothers" have been used in a number of countries in Latin America. In Guatemala in 1999, for example, the Community Homes Programme included 1,401 homes benefiting 8,406 families, with plans to expand (Ministry of Work and Social Provisions, 1999). Much larger programmes are operational in Peru and Colombia with support from outside donors (see box 5.9). In Peru, the programme seeks to provide quality integrated care for children under three living in extreme poverty and the example shows the difficulties which the poor have in paying for childcare even when fees are far from covering the real costs.

Box 5.9 Community childcare programmes in Latin America

Colombia The programme "Hogares Communitarios de Bienestar" (Community Homes of Well-being) in Colombia, covers nearly a million children. Each day-care home is run by a trained "madre communitaria", or community mother, who, with the help of an assistant, provides care, protection, food and pedagogical activities for up to 15 neighbourhood children in her home. NGOs played a key role in the programme's organization and expansion by developing technical material, donating food and supplies and serving as the community's liaison with the Colombian Family Welfare Institute (under the Ministry of Health). Parental associations are actively involved and parents pay a monthly cash fee. By providing childcare for poor or working-class families, the programme has ensured a modicum of nutrition and health care for children and helped working parents to become better integrated in the labour force.

Peru Peru's national childcare programme was initiated in 1993, with UNICEF and financial support from the Inter-American Development Bank (IDB), the European Union and the World Food Programme, to cater for the needs of the many working poor. It consists of a low-cost day-care programme whereby, for a small fee, working mothers can leave their children under three years in either a home-based centre which can take from six to eight children or a community-based centre which can take up to 24 children. In centres, there is a mother-in-charge who has been trained in health care, nutrition and educational stimulation.

The programme has created day-care facilities in 20,000 homes and a major impact of this scheme is the creation of employment for local women. However, an evaluation identified problems of unrealistic expectations of parents regarding their contributions, low utilization by eligible families and insufficient training and rapid turnover of caregivers. A new IDB loan of \$103.6 million in 1999 seeks to strengthen and expand the programme initially to 95,000 children, eventually covering 150,000 poor children.

Source: Sadasivam, 2001.

The quality of childminders and their facilities is more variable and harder to control than that of childcare centres but systems for registering childminders (such as in Austria, France and Switzerland) help ensure a minimum of training and some control of the physical facilities. In Singapore, the new system announced in 2004 is based on existing childcare centres which would register parents and caregivers and coordinate training for caregivers. Generally, in industrialized countries, "the trend appears to be toward acceptance of family day care (childminders) as a valued component of an early childhood education system as long as it is supervised and regulated and providers receive some training" (Kamerman, 2000, p. 34).

The second category of formal care of children under compulsory school age is care centres. These encompass crèches, day-care centres, pre-schools and kindergartens. From the point of view of the work–family balance, opening times of care centres (daily and weekly hours and number of weeks annually) are crucial. Preschools generally follow the school day and school holiday schedule, so additional arrangements have to be made for the care of children in these institutions if, as is usually the case, parents' working hours extend beyond the school timetable. The hours of crèches and day-care centres tend to be somewhat longer, but are by no

means always synchronized with normal working hours. Moreover, they do not usually cater for atypical and irregular hours of work, which are on the increase particularly in developed economies. The non-correspondence with working hours can lead to the need for multiple care arrangements, which may have an unsettling effect on the child.

Some day-care facilities allow parents to choose the days or half days of the child's attendance, but the programme is usually fixed at admission. An unexpected professional obligation outside the agreed schedule (such as overtime work) can be difficult to cope with unless the facility is flexible in its opening hours and the daily number of children which it can take (not usually the case where regulations are strict and observed). This may force the parents to choose between a less-than-satisfactory arrangement for the child or not meeting their work commitment which could be risky for their employment. Similarly, difficult choices must be made when a child is ill, as most day-care facilities will not accept children in these circumstances. Japanese policies to reconcile work and childcare address these problems (boxes 5.10) as does the Singapore National Trade Union Congress (NTUC) (box 5.11).

Box 5.10 Extended hours for day-care centres in Japan

Day-care centres remaining open for longer than 11 hours a day receive special financial assistance from the state. The overall percentage of centres offering extended care was over 40 per cent in 2000, but as high as 65 per cent in the private sector.

Family support centres are community organizations with public funding, where members mutually help each other in a variety of childcare tasks, such as taking and fetching children to day care. They also respond to temporary or short-term needs.

Source: Abe et al., 2003.

Box 5.11 Trade union childcare cooperatives in Singapore

NTUC childcare centres are open six days a week, from 7 a.m. to 7 p.m. on weekdays, and from 7 a.m. to 2 p.m. on Saturdays, for children between the ages of 18 months and six years old. Care is available to all parents, regardless of whether they are union members or not. A government subsidy of \$\$150 is also extended to each Singaporean child whose mother is working, as it is in all childcare centres in Singapore. NTUC Childcare offers union members an additional discount of \$\$7 off the fees per month. Financial assistance is available for low-income families.

As well as offering full-day and half-day options, NTUC Childcare has introduced a Flexi-Hour Programme (FHP), intended to provide alternative care arrangements to parents. The FHP is offered on a basic three-, four- or five-day week programme, with the options ranging from three to five hours per session.

Source: Singapore NTUC Childcare web site: www.ntuc-childcare.com

Employer involvement

Legislation to oblige firms with a payroll over a certain size to have childcare facilities exists in several countries, although it is often not observed (Greve, 1991). A review of voluntary family-friendly arrangements in firms in Australia, Japan, the United Kingdom and the United States (OECD, 2001) notes that few firms have a workplace crèche and that among family-friendly arrangements, assistance with childcare is a less frequent benefit than flexible working hours or short-duration family leave.

However, some employers have found it in their interest to facilitate childcare. Companies, most often multi-site companies or those with a wide range of employee needs, prefer to offer referral services to help workers find a suitable independent care centre, and, in some cases, to subsidize the fees rather than have an on-site crèche. Employees, in any case, may prefer to leave their children near home rather than transport them to the workplace. This also allows greater choice for the worker, and avoids the disincentive to professional mobility inherent in on-site care.

Box 5.12 Childcare support for employees

Malaysia The banking sector provides a childcare subsidy to women with a child under seven years of age. The union would like to extend the subsidy to male workers but the employers are particularly interested in this benefit as a way of attracting and keeping women staff.

Philippines The workforce at Indo Phil Textil Manufacturing is about 89 per cent women, many of whom have children. Production was being disturbed because some employees, particularly those on later shifts, were absent or took leave because they had no one to look after their children. Indo Phil arranged with a local day/night care centre that employees could drop off their children and subsidized the care-taking fees of employees.

Sri Lanka In Sri Lanka, some garment manufacturers have invested in social development programmes such as the construction of schools and maintenance of day-care centres for workers' children in the village where the factory is located. Such companies tend to have lower absenteeism and turnover.

Source: Jikunan, 2003, for Malaysia; Employers' Confederation of the Philippines (ECOP), 2004, for the Philippines; Kelegama and Epaarachchi, 2002, for Sri Lanka.

Nevertheless, some enterprises do provide an on-site crèche. For parents, child-care provided at the workplace avoids many of the problems of hours and inflexibility of outside facilities – especially when it is set up in consultation with the employees as to their needs – and contributes to the peace of mind of parents who can be in contact with their offspring during working hours. Facilities for infants at work have the advantage of facilitating breastfeeding and encouraging mothers to return to work after maternity or parental leave (see Chapter 6). For employers, the major advantages are attracting and retaining women workers (see examples of Japan, Singapore and Northern Ireland in box 5.13) as well as reducing absenteeism (see example of Belgium).

Bringing the baby to work may be the only solution for some women who cannot find or afford any childcare arrangement, even when no workplace facility is foreseen for childcare (see Chapter 2). In various contexts, the fact that mothers were

bringing their children to work has given rise to pressures to organize some kind of facility at the workplace.

Box 5.13 Some examples of workplace care

Belgium In order to combat absenteeism because local childcare facilities were not open during the hours needed by part-time and shift workers, the Casterman Company, 40 per cent of whose workers are women, set up its own company crèche, with support from the Ministry of Labour. It is open from 5:45 until 22:30, includes a facility for sick children, and is open to both children and grandchildren of all employees, whether full- or part-time. Mothers can breastfeed their babies on the spot, and can be contacted by the child if necessary. Employees pay in fees only 70 per cent of the total cost.

Japan Faced with a probable shortage of human resources in the next decade, a Japanese publishing firm has adopted a package of measures to attract women workers. As well as introducing flexitime, reduced hours and leave, it has built an on-site childcare facility for infants and toddlers, for which it subsidizes the fees, thus enabling women to return to full-time work following the birth of a child. It also contributes to employees' costs for child- and elder care outside the firm. The government encourages these practices by financial incentives: these include covering half the set-up costs of the childcare centre and its running costs for the first five years; and reimbursing the company for up to two-thirds of the costs of child- and elder care.

Northern Ireland The creation in 1994 of the Lisburn Health and Social Services Trust placed it in a competitive market where finding and keeping high-calibre, professional staff became critical. Eighty-four per cent of employees were women, so a staff survey to identify childcare requirements was carried out, resulting in the establishment of a nursery and summer scheme, a Kids' Club and after-school care. Parent and Baby rooms enable newly returned mothers to express milk. Care of dependants and elderly relatives is also addressed through an information pack on services and benefits available, along with provision of respite care for the elderly. An Opportunity Now group, established with manager and trade union representation, acts as a forum for consulting with staff, setting targets and reviewing those already in place.

Singapore A rubber plant with a largely female workforce was experiencing high turnover and recruitment difficulty, because it was located in a new town and mothers had no relatives living nearby to look after their children. After consulting with the union, the management set aside a room for a crèche for babies and young children and for breastfeeding. Costs were limited by workers looking after the children themselves in a paid, volunteer roster system. The firm estimated that the savings in costs of recruitment and training of new workers, and of mothers' absenteeism paid for the facility after one year of operation.

Source: Harker and Hogg, 1992, for Belgium; Appelbaum et al., 2002, for Japan; www.opportunitynow.org.uk, for Northern Ireland; Kogi et al., 1989, for Singapore.

Box 5.14 provides two examples of facilities organized by employers in Uganda and an example of an initiative for market women by the municipality of San Salvador. Also, the example of Mobile Crèches in India shows how a voluntary organization operates centres for children on construction sites in India. Taking children from birth to 12 years, it reaches about 13,000 children per year through 13 permanent centres and 56 on construction sites.

An example from Madagascar indicates the importance of childcare in order for women to be able to work. An impact study of a project for rehabilitating rural roads noticed that on one site an arrangement had been made by the female workers to have a local woman look after their children. On this site, the proportion of women workers was 45 per cent, well above the proportion on other sites (Raelison, 2001). As the author notes, lack of childcare on other sites probably meant that those women who had no one in the family to look after their child could not put themselves forward for work, despite their need for income.

Box 5.14 When women bring their babies to work

El Salvador An initiative of the Mayor's office provides childcare for women who work as market and street vendors, through a network of centres located near municipal markets. There are seven centres open on weekdays from 8 a.m. to 4 p.m., each looking after about 60 children each and employing about 10 caregivers. In 1997, services were expanded from custodial care to physical and mental health, nutrition and education. The municipality pays staff salaries, while daily operating costs are covered in part by fees paid by parents.

India Mobile Crèches approaches builders at potential construction sites with a view to opening a centre for the children of its workers. If the builders agree, they provide accommodation, electricity and water. The crèche only lasts as long as construction on the site. The infant section looks after newborn babies and infants and mothers are encouraged to breastfeed regularly. Older children are prepared for admission to regular schools. Mobile Crèches has a team of 325 trained childcare workers and provides employment to women who have only a basic education. About 13 per cent of financing comes from construction contractors, 31 per cent from local grants and 29 per cent from foreign donors, the remainder coming mainly from fundraising.

Uganda Women workers at the Kakonde Tea Estates who had no other option often brought their young children to work. To preserve productivity and to ensure that these children were not exposed to chemicals, as well as to avoid the risk of child labour, the management set up a building near the plantations, where workers could leave their children. Elderly women from the local community were paid by the employer to provide childcare at the facility.

At the Kakira Sugar Works, workers and supervisors agreed that each day, on a rotating basis, one of the women would look after the children while the others worked. The company pays the designated child minder the same wage she would normally receive for her day of work.

Source: Sadasivam, 2001, for El Salvador; Sabates-Wheeler and Kabeer, 2003, and www.mobile-creches.org, for India; Ssenabulya, 2003, and Thenge, 2003, for Uganda.

Quality and cost

The quality of childcare is a major issue for parents and for public authorities. Although it is difficult to measure quality, which may be perceived differently in different cultures, there is some consensus that the important dimensions are staff-to-child ratios; group size; facility size; staff qualifications and training; staff salaries and turnover, as well as health and safety standards (Kamerman, 2000). The quality of the facility depends considerably on the quality of the staff and staff-to-child ratios, and thus better quality means higher costs.

Quality is not just a question of standards, but also of ensuring that the disparity between high- and low-quality services is kept within reasonable limits. Where this is not so, there is a strong tendency for the well-off to purchase the best from private providers and for the economically weak to use what is less good because less costly, or to abandon using such services altogether. This is especially crucial in childcare, where, insofar as pre-schooling is related to future economic and social success, inequality of use will only reinforce and perpetuate existing inequalities. The cost of providing day care of reasonable quality for poor working families can probably not be covered by fees and requires government or donor financial support.

If quality means highly trained personnel with wage levels and conditions of work that motivate them to high commitment, official accreditation, scientifically tested methods of care, a rich variety of stimulating materials, generous staffing ratios, good physical structures and an efficient monitoring service, then for most countries delivering nationwide affordable care programmes is simply unrealistic. It has been suggested that the issue of quality might be better addressed by shifting the objective from an acceptance that "more is better" to asking "how much is good enough?". What is the basic minimum for a service to be acceptable? It is not easy to find the balance between ensuring the quality of services while making them affordable.

Government policies limited to providing some financial support to the low-cost solutions found in communities risk focusing on quantity rather than quality: arrangements of this kind may involve precarious installations and staff with little or no training. Sorj (2001) raises this issue in the case of Brazil, where research showed that the low quality of pre-schools in the country's poorest regions served to reproduce rather than mitigate social inequalities. While such arrangements may provide employment opportunities for women with low levels of schooling, they may be underestimating the skills needed by pre-school workers and not be giving sufficient attention to training and professionalism.

On the other hand, an advantage of some childminder schemes is that they constitute a means of providing care for young children without setting up costly institutions and of creating employment for poor women with family responsibilities. The women who use these facilities for their children may benefit from better working opportunities and increased income, which may, in turn, mean that they can contribute to the cost of childcare. For the quality of the care, a key factor may be the training of the childcare workers.

5.4 School-age services

In some ways, the difficulties for workers with family responsibilities may be greater with children in regular school than for those with children in pre-school care. School hours are shorter and holidays longer than is often the case with crèches and kindergartens, and supervision during these periods is a major problem.

Some of the services which are provided to take care of school-age children while their parents work are before-school-hours care, school meals, after-school programmes, transport services, day camps (for children attending establishments which have one weekday with no schooling) and holiday camps. In the Republic of Korea, for example, support for lunch preparation for children was identified as a practical and effective means to alleviate the family/work conflict. Since 1990, the

Korean Government has pursued an active school meals programme, with the result that by 1998 almost all primary schools and a high proportion of secondary schools provided meals at school (Kim and Kim, 2004).

Ways of providing supervision for children before and, particularly, after school are a critical concern to many working parents. Box 5.15 provides examples of how this is being organized in France by local authorities and in the United Kingdom as part of a national strategy to remove childcare obstacles to labour force participation.

Box 5.15 Care outside school hours

France In France, municipalities are responsible for the management of school canteens and for the supervision of children after school hours. In Paris, about 5,500 employees recruited by the city look after the 100,000 children who eat lunch at school canteens during the two-hour lunch break. Families pay, on average, half the cost of the meal and the payment depends on family income, as do payments for most other activities.

The city also organizes after-school child supervision in all pre-primary schools from 4.30 p.m. to 6.30 p.m. About 14,000 children attend each day. For primary school children, supervised study is provided by the municipality from 4.30 p.m. to 6 p.m., attended by about 23,000 children. As an alternative to study, children can also sign up for cultural or sport activities carried out by associations subsidized by the municipality. On Wednesdays (when there is no school) and during school holidays, the recreational centres *(centres de loisir)* in most schools offer a large variety of activities and outings from 8.20 to 6.30 p.m.

United Kingdom The National Childhood Strategy aims to help people back into the workplace by removing childcare obstacles. It has set a target of 40 per cent of childcare providers, including OSHC providers, to be accredited by a quality assurance scheme by 2004. Out-of-school-hours childcare clubs (OSCC) are designed to offer a safe haven for children to play, rest and enjoy a wide range of recreation activities. OSCC are run independently of schools, although they often use school premises, and parents pay a fee.

In contrast, study-support activities in schools are usually free and organized by the school, focusing on raising achievement in a broad sense. Both OSCC and study support run before and after school: from 8 a.m. to the start of school and from after school finishes to 5.30 or 6 p.m.; during holidays and other days when schools are closed, they run from 8 a.m. to 5.30 or 6 p.m. Children can attend study-support activities and then go on to the OSCC. The Strategy targets particular disadvantaged areas.

Source: Web site of the Municipality of Paris, http://www.paris.fr (consulted 24/11/2004), for France; Department for Education and Employment, 2003, for the United Kingdom.

In the absence of supervision out of school hours, school-age children of working parents run the risk of going home to an empty house or loitering outside until parents return. Parents may try to avoid these dangers by calling on childminders, and may have to make complicated arrangements with family and friends for transport of children to different types of care. Older children may be charged with responsibility for younger siblings but, as Sorj (2004) notes in the case of Brazil, with fertility declines, there is a decreasing likelihood that there will be an older child. Box 5.16 provides an example of how a trade union has organized some support activities to help overcome these difficulties.

Box 5.16 The Students' Place, Singapore

The Singapore NTUC has a childcare programme which has set up seven centres in Singapore, known as the Students' Place, where children in the 7 to 14 age group can be left during out-of-school hours in a supervised setting. The centres are open six days a week, from 7 a.m. to 7 p.m. on weekdays, and from 7 a.m. to 2 p.m. on Saturdays. Given that the Singapore school system has two sessions, morning and afternoon, programmes at the Students Place are generally divided into two sessions as well, i.e. children attending school in the morning will come to the Students' Place in the afternoon.

Facilities in the centres include study and computer rooms, resource corners, a library and reading centres. Admission is open to all, regardless of whether they are union members or not, and is fee-paying. A government subsidy is available to lower income families.

Source: NTUC Childcare web site: www.ntuc-childcare.com

In some instances, school-age children join their parents at the office after school, which can be more or less disruptive for workers. Some employers, recognizing the stress that would be caused by forbidding, provide a room where the children can wait while reading or doing their homework. Box 5.17 provides the example of an employer who found this to be an effective solution to the problem.

Box 5.17 A room where children can wait

In a retail store in Guyana, the work was being disturbed at the end of the afternoon as employees' children arrived from school to wait for their parents to go home. To reduce the disruption caused by the children, the manager found a room where tables and chairs were installed for the children to use while they were waiting. The result of this arrangement was that the employees were less distracted during this period and the number of errors made at the cash machines declined.

Source: Thomas, 2003.

Looking after schoolchildren during the school holidays also poses problems to working parents. Holiday camps are residential solutions to this problem but, on the whole, they are limited to the better-off, although public or private financial help is offered in some cases. Day camps run by local authorities during the holidays can be another form of solution.

Moreover, parents of school-age children may have unexpected or exceptional calls on their time, such as seeing a teacher about a child's problem, a class meeting, a school event for parents, and other moments when a parent's presence may be desirable or essential. For coping with such events, flexible hours, as discussed in Chapter 7, may be more important than services.

5.5 Care services for the elderly

With the ageing demographic profiles in most countries, care of the elderly is taking on increased importance. In fact in many parts of the world, the average couple spends more time caring for elderly relatives than for children.

Care for the elderly is having an increasing impact on employees and their employers. For instance, Trans America Corporation reported that 1,600 missed workdays per year were attributed to the 22 per cent of employees who were caring for an elderly relative. The annual loss to the corporation is estimated at \$250,000 (Davis and Krouse, 1996).

Problems specific to elder care

For workers, the difficulties involved in taking responsibility for the care of an old person can in some ways be more stressful than those related to caring for children. Babies arrive in the family with (at least) several months warning and become increasingly independent at a fairly foreseeable rate, so planning for work and a career is easier than with an elderly relative, who will become dependent at an unpredictable moment, and is likely to become more so, not less, as time goes on. The practicalities of care for an elderly person can also be more complicated. Unlike children, who are usually part of the parent's household, an elderly relative is more likely to live separately, creating extra travel and organization burdens for working family-carers.

Moreover, when the elderly person has insufficient means to cover living and medical expenses, which is often the case in developing countries where pension and medical coverage is very limited, this increases the financial burden on the offspring. This financial burden, particularly the medical expenses, is more unpredictable than in the case of young children who may be covered by a family medical scheme. The need for increased income and, at the same time, for more time to look after an elderly dependant can put families in a difficult situation. In some cases, elderly people in urban areas go "back to the village", where the cost of living is less, informal care (but not proper medical attention) is easier to arrange through stronger community solidarity, and life is generally less stressful.

Finally, whereas childcare comes at a time when workers are relatively young, those with elder care responsibilities tend to be older. Not only may these workers find care responsibilities more physically tiring, they may experience additional stress from the knowledge that if they give up their job to look after an elderly person they may have difficulty finding other employment at their age.

Whereas affluent societies have started to invest in services for the elderly, these are less common in developing countries, where population ageing is a less marked phenomenon – for the moment. However, the magnitude of the trends in ageing and in the support ratio indicates that the need for policies to meet these demographic challenges is imminent in some cases.

Care for the elderly

Although historically much less attention has been paid to care services for the old than for the young, now governments (as part of their general social policy) are developing diverse facilities (see box 5.18) to meet the growing need.

In estimating the needs of workers with responsibility for an elderly relative, it should be remembered that many people over 60 years old do not require care of any sort and may in fact be a resource to help with caring responsibilities. Of those who do, the preference is to use domiciliary services rather than institutional care: among the OECD countries, none has more than 7 per cent of the population over the age of 65 cared for in institutions, and most considerably less (Christopherson,

Box 5.18 The main types of facility for elder care

Domiciliary services:

Home helps, visiting nurses, doctor home visits, other paramedical services, meals-on-wheels, distress-alarm systems, house safety services

Day-care centres:

Leisure and creative activities, medical services

Sheltered housing:

Independent apartments with some paramedical and/or social staff on the premises

Day hospitals:

Establishments for a sick elderly person for a few hours or days where the condition does not warrant a complete hospitalization

Respite beds:

Temporary accommodation to allow the caregiver to take a break

Old people's homes:

Establishments supplying complete living requirements for the dependent elderly, except for intense medical care

Nursing homes:

Medicalized establishments providing complete care for the severely or totally dependent

Information services:

Details on all facilities and services available, for the elderly themselves and for caregivers

Allowances:

Financial grants made to caregivers or to care receivers to purchase care services

Support groups:

Associations of carers

1997). Not only does it appear to be less expensive, but it often corresponds more to user and carer preferences.

For those who can afford it, paid domiciliary non-family care is often preferred to unpaid family care. The care receiver may prefer this out of embarrassment over spouses or other family members tending intimate physical needs, or simply to avoid being a burden to them. In some countries, live-in domestic workers are a popular solution which may be more acceptable and cheaper than institutionalization particularly when they are migrant workers (Parella Rubia, 2003).

However, the fact that the elderly person uses paid services for regular care does not mean there is no responsibility for relatives. The diverse domiciliary services may all have to be contacted separately if they are not grouped under one authority, and coordination between them, or with medical services after a hospitalization, can be time-consuming. Problems may arise with the household workers or with the elderly relative in residential care and the problem for workers of dealing with unexpected emergencies is as great as for child crises. The availability of adequate

support implies that the working carer becomes the care manager rather than the caregiver, liberating him or her to assume the caring responsibility without jeopardizing employment and promotion.

Given the variety of services which fall under the heading of domiciliary services (see box 5.18) and of the professional skills required, these services are often provided by different employers, necessitating close coordination if the needs of the user are to be kept uppermost. Box 5.19 presents an example of coordinating delivery of dissociated services.

Box 5.19 Free choice of domiciliary service provider in Denmark

Local councils are responsible for ensuring that adequate assistance for personal care and practical tasks are available to all dependent elderly people. The council determines the content and scope of services, and grants funds to the policy area in accordance with political decisions on the level of service. The local authority then either enters into agreements with all providers wishing to offer the services required, or it invites tenders and subsequently awards contracts to a pre-defined number (between two and five) of competent service providers. The council authority assesses the needs of each care recipient, and it is up to the recipient to choose one of the approved providers and to decide which tasks are to be attended to. The object is to give the elderly a degree of choice over domiciliary services, and this obliges the local council to ensure that a selection of providers is available.

Source: Denmark, Ministry of Social Affairs, 2002.

Workers who in their own homes care for elderly family members, with or without domiciliary services, are subject to particular stress. Support groups and respite care are particularly important for this group. Providing caregivers with a means to take a break or go on holiday is one of the most direct forms of assistance and is particularly important to sustain carers who are professionally active in addition to their caring functions. Almost everywhere, the supply of short-term accommodation (a few days or weeks) for the dependent elderly falls short of demand. This service, essential if stress for such carers is to be bearable, can be provided in a variety of ways which are not necessarily burdensome for public budgets (box 5.20).

Box 5.20 Using existing structures to give carers some respite, Switzerland

Several initiatives in the canton of Geneva, Switzerland, enable dependent or semi-dependent people to benefit from short stays away from their usual dwelling, without creating dedicated facilities.

The social service provider Hospice Général publishes a guide to all the hotels, pensions and old people's homes in the region, *Séjours de courte dureé en Suisse romande et France voisine*, which are suitable for frail, handicapped and elderly people, with indications of access difficulties, dietary arrangements and other useful details.

Thirteen of the 60 old people's homes in the canton are authorized to keep a few places for temporary, short-term stays for the elderly. Stays must be from five to 30 days, and cannot exceed 90 days for the same person in one year. Source: Official site of the canton of Geneva: http://www.geneve.ch

Day care can also be considered a form of respite care, but its value for the employed person is limited by the hours of most centres, which do not usually correspond to working hours.

Many elderly people prefer to remain independent in their own home. Simple, inexpensive modifications to dwellings, such as adaptations to stairs, bathrooms and entrances, can make this possible. Sheltered housing consisting of private apartments or studios, with on-the-spot access to meals, medical and social services when necessary, combine a degree of independent living with security. Box 5.21 gives some examples of the increasing variation of arrangements in this sector.

Box 5.21 Housing policies for independence in old age

Australia The Home and Community Care Program (HACC) grants financial assistance to the elderly to maintain, modify or upgrade their existing dwelling. The HACC is jointly funded by the federal and state governments, but operates through non-profit, community-based organizations as well as federal and state agencies.

Canada Federal and provincial programmes provide loans to homeowners, landlords and non-profit organizations for housing repair and upgrading which, under certain conditions, may not need repaying. They also construct housing for the elderly with income-related rents. Some cities offer residential tax deferrals to elderly homeowners.

Finland Serviced housing has tripled in a decade, covering 2 per cent of the elderly by 1998, composed of specially designed apartments, and service centres with access to home help, nursing and a 24-hour emergency call service. Serviced housing is run mainly by non-profit organizations heavily subsidized by grants from the Finnish Slot Machine Association.

France The old-age pensions scheme provides financial assistance for adapting dwellings to enable the elderly to remain in their own homes. Housing policy also encourages the construction of smaller flats in close proximity to conventional apartment buildings, to allow the option of "communal living at a distance" for the elderly and their families.

Sweden Municipalities themselves carry out adaptations to remove and minimize difficulties in an old person's dwelling, free of charge or heavily subsidized.

Source: Hoskins, 1996, for Australia, Canada, France and Sweden; Anttonen, 2001, for Finland.

In spite of the preference in most countries for services at home, paid or unpaid, a certain proportion of the dependent elderly will continue to need the more constant care offered in non-medical homes or in medicalized nursing homes. Demographic trends in almost all countries mean that even where the percentage of old people in institutions is declining, the actual numbers are likely to increase for the next few decades. This is particularly so for the psychiatrically impaired, for whom care by family members is especially stressful.

Institutionalization of an elderly relative does not mean that other family members abandon all responsibility. Attempting to adapt the establishment's services to the particular needs of a relative, or dissatisfaction of either the old person or the family about conditions can take up an inordinate amount of time and energy.

Employer and trade union initiatives

Partly because workers in industrialized countries are becoming more likely to have a dependent elderly relative, employers and unions are devising new policies to facilitate coping with this family role responsibility. The potential magnitude of the situation is indicated by a survey of American companies which revealed the following problems of employees with care-giving responsibilities for an impaired old person: lateness, unscheduled days off, absenteeism, excessive telephone use and emergency time off.

The main measures which employers have taken to attenuate these problems relate to leave and flexible hours (which are described in Chapters 6 and 7) and information and counselling. A specific example of a resource and referral programme for assisting employees dealing with elderly relatives is presented in box 5.22. Information about services and entitlements is particularly valuable, for carers have pointed out in many studies that they have to know what question to ask before they stand any chance of finding a useful answer. Box 5.23 indicates some of the initiatives taken by trade unions.

Box 5.22 Company services to assist workers with responsibility for an elderly relative

With over 12,000 employees worldwide, the American retailer Eddie Bauer has made the home and work balance a priority for company culture. As well as imaginative leave and work arrangements and services and counselling to help parent workers, the company has set up a number of services to assist workers with responsibility for an elderly relative. The elder care resource-and-referral programme offers help and advice from trained professionals on all aspects: health, stress, respite, bereavement, caregiving at home, long-distance caregiving, housing, financial aspects and domiciliary services. Employees also have access to documentation on all the issues involved Source: Faught, 1997.

Box 5.23 Trade union initiatives

Singapore The objectives of the NTUC Elder Care Cooperative are "to assist and support dual-income families in caring for their elderly; to provide affordable quality care services for the elderly dependants of average Singaporean families; to relieve educated and skilled caregivers (especially the womenfolk) to rejoin the workforce". The cooperative has set up a Social Day Care Centre for elderly persons who are ambulant or semi-ambulant, independent in daily living activities and not suffering from serious mental or behavioural disorder. It also accepts discharged patients who require simple rehabilitative treatment on referral from hospitals and doctors. A professionally trained nurse is in charge of the centre. Transport to and from the facility is provided for users at extra cost, as well to medical visits and banks. Activities include health checks and therapy, and leisure activities.

United States The International Brotherhood of Teamsters union has established a retiree division which offers, amongst other services, advice about domiciliary care, and weekly telephone calls to the housebound.

The UAW United Auto Workers has prompted the Michigan Blue Cross–Blue Shield to sponsor a long-term care insurance that employees may purchase at group rates through payroll deduction. Services are available not only to the employee, but to other adult dependants, to assist them in meeting needs for day, nursing and institutional care.

Source: Mohammed, 2004, for Singapore; AFL-CIO, 2001c, for the United States.

Care services for the sick and disabled

Apart from services for the specific age groups mentioned in the preceding sections, workers may need support in caring for family members who fall sick, are long-term or terminally ill, or are disabled. Most of the services for these types of dependants are similar to those already mentioned in the preceding sections, on child and elder care. In this section, the distinction is made between short illnesses and long-term sick or disabled, 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 poor developing countries, hospital stays require considerable efforts from the family who may have to provide regular food, medical supplies, clean linen, and so forth.

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 those who are workers, is rarely, if at all, 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 while a stop-gap (such as a relative or neighbour) is in operation. Box 5.24 provides examples of collective agreements related to care of sick children and emergency leave entitlements.

Box 5.24 Trade union contracts for care of sick children of workers in the United States

The Retail Wholesale and Department Store Union (RWDSU) agreed on a programme with Bloomingdale's to allow employees to take a sick child to a particular childcare centre, at a subsidized cost of \$10 a day.

The Service Employees International Union (SEIU) negotiated with the County of Alameda for a fund to reimburse parents whose children are sick or who, for some other emergency reason, are unable to use their regular childcare provider. The employer also provides resource and referral services for families who need sick or emergency care for a dependant.

Source: AFL-CIO, 2001a.

Long-term sick and disabled

Care of the mentally ill or disabled can present an additionally heavy burden to the worker, depending on the severity of the case. Day care, respite care and the panoply of other services already mentioned are particularly important in these cases. But care for these forms of dependency also presents some distinctive problems.

Care of the long-term sick becomes particularly harrowing when the outcome is terminal care. For the person with professional obligations, its time-consuming nature, its financial costs and the impossibility of knowing when it will be over add extra stress.

HIV/AIDS in particular has 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 increased dramatically the number of single-parent families for whom juggling work and family is intensified. The increasing numbers of orphans who attach themselves to households of relatives often places a heavy burden 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 include accompanying a dying person at home, and the hospice movement is also a relief for this phase, for both patient and family (box 5.25). However, the most useful support for the worker in these situations, even where home services or hospice care are called on, may well be flexibility on the part of the employer, or even special leave for a period (see Chapter 6 on types of leave).

Box 5.25 Hospice care for life-limiting illnesses

Hospice centres admit patients with terminal illnesses on the recommendation of a doctor, in the same way as a hospital, but the care is palliative, aimed at pain relief and symptom control, rather than curative. They also care for the emotional and spiritual pain of both family members and patients. Hospices can assist families who wish to care for a terminally ill patient at home, and will arrange for trained volunteers to assist with errands and to provide respite care, to give family members a break and to provide companionship to the patient. While some churches and religious groups have started hospices (sometimes in connection with their hospitals), hospices serve the whole community and do not require patients to adhere to any particular set of beliefs. In some countries, hospice care is provided under health-care insurance, but most hospices possess special funds to provide for anyone who cannot pay.

Source: www.hospicenet.org

Caring for a disabled child can be particularly difficult for workers. Denmark recognizes the time-consuming nature of care for the disabled and the consequent loss in workers' wages by granting assistance while parents care for a disabled child at home, based on the parents' former gross income. In some countries, parental leave entitlements are longer for disabled children and can be taken up to an older age.

5.7 The need for a tailor-made approach and closeness

There is no universal model for the best way to provide care services. What does seem to be universally true is that the closer service provision is to the user, the better

it fulfils its role. Families in remote rural communities will need to be supported in different ways from those living in towns; the needs of mothers selling vegetables in a market will not be the same as those of factory or construction employees.

The Workers with Family Responsibilities Recommendation, 1981 (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. Examples abound of poor take-up of services through lack of involvement of the target groups. Here, some considerations about the level of provision are presented.

In most countries with developed provision of care services, although the State sets the frame through its legislative power, municipalities have considerable responsibility for running child, health and social care. Nevertheless, if the decentralization of social policies is not accompanied by sufficient funding, the adequacy of these services will be called into question. In some cases, central government grants decide the level of service; in others, local funds are matched by the central government. Municipal taxes are one way of creating a consensus among people living in the same community with respect to the funding of services, but it can also mean that low-income areas cannot afford the same quantity or quality of care as wealthier districts. Decentralization of care services permits greater opportunities for popular participation in the adoption, elaboration and implementation of policies. Denmark is the country that has probably gone the furthest down the road of decentralization and consultation (see box 5.26).

Box 5.26 Decentralized care in Denmark

The 275 local authorities of Denmark are responsible for planning and financing social services, including day care for children and care of the dependent elderly, while the 14 counties are charged with providing housing for the mentally and physically disabled. Only about one third of local government expenditure comes from the central government. Because they fix and levy taxes themselves, local authorities are able to adjust policies and priorities to local conditions. However, local tax rates in different areas vary from 23 per cent to 16 per cent, as does the service level. Local government equalization schemes mitigate these differences by financial transfers from rich to poor areas.

Supervision and complaints procedures also ensure that care services correspond to population needs.

Source: Denmark, Ministry of Social Affairs, 2002.

Private–public partnerships also seem to work better when they are at the community level. For employers, their major concern is that their employees have access to reliable, quality care services in the community where they live and work. The experience of the Michigan Childcare Futures Project, described in box 5.27, indicates that "local businesses and supporters are more willing to invest locally than they are to put funds into a larger pool at state level". Another lesson learned from this experience is that building on existing local structure is more likely to lead to success than creating new infrastructure.

Planning for sustainability is important to avoid the trap that public and private providers, donors and NGOs have fallen into, caught out in their enthusiasm to initiate

Box 5.27 Decentralized private-public partnerships

The Michigan Childcare Futures Project recruits and trains childcare providers to increase the supply of quality childcare. A task force of business leaders, union representatives and policy-makers convened by the Governor had recommended a private-public fund to expand the supply of childcare in Michigan state. State support for the fund was awarded to the Childcare Coordinating Council (4-C) Association. Each of the 15 regional 4-C agencies is a public-private partnership because each receives state contracts for resource and referral services in addition to the community support. The Project trains about 3,000 providers per year at various levels.

Source: Michigan Childcare Futures Project, available at at http://ccic.org/cpartnerships

new projects by the unforeseen burden of running costs. It is relatively easy to obtain funds for setting up a new structure, but this can just as easily become a white elephant after a few years through shortage of financing for the operating costs. Planning for sustainability requires not only efforts to avoid unreasonable costs but also to plan realistic levels of fees and to consider ways of filling the likely shortfall between fees and costs, particularly when low-income families are involved.

5.8 The working conditions of careworkers and domestic workers

A critical issue is the conditions of work of those working in the care sector. Solutions for better reconciling work with family responsibilities involve more paid employment in caring, but the conditions of work and employment in these jobs often leave much to be desired. Undervaluation of care work goes hand in hand with devaluation of family care, which is mostly "women's work". Care, paid or unpaid, continues to be associated with women rather than with both sexes.

This section looks first more generally at careworkers and then specifically at the case of domestic workers.

Careworkers

The growth of the care sector has provided more jobs for women as most care work is done by women. In the United Kingdom, for example, the number of professionals in the childcare sector grew by 21 per cent between 1998 and 2002 and only 2 per cent of childcare workers are men (Equal Opportunities Commission, 2003). Care work has been an increasing source of employment, not only for nationals but often also for immigrant workers, as discussed earlier in this chapter.

Yet careworkers are amongst the most poorly paid and least qualified and have the highest turnover rates. As concerns skills, since caring is the traditional task of women, it tends to be assumed that caring is not a particular skill requiring training but rather "comes naturally" to women. As a profession it is barely recognized. Organizing the care labour force and obtaining better conditions for them is a major challenge. In Australia, for example, at least 25 per cent of childcare workers work either part time or as casuals (Goward, 2001).

Wage rates in the care sector are even lower than average female wage rates, thus reinforcing the gender gap in earnings. Moreover, the move in a number of countries away from public to private services in care, with the state having more of a managerial than a providing role, means that women benefit less from the wage margin of public sector employment and national wage determination for public sector workers. In childcare, quality standards restricting staff ratios can also limit the potential for staff to claim wage increases, since these need to be justified by productivity increases.

A related effect, particularly in developed countries, is that the growth of the care sector has led to increasing specialization and fragmentation, especially in the fast growing domiciliary and medical services. This has increased the proportion of low-paid jobs, often perceived as unskilled because concerned with the sorts of activities (housework, personal care) that everyone performs. Moreover, promotion seems to be particularly limited in this sector. All of these factors militate against the attractiveness of care work.

Better recognition of the skills involved in caring is one way of trying to improve the situation of careworkers. Box 5.28 provides some examples of efforts to improve the official recognition of carers' skills through certification and job classification systems.

Box 5.28 Innovations in recognition of carers' work

Australia A national effort to identify skills obtained through work experience has been undertaken to encourage recognition of these skills in job classification.

France A Certificate of Aptitude for Home Help Functions (CAFAD) recognizes the interpersonal skills acquired in caring for the elderly.

Germany Job enrichment programmes to reduce turnover have been developed for both formal and informal carers, including certification programmes in ancillary fields such as physical therapy.

Netherlands Carers' jobs have been incorporated within a broader job evaluation system covered by a collective agreement.

Source: Christopherson, 1997.

Increasing the number of men working in care is another strategy for increasing the recognition of the skills required and desegregating certain caring occupations. Increasing the proportion of men in childcare occupations, for example, is an objective in the Scandinavian countries and in the United Kingdom; the British government is seeking to improve levels of participation from the current level of about 2 per cent to 6 per cent by 2006 (EOC, 2003). To attract more men to childcare work is not easy, given the low wages characteristic of this sector and the very low proportions of men among childcare workers. It is difficult for men to integrate into this milieu where men can feel marginalized and where parents may have concerns around male motivation and child protection. Increasing the proportion of men is not only in the interests of enlarging the pool of potential new recruits and of equality by desegregating the sector but also in the interests of the children who need male role models, particularly those in households where there is no father figure.

Domestic workers

The conditions of employment of domestic workers, both in their own country and as migrants, are an issue in many countries. Satisfactory conditions, for both worker and the dependant being cared for, are at risk where low wages, low qualifications and high turnover become mutually reinforcing influences.

The majority of household employees tend to work long hours for low pay. When they live in, their accommodation and food may be inadequate. Even in countries where domestic workers are very numerous, they are often imperfectly covered by labour legislation.

A recent survey of the legislation in more than 60 countries found that 19 countries have enacted specific laws or regulations dealing with domestic workers and another 19 have devoted specific chapters or sections in labour codes or other acts concerning contracts of employment. The result is that domestic workers are afforded a lower level of protection than other workers and tend by law to have longer hours of work. Also in some cases, standards on annual leave and public holidays are less favourable (Ramirez-Machado, 2003).

Thus, granting domestic workers the same basic labour rights that are afforded to other workers by labour legislation could be a first step to improving their conditions. For example, in Trinidad and Tobago, unions have been petitioning Parliament for recognition of domestic workers as "workers" under the Industrial Relations Act (ILO, Gender Promotion Programme, 1999).

An interesting provision in some national legislation is that employers must inform the worker of the law and the conditions of employment at the time of employment. For example, in South Africa, the employer, apart from supplying the domestic worker with written particulars of employment, must keep a copy of the sectoral determination or an official summary available in a place to which the worker has access (Ramirez-Machado, 2003).

Given the informal, isolated and sometimes clandestine nature of domestic employment, the legislation is of little use to many. The isolation of domestic workers in households makes inspections difficult to carry out. The main means of action for labour inspectorates is to act at the request of one of the parties but many employees are afraid to lodge a complaint for fear of retaliation.

The need for greater protection of domestic workers is widely recognized. However, solutions such as inspection, training, formal contracts, while easy to state, are less easy to implement in practice. Even in developed countries, "the majority of cases (of domestic workers) continues to be regulated by an employment relationship which is hard to pin down objectively from a legal point of view" (Parella Rubio, 2003, p. 508). Similarly, in China, the official *China Daily* newspaper, while reporting that "attempts to train more domestic staff had failed to satisfy the growing demand", said that "the introduction of contracts into what are usually informal and often untaxed arrangements would reassure workers. Providing more training in household work [...] would help to satisfy employers" (quoted in Hewitt, 2000). Box 5.29 provides information on two countries, Peru and South Africa, which have improved their legislative provisions concerning domestic workers.

Unionization of domestic workers is a way for them to increase their bargaining power and improve their conditions of work and this has been done in some countries. Reaching and organizing household workers who may be outside existing

Box 5.29 Legislating improvements for domestic workers

Peru The new legislation concerning domestic workers passed in 2003 widened the coverage of the existing law: the 1970 legislation applied only to people who worked continuously and habitually in a private household whereas in the 2003 revision, the condition of "continuously and habitually" has disappeared. In 1970, domestic workers were included in the scope of social security, but the law was not precise about the modalities of insurance. Since 2003, these workers are compulsorily insured for health services. In addition, all domestic workers now have the right to education and the employer has to facilitate their attending an educational centre outside of working hours. South Africa Since September 2002, the Basic Conditions of Employment Act and the Labour Relations Act apply to domestic workers. Domestic workers now have the right to paid leave, overtime payments, severance pay, notice of dismissal and a written contract with their employer. Employers are also required to register domestic workers with the Unemployment Insurance Fund (UIF) and pay contributions, thus making these employees eligible for unemployment and maternity benefits. Minimum wages were introduced and set above the median hourly wages which prevailed at that time. Although compliance of employers is far from universal, estimates based on semi-annual labour force surveys indicate that between 2001 and 2003, mean hourly wages increased by 21.5 per cent. The proportion registered with the UIF and having written contracts rose from the 5–10 per cent range to 25 per cent.

Source: Ministerio de trabajo y promoción del empleo, 2004, for Peru; Hertz, 2004, for South Africa.

frameworks for unionization and bargaining requires innovation and persistence. Box 5.30 provides examples of union action in Bangladesh and South Africa.

Box 5.30 Organizing domestic workers

Bangladesh There are 5 million domestic workers in Bangladesh, 90 per cent of whom are women and children. The Domestic Workers' Association (DWA), run by the National Garment Workers' Federation (NGWF), fights the exploitation of Bangladeshi domestic workers by helping them to achieve adequate wages and appropriate treatment. The DWA and War on Want have paired up to help these workers organize and gain the rights they deserve, such as legal recognition and minimum wages. Public awareness-raising campaigns help to make the workers' plight visible and their work valued. They promote decent conditions of employment, including fair wages.

South Africa With the help of the Congress of South African Trade Unions (COSATU), the South African Domestic Service and Allied Workers Union (SADSAWU) managed to organize thousands of domestic workers. "One has to know how to approach them, speak to them in a friendly tone, because at the end of the day they are very tired. We discuss things with them, and we give them literature on their rights and a membership form to fill in. Most of them phone us within a couple of weeks." In practice, the method consists in setting up one committee per street with one representative per committee who meets up with the union to discuss the problems of all the domestic workers in that street.

Source: http://www.waronwant.org/ (consulted 15/03/2004), for Bangladesh; ILO, Gender Promotion Programme, 2002, for South Africa.

The unique role that trade unions can play in organizing domestic workers is shown by the example of Service Employees International Union (SEIU) in California (box 5.31). The absence of a traditional employer with a shop-floor meant that the SEIU had to be inventive. To maintain its union of high-turnover, part-time workers dispersed over thousands of establishments, SEIU relies on a local chapter structure for bringing workers together in the absence of a shop-floor, on automatic dues deduction and on the provision of services to allow workers contact with the union.

Box 5.31 Organizing home carers: Trade union innovation in California

In-home care for the elderly and disabled is the fastest growing sector of health and social service provision in the United States. It also represents some of the worst wages and conditions to be found across formal sector employment. To organize homecare workers, the SEIU created a non-traditional union consisting of local chapters, and in 1992 secured the passage of the Public Authorities Act which defined Public Authorities as the employer of homecare workers and gave the SEIU a framework for bargaining.

In order to recognize the specificity of home care work and to respect the interests of consumers in receiving secure care and control over their lives, the SEIU agreed that users' homes are not to be the subject of strikes and that users can hire, fire and supervise their workers. This has meant giving up three traditional union rights: the right to fight arbitrary firing, the right to strike, and the right to a grievance procedure. As care of the disabled and elderly has been brought out of nursing homes and into individual residences, employment standards for long-term care providers have deteriorated.

The union's success is that it has made the conditions of work of home-care workers a public political question and now represents its members in this sphere. Two achievements are increased wage rates and improved training. The union has also won the right to keep its own registry of home-care workers, which enables workers to pursue more continuous employment and to be moved out of jobs where there is conflict with consumers.

Source: Walsh, 2001.

This chapter has focused on care services, both inside and outside the home, that can help workers to cope with responsibilities for various types of dependants. The next chapter will look at leave entitlements which allow workers to choose to deal personally with certain types of family needs.

6. Leave entitlements

Leave entitlements have direct implications for how difficult it is for a worker to be absent for a short period to deal with a family emergency or to take a more prolonged break for caring responsibilities. In addition, having leave at the same time as the rest of the family, particularly children, is often a positive element for the quality of family life.

For coping with family events where more prolonged leave is necessary, the most frequent type of leave available is maternity leave for women at childbirth. In recent years, in addition to maternity leave, there has been an increase in the number of types of leave available to parents; in particular, paternity leave for new fathers and parental leave to care for young children. Provisions for leave for family reasons that go beyond parenting are more rare. Nevertheless, with the ageing of populations, leave for caring for an elderly or sick family member is becoming more common.

It should be noted that many workers are not covered by leave entitlements provided in labour legislation. Workers in the informal economy or in self-employment clearly do not benefit. But some categories of workers in the formal economy may not be eligible, such as casual workers, daily-paid workers, temporary or seasonal workers, and sub-contractors. Indeed the proportion of workers who cannot benefit may be high in some countries and a matter for concern and possible action.

This chapter discusses the following main types of leave, providing examples from national legislation as well as collective bargaining agreements and enterprise practice:

annual leave

emergency leave maternity leave

paternity leave

parental leave

carer's leave

6.1 Annual leave

Eligibility for annual leave is not linked to family responsibilities. However, for a worker with family responsibilities, the length of annual leave is a basic factor influencing not only how easily a worker can cope with emergencies but also how much time the worker can spend on holiday with the family or just spend on family tasks.

Duration

The current international standard for annual leave is the Holidays with Pay Convention (Revised), 1970 (No. 132), which provides for the right to annual leave with pay of a minimum of three weeks for one year of service.

Table 6.1 Statutory annual leave and public holidays in selected countries (days)

Country	Annual leave	Public holidays	Total leave
Burkina Faso	30	14	44
Austria	30	13	43
Peru	30	12	42
France	30	11	41
Chad	24	15	39
Brazil	30	8	38
Gabon	24	14	38
Portugal	22	15	37
Namibia	24	12	36
Denmark	25	10	35
Egypt	21	13	34
South Africa	21	12	33
Republic of Korea	15	17	32
Kenya	21	10	31
Morocco	21	9	30
Italy	20*	10	30
Ireland	20*	9	29
Cameroon	18	10	28
Netherlands	20*	8	28
Honduras	10	11	21
Canada	10	9	19
Malaysia	8	10	18
Philippines	5	13	18
Nigeria	6	9	15
Mexico	6	7	13

Note: Figures for annual leave are based on the entitlement of an employee with 1 year's service. *4 weeks. Source: ILO, Conditions of Work and Employment Database: Working time.

Of the 101 countries surveyed so far in the ILO's Conditions of Work and Employment Database on Working Time, legislation in about two-thirds (68 countries) provides for annual leave of at least three weeks, the period specified in the international standard. However, this means that a good proportion of countries still do not provide the minimum of three weeks, making work–family and work–life reconciliation particularly difficult. Among these is the United States, which has no provisions at the federal level concerning leave. Table 6.1 shows the annual leave entitlements in selected countries around the world. Most of the countries in the table are at, or above, the three-week norm. In some countries, the entitlement increases with length of service; firms also often link leave to length of service as a way of encouraging workers to stay with the same employer.

Public holidays may in many respects be assimilated with and aggregated to annual leave. Table 6.1 also provides information on the number of public holidays in the selected countries which varies from seven to 17 days yearly. For workers, they provide an opportunity to spend time away from work and with their families, although public holidays are not helpful in coping with emergencies. As with annual leave, payment is generally not available to casual workers.

Most public holidays continue to be strictly fixed at a particular calendar day (New Year, National Days), but there has been a tendency in many countries to arrange that some public holidays are tagged on to weekends. This minimizes productivity loss and disruption of work, and at the same time tends to accommodate family and leisure activities.

Taking leave entitlements

Agreements to relinquish the right to the minimum annual holiday with pay prescribed in Article 3, paragraph 3, of this Convention or to forgo such a holiday, for compensation or otherwise, shall, as appropriate to national conditions, be null and void or be prohibited.

(Holidays with Pay Convention (Revised), 1970 (No. 132), Article 12)

Workers need to take their leave for their own well-being as well as for family relations. Thus the Convention prohibits agreements to give up the right to the minimum annual leave in exchange for compensation. Therefore, schemes whereby organizations pay cash compensation in lieu of leave should ensure that a basic minimum cannot be reimbursed and that this leave is effectively taken.

It is noteworthy that not all workers make use of their leave entitlement, as can be seen in the case of Japan in box 6.1. In Japan, government policy is to discourage this practice but enterprise culture seems to make this difficult.

Box 6.1 Workers take only half their holidays in Japan

In Japan, the minimum entitlement for paid holiday is 10 days and increases with length of service. The average worker entitlement increased from 14.4 days in 1980 to 17.8 days in 1999. However, the average number of days actually taken by workers has hardly changed and was only 9.0 in 1999. Source: Abe et al., 2003.

With the arrival of information technology, it has become even easier for some employees to work from home, working at weekends and during holidays. Box 6.2 presents the example of a company which has taken steps to try to ensure that when employees are on holiday, they are really on holiday and do not continue to work.

Box 6.2 Discouraging working during holidays

Trying to discourage after-hours work, the large international accounting firm Ernst and Young has adopted a voicemail and email policy designed to alleviate employees' concerns that unanswered messages will equal career ruin. The firm does not restrict the actual sending of messages, but it states that employees are not required to answer messages over the weekend or while on vacation.

Recognizing that problems may arise during an employee's vacation, Ernst and Young has established a system of back-ups; before employees leave for vacation, they must select colleagues to follow up with clients, inform their clients and provide emergency numbers where they can be reached in extreme situations.

Source: Mendels, 2001.

Employee choice of timing

- The time at which the holiday is to be taken shall, unless it is fixed by regulation, collective agreement, arbitration award or other means consistent with national practice, be determined by the employer after consultation with the employed person concerned or his representatives.
- 2. In fixing the time at which the holiday is to be taken, work requirements and the opportunities for rest and relaxation available to the employed person shall be taken into account.

(Holidays with Pay Convention (Revised), 1970 (No. 132), Article 10)

A major consideration related to annual leave and family is the extent to which the choice of timing is that of the employee. Legislation in a number of countries provides that there must be mutual agreement: even if in some cases the employer can schedule the leave, the law provides for a balance between the wishes of the worker and the need not to disturb the normal course of work. In New Zealand, for example, the Holidays Act, 2003 (amended in 2004), provides that the employer fixes the time for paid annual leave after consultation with the employee, taking into account work requirements and the availability of opportunities for rest and recreation for the employee.

In almost all organizations, synchronization of annual leave with school holidays is a difficult issue. Some organizations close down almost entirely during certain holiday seasons, but the increasing need for international interactions with countries that have different holiday seasons makes it more difficult. Similarly, in enterprises that do their main business during the holiday season, it may be difficult to allow employees to take leave in these periods.

Time flexibility and time banking

Increasing flexibility in the organization of working time (as will be discussed in more detail in Chapter 7) may increase the opportunities for workers to accumulate additional days of leave through, for example, annualized hours, compressed work weeks with longer hours on fewer days or banking hours of daily overtime. Box 6.3

Box 6.3 Flexible working year arrangements in Australia

In Australia, there are two popular types of flexible working year arrangements which can be particularly useful for parents who need to take leave during school holidays:

- 48 for 52 scheme Rather than working 48 weeks a year (with four weeks' annual leave), employees work for 44 weeks thus taking an additional four weeks without pay. The income for the 48 weeks is averaged and paid over 52 weeks.
- Purchased leave Employees can take leave without pay and there is a proportionate reduction in their regular salary throughout the year.

The above arrangements have the advantage of providing a steady, if smaller, monthly income. A major drawback for employees is that the reduced pay may correspondingly lower employer contributions to the superannuation scheme. Source: New South Wales, Department of Industrial Relations, 2003a.

provides an example of working year arrangements in Australia which can be used by parents for working mainly during the school term.

In cases where the employee can choose when to use the extra days earned, such arrangements can be family-friendly and a useful way of increasing the length of leave taken at one time. However, if the employee is forced to take leave when it suits the employer, such practices often cause more problems than solutions. Apart from direct work–family considerations, time banking can also lead to reduced incomes for employees who would otherwise have received overtime payments for long hours during peak periods.

Most employees in developing countries are on a traditional schedule where paid days off are restricted to public holidays, and annual leave and systems for banking hours are rarely in place.

6.2 Short leave for family emergencies

One of the reasons why companies introduce family-friendly policies is to reduce the absenteeism that results from work–family conflicts. When daily routines are well organized, workers should have less need to be absent for family emergencies. Similarly, absenteeism may be less necessary when emergencies have been foreseen and a solution is available (such as being able to bring the child to work if the childminder is sick). Also some flexibility in working time arrangements may mean that time lost can be made up and leave does not need to be used.

Nevertheless, there are various types of unavoidable events which mean that workers need short-term absences to cope with family problems. When faced with emergencies (a child or an elderly parent is sick and must be taken to the doctor, for example, or a spouse has an accident), some workers may have various alternatives: annual leave, a quota of sick leave entitlement, emergency leave or time available through time banking or other flexible time arrangements. For many workers, taking annual leave is the main way they can cope with an emergency.

Using annual leave for emergencies

When there is a family emergency, the availability of annual leave can be critical. Workers who have no leave rights will, at best, not be paid for the time absent; at worst, they may risk losing their jobs. It tends to be low-income workers who have the least right to leave and experience the most difficulties and risks in coping with family emergencies.

In the United States, for example, where there is no legislation providing a right to annual holidays, the lower the income of working parents, the more likely they are to lack sick leave and vacation leave (see table 6.2). The existence of legislation helps ensure minimum rights for all, although even in countries with legislation on leave, as noted in the introduction, some types of workers are not eligible. The Holidays with Pay Convention, 1936 (No. 52), applies to all employed workers, and ratifying countries must explain any exclusions that they make.

The ability to use annual leave in short periods rather than in one or two blocks of time makes it possible for workers to use their annual leave to cover family problems. A number of federal certified agreements in Australia, for example, include the

Table 6.2 Need for more leave benefits for working parents, United States (percentage of respondents)

Family income in quartile (percentage)	Percentage of respondents			
	Lacking sick leave	Lacking vacation leave	Lacking sick and vacation leave	Having two weeks or less of vacation and sick leave
0–25	76	58	54	84
26-50	63	42	38	68
51–75	54	31	28	57
76–100	40	28	23	41
Source: Heymann, 200	0.			

possibility of taking annual leave as separate days, although there are often limits on the number of days which can be taken in this way (see the Family Friendly Agreement Clauses Database at http://www.wagenet.gov.au/ffac/Main/Default.aspx).

Short emergency leave

Diverse types of provisions exist to provide for short emergency leave, some with wide definitions of emergency and others for specific events (such as bereavement) or particular family responsibilities, usually parenting. Sometimes provisions exist in national legislation, while more commonly they are in collective bargaining agreements or enterprise policy. Indeed, even in the absence of official policies, managers may try to accommodate those with serious problems that need a short absence.

For family emergencies, rather than taking annual leave (or taking leave without pay), an understandable tendency has been for employees to call in sick. Increasingly companies are accepting that some sick leave can be used officially for such emergencies or for planned events such as meetings with teachers or administrative formalities. While by definition emergencies cannot be anticipated, some events are known in advance and it is easier for management to cope with the disruption if the employee provides advance warning rather than 'calling in sick' in the morning.

In Australian collective agreements, family or carer's leave is the most common family-friendly provision covering about half the relevant employees (OECD, 2002). These agreements sometimes permit carers to use up some of their annual quota of sick days (see box 6.4).

Box 6.4 Using sick leave for emergency care in New South Wales

In the state of New South Wales, Australia, there is provision for carer's leave which entitles an employee (other than a casual employee) to use their current and accrued sick leave to care for a sick family member who is the spouse (or de facto partner), child, parent, grandparent, grandchild or sibling, or any other relative who is a member of the employee's household.

Source: : New South Wales, Department of Industrial Relations, 2003b.

Other agreements in Australia provide workers with days off to look after sick family in addition to the worker's own allocation of sick days. The Sydney Water Corporation, for example, provides for ten days of carer's leave over two-year periods for family-related emergency care (OECD, 2002). In the Netherlands, short-term leave for caring or family emergencies has been the subject of legislation (see box 6.5).

Box 6.5 Legislation on leave for caring in the Netherlands

As well as stipulating the statutory minimum periods of maternity, parental and adoption leave, the Work and Care Act, 2001, in the Netherlands provides other forms of care leave:

- Emergency leave Paid leave of short duration at full wages to cover an unforeseen emergency (for example, the death of a family member).
- Short-term carer's leave A maximum of ten days per year to care for sick children or spouse, paid at minimum wage level or 70 per cent of full wages, whichever is higher.

Source: OECD, 2002.

In some cases, entitlements are only for parents with respect to their children. The European Directive on parental leave includes provision for time off from work on the grounds of *force majeure* for urgent family reasons in cases of sickness or accident making the immediate presence of the worker indispensable (European Council, 1996). In some Central and Eastern European countries, parents have the statutory right to additional annual leave, as in the cases of Estonia and Poland given in box 6.6.

Box 6.6 Childcare leave for parents

Estonia Parents are eligible for paid childcare leave every working year. The length of the leave is dependent on the number and age of the children:

- Three days for one or two children under 14 years old;
- Six days for three or more children under 14 years old or at least one child under the age of three.

Poland An employee who is bringing up at least one child under 14 years old shall have the right to two days of paid leave during the year.

Source: ILO, Conditions of Work and Employment Database.

In a number of countries, there are more general provisions for emergency leave which can be taken for family responsibilities. As can be seen in table 6.3 on p. 120, in some countries there is no specific provision for paternity leave, but there are more general types of leave which can be used by new fathers. Box 6.7 provides examples from Madagascar and the Seychelles of national legislation related to short-term leave, while box 6.8 provides examples from collective bargaining agreements in Uganda.

Box 6.7 General provisions for short leave

Madagasca The Labour Code provides for up to ten unpaid days per year for family events (such as the marriage, birth or circumcision of a close relative). Seychelles A worker is entitled to up to four days of paid leave for compassionate reasons such as the death of a close relative. In addition, the worker must be allowed reasonable time off work, with or without pay at the discretion of the employer, to attend matters which cannot normally be attended to except during the workers' working hours

Source: : ILO, Conditions of Work and Employment Database.

Box 6.8 Compassionate leave in Uganda

Civil Aviation Authority (CAA) The CAA provides 14 days of paid leave, referred to as compassionate leave, which is included in the collective bargaining agreement with workers. Compassionate leave can be added to maternity leave, paternity leave for new fathers, or it can be used to care for an ill family member, or for the funeral arrangements for a family member.

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 worker. A worker can receive a maximum of 14 days leave per year for bereavement due to death in the family, illness of family or for customary obligations (such as weddings)

Source: Gidongo, 2003, for the CAA; Thenge, 2003, for Kakira.

In some countries, there is a specific legislative provision for bereavement leave. In New Zealand, for example, employees have the right to three days' paid leave in the case of the death of a close family member (Holidays Act, 2003).

At company level, bereavement leave has often been given, whether as part of official policy or as part of tradition. For instance, IBM in Japan gives seven days' leave for the death of a parent and three days for the death of a grandparent, parent-in-law, brother or sister. The Australian company IGT, in response to general staff opinion, has extended its bereavement leave to include the death of an extended family member or a personal friend (Australian Chamber of Commerce and Industry, 2002).

Special short leave tends to reflect the family duties of workers within the traditions of their national culture. For example, Hyundai in Korea provides a special leave of one day for workers to attend the yearly memorial service of their parents.

6.3 Maternity leave

Maternity is the most significant life event requiring a more prolonged absence, leave being necessary to protect the health of mother and child and the mother's employment. Legislation in virtually all countries provides for paid maternity leave for women workers. Indeed one of the oldest international labour standards, adopted at the first meeting of the International Labour Conference in 1919, was the Maternity Protection Convention (No. 3) (see Annex for the full text of Convention No. 183).

The entitlement to paid maternity leave with the guarantee of the right to return to one's job is critical if working women are going to be able to have children in decent conditions and not jeopardize their employment. Maternity leave is also a way of encouraging young women without children to join the labour market, and at a later stage enables young mothers to maintain a labour market attachment and return to work on the termination of leave (OECD, 2003b).

At the same time, the fact that young women may need maternity leave can be a factor discouraging employers from hiring them. An ILO report on economic security (ILO Socio-Economic Security Programme, 2004) highlights the impact in developing countries of pregnancy and expected pregnancies on female employment: pregnancy appears to be a factor in women losing their jobs and also in having difficulty obtaining a job in the first place. Policy design can augment or diminish employment discrimination against women because of pregnancy, as will be discussed below.

Duration of leave

- 1. On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks. [...]
- 4. With due regard to the protection of the health of the mother and that of the child, maternity leave shall include a period of six weeks' compulsory leave after childbirth, unless otherwise agreed at the national level by the government and the representative organizations of employers and workers.

(Convention No. 183, Article 4)

Until 2000, the duration of the maternity leave entitlement foreseen in the international standard was a minimum of 12 weeks, with a compulsory leave after confinement of at least six weeks. The new standard, adopted in 2000, stipulates 14 weeks. Out of 166 ILO member States for which the ILO has information, 16 per cent still provide for less than 12 weeks of maternity leave, as shown in figure 6.1. Thus 84 per cent have attained the previous norm, while the new duration of at least 14 weeks is available in only 48 per cent of countries.

Eligibility

This Convention applies to all employed women, including those in atypical forms of dependent work.

(Convention No. 183, Article 2, paragraph 1)

The coverage foreseen in Convention No. 183 is far from being a reality worldwide. In many developing countries where a large proportion of working women are

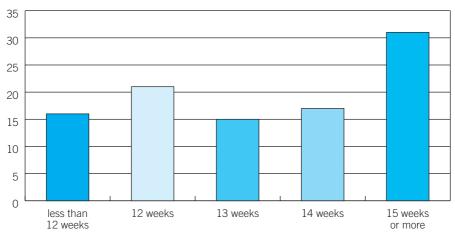


Figure 6.1 Length of maternity leave in 166 ILO member States

Source: ILO, Conditions of Work and Employment Database.

in the informal economy and are often self-employed, they do not benefit from maternity leave provisions. Even in the formal economy, in both developing and industrialized countries a significant number of women work in employment relationships that exclude them from coverage (casual workers, part-time workers with short hours, sub-contractors, temporary workers). Indeed, it may be suspected that women are more likely to be on these types of contracts so that employers can avoid any obligations in relation to maternity. Box 6.9 provides an example of incomplete coverage from the United States.

Box 6.9 Who is covered by the Family and Medical Act (FMLA) in the United States?

In the United States, about 45 per cent of workers are not covered by the FMLA, which provides for up to 12 weeks of unpaid leave for, among other things, care of a newborn child. The leave is only available to workers who work for an employer with 50 or more employees and who have worked 1,250 hours for the employer over the past 12 months.

Source: Family and Medical Leave Act of 1993 (Public Law 103-3).

In some countries, legislation stipulates a minimum length of service with the employer in order to be eligible for maternity leave. However, as noted by the ILO Committee of Experts (ILO, 2004b, p. 10), "the essential nature of the right to maternity leave is emphasized by the absence in the Conventions of any conditions as to length of service in order to benefit from maternity leave". The Committee accepts that the payment of cash benefits during leave may be subject to a minimum qualifying period (for coverage by the social insurance system, for example), provided the condition is reasonable and that women who do not meet the condition are provided with appropriate benefits through social assistance, subject to means-related conditions.

Level of payments

- 2. Cash benefits shall be at a level which ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living.
- 3. Where, under national law or practice, cash benefits paid with respect to leave referred to in Article 4 are based on previous earnings, the amount of such benefits shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits.

(Convention No. 183, Article 6)

Since the first international standard on maternity protection in 1919, it has been specified that benefits should provide for the "full and healthy maintenance of herself and her child". The EU Directive on pregnant workers and workers who have recently given birth (European Economic Council, 1992) uses another approach and stipulates that the allowance provided during maternity leave should be at least equivalent to what the worker would receive in the event of a break in activities on grounds connected with the state of her health.

A review by the Commission of European Communities (CEC) on the implementation of the Directive found that during maternity leave nearly all women workers are paid social security benefits. However these benefits are usually less than her previous pay (CEC, 1999). When the leave is paid through social insurance, this means that only women who have contributed for the required time are eligible for payments, which may exclude a certain number of women who are eligible for maternity leave.

Who pays?

In order to protect the situation of women in the labour market, benefits in respect of the leave referred to in Articles 4 and 5 shall be provided through compulsory social insurance or public funds, or in a manner determined by national law and practice.

(Maternity Protection Convention, 2000 (No. 183), Article 6, paragraph 8)

The payment of maternity leave through public (or collective) funds is considered particularly important as it avoids putting the financial burden on the employers of women, and thus helps prevent discrimination against women based on pregnancy and its costs to the employer. Similarly, Recommendation No. 191 (Paragraph 4) specifies that "Any contribution due under compulsory social insurance providing maternity benefits and any tax based on payrolls which is raised for the purpose of providing such benefits ... should be paid in respect of the total number of men and women employed, without distinction of sex."

In spite of the above normative provisions, the employer is legally responsible for paying maternity leave for women employees, in full or in part, in a number of countries. In Germany, for example, maternity pay from public health insurance is a fixed sum which must be supplemented by the employer to add up to previous earnings. Schiek (2002, p. 367) notes that this "constitutes a strong deterrent against employing women of child-bearing age" and that "whether or not this is in line with the constitutional equality clause is presently under review".

In contrast, under legislation in the United Kingdom in 2003, employers are reimbursed most of maternity pay through the tax system. Small employers can deduct 100 per cent of the cost of national insurance contributions, plus a further 4.5 per cent in compensation, while larger employers can deduct 92 per cent (Income Data Services, 2003a). Similarly, in a number of Latin American countries, maternity benefits are financed through public funds or social security, thus ensuring that the direct costs do not fall on the employers of women (see box 6.10).

Box 6.10 Financing maternity benefit in Latin America

In Argentina, Brazil and Uruguay, the means for financing the maternity benefit are based on contributions paid by employers to social security. In Mexico, the contributions are tripartite, coming from a state subsidy, enterprise quotas and employee contributions. In all four countries, the employer contributions are based on the number of workers signed up for social security, regardless of their age or sex, so that even those that do not have women on their pay rolls are contributing.

Source: Abramos and Todaro, 2002.

Increasing concerns about promoting equality and non-discrimination in the labour market mean that the issue of the financing of maternity leave is receiving greater attention in trade union circles as well. For example, in Denmark, the topping up of public support benefits by employers is frequent. Box 6.11 provides information on differing trade union views on how maternity leave should be financed, while box 6.12 gives a rare example of a trade union itself topping up a benefit for its members.

Box 6.11 Different trade union views on who should pay in Denmark

A recent OECD publication notes how the differences in membership in different unions and their sectoral interests may result in different views concerning the payment of maternity leave. In Denmark, many employers provide maternity pay, topping up the flat rate public support of approximately 55 per cent of average wages. This has the effect of making the employment of women relatively more expensive. Some unions would like to arrange for employers to make collective provision for maternity pay, so that employers of men as well as those of women contribute to the costs. However, other unions with a majority male membership oppose a collective provision.

Source: OECD, 2002.

Box 6.12 Trade union provides maternity benefit

In Fiji, national legislation on maternity benefits stipulates a minimum daily allowance, which is paid by the employer. In addition to this minimum payment, the Fiji Sugar Clerks and Supervisors Association provides its women members with a maternity benefit of F\$100 per confinement.

Source: Bulusui, 2004.

The cost of maternity leave, however it is financed, will obviously depend on the number of pregnancies among women workers. A study of five countries in Latin America found a low annual incidence of pregnancy and therefore of maternity leave and other associated benefits. This reflects the tendency for fertility rates to decline in these countries, in particular among women who are in the labour market (box 6.13).

Box 6.13 Pregnancy and maternity leave in Latin America

The yearly incidence of pregnancy among women workers was 2.8 per cent in Argentina, 3 per cent in Brazil, 4.5 per cent in Chile, 5.9 per cent in Uruguay, and culminates in 7.5 per cent in Mexico. If this calculation is revised to include only the segment of women of reproductive age (women 20–40 years of age), the percentages of women wage earners who use maternity leave are higher: 3.1 per cent in Argentina, 3.4 per cent in Brazil, 5 per cent in Chile, 5.9 per cent in Uruguay, and 8.4 per cent in Mexico.

Source: Abramos and Todaro, 2002.

Pay during maternity leave is one area where employers, through collective bargaining or on their own initiative, have improved on the provisions of national legislation or on the benefit provided from national social security. This is particularly the case in countries like Australia and the United States where the national legal provisions are for unpaid leave. In federal collective agreements in Australia in 2000–2001, 7 per cent of agreements included paid maternity leave provisions which covered an estimated 32 per cent of employees (OECD, 2002). Box 6.14 provides examples of improvements at enterprise level.

Box 6.14 Examples of enterprise improvements on national provisions

Kenya The Railway Workers' Union has negotiated maternity leave of 60 working calendar days plus an annual leave of 30 working days. The national legal provision is for two months' paid leave, but the worker must forfeit her annual leave for that year.

Uganda Kakira Sugar Works Ltd. extends payment of maternity leave to its women workers, providing 60 working days of paid leave rather than the one-month leave stipulated in national legislation. Should there be complications during birth, this leave can be extended up to 30 more days. For men, Kakira offers new fathers up to seven days' paid leave.

Source: Karega, 2002, for Kenya; Thenge, 2003, for Uganda.

Returning after maternity leave

A concern for employers, and for society in general, is whether employees return after maternity leave. Legislation on maternity leave (and also other family leave) normally protects the right of the worker to return to the same or a similar job, so her post must be kept available. But the actual number returning depends on various factors related to the workers' personal situation, such as length of service, age, education and income as well as the work environment.

Research in Britain (Callender et al., 1997) found that about 67 per cent of mothers employed full time who gave birth in June 1995 had returned to work within 11 months after the birth – the vast majority to the same employer. The data showed that older women, and those with higher incomes and longer service, were more likely to return. Also, women who were entitled to extra-statutory maternity pay and those whose employer provided support to working parents were more likely to return. Further research has confirmed the importance of expected support in the workplace and highlighted the importance of planning for return, before departure on maternity leave (see box 6.15).

Box 6.15 The importance of planning ahead for return

In the United Kingdom, a study asked first-time mothers during their pregnancy whether they intended to return to work after maternity leave and compared this intention with what they were doing when the baby was 12 months old. Among those who intended to return either full time or part time, planning was one of the most important factors in determining whether they were able to carry out their intentions. The fewer plans women had made, the less likely they were to return to work as intended and the more likely they were to be working part time when they had intended to work full time. Anticipated support from the employer and colleagues also affected women's ability to return to work as intended.

Source: Houston and Marks, 2003.

Keeping contact with the employee during maternity leave (and parental leave) is a way for employers to encourage subsequent return to work. For example, many of the enterprises competing for the Work and Family Awards in Australia in 1996–97 had introduced provisions to help employees stay in touch while on leave and to assist reintegration through such measures as flexible return to work provisions. A significant variable linked to return is the support of the employer and colleagues, including flexibility in practical arrangements such as periods off for breastfeeding, and help with finding childcare.

Some employers provide for payments to returnees in addition to statutory payments, making these payments conditional on the worker remaining a certain minimum length of time. Box 6.16 gives some enterprise examples of how these schemes operate.

Box 6.16 Payments to encourage return after maternity

New Zealand The ANZ Banking Group pays a 12-week "top-up" of the difference between the parental leave assistance (there is no separate maternity leave) provided by the Government and the employee's regular salary for those who have 12 months' continuous service prior to the birth. The first six weeks' top-up is paid over the first six weeks of leave and the second six weeks' top-up is paid over the first 12 weeks after the employee returns to work.

United Kingdom At IBM, employees with more than five years' service receive a return-to-work payment. This is paid on a monthly basis over a period of two years, at the rate of 25 per cent of salary, in addition to normal salary.

At Centrica, if an employee confirms her intention to return to work for at least 12 months after maternity leave, she is paid a lump-sum returnee's bonus on her return, equivalent to 12 weeks' half pay. If she leaves the company within 12 months, she is required to repay the bonus on a pro rata basis.

Source: Galtry and Annandale, 2003, for New Zealand; Income Data Services (IDS), 2003b, for the United Kingdom

Lactation breaks

- 1. A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child.
- 2. The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work shall be determined by national law and practice. These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.

(Maternity Protection Convention, 2000 (No. 183), Article 10)

For women returning to work, continuing to breastfeed is a major problem. Legislation in at least 92 countries provides for breastfeeding breaks for nursing mothers. The time foreseen is often at least one hour, sometimes in two half-hour breaks.

The most recent global recommendation of the World Health Organization concerning breastfeeding (WHA54.2, 2001) recommends six months of exclusive breastfeeding (that is, only breast milk for the first six months). For working women, who often must return to work when the baby is much younger than six months old, achieving this ideal may be difficult.

Breastfeeding has major health benefits for both the mother and child. Employers can also benefit, as the better health of breastfed babies can lead to lower absenteeism of their mothers, increased productivity and increased job satisfaction and morale.

If the mother is bringing the baby to the workplace, it is important to ensure the baby is safe and not exposed to harmful substances or to unhygienic conditions. When the baby cannot be brought to work and is not nearby, some women are using breastfeeding breaks to express milk in order to continue keep offering their babies breast milk on return to work (see box 6.17).

Box 6.17 Facilities for expressing breast milk

If appropriate facilities are available, the mother can use breastfeeding breaks to express milk for safe storage and later use. The requirements for such facilities are that they are safe, clean and private. They should have clean water available for washing hands and manipulating utensils and ideally should include access to cool storage for the milk, such as a locker or a small cooler. At room temperature (19–22 degrees Celsius), the milk can still be kept for up to 10 hours.

Source: http://www.lalecheleague.org (consulted 12/11/2004).

6.4 Paternity leave

Paternity leave is leave for the father around the time of birth of the baby. No international standard exists 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, may be an indicator of the increasing importance attached to the presence of the father around the time of child-birth.

In some countries, collective bargaining has led to this entitlement becoming frequent and subsequently the government legislating so that all workers can benefit. For example in the Netherlands, the Work and Care Act of 2001 includes the right to two days' paid paternity leave, as was already provided in 91 per cent of collective agreements covering 79 per cent of the workforce (OECD, 2002). Box 6.18 provides examples of enterprise provisions in two developing countries.

Box 6.18 Enterprise provisions for paternity leave

Malaysia The Banking Union in Malaysia has negotiated collective bargaining agreements in the banking sector which have included three days of paid paternity leave.

Uganda In Uganda there is no legal provision with regard to paternity leave. However, among the 82 organizations that responded to a mail survey of the Federation of Uganda Employers, 15 reported that they provided paternity leave which varied between one to four weeks.

Source: Jikunan, 2003, for Malaysia; Federation of Uganda Employers, 2002, for Uganda.

Paternity leave is usually short in duration and on full pay. Table 6.3 presents information on paternity leave in some countries where a provision exists in national legislation. The duration of paternity leave varies from one day in Chile and Saudi Arabia, to 18 days in Finland. As discussed above, in a number of countries there is no specific paternity leave but there is a more general short-term emergency leave or family leave which can be used by new fathers.

Table 6.3 Leave provisions which can be used by new fathers

Country	Examples of leave provisions for fathers in national legislation
Africa	
Algeria	3 days' paid paternity leave
Cameroon	Up to 10 days' paid leave for family events concerning worker's home
Chad	Up to 10 days' paid leave for family events concerning worker's home
Côte d'Ivoire	Up to 10 days' paid leave for family events concerning worker's home
Djibouti	10 days' family-related leave
Ethiopia	5 days' unpaid leave in the event of exceptional or serious event
Gabon	Up to 10 days' paid leave for family events concerning worker's home
Madagascar	10 days' unpaid leave for family events
Rwanda	2 days' paternity leave
Seychelles	4 days' paid leave for compassionate reasons

Table 6.3 (cont.)

Country	Examples of leave provisions for fathers in national legislation		
South Africa	3 days' paid family responsibility leave		
Togo	Up to 10 days' paid leave for family events directly related to worker's home		
Tunisia	Paternity leave of 1 day (private sector), 2 days (public sector)		
Asia and the Pa	cific		
Cambodia	10 days' special leave for family events		
Indonesia	2 paid days at time of birth		
Myanmar	6 days' casual leave that can be used fathers to assist their spouses		
New Zealand	2 weeks' unpaid paternity leave		
The Philippines	7 days' paid paternity leave for married workers		
Saudi Arabia	1 day's paid paternity leave		
Viet Nam	Unspecified unpaid leave of absence with the permission of the employer		
Americas			
Argentina	2 days' paid paternity leave		
Bahamas	1 week's family-related leave		
Brazil	7 days' paid paternity leave		
Chile	1 day's paid paternity leave		
Guatemala	2 days' paid paternity leave at birth of child		
Paraguay	2 days' paid paternity leave		
Uruguay	3 days' paid paternity leave for civil servants		
Europe			
Denmark	14 days' paid paternity leave + 2 weeks' paid parental leave		
Estonia	14 calendar days		
Finland	18 days' paid paternity leave		
France	2 weeks' paid paternity leave		
Hungary	5 days' paternity leave		
Iceland	3 months' paid paternity leave		
Italy	2 weeks' paid paternity leave		
Latvia	10 calendar days		
Norway	2 weeks' unpaid paternity leave + 4 weeks' paid parental leave reserved for the father		
Portugal	5 days' paternity leave		
Romania	5 days' paid paternity leave		
Slovenia	90 days' paid paternity leave		
Sweden	10 days' paid paternity leave + 2 months' paid parental leave		
Turkey	3 days' paternity leave in the public sector		
United Kingdom	2 weeks' paid paternity leave		
Materia and a second			

Note: Leave provisions shown are those reserved for fathers and do not include leave provisions which may be shared.

Source: ILO, Conditions of Work and Employment Database.

6.5 Parental leave

Either parent should have the possibility, within a period immediately following maternity leave, of obtaining leave of absence (parental leave), without relinquishing employment and with rights resulting from employment being safeguarded. [...] The length of the period following maternity leave and the duration and conditions of the leave of absence [...] should be determined in each country by [...] laws or regulations, collective agreements, works rules, arbitration awards, court decisions or a combination of these methods, or in any other manner consistent with national practice which may be appropriate, account being taken of national conditions.

(Recommendation on Workers with Family Responsibilities, 1981 (No. 165), Paragraphs 3 and 22)

Parental (or childcare) leave is a planned longer-term arrangement for care of young children and is different from maternity leave for mothers (in order to protect their health) or paternity leave for fathers around the time of the birth. As specified in Recommendation No. 165, either parent should be able to take parental leave.

In countries where the legislation provides for parental leave (which are mainly industrialized or transition countries), there is considerable variation concerning eligibility, payment, duration, possible flexibility in its use, the age of the child to be cared for and transferability between parents. The dispositions reflect the wider concerns within that society in relation to child development, fertility, labour supply, gender equity and income distribution. In some countries, long parental leave may be seen as a way of supporting parental care of young children and reducing the need for childcare services, particularly for young children for whom services can be relatively expensive. In other countries, parental leave entitlements may be shorter to prevent long absences from the labour market and the resulting deterioration of skills.

Scope

In certain countries, parental leave is a family entitlement while in others it is an individual entitlement. When it is a family entitlement, dual-earner parents decide how much of the entitlement each will use and cannot take leave simultaneously. The EU Directive on Parental Leave (European Council, 1996) stipulates that it should be available to both parents as an individual entitlement.

The age of the child for which parental leave can be taken varies considerably, from under eight years in the EU Directive to a limit of the child's first birthday in Australia, Canada and New Zealand (see also box 6.20 below). Eligibility criteria for parental leave tend to be more restrictive than those for maternity leave.

An interesting innovation in some countries, particularly in Central and Eastern Europe, is to widen the entitlement to parental leave to grandparents (see box 6.19). This provides recognition of the key role that grandparents can often play in looking after grandchildren and facilitates such inter-generational support. The extent of use by a grandparent is not known.

Box 6.19 Grandparents eligible for parental leave

In the Russian Federation, the parental leave period lasts until the child is three years old. It may be used in full or in part by the father, grandmother, grandfather or guardian who is actually taking care of the child. Similarly, in Ukraine and Lithuania, parental leave may be taken by the father or any other member of the family who cares for the child.

Source: ILO, Conditions of Work and Employment Database.

Duration and payment

The general trend is for the duration of parental leave entitlement to be relatively long, but payments are often low. Requirements stipulated in the related EU Directive are that the duration of parental leave should be a minimum of three months and workers must have the right to return to work to the same or a similar job. In most countries with parental leave, it is in fact much longer. Box 6.20 provides three examples of very diverse provisions as concerns duration.

Box 6.20 Some examples of parental leave provisions

Estonia Parental leave can be used by the mother or father in one part or in parts at any time and for any duration until the child is three years old. If the mother or father does not use their parental leave, the leave may be granted to the actual caregiver of the child (who must be a legal resident in Estonia). The cash benefit for the parental leave is paid by Social Security.

Japan Parental leave can be taken up to the child's first birthday. During the leave, parents receive 30 per cent of their previous earnings. An additional lump sum of 10 per cent is paid to them six months after their return to work.

Latvia Every employee is eligible for parental leave of a maximum of one and a half years until the child reaches the age of eight years. The leave can be granted in one single period or in parts, but one month in advance the employee must notify the employer of the beginning and length of the leave. Payment comes from social security.

Source: ILO, Conditions of Work and Employment Database.

As with maternity and paternity leave, parental leave is a provision where collective bargaining agreements can improve on national legislation – either providing for it when there is no provision in national legislation or improving on the payment or duration. In many countries, parental leave is not provided by law, but is the result of CBAs or voluntary employer policy. In Great Britain, before there was a legal provision for parental leave, a survey in 1998 indicated that parental leave was available to non-managerial employees in 34 per cent of all workplaces with ten or more employees. Availability was more likely in companies with at least one active trade union (Budd and Mumford, 2004).

Take-up rates by men and women

A critical factor in take-up rates for both men and women is whether or not the leave is paid, and if so, to what extent. In practice, parental leave tends to be taken by the mother once maternity leave is finished but the total possible duration may not be used, especially when there is no or little payment.

Take-up by fathers is rare in most countries. For example, in Russia, men constituted only 0.6 per cent of workers taking childcare leave in 2001, for which an allowance is received from state social insurance (Chetvernina et al., 2003). The only countries with relatively high take-up by men are Iceland, Norway and Sweden, which provide for relatively high allowances during this period. Also to encourage fathers to take leave, some countries (Iceland, Denmark, Norway, Sweden, Austria) provide that some of the parental leave can only be taken by the father and is lost if he does not take it. Box 6.21 provides examples on how the Norwegian and Icelandic Governments have tried to encourage fathers to take parental leave with a certain amount of success.

Box 6.21 Encouraging fathers to take parental leave in Norway and Iceland

Norway In Norway, four weeks of the parental leave period are reserved for the father. These four weeks are not normally transferable to the mother and, if the father does not take them, they are lost. This rule was introduced in April 1993, based on a wish to encourage more fathers to take an active part in the care of the child during its first year.

Fathers have had the possibility since as far back as 1977 of sharing the parental leave period with the mother. Few fathers exercised this option: only 2–3 per cent of fathers took parental leave at the beginning of the 1990s. The introduction of the paternity quota in 1993 led to a steep increase in the number of fathers taking their four-week leave. In 2001, about 85 per cent of the fathers who were entitled to the paternity quota made use of this right.

Iceland In Iceland, there has been a shift from a six-month period of parental leave at a flat rate (with predominantly female take-up) to a model with an independent, non-transferable father quota. Today the length of the parental leave is nine months divided into thirds, with three months for the mother, three months for the father, and another three months that the parents can share. The reimbursement is 80 per cent of the salary.

The reform was implemented in three steps with one month reserved for the father in 2001, two months in 2002 and three months in 2003. From 2001 to October 2003 the average number of days taken by men increased from 39 to 83, and 13 per cent of the Icelandic fathers actually used more than their non-transferable part.

Source: The Royal Ministry of Children and Family Affairs, 2003, for Norway: Einarsdóttir and Pétursdóttir, 2004, for Iceland.

Studies investigating the low take-up by men suggest the importance of employer attitudes: fathers may want to avoid being seen as uncommitted to their job and the consequences this might have for their careers. Men's low take-up can also be linked to the persisting female caring role, with the continuing expectation that women should take the main responsibility for family care, as discussed in Chapter 3.

Maintaining social security benefits

A major issue related to periods of parental leave is the continuation of health insurance and the inclusion of these periods in the calculation of pension benefits. In some

countries, the person taking the parental leave will have a shorter time period for the calculation of pension at retirement. In other countries (such as Germany, Norway, Sweden and Switzerland), provisions have been introduced so that persons staying at home to look after young children are awarded pension credits for the period in question as if they had been employed and paying social security contributions (ILO, 2001). In the Netherlands, most collective agreements provide for pension payments during parental leave (IDS, 2001).

Avoiding the leave trap

According to the OECD, "Leave for long periods damages the future earnings prospects of mothers. If only for that reason, paid leave can only cover a short period of child rearing" (2002, p. 141). The Annual Report for Equal Opportunities for Men and Women in the European Union (CEC, 2002, p. 9) also expresses reservations about expanding leave arrangements: "While this is a positive development, given the gender imbalance in the approach to caring, with the responsibility continuing to fall on women, there is a danger that long periods of leave could have a negative impact on women's labour force participation, widen gender pay differentials and increase gender segregation."

Research indicates that extended periods of leave have the effect of reducing future prospects for earnings and career development, particularly when the leave extends over a number of years (see for example, Anderson et al., 2002; Ondrich et al., 2002). The German experience suggests that when women take very long periods of parental leave (three years), it becomes difficult for them to return to work, even when employers are required to reinstate them (OECD, 2003b).

Studies on worker preferences also indicate a preference for better paid leave during shorter periods rather than extended periods with little compensation. Denmark has changed its provisions for parental and childcare leave so that it becomes less possible to spend an extended period outside the labour force and reduces the chances of falling into a "leave trap" (OECD, 2002). The possibility of taking parental leave on a part-time basis and returning to work part-time, as discussed below, can facilitate contact with the job and help avoid problems of reintegration.

Flexibility in the timing of parental leave

Two types of provisions increase the choices open to parents with respect to parental leave: part-time parental leave, and the ability to split the parental leave period. Since payments while on parental leave may be much lower than previous wages, the possibility of taking it part time can be financially worthwhile. By permitting parents to take parental leave part time while working part time, some countries, for example Germany and Finland (see box 6.22) have provided an interesting new option for parents of young children. In the Netherlands, parental leave is part time. A similar provision in some countries is for parents to have the right to request reductions in their working hours (see Chapter 7).

The second provision which permits more choice is to allow parents to split the leave time over the child's early years. In Iceland, for example, each parent has a separate right to 13 weeks of unpaid parental leave until the child reaches eight years. The parent can take it as a continuous period or divide it into a number of

Box 6.22 Taking parental leave part time

Germany Law on parental leave and entitlements that came into effect on 1 January 2001 gives workers the right to reduce their working time in companies with more than 15 employees (accounting for 75 per cent of all workers), providing there is no internal company reason to prevent such a reduction. The number of hours that can be worked part time while on parental leave has been raised from 19 to 30 hours per week, with the right of return to full-time work after parental leave.

Netherlands Dutch legislation provides the possibility for six months of part-time parental leave by either parent on an unpaid basis. The entitlement is individual and so can be taken simultaneously by both parents. In practice, it is usually the mother who takes this leave. The part-time provision helps ensure that those on parental leave do not lose contact with the labour market and fits in with a model where formal and informal childcare is often provided on a part-time basis. Under some collective agreements, for example in the public sector, the parent working half time would receive 75 per cent of the previous wage rather than 50 per cent.

Sweden Parents are together entitled to 480 parental cash-benefit days that they can use until the child is eight years old. These days can be used as whole, three-quarter, half, one-quarter or one-eighth days. Parents cannot use cash benefit days at the same time, however, they can for example take half a day each. The parental leave can thus be used as a reduction in working time with a cash benefit complement. Parents are also entitled to a reduction in the normal work time by up to one-quarter without parental cash benefit, until the child is eight years old.

Source: International Reform Monitor database for Germany; ILO Gender Promotion Programme, e.quality@work EEO information base, for the Netherlands; Swedish National Social Insurance Board (Riksförsäkringsverket), 2003, for Sweden.

periods, or indeed, take it as part of a reduced working time arrangement. Notice must be given at least six weeks before the proposed start of the leave.

6.6 Carer's leave

It should be possible for a worker with family responsibilities to obtain leave of absence in the case of the illness of another member of the worker's immediate family who needs that worker's care or support.

(Workers with Family Responsibilities Recommendation, 1981 (No. 165), Paragraph 23(2))

Family crises such as accidents or serious illnesses (not only of children but of spouse or parents) may mean that workers need to take a more prolonged period of time off. On humanitarian grounds, managers may sometimes allow workers to take unpaid leave in such circumstances.

However, increasingly governments are foreseeing an entitlement to a longerterm leave which can be used for caring for family members who are ill, sometimes called carer's leave. In some cases, one type of leave serves for diverse family caring responsibilities, such as in Japan or the FMLA in the United States (see box 6.23) whereas in others specific types of leave are foreseen, such as the palliative leave in the Netherlands.

Box 6.23 Carer's leave provisions

Japan In Japan, family care leave has been available since 1999 under the Child Care and Family Care Leave Act. Family care leave can be taken for the purpose of looking after a spouse, child, parent, or parent-in-law who is in need of constant care due to illness, such as an injury, sickness or physical or mental disability. The period of leave is limited to a maximum of three months and, in general, can only be taken once for each family member. This leave is unpaid but the employee gets 25 per cent of their wage reimbursed from employment insurance.

Netherlands Palliative leave in the Netherlands is leave of one to six months for care of a terminally-ill relative which is paid via the unemployment benefits system.

Sweden Leave to take care of a close family member can be taken under Social Insurance regulations in Sweden that provide reimbursement for a maximum of 60 days. If the care receiver is infected with the HIV virus, the maximum period of leave with reimbursement is 240 days.

United States The 12 weeks of unpaid leave available under the Family and Medical Leave Act of 1993 can be taken for specific family or medical reasons including: the birth of a child; care for a newborn or newly-adopted child; care for a child, spouse or parent who has a serious health condition; or a serious health condition of the employee.

Source: Sato, 2000, for Japan; IDS, 2001, for the Netherlands; Leave Compensation and Leave for Care of Relatives Act, Section 4–6 (1988:1465), for Sweden; http://www.dol.gov/elaws/esa/fmla/vr.asp, for the United States.

7. Work schedules and location

Workers with family responsibilities need time during the day and during the week when they can look after their children or elderly and give them the care and affection they need. How much time workers have for family responsibilities, and more generally for life outside work, depends to a large extent on their working hours.

Some work schedules are decidedly family "unfriendly" when they make daily routines difficult to establish, provide insufficient flexibility for dealing with emergencies and leave little time outside working hours to spend with one's family. Recent 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, weekends) for both women and men" (Fagan and Burchell, 2002, p. 79). On the other hand, some work schedules, particularly those which reduce working hours or provide workers with more control over the organization of their working hours and the possibility of working in a chosen location, can be very helpful for reconciling work with family responsibilities.

This final chapter looks at "family unfriendly" trends in long hours and asocial schedules (working evenings, nights and weekends), considering what can be done to attenuate negative effects. It then goes on to look at specific ways of making working-time arrangements more family-friendly, mainly through reduced working hours (part-time work) and various types of flexible work schedules. Finally, it examines the potential of home work and telework as ways of arranging work location so that it is compatible with family responsibilities.

7.1 Long hours persist

Ever since the Industrial Revolution, workers have been concerned about reducing long daily and weekly working time – for health reasons and so as to have a life outside work, including with the family. The importance of working time in daily life is reflected by the fact that the ILO's first international standard adopted in 1919 concerned hours of work. One of the main provisions of the Hours of Work (Industry) Convention, 1919 (No. 1), is that the maximum standard working time should be 48 hours per week.

Trends in working hours

Almost every country has some form of legal instrument that

 sets upper limits to the number of normal hours of work on a daily or weekly basis; and regulates overtime, setting limits on the number of hours and indicating the rates of remuneration for overtime work and/or providing for compensatory time off.

In addition to legislation, collective bargaining is increasingly the level at which working time arrangements are established, and standard hours often vary among industries. In most industrialized countries, the standard working week has levelled out at around 40 hours. However in order to facilitate flexibility of working hours and avoid the costs of overtime premiums, there has been a recent trend to introduce reference periods over which working time limits can be averaged; for example, the 48-hour limit in the United Kingdom is attached to a 17-week reference period (McCann, 2004).

Actual working time (including overtime) is difficult to assess since data on average weekly working hours are not strictly comparable from one country to another. It can also be debated whether official data reflect the actual situation if labour laws are not being respected. Also, averages hide wide variations within countries, as is the case in Australia (see box 7.1) where the proportion working short hours and the proportion working long hours are both increasing.

Box 7.1 Both part-time work and long hours on the increase in Australia

In Australia, only 36.5 per cent of the workforce work a standard week and this figure is on the decline. Since 1966 the number of part-timers has risen as a percentage of the workforce from 10 per cent to 25 per cent. Similarly, the number of people working more than 49 hours per week as a percentage of the workforce has increased from less than 20 per cent in 1978 to 32 per cent in 1997.

Source: Buchanan and Bearfield, 1997.

Overall, working time of full-time workers is going up in some industrialized countries, though this increase is more severe in some industries and countries than in others. In most parts of the European Union, the percentage of workers who work 45 hours or more per week has risen as unpaid overtime and those who "self-determine" their own working hours has risen (Fagan, 2003). The proportion of workers who worked 50 or more hours per week increased between 1987 and 2000 in Australia, Japan, the United Kingdom and the United States. Those working long hours are a much smaller group in France and Sweden, where there was little change over the period (Lee, 2004).

In many transition countries, the proportion of employees working more that 50 hours per week in 2000 is also high: 20 per cent in the Czech Republic, 19 per cent in Latvia and about 15 per cent in Poland and Hungary (Eurostat figures cited in Vaughan-Whitehead, 2003). Vaughan-Whitehead (2003, p. 60) suggests that "the reality is certainly worse than suggested by the official statistics" because of the informal economy and because employers in the formal economy have a tendency to under-report total number of working hours. Also employers are rarely found to make extra payments for work beyond normal hours.

For developing and transition countries, figure 7.1 provides some information on average working hours outside agriculture for countries where information is

available. Working hours rarely average less than 40 hours a week, reaching a high of 50 hours per week in Thailand – which would mean that many workers are working much longer hours. In countries where male–female breakdowns are possible, women generally work shorter hours and the particularly long hours of men become apparent. Average working hours of men are reported as over 45 hours per week in Costa Rica, Korea, Mexico and Uruguay.

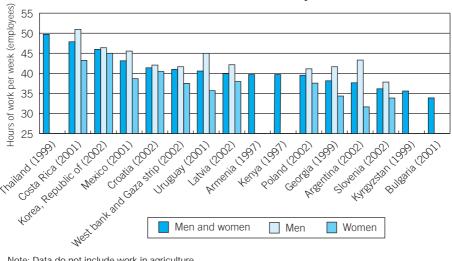


Figure 7.1 Average weekly hours of work, by sex, selected developing and transition countries, various years

Note: Data do not include work in agriculture. Source: ILO, 2003b.

When premiums are paid, overtime can lead to significant increases in earnings and can be particularly important for workers in low-paid jobs with family responsibilities. However, in practice many workers, who may or may not be eligible for premiums, do unpaid or insufficiently compensated overtime. In this case, it may be that employees are working overtime in the belief that it is necessary in order to keep a job which cannot be risked for family reasons. In Japan, where over one-quarter of workers are working more than 50 hours a week, service (or unpaid) overtime is common (Abe et al., 2003).

Effects of long hours

A central concern in relation to long working hours has traditionally been fatigue and its repercussions for workers' health and also for their work (Spurgeon, 2003). Although there is a psychological component to the perception of fatigue, it is likely that in developing countries, malnutrition exacerbates the fatigue effects of long hours for many low-income workers.

Current research on the effects of long hours on mental health suggests that working regularly more than 48 hours per week constitutes an occupational stressor which reduces job satisfaction, increases the effects of other stressors and increases the risks of mental health problems (Spurgeon, 2003).

As concerns marital relations or children's development, it is difficult to prove a causal effect of long hours and most studies are based on what workers themselves feel. Research in the United Kingdom, for example, suggests that many but by no means all long-hours workers are unhappy with their work—life balance and feel that their working patterns have a negative impact on their domestic relationships. In a survey of managers in 2000, 30 per cent said that they would rather exchange more time at home for less money (Kodz et al., 2003).

Unsurprisingly, the longer their working hours, the more likely workers are to report a lack of compatibility of work with family and other commitments. The Third European Survey on Working Conditions in 2000 found that the volume of hours usually worked has an impact on work–family compatibility. A high 40 per cent of workers working 48 hours a week or more reported incompatibility, compared with 23 per cent of those working 40 to 47 hours (Fagan and Burchell, 2002).

Long "normal" working hours are a major source of work–family incompatibility and of gender inequality in the labour market. As was seen in figure 7.1, long working hours are particularly a male phenomenon. In countries with a high incidence of long working hours, men are three times more likely than women to be involved: for example, in the United Kingdom 5.9 per cent of women and 24.2 per cent of men work 50 hours per week or more, while in Japan these figures are 12.6 per cent and 38.3 per cent respectively (Lee, 2004). Women may try to avoid jobs that require long hours given the difficulties in combining them with family responsibilities and, at the same time, employers may be less inclined to hire women for such jobs. The long-hours culture thus tends to exclude women from certain types of jobs and to reinforce gender segregation in the labour market (Fagan, 2004). At the same time, when men work long hours, they have little time to see their families and to share family responsibilities.

Addressing long working hours

Particular attention should be given to general measures for improving working conditions and the quality of working life, including measures aiming at [...] the progressive reduction of daily hours of work and the reduction of overtime.

(Workers with Family Responsibilities Recommendation, 1981 (No. 165), Paragraph 18)

In some countries where long working hours are the norm, such as Japan, the government has taken action to reduce legal working hours. Developing countries have also been reducing the standard weekly hours of work. Examples of legislation are given in box 7.2.

Legal reductions do not necessarily mean actual reductions in working hours. Many governments have insufficient means to ensure implementation of legislation with respect to working time limits and regulations concerning overtime. Even in Canada, where regulatory mechanisms are in place, implementation of existing legislation on overtime is one of the measures suggested by a recent report on work–life conflict (Duxbury and Higgins, 2003).

Although longer working hours and overtime may help enterprises respond to various types of emergencies, the productivity of workers who are tired after an eighthour day may not provide the best solution – especially if such emergencies are

Box 7.2 Legislation to reduce standard working hours

Chile The Chilean Labour Code of 2001 reduced standard hours of work from 48 to 45 beginning in 2005.

China Legal hours of work were reduced from 48 hours per week to 44 in 1994 and then further reduced to 40 hours per week in 1995.

Japan Mainly to improve the quality of working life and discourage the culture of long hours which has long existed in Japan, the Government has gradually reduced legal normal hours to reach 40 hours per week in the late 1990s. There is some evidence that this legislation has reduced the proportion of workers working long hours. However, the effect has been small compared to that in Portugal (see below), suggesting the persistence of a long-hours culture in Japanese firms.

Republic of Korea The revised Labour Standards Act in 2003 reduced standard hours from 44 to 40 per week. It will be implemented from 2004 to 2011 based on the size of firm.

Portugal Statutory normal weekly hours were reduced from 44 hours to 40 hours in 1996. The legislation seems to have considerably reduced the proportion working more than 40 hours per week.

Source: ILO, 1995, for China; ILO, Conditions of Work and Employment Programme, 2004a, for Chile and Korea; Lee, 2004, for Japan and Portugal.

frequent and predictable. Working long hours, particularly when coupled with sleep disruption, causes deterioration of task performance, as it has detrimental effects on rates of error, pace of work and social behaviour (Kodz et al., 2003).

By contrast, there is some evidence that reductions in long hours might be a factor associated with increases in productivity. However, it is difficult to isolate the impact of reducing working hours per se, since reductions typically coincide with other changes, such as in work organization or new capital investment (Kodz et al., 2003). Box 7.3 provides two examples of companies that have taken measures to discourage long hours.

Box 7.3 Firms addressing the long-hours culture

Pricewaterhouse Coopers Pricewaterhouse Coopers, a large international firm providing business services, identified as a problem the prevailing "macho long-hours culture" in this sector, which means that "employees can find it hard to discipline themselves into achieving a better work–life balance".

Two of the principles that underpinned the company's response to this problem were

- supporting managers in helping their team work more flexibly, given the habit of long working hours; and
- emphasizing quality of output as more important than the number of hours worked.

As a result, the company noted "an increasing acceptance of flexible working in its broadest sense, for example home working, flexitime etc., which promotes a greater sense of trust between managers and staff and a greater sense of personal control among individuals".

SC Johnson Employees at the American firm SC Johnson often found themselves in meetings from 8 a.m. to 5 p.m., which left them little choice but to catch up on paperwork and e-mails during their personal time. In order to prevent employees from performing those unfinished duties after their regular working hours, the company introduced a "no-meeting Friday" policy, completely banning all meetings two Fridays a month. The policy started out as a pilot programme in 1999 with the intention to give employees "time to think, strategize and catch up on their paperwork".

The strategy turned into a great success, benefiting employees by not putting pressure on them to bring work home for the weekends. In January 2000, the policy was implemented company-wide. The policy helped employees to take advantage of occasional telecommuting opportunities since they would be in no danger of missing a meeting while working from home.

Source: Employers for Work–Life Balance case studies, at http://www.employersforwork-lifebalance.org.uk/, for Pricewaterhouse Coopers; Cook, 2001, for SC Johnson.

When overtime is required, advance notice is important to all workers. This is particularly the case for those with family responsibilities so that they can make care arrangements. In developing countries, where it may be difficult for workers to contact their families from the workplace and families may worry about their safety when the worker does not come home as anticipated, this is all the more critical. Recognizing the importance of this issue, some national legislation, collective agreements or company policies include provisions that require that a worker be notified in advance of overtime work. In Mauritius, for example, where there is compulsory overtime of 10 hours per week for workers in the Export Processing Zone, legislation provides that workers must be given at least 24-hours notice of overtime (University of Mauritius, 2002).

7.2 Asocial hours are increasing

While long hours have been a traditional concern in relation to work, an emerging issue is when people are working. In many industrialized countries as well as developing countries, people are increasingly working evenings, nights and weekends: schedules that are not within the standard working hours. These are sometimes referred to as "unsocial" or "asocial" hours. This section looks at the impact of asocial hours and shift systems on workers' capacity to organize daily routines and at measures that can help them cope.

Trends in asocial hours and shifts

Asocial work schedules are becoming more common in industrialized countries, as described in the box 7.4 on Europe and the United States. This trend reflects, among other things:

- the rapid growth of the service sector;
- the increasing demand of consumers to be able to purchase goods or services seven days a week; and
- changes in communication technology and the resulting work demands which require round-the-clock presence.

Women's increasing labour force participation has itself been a factor generating a demand for services to be available over longer hours.

Box 7.4 Increasing prevalence of non-standard working hours

Europe Weekend work is increasing in the European Union. A growing number of employees throughout the European Union work at the weekend on a regular basis. In 2000, over 40 per cent of women and 45 per cent of men either usually or sometimes worked on a Saturday, while almost 23 per cent of women and just over 26 per cent of men either sometimes or usually worked on a Sunday. These statistics indicate a substantial increase from 1992. In most parts of the European Union, women with young children tend to work less at weekends than those without children.

United States In the United States, national data on work schedules indicate that in 1997, two-fifths of all employed Americans worked mostly during the evenings or nights, on rotating shifts or on weekends. Only 29.1 per cent of employees worked a "standard work week", defined as 35 to 40 hours a week, Monday to Friday, on a fixed daytime schedule.

Source: Eurostat, 2003, for Europe; Presser, 1999, for the United States.

In some cases, those who are working evenings or weekends may be working long hours, whereas in others, it may be a question of the scheduling of shifts. Shift work has been a traditional way for enterprises, particularly industries, to ensure that valuable equipment and overheads are used 24 hours a day. Shift work has also been a staple working time arrangement in emergency services, such as police and fire departments, and has been frequent in certain services such as hotels, hospitals, airlines and telephone companies, which must operate for long hours and often both day and night.

In most developing countries, there has traditionally been more flexibility in the opening hours of services as many providers are small family businesses in the informal economy, often living and working on the same premises. In contrast, much of formal employment, particularly in government services, involves standard working hours. However, as employment increases in activities such as garment and textile factories, tourism or call centres, formal employment that involves night work or shifts will also tend to increase. Current trends would seem to indicate that asocial working hours are here to stay and likely to increase both in industrialized and developing countries.

Effects of asocial hours

The adverse health effects of shift work on workers, especially those working on night shifts, have been relatively well documented. The specific physical problems result from the disturbance of the body's biological rhythm, which can manifest itself in the forms of fatigue, irritability and sleep disturbances (Spurgeon, 2003). Such health problems would be likely to affect the worker's capacity to cope with family responsibilities and add stress to family interactions.

Work schedules that involve working evenings, nights and/or weekends have implications for family life that are less well documented and are debatable. These schedules may offer opportunities for partners to take turns in family responsibilities. Some women may prefer to work evenings or weekends when their partners are home to look after the children, as this saves money on childcare and also encourages men to take on more of this responsibility. In the United States, for example, one-third of dual-earner couples with preschool children are "split shift" couples, with one spouse working days and the other evenings, nights or rotating shifts (Presser, 1999).

Although such arrangements may contribute to work and family balance, they can also cut into overall family time, causing difficulties for the domestic partners who may rarely get the opportunity to see one another. There is some evidence that couples with children where one member works at night and the other during the day are more likely to end up divorcing than those where neither works at night (Presser, 1999). Working evenings or nights has also shown some linkages with poorer school performance of children (see box 7.5).

Box 7.5 Night work by parents may affect children

In the United States, children's school performance has been associated with parents working evenings and nights. According to an analysis of data gathered between 1990 and 1996, the parents of children repeating a school year were somewhat more likely to work evenings or nights (19 and 13 per cent respectively) than those whose children did not repeat (12 per cent worked evenings and 7 per cent nights).

Source: Heymann, 2000, figures 3.2 and 3.3.

Addressing the problems of asocial hours

Whenever practicable and appropriate, the special needs of workers, including those arising from family responsibilities, should be taken into account in shift-work arrangements and assignments to night work.

(Workers with Family Responsibilities Recommendation, 1981 (No. 165), Paragraph 19)

A first obvious problem for workers on asocial hours is finding time when they can see their children, particularly those who are in school. As with overtime, predictability of shifts and knowing the schedule well in advance is a vital factor for shift workers. When working hours fluctuate and are unpredictable, organizing daily or weekly routines is very difficult and stressful.

One of the main ways that shifts can be organized to help workers with family responsibilities is to ensure that workers on fixed permanent or rotating shifts can exchange or swap shifts based on need. So long as there are no pressing business reasons to prevent this, managers in many enterprises that use shift work generally do not object. For shift swapping to work effectively, it needs to be introduced into the enterprise through dialogue between workers and managers so that both parties clearly understand the rules. Box 7.6 provides an example of shift swapping in a collective agreement.

Childcare can be a major problem for shift or night workers with children, both for pre-schoolers and children in school. Chapter 5 on care arrangements provides some examples of how the opening hours of care services are being expanded.

Indeed, in the United States, some of the first employers to get involved in childcare were hospitals where personnel work on shifts around the clock.

Box 7.6 Shift swapping in a collective bargaining agreement

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

Source: AFL-CIO, 2001c.

Lunch breaks

Even for workers on "standard" hours, the organization of daily working hours (starting time, lunch breaks, finishing time) can influence the extent of conflict with family responsibilities. Short breaks and breaks for meals are essential for workers' safety and health and are increasingly recognized and regulated by law or collective agreements. Since the lunch break is normally not part of working hours, its length can affect starting and finishing times with implications for how workers with family responsibilities can organize their daily routines.

In some countries, there is a traditional long fixed lunch break (one and a half or two hours) which is not counted as part of working hours and which everyone must take. In principle, this permits workers to return home for lunch and could be seen as family-friendly. However, in practice, with increasingly long travel times between home and work, going home is less and less an option and therefore workers may prefer to have a shorter lunch break and go home earlier. This is particularly the case for parents with children at school. It is interesting that in China, there have been changes in the working hours of some civil servants to reduce the lunch break and make the working day shorter, although it is not clear whether family considerations were behind these changes (see box 7.7).

Box 7.7 New daily hours for civil servants in China

New daily work schedules have been adopted in the northern Hebei Province, southwestern Chongqing Municipality and some eastern cities including Nanjing and Hangzhou. The new schemes, whereby staff have only one hour for lunch, have changed the 8 a.m. to 6 p.m. working hours to 9 a.m. to 5 p.m., and are believed to enhance working efficiency and help change bureaucratic working styles.

Deyang, a medium-sized inland city in southwestern Sichuan Province last summer introduced a similar new timetable. But the scheme lasted only during the summer, because local people have been used to going home for lunch. Source: People's Daily, 2003.

Since there would never be unanimity among workers on the ideal official hours for lunch, even among those with family responsibilities, finding some form of flexible break could be a useful way of allowing workers to exert their personal preferences. In Canada, a few employers and unions have negotiated flexible lunch period

clauses in their contracts. These give employees the possibility of varying the length of their midday breaks (see box 7.8).

Box 7.8 Flexible lunch break in a collective agreement

The following is the text of agreements in Canada between the Insurance Corporation of British Columbia and the Office and Professional Employees' International Union, Local 378:

Except as otherwise provided in this Agreement, employees may select lunch periods from thirty (30) minutes to ninety (90) minutes at or near the mid-point of the shift, subject to adequate coverage being provided in all areas during business hours or hours of operation and to other operating requirements.

Source: Human Resources Development Canada, 2003.

7.3 Part-time work

Working part time or less than standard hours is one way of reconciling work with family responsibilities. Since women generally have main responsibility for the care of dependants and domestic tasks, part-time work has mostly been taken by women. Indeed, part-time work is the preferred form of employment among mothers of young children in industrialized countries (OECD, 2001). And in a survey of workers in Europe, mothers employed part time were more likely than any other workers to report that their working hours fit "very well" with their family responsibilities and other social commitments (Fagan and Burchell, 2002, p. 65).

While part-time work seems to be a solution for some women who want to combine income earning with their caring responsibilities, there is considerable debate about the implications for gender equality. On the one hand, it permits some women to be employed who would otherwise not be able to be active. As noted by the OECD, "Without part-time employment, some women would involuntarily remain outside the labour market and the gap between men's and women's personal income might be even greater" (2003, p. 136). On the other hand, part-time employment in some countries may compare unfavourably with full-time (even on a prorata basis) in terms of wages, fringe benefits and social insurance coverage, and often provides less scope for training and career development. When mainly women work part time, this increases the wage gap between men and women and reinforces the male breadwinner model, with women being assigned a secondary role in the labour market because of their caring responsibilities at home.

Given that part-time work is one of the major solutions being used for reconciling work with family responsibilities and is likely to increase, this section looks at trends in part-time work and then focuses on what has been done to improve its quality.

What is part-time work?

Part-time work is commonly defined as less than a specific number of hours, generally around 35 hours per week, though the upper threshold varies from country to country. Part-time work can take various forms: so many hours per day, a certain number of days per week, every other week, and so forth. Definitions are usually

based on a number of hours per week, which may be calculated weekly or as an average over a given period of employment. Some upper thresholds are fairly close to standard hours, so that in fact there is a continuum of options from "almost full time" downwards.

In many countries, however, there are minimum numbers of hours that need to be worked weekly or annually in order to be covered by some labour provisions or to participate in social security systems. This means that part-time workers who work less than this minimum have fewer entitlements (see example of a minimum threshold in box 7.9 and related collective agreements in box 7.14). Those below the threshold are sometimes referred to as "marginal part-timers" (generally working less than 20 hours per week) and can be distinguished from those who do substantial hours part time (about 20 to 35 hours per week). The types of jobs available with such low working hours also tend to be relatively low skilled and low paid.

Box 7.9 Hours threshold for Family and Medical Leave in the United States

In order to be able to take the 12 weeks of unpaid leave provided by the Family and Medical Leave Act (which are also to be used to cover maternity), a worker must have worked 1,250 hours for the employer over the year preceding the leave. This amounts to working, on average, about 24 hours per week.

Source: United States Department of Labor (www.dol.gov).

A distinction is often made between voluntary and involuntary part-time employment; that is, whether people deliberately choose to work part time or whether they accept reduced hours of work simply because they cannot find full-time employment. In the latter case, part-time work is considered involuntary and becomes a form of underemployment. However, the notion of voluntary is somewhat questionable: some people may work part time for family reasons and be unavailable for more work and are therefore classed as "voluntary", whereas if childcare were available, for example, they would prefer to work more (Bollé, 1997).

Another important distinction can be made between part-time jobs which are designed and advertised as such by the employer, and those which result when a current full-time employee requests a reduction in working hours. In the latter case, the employee would be in more or less the same post working fewer hours and this process would be expected to increase the diversity of jobs which are done on a part-time basis (see the section on moving between full- and part-time work below).

Trends in part-time work

Part-time work is on the increase in many countries. In most industrialized countries, the share of part-time workers as a proportion of total employment has been growing over the last 20 years (OECD, 2003). The expansion has been particularly driven by the service sector: health and education, other community services, sales, hotels and catering, and domestic service rely heavily on part-time workers (Fagan and Burchell, 2002). Figure 7.2 shows the current proportion of men and women working part time in selected countries and the importance of part-time work in total employment.

As can be seen in figure 7.2, the proportion of women workers who work part time is highest in the Netherlands, where 58.5 per cent of women workers are

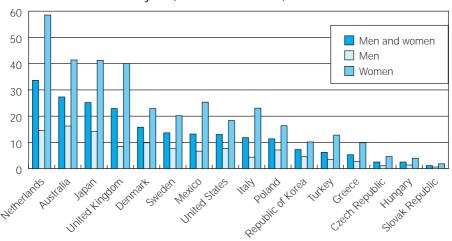


Figure 7.2 Part-time employment as a proportion of total employment, by sex, selected countries, 2002

Source: OECD Employment Outlook, 2003b, table E.

part-time. Indeed in the Netherlands, part-time employment constituted one-third of all employment in 2002. In Australia, Japan and the United Kingdom, part-time work is also frequent among women workers, with about two out of five working part time. In countries such as these, the increasing labour market participation of women is, to a large extent, linked to women taking part-time work.

There are some men who work part time, the highest proportion being in Australia, where 16 per cent of employed men work part time. For men, working part time is usually not for family reasons but rather to study, for health reasons or for lack of full-time opportunities (Fagan, 2004).

In transition countries, the incidence of part-time work is relatively low, as can be seen in figure 7.2, which includes Poland with the highest incidence (11.7 per cent) and the Czech Republic, Hungary and the Slovak Republic (which are all under 4 per cent). Cazes and Nesporova (2003) note that in transition countries, the low levels of wages mean that workers are not very interested in reducing working hours and earnings as the impact on the household budget would be considerable. In the case of the Czech Republic, the relatively high cost of transport and poor transport services have been noted as factors limiting the interest of part-time employment (Cermakova et al., 2001). Although data are scarce, in some transition countries shorter working hours are resulting from the financial problems of enterprises and can be considered as involuntary underemployment (Cazes and Nesporova, 2003).

There are no comparable data on part-time work in developing countries, but it appears that part-time employment is much rarer and, as in the transition countries, not seen as a work–family solution. In Brazil, for example, it is estimated that part-time jobs (defined as less than 25 hours per week) represented only 5.7 per cent of total regular employment in 2001 (Sorj, 2004).

In Mauritius, the Labour Code was amended in 1996 to create greater opportunities for women by providing for part-time employment. However, neither

employers nor employees are taking advantage of it (University of Mauritius, 2002). A study of the civil servants in Tunisia found that there was no interest in part-time work nor was it envisaged to create part-time employment (see box 7.10). In developing countries, it would seem that working part-time is mostly involuntary – that is, taken only because full-time employment is not available – and, in some cases, workers combine a number of part-time jobs.

Box 7.10 Attitudes to part-time work in Tunisia

Women civil servants interviewed in a study in 1985 were not interested in parttime work: they considered that women should be able to work like men and were pushing for reasonable work schedules for all and the necessary family support services. Managers also had difficulty seeing how they could organize the work using some workers on a part-time basis.

Source: République Tunisienne, Ministère de la Famille et de la Promotion de la Femme, 1986.

Part-time workers are earning less than full-timers not only because they work fewer hours but also because, in some countries, there is a tendency for them to be paid lower hourly rates. Part-time workers "tend to work in sectors, and indeed in branches of sectors where the hourly rates of pay are low in comparison with the national average. They also tend to be employed in low-graded jobs and to be excluded from supervisory posts" (ILO, 1992, p. 34). Part-timers are more likely to be excluded from supplementary payments, such as bonuses, holiday and sickness pay, training allowances and seniority payments. Certain part-timers work "on call", without any guaranteed minimum weekly or monthly number of hours (the "zero hours" system) and are thus in a particularly stressful situation, with insecure income in addition to little possibility for planning daily routines. Box 7.11 gives the example of a British study which found the quality of part-time jobs compared unfavourably with full-time jobs.

Box 7.11 British study compares full-time and part-time jobs

A study carried out in the United Kingdom found that part-time jobs were worse than full-time jobs in various respects, including skill levels, wage rates, promotion prospects and relations with management. While part-time work was not associated with job insecurity, part-time work appeared to be a factor aggravating initial handicaps such as low skill levels, especially in the case of women, and thereby weakening the worker's position on the labour market.

Source: Tam. 1997.

Improving the quality of part-time work

- (1) With a view to protecting part-time workers, temporary workers and homeworkers, many of whom have family responsibilities, the terms and conditions on which these types of employment are performed should be adequately regulated and supervised.
- (2) The terms and conditions of employment, including social security coverage, of part-time workers and temporary workers should be, to

the extent possible, equivalent to those of full-time and permanent workers respectively; in appropriate cases their entitlement may be calculated on a pro rata basis.

(Workers with Family Responsibilities Recommendation, 1981 (No. 165), Paragraph 21)

Improving working conditions and employment protection for part-time workers is not a particularly new idea. The approach emerged in European countries, where the Dutch approach has been particularly influential. The Netherlands introduced the earliest equality measures, removing the minimum hours thresholds to the statutory minimum wage and holiday pay and to social security legislation, ensuring these rights were available to all employees irrespective of their working hours (McCann, 2004).

Reflecting a growing concern about the conditions of part-time workers, the ILO adopted in 1994 the Part-Time Work Convention, 1994 (No. 175), which specially refers to workers with family responsibility and is summarized in box 7.12. With the adoption in 1997 of the European Directive on Part-time Work (European Council, 1998), which provides for regulatory measures for equitable treatment of part-time workers and the prevention of discrimination, the move towards legislated improvements in part-time work gained momentum, at least in Europe.

Box 7.12 Part-time Work Convention, 1994 (No. 175)

The Part-Time Work Convention, 1994 (No. 175), promotes measures to ensure that part-time workers receive the same protection as comparable full-time workers and receive equivalent conditions, particularly regarding:

- · occupational safety and health;
- preventing discrimination in employment and occupation;
- basic hourly wages;
- access to statutory social security schemes;
- maternity leave, termination of employment, paid annual leave, and paid public holidays and sick leave.

At the national level, the most extensive protection is offered by legislation which demands equality in all spheres where part-timers could be differentially treated, including basic wages and other forms of work-related income such as overtime, shift work and unsocial hours premiums and access to vocational training and promotion (McCann, 2004). Some countries have also adopted legislative provisions to give "on call" workers a minimum of security in respect of the hours they work (see ILO, 1992, pp. 36–7). As well as protecting the rights of part-time workers, governments have taken various types of measures to encourage employers to use part-time workers, as can be seen in the cases of Italy and Portugal in box 7.13.

At enterprise level, there have been efforts to ensure the quality of part-time work both through management initiatives and collective bargaining agreements (see box 7.14). Trade unions are recognizing the importance of quality part-time work and have negotiated related terms into their collective bargaining agreements.

Box 7.13 National legislation on part-time work

Greece The rate of part-time work in Greece has traditionally been quite low. In 1998 a series of regulations was passed aimed at ensuring employment rights of part-time workers among others (Law 2369/1998). The law permits part-time work to be defined more flexibly on a monthly basis and part-time work has been introduced into the public sector.

Italy In order to encourage the employment of part-time workers, the Italian Government has been taking measures to remove the disincentives which have existed in employment conditions. For example, before 1996, the system of social security contributions was such that two part-time contracts cost more than one full-time contract. A recent reform has encouraged the development of part-time work by introducing financial incentives for employers in the form of reduced social security contributions for contracts of 20–32 hours per week. Portugal Legislation was passed in 1999 (Law 103/99) to provide equal treatment for part-time work. It further introduced a number of promotional incentives, including reduced social security contributions for part-time contracts. Partial unemployment benefit has also been developed recently for those unemployed who accept a part-time job.

Source: Katsimi and Tsakloglou, 2000, for Greece; Biagi et al., 2000, for Italy; Perista, 2000, for Portugal.

Box 7.14 Some examples of provisions for part-time work in collective agreements

Canada: Purolator and Canada Council of Teamsters collective agreement stipulates that all part-time employees who have 18 months or more of service and who are regularly scheduled for more than 20 hours per week shall be eligible for the benefits programme.

France At the French branches of Swedish retailer IKEA, collective agreements specify the same wage for part-time workers as full-time workers, and part-time workers also receive pro-rata non-wage benefits which are comparable to those of full-timers. The rate of part-time work in different stores varies from 30 per cent to 46.6 per cent. The number of hours of work depends on the fluctuation in customer volume and varies from not less than 16 hours a week to 36 hours a week. The collective agreements set up the following conditions for part-time workers:

- Part-time work should cover four-fifths of the agreed full-time working hours (i.e. 30 hours per week or 130 per month)
- Daily working time must amount to at least four hours
- Any changes in working time have to be communicated to workers three days before they are implemented

United States A local UNITE union, Local 14A, successfully negotiated with Xerox Corporation benefits equal to 50 per cent of benefits of full-time workers for part-time members who work 20–30 hours per week. Part-time members who work at least 30 hours per week on a regular basis receive full benefits.

Source: Human Resources Development Canada, 2003, for Canada; ILO, Conditions of Work and Employment Programme, 2004b, for France; AFL-CIO, 2001c, for the United States.

Moving between full-time and part-time work

Part-time workers should be given the option to obtain or return to fulltime employment when a vacancy exists and when the circumstances which determined assignment to part-time employment no longer exist.

(Workers with Family Responsibilities Recommendation, 1981 (No.165), Paragraph 21(3))

Many of those who work part time, or who wish to work part time, want to do so for a specific period of their life, such as when their children are young (Fagan, 2003). The provision for workers to be able to move between full-time and part-time hours was already included in the Recommendation on Workers with Family Responsibilities, 1981, and is foreseen in the Part-Time Work Convention, 1994 (article 9). It is increasingly being incorporated in varying ways in national legislation.

A number of countries allow particular reductions in working time for carers. In some cases, it is specifically for parents. When parental leave exists, there may also be provisions for taking it part time as in Germany, Finland and Sweden (see Chapter 6 on parental leave). Other countries provide that parents with children under a certain age can reduce their working hours under certain circumstances. For example in the United Kingdom (see box 7.15), parents with a child under six have the right to request flexible working, which could be reduced hours. The Netherlands is an exceptional case where legislation provides all workers with a more general right to change working hours and there is no requirement to have caring responsibilities (see box 7.15).

Box 7.15 Facilitating movement between full-time and part-time work

Italy Part-time work has been regulated by an increasing number of collective agreements at national and enterprise level. The most common provisions concern wages (they are reduced, but not always in strict proportion to the reduction in working time) and the movement from part-time to full-time and vice versa. In the case of new full-time vacancies, agreements sometimes provide for precedence to internal candidates on part-time contracts, in particular those who wish to return to full-time work after having reduced their hours. Netherlands Since July 2000 when the 1996 Working Time Act was reformed, employees with one year of service have the right to change from full-time to part-time hours and visa versa, with at least four months' notice. The employer and employee must agree a new working time schedule one month beforehand and if the employer refuses to respond to a request, the new schedule comes into effect automatically. A request may only be rejected on justifiable operational grounds, though this can be legally challenged. The legislation does not apply to companies employing fewer than ten employees.

United Kingdom Since April 2003, working parents with a child under six years (or a disabled child under eighteen years) have the right to request flexible working arrangements and the employer has the statutory duty to consider their applications in accordance with a set of criteria and procedures. Flexibility arrangements include the number of hours and the schedule the employee is required to work, as well as the location.

Source: Biagi et al., 2000, for Italy; Fagan, 2003, for the Netherlands; IDS, 2003a, for the United Kingdom.

As workers take advantage of these opportunities, the types of jobs that are worked part-time are expected to become more variable and more highly skilled, thus reducing the segregation of part-time work. Such legislation also means that those workers (mainly women) who wish to work part time for a period can remain in their current jobs rather than changing to a part-time job where they may have lower wages and fewer career possibilities.

Why employers create part-time work

From the employers' point of view, part-time work may be seen as involving more problems than advantages: where a full-time post is filled by two part-timers, for example, expenditure on fixed recruitment and training costs is doubled, and social security contributions subject to wage ceilings may also increase. It can also complicate work organization, bringing problems of coordination among part-time employees.

But, economic change and the need for greater flexibility have also resulted in advantages for part-time work. It provides a way of coping with extra workloads not requiring full-time workers and may avoid the need for paying overtime premiums. Part-time workers are a frequent solution for extending opening hours in the retail trade, for example (Bollé, 1997).

There are also data from a number of countries suggesting that the hourly productivity of part-time workers is often higher. In the United States, for example, the productivity of a half-time employee has been estimated at 64 per cent of that of a full-time worker. The explanations offered are that part-time employees work more intensively, with less absenteeism and job tedium (op. cit.).

The legislative context and social security schemes are factors that can discourage or encourage employers to create part-time employment. As seen above, some governments have modified their legislation in order to encourage part-time job creation. These factors may also influence the quality of part-time jobs. For example, removing minimum hours thresholds on entitlements or social security contributions takes away the incentive for employers to create low-quality jobs with short hours below the threshold in order to reduce costs (Fagan, 2004).

Pressure to recruit and keep qualified staff who request a reduction in their working hours is also a major reason for creating part-time posts. In order to retain personnel, a number of enterprises have policies (or informal practices) which allow employees to reduce their working hours. Box 7.16 indicates the advantages which one company has derived from this policy.

Box 7.16 Benefits of letting employees work part time

CIGNA Corporation in the United States, which has businesses in health care, insurance and financial services, has discovered that letting its employees work part time with full benefits saves money in the long run by reducing turnover. It further saves by lowering training and recruitment costs. Of CIGNA's 37,000 employees, 12,000 work part time. A third of those working part time are in professional and managerial positions. Any employee working 24 hours or more a week gets full benefits.

Source: Brown, 1998.

Job-sharing: A special kind of part-time arrangement

Job-sharing is a form of part-time employment in which one job is filled by two or more part-time employees, with responsibilities and working time shared between them. The full-time salary that is payable is divided between them according to the number of hours worked.

Job-sharing may be appropriate where opportunities for part-time jobs or other arrangements are limited, or when a job needs to be filled on a full-time basis. For scheduling work hours, several options are possible, including split days, alternate days or weeks, overlapping times, or working in different locations at the same time, as well as flexible or compressed work-weeks.

Job-sharing can provide benefits not only to workers but also to employers. Employers benefit from improved staff retention and a wider range of skills and experience. Job-sharing can further facilitate coverage during peak periods as well as continuous coverage of the job if one of the job-sharers needs to be absent.

While there are benefits, careful consideration of how work will be organized is necessary for job-sharing to function well. The main consideration in this case is whether job-sharers should be jointly responsible for the entire position or only for separate functions. Most job-sharing arrangements fall somewhere in between these extremes, with the job-sharers individually responsible for certain aspects of the job and jointly responsible for others. A good management practice in this case is to have the supervisor and the job-sharers sign a job-sharing agreement designating how this arrangement will be organized (for more details, see United States Office of Personnel Management, 1999). Examples of job-sharing agreements are given in boxes 7.17 and 4.10.

Box 7.17 Job-sharing agreement

The American union AFSCME Local 2505 bargained with the employer, the State of Oregon, to allow any eligible employee to request approval to participate in job-sharing. Employees sharing a job accrue vacation, sick leave and holiday pay on a pro-rata basis. Two employees sharing a job are also entitled to share the health insurance benefits for one full-time position, pro rata. Source: AFL-CIO, 2001c.

7.4 Flexibility of working time

Particular attention should be given to general measures for improving working conditions and the quality of work life, including measures aiming at [...]

(b) more flexible arrangements as regards working schedules, rest periods and holidays, account being take of the stage of development and the particular needs of the country and of different sectors of activity.

(Workers with Family Responsibilities Recommendation, 1981 (No. 165), paragraph 18)

The flexibilities sought by employers in order to cover extended opening hours or to deal with varying workloads and tight delivery schedules can be family-unfriendly (such as overtime without notice) and differ from the flexibilities sought by workers for coping with family responsibilities. The principal challenge is to find forms of work organization and working time that increase efficiency and productivity, while at the same time allowing staff to fulfil their work commitments and cope with their family responsibilities.

The flexibility options discussed in this section will be those schedules that provide workers with some degree of choice over when they work their hours, making it easier to establish viable daily routines and cope with emergencies. A major advantage of these schedules is that they are normally available to all workers in a given category, irrespective of their family responsibilities. Therefore they do not lead to jealousies and using them does not disadvantage workers since such schedules do not involve any loss of employment protection or benefits.

Although flexible schedules have become increasingly common in industrialized countries, in developing countries there seems, so far, to be little experimentation. Yet such schedules may have considerable potential for increasing productivity while helping workers better reconcile work with family responsibilities. The introduction of flexible arrangements for working hours may contribute to solving traffic as well as family problems and merits serious consideration in many congested urban areas.

This section starts by discussing trends in flexible work schedules and then discusses specific types of arrangements: flexitime, compressed work-weeks and staggered hours.

Trends in use of flexible schedules

The extent to which firms are using flexible time schedules is difficult to know since systems often exist on an informal basis rather than as written policy. OECD estimates (2001) show a high percentage of employees reporting working flexitime – the highest being 50 per cent in Australia, followed by 45 per cent in the United States, while Italy and Portugal have among the lowest percentages with 19 per cent. Estimates from the European Working Conditions Survey in 2000 indicate that 23 per cent of the workforce had some type of formal or informal arrangement for flexible working hours in which they were able to vary their start and finish times (Fagan, 2004). Research in industrialized countries shows that workers tend to appreciate flexible schedules: in surveys which have asked about workers' preferences concerning working time, flexibility in scheduling their working time is a frequent reply (Fagan, 2003).

For developing countries, the information available on flexible working schedules is scarce, perhaps because such schedules are themselves rare or highly informal. Studies done for the ILO in Brazil, Kenya, Mauritius, Senegal and Tunisia all indicated that very few organizations provide flexibility in working hours. In Brazil, there has been some discussion about the possibilities for flexible hours, but this has been mainly in the context of improving productivity rather than work—life balance and there has been reticence on the part of employers as well as trade unions (Sorj, 2004). Indeed workers and trade unions are sometimes suspicious of flexible schedules since these have often been used mainly in the interests of the firm with little consideration of the needs of workers.

It is also the case that not all jobs are suitable for flexible schedules since some positions require that all employees be present at a particular time and place, for example on assembly lines, and such jobs may be more frequent in developing countries. However, part of the reticence towards flexibility seems to be linked to problems of mistrust between the employer and the employee and to traditional styles of supervision that put the emphasis on the physical presence of employees. Box 7.18 provides some examples of reasons for employer reluctance.

Box 7.18 Employer resistance to flexible schedules

Malta A survey of 35 firms found that flexitime was viewed as unsuitable by half of the firms because of the nature of the work, the disruption to the organization of work and the difficulty and complexity for managers to coordinate. The imperatives of the market and needs of clients had to prevail over the needs of employees.

Mauritius In Mauritius, indications from a small survey of employers were that few found flexible schedules acceptable.

Tunisia Administrators in the civil service in Tunisia felt they already had enough problems controlling employees' arrivals and departures and that a flexible system, even if fixed in advance, would complicate their work even more, believing that employees might not work during hours that were unsupervised. Source: Rizzo, 2004, for Malta; University of Mauritius, 2002, for Mauritius; République Tunisienne, Ministère de la Famille et de la Promotion de la Femme, 1986, for Tunisia.

Flexitime

By far the most frequent form of flexible working arrangement is flexitime. This arrangement 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 within certain limits. It is often the case that employees who wish to use this possibility must select their hours and adhere to them on a daily basis. In such schemes, there is a daily number of hours to be worked, whereas other systems may specify hours on a weekly or monthly basis. Sometimes the arrangement is more informal, allowing some flexibility on daily hours, such as working through lunch breaks and leaving early or allowing a half-hour flexibility on arrival and leaving times. Examples of different arrangements are given in box 7.19.

Box 7.19 Examples of flexitime arrangements

Republic of Korea Working time has been made more flexible at Cheil Jedang, a chemical company in the Republic of Korea. The 8.30 a.m. starting time for all workers has been changed. Now from 10 a.m. to 4 p.m. – the core working hours – workers must be in the office, with starting times 7 a.m. to 10 a.m. and finishing times 4 p.m. to 7 p.m. being more discretionary.

This system is applicable to all company executives and staff members and is carried out at individual or team levels, taking into consideration the job characteristics. This flexible system is based on four main criteria. First, a basic workday of eight hours must be completed and once start and finish times are chosen they must be adhered to. Second, departmental/individual work sched-

ules must be prepared on a monthly or weekly basis, with adjustments to the schedule being made through decisions taken prior to actual changes. Third, the system does not apply on Saturdays, holidays or on business trips. Finally, details of the implementation are decided at the discretion of department or section leaders.

United States Lilly, a large pharmaceutical corporation provides various flexible work options. With flexitime, employees can work with their management to vary their work schedules in a way that meets both personal and business needs. Full-time employees who "flex" arrive at work between 6 a.m. and 9 a.m. and leave work after a full day, between 3 p.m. and 6 p.m. Employees in manufacturing areas may have opportunities for trading shifts and other flexible options. "Flexweek" allows employees to alter their weekly schedules. Typical flexweek schedules include four 10-hour days or four 9-hour days followed by one half day.

Source: Kim and Kim, 2004, for the Republic of Korea; http://www.lilly.com, for the United States.

Flexitime arrangements present obvious advantages for workers with family responsibilities, who may adapt their starting and finishing times to school hours and, more generally, better adapt their working time to the schedules of other family members. However, all workers tend to appreciate flexitime schedules with the possibilities they offer to meet various needs or even just to avoid traffic problems.

Managers would not have initiated flexitime arrangements if they did not think there were benefits for the enterprise. Box 7.20 gives a summary of the experience of six companies in the United States.

Box 7.20 Advantages of flexitime for employers in the United States

A number of enterprise-level studies point to business benefits resulting from the adoption of various types of flexible working arrangements, particularly flexitime. For example, one study of six large American companies – Lucent Technologies, Honeywell International Inc., Motorola Inc., Kraft Foods Inc., Amway Corp., and Bristol Myers Squib Co. – found that 70 per cent of managers and 87 per cent of workers reported positive impacts on productivity resulting from the use of flexitime. Other reported benefits of flexible working hours include reduced tardiness and absenteeism, reduced staff turnover (improved employee retention), and more effective recruitment of a diverse pool of new hires.

Source: Messenger, 2004.

Time banking

Time banking (or working time accounts) involves keeping track of hours worked in "accounts" for individual workers and in some cases is combined with flexitime. Time banking permits workers to build up credits or accumulate deficits in hours worked, up to a maximum amount. Periods involved generally range from several months to a year. The rules of specific time-banking arrangements determine how and when the excess hours accumulated in the time bank can be spent.

Effective organization and communication are important: management needs to be very precise about what the time banking policy is, who is eligible and how it

works. For example, it must be clear whether time banked by employees can be rolled over from one year to the next. Also, the impact on overtime payments must be understood. Box 7.21 provides an example of a company system.

Box 7.21 Time banking at a health care provider

Henry Ford Health System (HFHS) is a health care provider in a large urban area in the United States, employing approximately 14,000 full- and part-time employees. HFHS operates a combined time off (CTO) programme that began in the early 1970s and is available to both its full-time and part-time staff. Employees accrue time based on hours worked and length of service, and the number of days each employee has "banked" appears on each of their pay slips. If an employee has a catastrophic emergency and has to use all of their CTO and disability (sickness) time, co-workers may donate days to that person. While there is an obvious benefit to workers, the management is satisfied that it has a system which works and is easy to administer.

Source: Wessel, 2003.

The advantage of time banking for workers is that they can accumulate leave, although the degree of choice they have on when to take this is critical. For employers, time banking means they can increase hours in peak periods and avoid overtime payments. It is interesting that in Brazil, the "hours bank" is the most popular flexible hours scheme for inclusion in collective bargaining agreements (see box 7.22).

Box 7.22 Time banks in CBAs in Brazil

Research conducted in 2002 by the Confederação Nacional da Indústria (National Confederation of Industry) on collective agreements found that clauses for a time bank system were found in a number of agreements:

- 11 out of 17 agreements in the chemicals sector
- 10 out of 20 in the food industry
- 8 out of 20 in the metallurgy sector

Other flexible arrangements were insignificant.

Source: Sori, 2004.

Compressed work-week

Compressed work-weeks are schedules whereby the same number of weekly working hours are divided over fewer days. For example, this means that 40 weekly hours can be worked as four 10-hour days rather than five 8-hour days (see box 7.23 for another example). This arrangement can sometimes allow an enterprise to extend its weekly operating hours without incurring overtime and can be part of a shift-work arrangement. The arrangement can be more or less family- or life-friendly depending on the degree of worker choice.

The advantage for workers can be that they have fewer trips between work and home, longer periods to recover from unusual working hours (such as night work),

and generally more concentrated blocks of time to address family needs. On the other hand, longer daily hours can cause greater physical and mental exertion and may not be helpful for establishing daily routines.

Box 7.23 Avon Brazil

Avon Cosmeticos do Brasil is a Brazilian cosmetics company with a workforce of approximately 4,308 workers. Of this workforce, 58 per cent are women, 42 per cent of these women are between the ages of 31 and 40, and 58 per cent have children. In 1991, Avon Brazil implemented a new management policy: the working day on Friday ended early at 2.45 p.m. by extending the other workdays by half an hour a day. According to a survey taken of the workforce, 84 per cent of workers found this arrangement favourable as it allows more time to deal with personal matters without the interference of work commitments. The company has also noted a reduction in absenteeism and greater job satisfaction.

Source: Sorj, 2004.

Staggered working hours

Staggered working hours are generally based on shift work. In this case the starting and ending times of work shifts are staggered in order to reduce the number of employees arriving and leaving at the same time. For example, for an eight-hour shift normally starting at 8 a.m., some could arrive at 7.30, some at 8 and others at 8.30. If workers are given some choice on their shift time, this may help with family schedules and reduce travel time.

Staggered working hours may be useful in contexts where there are major transport problems during peak hours. Instead of having all workers arrive and leave at almost the same time, different enterprises in a location or different sections of an enterprise can adopt different starting and finishing times, thus relieving the congestion.

7.5 Flexibility of location

Working from home has been a traditional way for women with family responsibilities to earn income, for example as home workers in the garment sector. A new form of working from home, based on the rapid development of computer and information technology, is telework, which involves distinct types of workers and different types of contractual relations. This final section looks at these two very different ways of working away from the employer's workplace as another way of combining work with family responsibilities.

Home work

For the purposes of this Convention:

- (a) the term home work means work carried out by a person, to be referred to as a homeworker,
 - (i) in his or her home or in other premises of his or her choice, other than the workplace of the employer;

- (ii) for remuneration;
- (iii) which results in a product or service as specified by the employer, irrespective of who provides the equipment, materials or other inputs used. [...]

Equality of treatment shall be promoted, in particular, in relation to:

- (a) the homeworkers' right to establish or join organizations of their own choosing and to participate in the activities of such organizations;
- (b) protection against discrimination in employment and occupation;
- (c) protection in the field of occupational safety and health;
- (d) remuneration;
- (e) statutory social security protection;
- (f) access to training;
- (g) minimum age for admission to employment or work; and
- (h) maternity protection.

(Home Work Convention, 1996 (No. 177), Articles 1 and 4, paragraph 2))

Home work has been a resilient survivor through the industrial age and well into the twenty-first century as a way for women to earn income while staying at home, whether because of family responsibilities or constraints on their movements outside the home. Specific examples include garment making and laundry services, and product assembly, such as *bidi* making in India. The factors that differentiate home work from telework include the employment relationship (homeworkers are often subcontractors with no employment relation and therefore no employment protection or social security, whereas many teleworkers are employees), skill sets (homeworkers generally have more limited training or skills), and few resources to improve output (lack of access and training on equipment means productivity gains are based on long working hours).

The number of homeworkers is difficult to estimate reliably (Rowbotham and Tate, 1998). The Bangladesh Homeworkers Women Association (BHWA) suggests there are approximately 50 million homeworkers in South Asia (Bangladesh, India, Nepal, Pakistan and Sri Lanka). The National Network of Homeworkers in the Philippines (PATAMABA) estimates about 7 to 9 million home-based workers are doing both piece-rated and own account work in rural and urban areas of the country.

Homeworkers constitute a particularly vulnerable category of workers due to their inadequate legal protection, their isolation and their weak bargaining position (ILO, 2002). They frequently work very long hours for poor earnings, given the low piece rates they are paid. Earnings are insecure because they depend on orders or sales. Homeworkers have no access to legal or social protection since they are not recognized as employees.

How can home work be used as an effective tool to help with the reconciliation of work and family life? Much like the discussion of quality part-time work, there is a need for "quality home work". "Quality home work" can be based on the principles outlined in the ILO's Home Work Convention, 1996 (No. 177). The case of home work is probably much more difficult than for part-time work, given that homeworkers are usually not considered to be employees. An exception is Germany, as described in box 7.24.

Box 7.24 Employment of homeworkers in Germany

In Germany, the employment of homeworkers or persons running a business from home creates a home-work employment relationship which is covered by the labour law unless the provisions of the Homeworking Act provide otherwise. Employers must notify Länder Employment Offices of these employment relationships and submit six-monthly reports.

Source: EMIRE database, http://www.eurofound.eu.int (23/02/04).

Box 7.25 Organization of homeworkers

Bangladesh In 2003, after a long struggle, the Government has accepted one of BHWA's long-standing requests for Trade Union recognition. It has been registered with the Labour Ministry as a trade Union and homeworkers can now ask for basic worker rights using this platform. This is the first time that workers in the informal sector have got trade union status in Bangladesh.

Philippines PATAMABA, the National Network of Homeworkers in the Philippines, was founded in 1989 with the objective of creating, strengthening, consolidating and expanding the national network of home-based workers and providing support services for their personal, social and economic well-being. In 2003, it expanded its targeted membership to informal workers and changed its name. PATAMABA now has a total membership of about 12,500, 98 per cent of whom are women. Most of these women work in garment, footwear, bamboo, weaving, toy-making, food processing, handicraft and other cottage industries. PATAMABA helps home-based workers form self-sustaining groups at the grassroots level. At the policy level, it acts to raise awareness about home-based workers and to bring about the necessary policy changes for the benefit of this sector of the informal economy.

Source: Bangladesh Homeworkers Women Association, http://www.bhwa.org/ourfocus.htm for Bangladesh; PATAMABA, http://www.homenetseasia.org/philippines/aboutus.html for the Philippines.

Efforts to improve the situation of homeworkers have involved organizing in order to lobby for their rights, find ways of accessing social protection and improve their bargaining position vis-à-vis intermediaries. International organizations such as the ILO and the United Nations Development Fund for Women (UNIFEM) have provided support to national initiatives which are continuing. Box 7.24 provides examples of the activities of home workers' associations in Bangladesh and Philippines. As a solution for combining work with family responsibilities, home work is likely, nevertheless, to continue to be a poor solution that exploits the vulnerabilities of workers, particularly women who have little choice.

Telework

Telework (or telecommuting) is a working arrangement in which employees can carry out their work responsibilities from a location other than the workplace of the employer, often, though not necessarily, at home. Teleworking can also occur at a client's office, in a satellite office, or a telework centre. Some teleworkers may work only from home, while others may work at home only some of the time or on an emergency basis. Generally, where the technology is available, the use of telework is increasing (see box 7.26).

Box 7.26 Increasing numbers of teleworkers

United Kingdom In Spring 2001, 2.2 million people (7.4 per cent of the total labour force) worked from home at least one day per week in their main job using a computer or phone link to the employer or client. Since 1997 when data on teleworkers started to be collected systematically, the number has increased by about 13 per cent per year on average.

United States In 1997, 11.6 million employees worked from home at least one day per month. This figure had more than doubled to reach 23.5 million in 2003.

Source: Hotopp, 2002, for the United Kingdom; International Telework Association and Council, 2003, for the United States.

While telework from home has obvious potential for work–family reconciliation, this is probably not the major factor accounting for the rapidly increasing numbers of such workers as it is more likely to be linked to self-employment (Hotopp, 2002). Nevertheless, teleworking can be a particularly useful form of work for employees with children as it allows them to breastfeed, take care of a sick child, or monitor young children who may have school holidays. For some workers who are equipped to work from home, teleworking is an option which they can sometimes use in case of emergency or for a limited period, thus avoiding absence. Regular telework offers further advantages as it reduces work-related expenses (such as travel costs) and eliminates travel time for commuting to work.

Employers who have introduced telework arrangements have noted beneficial results for the enterprise. In terms of workspace, telework reduces office overcrowding and thus can contribute to lower overhead costs for workspace at the enterprise. Telework can also improve productivity and efficiency as employees can work during their personal peak productivity periods and have limited workplace distractions (Whitehouse et al., 2002).

In spite of the advantages of telework from home, it is not without its problems. Clearly the bulk of employment found in most countries is not suited for telework and, in most places, work will continue to be done in traditional forms for the foreseeable future (notably in many developing countries). Moreover, employers may have cost concerns about implementing this form of work, which can include the initial expenditure on equipment to perform telework. It can also create administrative problems for managers regarding supervision as well as assessment of a worker's performance.

Box 7.27 Preferences to work outside the home

A report on teleworking in Malaysia suggests that women generally prefer to go out to work so long as it does not involve long travel times. Although appreciating the convenience and flexibility of home-based work, they fear loneliness, lack of career progression and insecure employment contracts. Also, staying at home does not provide the same liberation from domestic chores that women experience while going out to work.

Source: Ng, C. (ed.), 2002.

There can also be disadvantages to telework from the workers' side: worker isolation, reduced job security and promotion opportunities, and diminished health and safety protection (see the example of box 7.26). A study of teleworkers in Australia (Whitehouse et al., 2002), for example, reported that teleworkers were working longer hours and found it difficult to "switch off" from work. Finally, some of the conspicuous advantages of teleworking for workers with family responsibilities, such as being able to care for young children, may in fact make it more difficult to be productive at home.

Annex

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

CONVENTION CONCERNING EQUAL OPPORTUNITIES AND EQUAL TREATMENT FOR MEN AND WOMEN WORKERS: WORKERS WITH FAMILY RESPONSIBILITIES

The General Conference of the International Labour Organisation,

- Having been convened at Geneva by the Governing Body of the International Labour Office and having met in its Sixty-seventh Session on 3 June 1981, and
- Noting the Declaration of Philadelphia concerning the Aims and Purposes of the International Labour Organisation which recognises that «all human beings, irrespective of race, creed or sex, have the right to pursue their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity», and
- Noting the terms of the Declaration on Equality of Opportunity and Treatment for Women Workers and of the resolution concerning a plan of action with a view to promoting equality of opportunity and treatment for women workers, adopted by the International Labour Conference in 1975, and
- Noting the provisions of international labour Conventions and Recommendations aimed at ensuring equality of opportunity and treatment for men and women workers, namely the Equal Remuneration Convention and Recommendation, 1951, the Discrimination (Employment and Occupation) Convention and Recommendation, 1958, and Part VIII of the Human Resources Development Recommendation, 1975, and
- Recalling that the Discrimination (Employment and Occupation) Convention, 1958, does not expressly cover distinctions made on the basis of family responsibilities, and considering that supplementary standards are necessary in this respect, and
- Noting the terms of the Employment (Women with Family Responsibilities) Recommendation, 1965, and considering the changes which have taken place since its adoption, and
- Noting that instruments on equality of opportunity and treatment for men and women have also been adopted by the United Nations and other specialised agencies, and recalling, in particular, the fourteenth paragraph of the Preamble of the

- United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979, to the effect that States Parties are « aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women», and
- Recognising that the problems of workers with family responsibilities are aspects of wider issues regarding the family and society which should be taken into account in national policies, and
- Recognising the need to create effective equality of opportunity and treatment as between men and women workers with family responsibilities and between such workers and other workers, and
- Considering that many of the problems facing all workers are aggravated in the case of workers with family responsibilities and recognising the need to improve the conditions of the latter both by measures responding to their special needs and by measures designed to improve the conditions of workers in general, and
- Having decided upon the adoption of certain proposals with regard to equal opportunities and equal treatment for men and women workers: workers with family responsibilities, which is the fifth item on the agenda of the session, and
- Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-third day of June of the year one thousand nine hundred and eighty-one the following Convention, which may be cited as the Workers with Family Responsibilities Convention, 1981:

Article 1

- 1. This Convention applies to men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
- 2. The provisions of this Convention shall also be applied to men and women workers with responsibilities in relation to other members of their immediate family who clearly need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
- 3. For the purposes of this Convention, the terms dependent child and other member of the immediate family who clearly needs care or support mean persons defined as such in each country by one of the means referred to in Article 9 of this Convention.
- 4. The workers covered by virtue of paragraphs 1 and 2 of this Article are hereinafter referred to as *workers with family responsibilities*.

Article 2

This Convention applies to all branches of economic activity and all categories of workers.

Article 3

1. With a view to creating effective equality of opportunity and treatment for men and women workers, each Member 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.

2. For the purposes of paragraph 1 of this Article, the term *discrimination* means discrimination in employment and occupation as defined by Articles 1 and 5 of the Discrimination (Employment and Occupation) Convention, 1958.

Article 4

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—

- (a) to enable workers with family responsibilities to exercise their right to free choice of employment; and
- (b) to take account of their needs in terms and conditions of employment and in social security.

Article 5

All measures compatible with national conditions and possibilities shall further be taken—

- 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 childcare and family services and facilities.

Article 6

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.

Article 7

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.

Article 8

Family responsibilities shall not, as such, constitute a valid reason for termination of employment.

Article 9

The provisions of this Convention may be applied by laws or regulations, collective agreements, works rules, arbitration awards, court decisions or a combi-

nation of these methods, or in any other manner consistent with national practice which may be appropriate, account being taken of national conditions.

Article 10

- 1. The provisions of this Convention may be applied by stages if necessary, account being taken of national conditions: Provided that such measures of implementation as are taken shall apply in any case to all the workers covered by Article 1, paragraph 1.
- 2. Each Member which ratifies this Convention shall indicate in the first report on the application of the Convention submitted under Article 22 of the Constitution of the International Labour Organisation in what respect, if any, it intends to make use of the faculty given by paragraph 1 of this Article, and shall state in subsequent reports the extent to which effect has been given or is proposed to be given to the Convention in that respect.

Article 11

Employers' and workers' organisations shall have the right to participate, in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Convention.

Article 12

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 13

- 1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
- 2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
- 3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 14

- 1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
- 2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 15

- 1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
- 2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 16

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 17

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 18

- 1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
- a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 14 above, if and when the new revising Convention shall have come into force:
- b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
- 2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 19

The English and French versions of the text of this Convention are equally authoritative.

Workers with Family Responsibilities Recommendation, 1981 (No. 165)

RECOMMENDATION CONCERNING EQUAL OPPORTUNITIES AND EQUAL TREATMENT FOR MEN AND WOMEN WORKERS: WORKERS WITH FAMILY RESPONSIBILITIES

The General Conference of the International Labour Organisation,

- Having been convened at Geneva by the Governing Body of the International Labour Office and having met in its Sixty-seventh Session on 3 June 1981, and
- Noting the Declaration of Philadelphia concerning the Aims and Purposes of the International Labour Organisation which recognises that all human beings, irrespective of race, creed or sex, have the right to pursue their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and
- Noting the terms of the Declaration on Equality of Opportunity and Treatment for Women Workers and of the resolution concerning a plan of action with a view to promoting equality of opportunity and treatment for women workers, adopted by the International Labour Conference in 1975, and
- Noting the provisions of international labour Conventions and Recommendations aimed at ensuring equality of opportunity and treatment for men and women workers, namely the Equal Remuneration Convention and Recommendation, 1951, the Discrimination (Employment and Occupation) Convention and Recommendation, 1958, and Part VIII of the Human Resources Development Recommendation, 1975, and
- Recalling that the Discrimination (Employment and Occupation) Convention, 1958, does not expressly cover distinctions made on the basis of family responsibilities, and considering that supplementary standards are necessary in this respect, and
- Noting the terms of the Employment (Women with Family Responsibilities) Recommendation, 1965, and considering the changes which have taken place since its adoption, and
- Noting that instruments on equality of opportunity and treatment for men and women have also been adopted by the United Nations and other specialised agencies, and recalling, in particular, the fourteenth paragraph of the Preamble of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979, to the effect that States Parties are aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women, and
- Recognising that the problems of workers with family responsibilities are aspects of wider issues regarding the family and society which should be taken into account in national policies, and
- Recognising the need to create effective equality of opportunity and treatment as between men and women workers with family responsibilities and between such workers and other workers, and
- Considering that many of the problems facing all workers are aggravated in the case of workers with family responsibilities and recognising the need to improve the conditions of the latter both by measures responding to their special needs and by measures designed to improve the conditions of workers in general, and

Having decided upon the adoption of certain proposals with regard to equal opportunities and equal treatment for men and women workers: workers with family responsibilities, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation, adopts this twenty-third day of June of the year one thousand nine hundred and eighty-one, the following Recommendation, which may be cited as the Workers with Family Responsibilities Recommendation, 1981:

I. Definition, Scope and Means of Implementation

- 1. (1) This Recommendation applies to men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
- (2) The provision of this Recommendation should also be applied to men and women workers with responsibilities in relation to other members of their immediate family who need their care or support, where such responsibilities restrict their possibilities of preparing for, entering, participating or advancing in economic activity.
- (3) For the purposes of this Recommendation, the terms dependent child and other member of the immediate family who needs care or support mean persons defined as such in each country by one of the means referred to in Paragraph 3 of this Recommendation.
- (4) The workers covered by virtue of subparagraphs (1) and (2) of this Paragraph are hereinafter referred to as workers with family responsibilities.
- 2. This Recommendation applies to all branches of economic activity and all categories of workers.
- 3. The provisions of this Recommendation may be applied by laws or regulations, collective agreements, works rules, arbitration awards, court decisions or a combination of these methods, or in any other manner consistent with national practice which may be appropriate, account being taken of national conditions.
- 4. The provisions of this Recommendation may be applied by stages if necessary, account being taken of national conditions: Provided that such measures of implementation as are taken should apply in any case to all the workers covered by Paragraph 1, subgaragraph (1).
- 5. Employers' and workers' organisations should have the right to participate, in a manner appropriate to national conditions and practice, in devising and applying measures designed to give effect to the provisions of this Recommendation.

II. National Policy

6. With a view to creating effective equality of opportunity and treatment for men and women workers, each Member should 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.

- 7. Within the framework of a national policy to promote equality of opportunity and treatment for men and women workers, measures should be adopted and applied with a view to preventing direct or indirect discrimination on the basis of marital status or family responsibilities.
- 8. (1) For the purposes of Paragraphs 6 and 7 above, the term discrimination means discrimination in employment and occupation as defined by Articles 1 and 5 of the Discrimination (Employment and Occupation) Convention, 1958.
- (2) During a transitional period special measures aimed at achieving effective equality between men and women workers should not be regarded as discriminatory.
- 9. With a view to creating effective equality of opportunity and treatment for men and women workers, all measures compatible with national conditions and possibilities should be taken—
- to enable workers with family responsibilities to exercise their right to vocational training and to free choice of employment;
- (b) to take account of their needs in terms and conditions of employment and in social security; and
- (c) to develop or promote child-care, family and other community services, public or private, responding to their needs.
- 10. The competent authorities and bodies in each country should 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.
- 11. The competent authorities and bodies in each country should take appropriate measures—
- (a) 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; and
- (b) to promote such education as will encourage the sharing of family responsibilities between men and women and enable workers with family responsibilities better to meet their employment and family responsibilities.

III. Training and Employment

- 12. All measures compatible with national conditions and possibilities should 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.
- 13. In accordance with national policy and practice, vocational training facilities and, where possible, paid educational leave arrangements to use such facilities should be made available to workers with family responsibilities.
- 14. Such services as may be necessary to enable workers with family responsibilities to enter or re-enter employment should be available, within the framework of existing services for all workers or, in default thereof, along lines appropriate to

national conditions; they should include, free of charge to the workers, vocational guidance, counselling, information and placement services which are staffed by suitably trained personnel and are able to respond adequately to the special needs of workers with family responsibilities.

- 15. Workers with family responsibilities should enjoy equality of opportunity and treatment with other workers in relation to preparation for employment, access to employment, advancement within employment and employment security.
- 16. Marital status, family situation or family responsibilities should not, as such, constitute valid reasons for refusal or termination of employment.

IV. Terms and Conditions of Employment

- 17. All measures compatible with national conditions and possibilities and with the legitimate interests of other workers should be taken to ensure that terms and conditions of employment are such as to enable workers with family responsibilities to reconcile their employment and family responsibilities.
- 18. Particular attention should be given to general measures for improving working conditions and the quality of working life, including measures aiming at—
- the progressive reduction of daily hours of work and the reduction of overtime, and
- (b) more flexible arrangements as regards working schedules, rest periods and holidays, account being taken of the stage of development and the particular needs of the country and of different sectors of activity.
- 19. Whenever practicable and appropriate, the special needs of workers, including those arising from family responsibilities, should be taken into account in shift-work arrangements and assignments to night work.
- 20. Family responsibilities and considerations such as the place of employment of the spouse and the possibilities of educating children should be taken into account when transferring workers from one locality to another.
- 21. (1) With a view to protecting part-time workers, temporary workers and homeworkers, many of whom have family responsibilities, the terms and conditions on which these types of employment are performed should be adequately regulated and supervised.
- (2) The terms and conditions of employment, including social security coverage, of part-time workers and temporary workers should be, to the extent possible, equivalent to those of full-time and permanent workers respectively; in appropriate cases, their entitlement may be calculated on a pro rata basis. (3) Part-time workers should be given the option to obtain or return to full-time employment when a vacancy exists and when the circumstances which determined assignment to part-time employment no longer exist.
- 22. (1) Either parent should have the possibility, within a period immediately following maternity leave, of obtaining leave of absence (parental leave), without relinquishing employment and with rights resulting from employment being safeguarded.

- (2) The length of the period following maternity leave and the duration and conditions of the leave of absence referred to in subparagraph (1) of this Paragraph should be determined in each country by one of the means referred to in Paragraph 3 of this Recommendation.
- (3) The leave of absence referred to in subparagraph (1) of this Paragraph may be introduced gradually.
- 23. (1) It should be possible for a worker, man or woman, with family responsibilities in relation to a dependent child to obtain leave of absence in the case of its illness.
- (2) It should be possible for a worker with family responsibilities to obtain leave of absence in the case of the illness of another member of the worker's immediate family who needs that worker's care or support.
- (3) The duration and conditions of the leave of absence referred to in subparagraphs (1) and (2) of this Paragraph should be determined in each country by one of the means referred to in Paragraph 3 of this Recommendation.

V. Child-care and Family Services and Facilities

- 24. With a view to determining the scope and character of the child-care and family services and facilities needed to assist workers with family responsibilities to meet their employment and family responsibilities, the competent authorities should, in co-operation with the public and private organisations concerned, in particular employers' and workers' organisations, and within the scope of their resources for collecting information, take such measures as may be necessary and appropriate—
- (a) to collect and publish adequate statistics on the number of workers with family responsibilities engaged in or seeking employment and on the number and age of their children and of other dependants requiring care; and
- (b) to ascertain, through systematic surveys conducted more particularly in local communities, the needs and preferences for child-care and family services and facilities.
- 25. The competent authorities should, in co-operation with the public and private organisations concerned, take appropriate steps to ensure that child-care and family services and facilities meet the needs and preferences so revealed; to this end they should, taking account of national and local circumstances and possibilities, in particular—
- (a) encourage and facilitate the establishment, particularly in local communities, of plans for the systematic development of child-care and family services and facilities, and
- (b) themselves organise or encourage and facilitate the provision of adequate and appropriate child-care and family services and facilities, free of charge or at a reasonable charge in accordance with the workers' ability to pay, developed along flexible lines and meeting the needs of children of different ages, of other dependants requiring care and of workers with family responsibilities.
- 26. (1) Child-care and family services and facilities of all types should comply with standards laid down and supervised by the competent authorities.

- (2) Such standards should prescribe in particular the equipment and hygienic and technical requirements of the services and facilities provided and the number and qualifications of the staff.
- (3) The competent authorities should provide or help to ensure the provision of adequate training at various levels for the personnel needed to staff child-care and family services and facilities.

VI. Social Security

- 27. Social security benefits, tax relief, or other appropriate measures consistent with national policy should, when necessary, be available to workers with family responsibilities.
- 28. During the leave of absence referred to in Paragraphs 22 and 23, the workers concerned may, in conformity with national conditions and practice, and by one of the means referred to in Paragraph 3 of this Recommendation, be protected by social security.
- 29. A worker should not be excluded from social security coverage by reference to the occupational activity of his or her spouse and entitlement to benefits arising from that activity.
- 30. (1) The family responsibilities of a worker should be an element to be taken into account in determining whether employment offered is suitable in the sense that refusal of the offer may lead to loss or suspension of unemployment benefit.
- (2) In particular, where the employment offered involves moving to another locality, the considerations to be taken into account should include the place of employment of the spouse and the possibilities of educating children.
- 31. In applying Paragraphs 27 to 30 of this Recommendation, a Member whose economy is insufficiently developed may take account of the national resources and social security arrangements available.

VII. Help in Exercise of Family Responsibilities

- 32. 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.
- 33. All measures compatible with national conditions and possibilities should be taken to develop home-help and home-care services which are adequately regulated and supervised and which can provide workers with family responsibilities, as necessary, with qualified assistance at a reasonable charge in accordance with their ability to pay.
- 34. Since many measures designed to improve the conditions of workers in general can have a favourable impact on those of workers with family responsibilities, the competent authorities and bodies in each country should promote such public and private action as is possible to make the provision of services in the community, such as public transport, supply of water and energy in or near workers' housing and housing with labour-saving layout, responsive to the needs of workers.

VIII. Effect on Existing Recommendations

35. This Recommendation supersedes the Employment (Women with Family Responsibilities) Recommendation, 1965.

Maternity Protection Convention, 2000 (No. 183)

CONVENTION CONCERNING THE REVISION OF THE MATERNITY PROTECTION CONVENTION (REVISED), 1952

The General Conference of the International Labour Organization,

- Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 88th Session on 30 May 2000, and
- Noting the need to revise the Maternity Protection Convention (Revised), 1952, and the Maternity Protection Recommendation, 1952, in order to further promote equality of all women in the workforce and the health and safety of the mother and child, and in order to recognize the diversity in economic and social development of Members, as well as the diversity of enterprises, and the development of the protection of maternity in national law and practice, and
- Noting the provisions of the Universal Declaration of Human Rights (1948), the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1979), the United Nations Convention on the Rights of the Child (1989), the Beijing Declaration and Platform for Action (1995), the International Labour Organization's Declaration on Equality of Opportunity and Treatment for Women Workers (1975), the International Labour Organization's Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998), as well as the international labour Conventions and Recommendations aimed at ensuring equality of opportunity and treatment for men and women workers, in particular the Convention concerning Workers with Family Responsibilities, 1981, and
- Taking into account the circumstances of women workers and the need to provide protection for pregnancy, which are the shared responsibility of government and society, and
- Having decided upon the adoption of certain proposals with regard to the revision of the Maternity Protection Convention (Revised), 1952, and Recommendation, 1952, which is the fourth item on the agenda of the session, and
- Having determined that these proposals shall take the form of an international Convention;
- adopts this fifteenth day of June of the year two thousand the following Convention, which may be cited as the Maternity Protection Convention, 2000.

SCOPE

Article 1

For the purposes of this Convention, the term woman applies to any female person without discrimination whatsoever and the term child applies to any child without discrimination whatsoever.

Article 2

- 1. This Convention applies to all employed women, including those in atypical forms of dependent work.
- 2. However, each Member which ratifies this Convention may, after consulting the representative organizations of employers and workers concerned, exclude wholly or partly from the scope of the Convention limited categories of workers when its application to them would raise special problems of a substantial nature.
- 3. Each Member which avails itself of the possibility afforded in the preceding paragraph shall, in its first report on the application of the Convention under article 22 of the Constitution of the International Labour Organization, list the categories of workers thus excluded and the reasons for their exclusion. In its subsequent reports, the Member shall describe the measures taken with a view to progressively extending the provisions of the Convention to these categories.

HEALTH PROTECTION

Article 3

Each Member shall, after consulting the representative organizations of employers and workers, adopt appropriate measures to ensure that pregnant or breast-feeding women are not obliged to perform work which has been determined by the competent authority to be prejudicial to the health of the mother or the child, or where an assessment has established a significant risk to the mother's health or that of her child.

MATERNITY LEAVE

Article 4

- 1. On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks.
- 2. The length of the period of leave referred to above shall be specified by each Member in a declaration accompanying its ratification of this Convention.
- 3. Each Member may subsequently deposit with the Director-General of the International Labour Office a further declaration extending the period of maternity leave.
- 4. With due regard to the protection of the health of the mother and that of the child, maternity leave shall include a period of six weeks' compulsory leave after childbirth, unless otherwise agreed at the national level by the government and the representative organizations of employers and workers.
- 5. The prenatal portion of maternity leave shall be extended by any period elapsing between the presumed date of childbirth and the actual date of childbirth, without reduction in any compulsory portion of postnatal leave.

LEAVE IN CASE OF ILLNESS OR COMPLICATIONS

Article 5

On production of a medical certificate, leave shall be provided before or after the maternity leave period in the case of illness, complications or risk of complications arising out of pregnancy or childbirth. The nature and the maximum duration of such leave may be specified in accordance with national law and practice.

BENEFITS

Article 6

- 1. Cash benefits shall be provided, in accordance with national laws and regulations, or in any other manner consistent with national practice, to women who are absent from work on leave referred to in Articles 4 or 5.
- 2. Cash benefits shall be at a level which ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living.
- 3. Where, under national law or practice, cash benefits paid with respect to leave referred to in Article 4 are based on previous earnings, the amount of such benefits shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits.
- 4. Where, under national law or practice, other methods are used to determine the cash benefits paid with respect to leave referred to in Article 4, the amount of such benefits shall be comparable to the amount resulting on average from the application of the preceding paragraph.
- 5. Each Member shall ensure that the conditions to qualify for cash benefits can be satisfied by a large majority of the women to whom this Convention applies.
- 6. Where a woman does not meet the conditions to qualify for cash benefits under national laws and regulations or in any other manner consistent with national practice, she shall be entitled to adequate benefits out of social assistance funds, subject to the means test required for such assistance.
- 7. Medical benefits shall be provided for the woman and her child in accordance with national laws and regulations or in any other manner consistent with national practice. Medical benefits shall include prenatal, childbirth and postnatal care, as well as hospitalization care when necessary.
- 8. In order to protect the situation of women in the labour market, benefits in respect of the leave referred to in Articles 4 and 5 shall be provided through compulsory social insurance or public funds, or in a manner determined by national law and practice. An employer shall not be individually liable for the direct cost of any such monetary benefit to a woman employed by him or her without that employer's specific agreement except where:
- such is provided for in national law or practice in a member State prior to the date of adoption of this Convention by the International Labour Conference; or
- (b) it is subsequently agreed at the national level by the government and the representative organizations of employers and workers.

Article 7

- 1. A Member whose economy and social security system are insufficiently developed shall be deemed to be in compliance with Article 6, paragraphs 3 and 4, if cash benefits are provided at a rate no lower than a rate payable for sickness or temporary disability in accordance with national laws and regulations.
- 2. A Member which avails itself of the possibility afforded in the preceding paragraph shall, in its first report on the application of this Convention under article 22 of the Constitution of the International Labour Organization, explain the reasons therefor and indicate the rate at which cash benefits are provided. In its subsequent reports, the Member shall describe the measures taken with a view to progressively raising the rate of benefits.

EMPLOYMENT PROTECTION AND NON-DISCRIMINATION

Article 8

- 1. It shall be unlawful for an employer to terminate the employment of a woman during her pregnancy or absence on leave referred to in Articles 4 or 5 or during a period following her return to work to be prescribed by national laws or regulations, except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing. The burden of proving that the reasons for dismissal are unrelated to pregnancy or childbirth and its consequences or nursing shall rest on the employer.
- 2. A woman is guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of her maternity leave.

Article 9

- 1. Each Member shall adopt appropriate measures to ensure that maternity does not constitute a source of discrimination in employment, including notwith-standing Article 2, paragraph 1 access to employment.
- 2. Measures referred to in the preceding paragraph shall include a prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work that is:
- (a) prohibited or restricted for pregnant or nursing women under national laws or regulations; or
- (b) where there is a recognized or significant risk to the health of the woman and child.

BREASTFEEDING MOTHERS

Article 10

1. A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child.

2. The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work shall be determined by national law and practice. These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.

PERIODIC REVIEW

Article 11

Each Member shall examine periodically, in consultation with the representative organizations of employers and workers, the appropriateness of extending the period of leave referred to in Article 4 or of increasing the amount or the rate of the cash benefits referred to in Article 6.

IMPLEMENTATION

Article 12

This Convention shall be implemented by means of laws or regulations, except in so far as effect is given to it by other means such as collective agreements, arbitration awards, court decisions, or in any other manner consistent with national practice.

FINAL PROVISIONS

Article 13

This Convention revises the Maternity Protection Convention (Revised), 1952. (Standard provisions follow, as for Convention No. 156, see pp. 160-161)

Maternity Protection Recommendation, 2000 (No. 191)

RECOMMENDATION CONCERNING THE REVISION OF THE MATERNITY PROTECTION RECOMMENDATION, 152

The General Conference of the International Labour Organization,

- Having been convened at Geneva by the Governing Body of the International Labour Office, and
- Having met in its 88th Session on 30 May 2000, and Having decided upon the adoption of certain proposals with regard to maternity protection, which is the fourth item on the agenda of the session, and
- Having determined that these proposals shall take the form of a Recommendation supplementing the Maternity Protection Convention, 2000 (hereinafter referred to as «the Convention»),
- adopts this fifteenth day of June of the year two thousand the following Recommendation, which may be cited as the Maternity Protection Recommendation, 2000.

MATERNITY LEAVE

- 1. (1) Members should endeavour to extend the period of maternity leave referred to in Article 4 of the Convention to at least 18 weeks.
- (2) Provision should be made for an extension of the maternity leave in the event of multiple births.
- (3) To the extent possible, measures should be taken to ensure that the woman is entitled to choose freely the time at which she takes any non-compulsory portion of her maternity leave, before or after childbirth.

BENEFITS

- 2. Where practicable, and after consultation with the representative organizations of employers and workers, the cash benefits to which a woman is entitled during leave referred to in Articles 4 and 5 of the Convention should be raised to the full amount of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits.
- 3. To the extent possible, the medical benefits provided for in Article 6, paragraph 7, of the Convention should include:
- (a) care given in a doctor's office, at home or in a hospital or other medical establishment by a general practitioner or a specialist;
- (b) maternity care given by a qualified midwife or by another maternity service at home or in a hospital or other medical establishment;
- (c) maintenance in a hospital or other medical establishment;
- (d) any necessary pharmaceutical and medical supplies, examinations and tests prescribed by a medical practitioner or other qualified person; and
- (e) dental and surgical care.

FINANCING OF BENEFITS

4. Any contribution due under compulsory social insurance providing maternity benefits and any tax based upon payrolls which is raised for the purpose of providing such benefits, whether paid by both the employer and the employees or by the employer, should be paid in respect of the total number of men and women employed, without distinction of sex.

EMPLOYMENT PROTECTION AND NON-DISCRIMINATION

5. A woman should be entitled to return to her former position or an equivalent position paid at the same rate at the end of her leave referred to in Article 5 of the Convention. The period of leave referred to in Articles 4 and 5 of the Convention should be considered as a period of service for the determination of her rights.

HEALTH PROTECTION

6. (1) Members should take measures to ensure assessment of any workplace risks related to the safety and health of the pregnant or nursing woman and her child. The results of the assessment should be made available to the woman concerned.

- (2) In any of the situations referred to in Article 3 of the Convention or where a significant risk has been identified under subparagraph (1) above, measures should be taken to provide, on the basis of a medical certificate as appropriate, an alternative to such work in the form of:
- (a) elimination of risk;
- (b) an adaptation of her conditions of work;
- (c) a transfer to another post, without loss of pay, when such an adaptation is not feasible; or
- (d) paid leave, in accordance with national laws, regulations or practice, when such a transfer is not feasible.
- (3) Measures referred to in subparagraph (2) should in particular be taken in respect of:
- (a) arduous work involving the manual lifting, carrying, pushing or pulling of loads;
- (b) work involving exposure to biological, chemical or physical agents which represent a reproductive health hazard;
- (c) work requiring special equilibrium;
- (d) work involving physical strain due to prolonged periods of sitting or standing, to extreme temperatures, or to vibration.
- (4) A pregnant or nursing woman should not be obliged to do night work if a medical certificate declares such work to be incompatible with her pregnancy or nursing.
- (5) The woman should retain the right to return to her job or an equivalent job as soon as it is safe for her to do so.
- (6) A woman should be allowed to leave her workplace, if necessary, after notifying her employer, for the purpose of undergoing medical examinations relating to her pregnancy.

BREASTFEEDING MOTHERS

- 7. On production of a medical certificate or other appropriate certification as determined by national law and practice, the frequency and length of nursing breaks should be adapted to particular needs.
- 8. Where practicable and with the agreement of the employer and the woman concerned, it should be possible to combine the time allotted for daily nursing breaks to allow a reduction of hours of work at the beginning or at the end of the working day.
- 9. Where practicable, provision should be made for the establishment of facilities for nursing under adequate hygienic conditions at or near the workplace.

RELATED TYPES OF LEAVE

10. (1) In the case of the death of the mother before the expiry of postnatal leave, the employed father of the child should be entitled to take leave of a duration equal to the unexpired portion of the postnatal maternity leave.

- (2) In the case of sickness or hospitalization of the mother after childbirth and before the expiry of postnatal leave, and where the mother cannot look after the child, the employed father of the child should be entitled to leave of a duration equal to the unexpired portion of the postnatal maternity leave, in accordance with national law and practice, to look after the child.
- (3) The employed mother or the employed father of the child should be entitled to parental leave during a period following the expiry of maternity leave.
- (4) The period during which parental leave might be granted, the length of the leave and other modalities, including the payment of parental benefits and the use and distribution of parental leave between the employed parents, should be determined by national laws or regulations or in any manner consistent with national practice.
- (5) Where national law and practice provide for adoption, adoptive parents should have access to the system of protection offered by the Convention, especially regarding leave, benefits and employment protection.

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Index

Abe, M. 84 (box), 107 (box) Abramos, L. 58 (box), 116 (box), 117	Appelbaum, E. 86 (box) Argentina 21, 79, 116 (box), 117 (box) Arthur, M.M. 63 Asia Eastern/South-Eastern 4, 7 (box), 21
ANZ Banking Group 118 (box)	Work and Family Awards 118

working hours 74 (box), 130 (box) see also Department of Industrial Relations, New South Wales Australian Chamber of Commerce and Industry 66, 112 Australian Council of Trade Unions 55 (box) Austria childcare 80 elderly 13 (box) fees/income 44–5 maternity leave 36 (box) parental leave 124 single-parent families 21 Avon Cosmetics, 151 (box)	travel time 9 (box) breastfeeding childcare 48 (box) children at work 18 facilities 31 (box), 85 lactation breaks 68 (box), 119 return to work 118 street vendors 87 (box) Bristol University 81 (box) Brown, B.L. 145 (box) Buchanan, J. 130 (box) Budd, J.W. 56, 123 Bulgaria 5 Bulusui, P.S. 116 (box) Burchell B. 129, 132, 138
Avon Cosmetics 151 (box)	Burchell, B. 129, 132, 138
Bangkok 9 (box) Bangladesh 102 (box), 152, 153 (box) banking sector 40 (box) Barbados 79 Barnardos 31 (box) Basic Conditions of Employment Act, South Africa 102 (box) Bauer, Eddie (retailer) 95 (box) Bauer, T. 20 Bearfield, S. 130 (box) Belarus 21 Belgium 21, 85, 86 (box) Benin 48 (box) bereavement policy 66, 110, 112, 112	calling in sick 110 Cambodia 7 (box) Canada absenteeism 27 (box) elderly independence 94 (box) family friendly policies 52 (box) government advocacy 51–3 lunch breaks 137–8, 138 (box) overtime 132 parental leave 122 part-time work 143 (box) pre-school care 81 women's participation in labour force 4 work—life conflict 8 (box), 40
(box)	work pressures 8
Bevan, S. 26, 70 (box) Biagi, M. 143 (box), 144 (box)	care facilities 34, 35, 42, 44 (box) care for disabled 103 (box)
Blöndel, L. 19	care for elderly 90–6, 103 (box)
Bollé, P. 139, 145	see also elderly
Bond, S. 72, 74 (box)	care needs 6–7, 9, 10
Botswana 9, 21 (box) Brazil	care services 75–6 allowances 45
Avon Cosmetics 151 (box)	Convention (No. 156) 42
childcare 58 (box)	decentralization 98
collective bargaining 41 (box)	developing countries 100
fertility rates 89, 117 (box)	needs-led 97–9
flexible working hours 147	see also childcare
grandparents/childcare 7 (box) household employees 77 (box)	career opportunities, women 11 carers 100 (box), 103 (box), 110 (box),
maternity benefits 116 (box)	126–7
National Education Guidelines Law 43	see also female carer model
(box)	careworkers 10–11, 99–100, 100 (box)
part-time work 140	Caribbean 21 (box)
pre-schools 32 (box), 42, 43 (box), 88	cash in lieu/leave entitlements 107
single-parent families 21	Casterman Company 86 (box)
time banking 150 (box)	casual workers 106

Cazes, S. 140	children
Centrica 119 (box)	accompanying mother 17–18, 35, 85–6,
Cermakova, M. 140	87 (box), 119
Charlesworth, S. 23 (box)	disadvantaged 80, 81 (box)
Cheil Jedang Corporation 66 (box), 148–9	education 48–9
(box)	health risks 18
Chetvernina, T. 40 (box), 124	home alone 18
Child Care and Family Care Leave Act,	illness 18, 96 (box)
Japan 127 (box)	night work 136 (box)
child development 80, 81 (box)	parents' asocial hours 136–7
child labour 3, 4 (box), 79 (box)	responsibility for 1
childbirth 10, 33, 105	socialization 75
childcare	Chile 38–9 (box), 50 (box), 58 (box), 117
after school 18, 88–90, 90 (box)	(box), 133 (box)
Alabama 68–9 (box)	China 14, 77–8 (box), 101, 133 (box), 137
Brazil 58 (box)	(box)
breastfeeding 48 (box)	China Daily 101
Chile 58 (box)	Chinchilla, N. 63 (box)
cooperatives 84 (box)	Christopherson, S. 91–2, 100 (box)
cross-country comparisons 6	Chubbs' Group of Insurance Companies
early 79–80	65 (box)
Egypt 58 (box)	CIGNA Corp. 145 (box)
employers' provision 68–9 (box), 85–7	Civil Aviation Authority 112 (box)
European Union 80	civil service 47 (box), 137 (box)
facilities 81–4	co-habitation 5
family members 6, 7, 16–17, 76, 89	collective bargaining 29
fees/income 44–5	Brazil 41 (box)
Flexi-Hour Programme 84 (box)	legislation 39
formal 79–80	liberal state regimes 15
hospital work 137	maternity leave 41
Kenya 17 (box)	parental leave 123
lack of 11	parental leave 123 part-time work 143 (box)
low-income families 6	*
	paternity leave 120–1
Malaysia 15 (box), 85 (box)	shift swapping 137 (box)
national expenditure 16 (box)	sick leave 110
participation in labour market 23	time banking 150 (box)
quality 22, 81, 87–8	Uganda 112 (box)
return to work 118	work—life balance 54–5
roster system 86 (box), 87 (box)	working conditions 30–1
school-age 88–90	working hours 130
self-employment 17 (box)	workplace 61
shift work 136–7	Colombia, community homes 82, 83 (box)
Spain 36 (box)	Colombian Family Welfare Institute 83
subsidies 85, 86 (box), 90 (box)	(box)
sugar plantation workers 17 (box) UK 19, 20 (box)	Commission of the European Communities 46, 115, 125
voluntary work—family measures 85	Committee of Experts, ILO 57, 58, 114
women in trade unions 30	communication 71–2
working hours 83–4	communication technology 134
workplace 86 (box)	community care 91
see also pre-school provision	Community Daycare Centres 45
childcare workers, men 100	community homes 82, 83 (box)
childminders 45 (box), 81–2, 82 (box)	company culture 95 (box)

Conditions of Work and Employment	part-time work 140
Database, ILO 106, 111 (box), 112	re-entry to labour market 49
(box), 120-1 (tab), 123 (box), 133	trade unions/maternity leave 116 (box)
(box)	women's participation in labour force 4
Conditions of Work and Employment	Department for Education and
Programme, ILO 143 (box)	Employment, UK 89 (box)
Confederação Nacional da Indústria 150	Department of Employment and Workplace
(box)	Relations, Australia 26 (box), 27, 31
Congress of South African Trade Unions	(box)
102 (box)	Department of Industrial Relations, New
construction sites 17, 86, 87 (box)	South Wales 52 (box), 61, 68 (box),
contraception 5	71 (box), 108 (box), 111 (box)
Cook, J. 134 (box)	Department of Labor, US 139 (box)
cooperatives 84 (box)	Department of Trade and Industry (UK)
cost-effectiveness 15, 27 (box)	15, 19, 26 (box), 45 (box), 46 (box),
Costa Rica 4, 131	51, 53 (box)
crèches 58 (box), 83, 86 (box)	Department of Water and Power, Los
cross-country comparisons	Angeles 62 (box), 68 (box)
annual leave 106 (tab)	dependents 1, 2 (box)
childcare 6, 80 (tab)	developing countries 1
paternity leave 120–1 (tab)	care sector 100
public holidays 106 (tab)	children accompanying mother 17–18
single-parent families 21	domestic workers 79
social burden 9	employers' care initiatives 45–6
state intervention 13–16	family solidarity 6
travel time 8, 9 (box)	maternity leave 15
women's participation in labour force	overtime 134
4–6	paid holidays 109
Cuba 14, 79	pre-primary education 79
culture/working hours 11, 12	state intervention 15
customer satisfaction 63	trade unions 31
Czech Republic 6–7, 80, 130, 140	work—family conflict 15–16
Czech Republic 6 7, 60, 130, 140	working hours 130, 131 (fig)
Daily Routines project, Netherlands 50 (box)	Dickens, L. 40
Dally, M. 75–6	disability 97
Davis, E. 91	discrimination at work 10–11
Daviss, B. 72 (box)	diversity management 63
day camps 90	doctor's appointments 47 (box)
day camps 30 day care 43, 84 (box), 94	domestic chores 11, 48, 59
day-care centres 83, 92 (box)	domestic help 76–9
day hospitals 92 (box)	domestic workers 79, 101
Daycare Trust 12	see also household employees
De Haan, E. 10	Domestic Workers' Association,
	,
Demographic and Health Surveys 17–18	Bangladesh 102 (box)
demographic trends 94	domiciliary services 91–2, 92 (box), 93
see also population structure	(box)
Dench, S. 25, 25 (box), 67 (box) Denmark	double shift 10, 23, 57
	dual-income families 6, 25
childcare 16 (box), 80	parental leave 122
decentralization 98 (box) Ministry of Social Affairs, 03 (box), 08	split shift couples 136
Ministry of Social Affairs 93 (box), 98	trade unions 29
(box)	work—family conflict v, 11
parental leave 124, 125	Duxbury, L. 8 (box), 27 (box), 40, 63, 132

Earle, J. 28–9 (box)	social responsibility 24
early childhood development project,	tax relief 46 (box)
South Africa 45	Employers' Child Care Alliance 68–9
early childhood provision 42–3	(box)
The Economist 24 (box)	Employers' Confederation of the
education 6, 17, 17 (box), 48–9	Philippines 85 (box)
Egypt 58 (box)	Employers for Work—Life Balance 54
Einarsdóttir, T. 124 (box)	(box), 134 (box)
El Salvador 87 (box)	Employment and Equal Opportunities, UK
Elder Care cooperative 44 (box)	53 (box)
elderly 1, 15, 42	employment contracts 6
allowances 92 (box)	employment record 11
care services 13 (box), 90-6, 103 (box)	enterprise awards 52 (box)
domiciliary services 91–2	Epaarachchi, R. 85 (box)
independence 94 (box)	Equal Opportunities Commission 59, 99
institutionalization 94	Equal Opportunities for Men and Women
needs assessment 93 (box)	in the European Union 125
providing childcare 87 (box)	Equal Opportunities Ombudsperson 37
psychiatrically impaired 94	(box)
see also grandparents	equality of opportunity
eligibility 113–14, 141–2	Convention (No. 156) 39, 49–50
emails 72	gender 11, 37
emergency cover 10, 33, 35	information 49–50
annual leave 109–12	labour market 2
elderly care 92–3	Ernst and Young 107 (box)
illness 96	Esping-Andersen, G. 12, 20, 59
leave entitlement 105	Estonia 4–5, 111 (box), 123 (box)
sick leave 110, 111 (box)	Europe
EMIRE database 153 (box)	childcare 80
employees	female-headed households 21 (box), 22
childcare 85 (box)	household employment 78 (box)
customer satisfaction 63	parental leave 75–6
multi-skilled 70, 71 (box)	state intervention 13–14
retention 28–9 (box), 85	weekend working 135 (box)
work—life programmes 73 (box)	see also individual countries
see also ideal worker model; workers	Europe, Central and Eastern
Employer Alliance on Work and Family,	annual leave 111
Singapore 54	family support 14
employers	grandparents/parental leave 122, 123
advocacy 54	(box)
Australia 22, 23 (box)	women's participation in labour force
care for elderly 95–6	4–5
childcare provision 68–9 (box), 85–7	see also individual countries
Convention (No. 156) 50	European Commission 124 (box)
cost implications 15	European Council 19, 55 (box), 122, 142
crèche 58 (box)	European Directives
developing countries 45–6	parental leave 111, 122
family friendliness 24–9	part-time work 142
flexitime 149 (box)	European Economic Council 115
part-time work 145	European Foundation 11 (box), 23
pre-school provisions 32 (box)	European Working Conditions Survey
productivity 27	(2000) 11, 132, 147
resisting flexible hours 148 (box)	Eurostat 135 (box)

Evans, R. 25	Fathering Program 62 (box)
Export Processing Zone 6, 48, 134	fathers 12, 81 (box)
	Fathers Support Group 68 (box)
Fagan, C. 20 (box), 23, 59, 129, 130, 132,	fatigue 131–3
138, 144, 144 (box), 145, 147	Faught, L. 95 (box)
Fagnani, J. 45 (box), 78 (box)	federal government employment, US 26-7
Family and Medical Leave Act 114 (box),	Federation of Uganda Employers 120
127 (box), 139 (box)	(box)
family care work/gender inequalities	female carer model 25, 57-60
10–11, 14, 99	fertility rates
Family Code, Cuba 14	Brazil 89, 117 (box)
family events, major 33, 35	industrialized countries 23–4
Family Friendly Agreement Clauses	Latin America 117 (box)
Database 110	pensions 24 (box)
Family Friendly Employer Award,	reduced 5, 48–9
Singapore 54	Fiji 116 (box)
family friendly policies	Fiji Sugar Clerks and Supervisors
absenteeism reduced 27–9, 109	Association 116 (box)
Australia 51–2, 85	financial services 74 (box)
cafeteria approach 66 (box), 67 (box)	Financial Times 63
Canada 52 (box)	Finland
commitment 73, 74 (box)	childcare 16 (box)
communication 71–2	elderly independence 94 (box)
consultation 73	parental leave 125, 144
cost—benefit balance 67 (box)	paternity leave 50
designing programmes 66–7	single-parent families 21
employers 24–9	Flexi-Hour Programme 84 (box)
evaluation/review 69–70	flexibility
gender equality 62	Australia 108 (box)
implementation 69, 73, 74 (box)	cost-effectiveness 27 (box), 147
managers 64	employer resistance 148 (box)
national awards 51–2	laundry services 71 (box)
needs assessment 64–5, 65 (box)	lunch breaks 137–8
organizational culture 63–4	parental leave 125, 126 (box)
productivity 27 (box), 62–3	service provision 135
recruitment 26	trends 147–8
skill levels 28–9	working hours 2, 16, 25 (box), 26 (box),
small and medium companies 70, 71	31 (box), 35, 59, 75, 90, 146–51
(box)	working locations 151–5
stock market 63	in working year 108 (box)
success factors 71–4	flexitime 66, 148–9
trade unions 70	civil service 47 (box)
turnover 62–3	employers 149 (box)
work—family conflict 67–8	Japan 86 (box)
workplace 27, 51, 61–4	Korea 148–9 (box)
family members/childcare 6, 7, 16–17, 76,	OECD 147
89	US 149 (box)
family planning 48–9	flexweeks 149 (box)
family roles 2 (box), 4 (box), 6, 62	Fong, M. 80 (tab)
family schedules 10, 108, 135–6	France
family support services 14	AFEAMA 45 (box)
family wage 3	ageing of population 6–7
see also low-income families	careworkers for elderly 100 (box)

childcare outside school hours 89 (box)	Graham, W.B. 65 (box)
childminders 82 (box)	grandmothers 6, 7 (box), 16–17
dual-income families 6	grandparents 7 (box), 16-17, 16 (box), 76
elderly independence 94 (box)	122, 123 (box)
household employment 78 (box)	Greece 80, 143 (box)
overtime 130	Greenhaus, J.H. 3 (box)
part-time work 143 (box)	Gregg, P. 81 (box)
social welfare systems 14	Greve, D. H. 85
tax relief 45 (box)	Guatemala 40, 41 (box), 45, 82, 83 (box)
women/labour force 4–6, 19–21, 29–30,	Guatemala City 22 (box)
85, 113	Guyana 90 (box)
full-time/part-time work 144–5	Guyunu 70 (box)
run-time/part-time work 144-3	Hantrais, L. 12
Galtry, J. 118–19 (box)	
	Harker, L. 86 (box)
garment industry 31 (box), 85 (box), 152	Hayes, A. 45 (box)
Gemini Consulting 62	Head Start 80, 81 (box)
gender	Healey, A. 73 (box)
culture 11	health care provider 150 (box)
education 17 (box)	health risks 18, 23, 135–6
employment contracts 6	Hein, C. 56 (box)
household tasks 59	Henry Ford Health System 150 (box)
labour division 3, 4, 59	Hertz, T. 102 (box)
wages 6, 100, 141	Hew, C.S. 15 (box)
see also female carer model; male	Hewitt, D. 77–8 (box), 101
breadwinner model	Hewlett Packard 63 (box)
gender equality 37, 37 (box), 58, 62, 76	Heymann, J. 4 (box), 6, 18, 22, 110 (fig),
see also equality of opportunity	136 (box)
gender inequalities 9, 10–11, 14, 57–9, 99	Higgins, C. 8 (box), 27 (box), 40, 132
Gender Promotion Programme, ILO 101,	HIV/AIDS 9, 97, 127 (box)
102 (box), 126 (box)	Hogarth, T. 39 (box)
Germany	Hogg, C. 86 (box)
elderly, care of 13 (box)	holiday camps 90
fertility rates 23	holidays 107 (box), 108–9
home work 152, 153 (box)	see also leave; school holidays
maternity pay 115	Holidays Act, New Zealand 108, 112
parental leave 125, 126 (box), 144	Holidays with Pay Convention (Revised)
pension credits 125	(No. 132) 105, 107, 108, 109–10
re-entry to labour market 49	Holloway, S. 76
school 46	Home and Community Care Program 94
single-parent families 21	(box)
turnover 100 (box)	home as workplace 3, 4 (box)
Ghana 21 (box), 76 (box)	home work 151–2
Gidongo, R. 112 (box)	family responsibility 11, 60, 129
Global Union Federations 30	
	Germany 152, 153 (box)
globalization 7–8	organizations 153 (box)
government	Home Work Convention (No. 177) 151–2
intervention 13–16, 42	Honduras 4, 31 (box)
quality of childcare 88	Hong Kong 78
subsidies for childcare 44	Hoskins, I. 45 (box), 94 (box)
work—family reconciliation 36, 37–8	hospice care 97 (box)
government advocacy 51–3	Hospice Général 93 (box)
government services opening hours 46–7	hospital work 27, 28 (box), 137
Goward, P. 99	Hotopp, U. 154 (box)

Hours of Work (Industry) Convention Responsibilities Convention and (No. 1) 129 Recommendation house-girls 17 (box) implementation household employees 76–9, 101–2 family friendly policies 69, 73, 74 (box) see also domestic workers law/trade unions 55 (box) households, female-headed 21 (box), 22 take-up gap 69 Houston, D. 118 (box) Income Data Services 116, 118–19 (box), Huang, S. 78 (box) 125, 127 (box), 144 (box) Human Resources Development Canada income inequalities: see wages 138 (box), 143 (box) INDEC 21 (fig) human resources policies 15, 18, 19 India Hungary 51–2, 52 (box), 130, 140 children accompanying mother 17–18, Hyundai 112 87 (box) construction sites 17, 86, 87 (box) home work 152 IBM 62, 112, 118 (box) Mobile Crèches 86, 87 (box) Iceland 124, 124 (box), 125 sand mines 18 ideal worker model 25, 57, 58 (box), Indo Phil Textil Manufacturing 85 (box) 59-60 Indonesia 7 (box), 17 (box), 76 (box) IGT 66, 112 Industrial Relations Act, Trinidad and IKEA 25 (box), 74 (box), 143 (box) Tobago 101 illness 18, 33, 96, 96 (box), 97 industrialization 1, 3 ILO (International Labour Organisation) 5, industrialized countries 23-4, 130 39 (box), 41 (box), 50 (box), 125, 133 informal economy 22 (box), 105 information Committee of Experts 57, 58, 114 equality of opportunity 49–50 Conditions of Work and Employment trade unions 54-5, 56 Database 106, 111 (box), 112 information services 92 (box) (box), 120-1 (tab), 123 (box), 133 information technology 107 Institute for Employment Studies, UK 26 (box) Conditions of Work and Employment institutionalization of elderly 94 Programme 143 (box) Inter-American Development Bank 83 Estimates and Projections Databases 5 (box) Internation Brotherhood of Teamsters (fig) union 95 (box) Gender Promotion Programme 101, 102 International Labour Conference (1919) 2 (box), 126 (box) Holidays with Pay Convention (Revised) international labour standards 1, 2 (No. 132) 105, 107, 108, 109–10 International Programme on the Home Work Convention (No. 177) Elimination of Child Labour, ILO 79 151 - 2home workers 153 International Reform Monitor 126 (box) Hours of Work (Industry) Convention International Telework Association and Council 154 (box) (No. 1) 129 Ireland, Northern 85, 86 (box) International Programme on the Elimination of Child Labour 79 Ireland, Republic of 29–30, 53, 53 (box), 55 (box) (box) Part-Time Work Convention (No. 175) Irish Business and Employers' Confederation 53 (box), 54 Programme on HIV/AIDS and the Irish Congress of Trade Unions 29, 30 World of Work 9 (box), 53 (box) work schedules studies 147 Irish Trades Union Congress 55 (box) see also Maternity Protection Italy 23, 78 (box), 142, 143 (box), 144 Conventions; Workers with Family (box), 147

Jamaica 56 (box), 57, 79	kindergartens 42, 83
Japan	KK Women's and Children's Hospital 28
ageing population 7	(box)
carer's leave 126, 127 (box)	Kodz, J. 8, 62, 69, 132, 133
Child Care and Family Care Leave Act	Kogi, K. 86 (box)
127 (box)	Korea, Republic of
day care 43, 84 (box)	ageing population 7
family friendly policies 51–2, 85	cafeteria approach 66 (box)
fees/income 44–5	children home alone 18 (box)
fertility rates 23	flexitime 148–9 (box)
flexitime 86 (box)	grandparents 16–17, 16 (box)
holidays 107 (box)	Hyundai 112
IBM 112	ideal worker model 57, 58 (box)
overtime 130, 131	school meals 88–9
parental leave 123 (box)	women in labour force 4, 19
part-time work 140	
	working hours 131, 133 (box)
pensions 36 (box)	Krouse, M.K. 91
women in labour force 19	1 1 D : (C W 1: E :: 110A
women workers 85, 86 (box)	Labor Project for Working Families, USA
work—family conflict 36 (box)	46 (box)
working hours 132, 133 (box)	labour division, gendered 3, 4, 59
Jikunan, C. 40 (box), 85 (box)	labour force participation/gender 4–6,
job protection 58	19–21, 29–30, 85, 113
job-sharing 66, 146	labour inspectorates 40, 41 (box), 101
Australia 71 (box)	labour law, Russian Federation 40 (box)
UK 56	labour market
US 25 (box), 146 (box)	equality of opportunity 2
Johnson, SC 74 (box), 134 (box)	gender inequalities 58
Judge Institute of Management 27 (box)	participation rates 38
	re-entry 49
Kabeer, N. 87 (box)	supply/demand 11
Kakira Sugar Works 87 (box), 112 (box),	withdrawal from 11, 19-20
117 (box)	Labour Relations Act 102 (box)
Kakonde Tea Estates 87 (box)	labour rights 101
Kamerman, S.B. 7 (box), 16 (box), 17	labour-saving technology 48
(box), 83, 87	lactation breaks 68 (box), 119
Karega, R.G.K. 18, 44 (box), 77 (box),	Lakati, A. 17 (box)
117 (box)	Laos 7 (box)
Katsimi, M. 143 (box)	lateness 27–9
Kelegama, S. 85 (box)	Latin America
Kenya	community homes 82, 83 (box)
childcare 17 (box)	female-headed households 21 (box)
childcare duties/education 17 (box)	fertility rates 117 (box)
	• • • • • • • • • • • • • • • • • • • •
female-headed households 21 (box)	maternity benefits 116, 117 (box)
flexible working hours 147	women/labour force 4
household employees // (box)	see also individual countries
maternity leave 117 (box)	Latvia 21, 123 (box), 130
pre-schools 42, 44 (box)	laundry services 48 (box), 71 (box), 152
primary schools 44 (box)	leaders as role models 73
Railway Workers' Union 117 (box)	leave
travel time 9 (box)	annual 105–10, 111
Kim, H. and T. 16 (box), 18 (box), 66	carers 111 (box)
(box), 89, 149 (box)	duration 113

emergency cover 109–12 leave trap 125	male breadwinner model 3, 4, 20–1, 25, 29, 57
paid 2	malnutrition 131
*	
school holidays 31 (box)	Malta 148 (box)
without pay 108 (box)	managers 7–8, 64, 74 (box)
see also maternity leave; parental leave;	Marks, G. 118 (box)
sick leave	marriage 5, 14
Leave Compensation 127 (box)	marriage breakdown 5
leave entitlements 34, 35, 41, 105, 107,	Marriott International 72 (box)
114	maternity benefits 116
Lebanon 79	maternity leave 43, 105, 113, 114 (fig)
Lee, S. 132, 133 (box)	absence of 10
legislation	abuses of 40
collective bargaining 39	Australia 14, 23 (box), 55 (box)
Malaysia 39, 40 (box)	Austria 36 (box)
maternity leave 39-40	collective bargaining 41
part-time work 143 (box)	cost implications 15
working conditions 61	developing countries 15
working hours 133 (box)	duration 114 (fig)
Leprince, F. 78 (box), 82 (box)	job protection 35, 58
Lesotho 9	keeping in touch 118
Lewis, S. 64	Kenya 117 (box)
liberal state regimes 14, 15, 51	lack of 14
life-cycle effects 20	Latin America 117 (box)
Lilly 149 (box)	legislation 39–40
Lin Yongsan 77–8 (box)	trade unions 116 (box)
Lipponen, Paavo 50	turnover 26
Lisburn Health and Social Services Trust	Uganda 117 (box)
86 (box)	maternity pay 115–17
Lithuania 123 (box)	Maternity Protection Convention (No. 3)
location of work 34, 151–5	2, 113 Motomity Protection Convention (Povised
Lohkamp-Himmighofen, M. 13 (box), 36	Maternity Protection Convention (Revised
(box)	(No. 183) 41, 113–14, 115, 119,
Lokshin, M. 17 (box), 80 (tab)	169–75
long-hours culture 132–3, 133 (box)	Maternity Protection Recommendation
Los Angeles 62 (box), 68 (box)	(No. 191) 115, 175–7
low-income families v, 6, 22, 109–10, 131	Mathi, B. 13 (box)
lunch breaks 137–8	Mauritius
lunchtime discussions 68 (box)	child left alone 18
	childcare by relatives 76 (box)
	Export Processing Zone 48
McCann, D. 40, 56 (box), 130, 142	flexible working hours 147, 148 (box)
Madagascar 87, 112 (box)	Ministry of Labour and Industrial
Maintenance of Parents Act, Singapore 13	Relations 39 (box)
(box)	national discussion 56 (box), 57
Makkai, T. 12	overtime 134
Malawi 9	part-time work 140–1
Malaysia	Mauritius, University of 39 (box), 134,
Banking Union 120 (box)	141, 148 (box)
childcare 7 (box), 15 (box), 85 (box)	Mbilinyi, M. 17 (box)
household employment 78	men
legislation 39, 40 (box)	childcare workers 99, 100
teleworking 154 (box)	family roles 62

household tasks 11	Netherlands
Nordic 59–60	carers 100 (box)
parental care 59–60	Daily Routines project 50 (box)
part-time work 140	doctor's appointments 47 (box)
Mendels, S. 107 (box)	employers' tax relief 46 (box)
mental health 131	Ministry of Social Affairs and
Messenger, J.C. 56 (box), 149 (box)	Employment 50 (box)
Mexico 79, 116 (box), 117 (box), 131	parental leave 125, 126 (box)
Michigan Blue Cross-Blue Shield 96 (box)	part-time work 139-40, 142
Michigan Childcare Futures Project 98, 99	pension credits 125
(box)	terminal illness 127 (box)
migrant workers 92, 101	utilizing infrastructure 48
migration 6	Work and Care Act 111 (box), 120
Millipore Corp. 73 (box)	Working Time Act 144 (box)
Ministry of Community Development and	New York City 46 (box)
Sports, Singapore 20, 28 (box), 52	New Zealand 108, 112, 118 (box), 122
(box)	Ng, C. 154 (box)
Ministry of Labour and Industrial	NGOs (non-governmental organizations)
Relations, Mauritius 39 (box)	43, 55 (box)
Ministry of Manpower, Singapore 47	night work 136 (box)
(box), 77 (box)	non-intervention 16–24
Ministry of Social Affairs, Denmark 93	Nordic states 13 (box), 16 (box), 24, 42–3,
(box), 98 (box)	59–60
Ministry of Social Affairs and	see also individual countries
Employment, Netherlands 50 (box)	Norway 124
Moghadam, V.M. 8, 58 (box)	childcare 16 (box)
Mohammed, Z. 96 (box)	fathers/parental leave 124 (box)
mothers 20, 59, 81, 118	pension credits 125
see also maternity leave	social welfare systems 14
Mukhopadhyay, S. 7 (box)	subsidies for childcare 42–3
Müller Kucera, K. 20	nursing homes 92 (box)
multilingual hotline 72 (box)	_
Mumford, K. 56, 123	OECD (Organisation for Economic Co-
	operation and Development) 116
Nairobi 9 (box), 17 (box), 18	(box)
Namibia 9, 21 (box)	2001 61, 80 (tab), 138
National Childhood Strategy, OSHC 89	2002 46 (box), 110, 111, 117, 120
(box)	2003 113, 139–40
National Conference on Work and Family,	Employment Outlook 140 (fig)
Jamaica 56 (box)	family friendly policies 85
National Education Guidelines Law, Brazil	flexitime 147
43 (box)	household employment 78
National Garment Workers' Federation,	leave trap 125
Bangladesh 102 (box)	work—family reconciliation 22, 24
National Network of Homeworkers in the	young children 43
Philippines (PATAMABA) 152, 153	Office of National Statistics, UK 76
(box)	old people's homes 92 (box)
National Service for Women, Chile 38–9	Ondrich, J. 125
(box)	one-child family policy 14
National Trades Union Congress,	Opportunity Now group 86 (box)
Singapore 44 (box)	organizational culture 63-4
Nepal 79 (box), 152	out-of-school-hours childcare clubs 89
Nesporova, A. 140	(box)

overtime 130, 131, 132, 134	NGOs 55 (box)
overwork 132	pre-school provision 79
	Peters, D. 8
Pakistan 4, 17–18, 152	Pétursdóttir, G.M. 124 (box)
Parella Rubia, S. 78 (box), 92, 101	pharmaceutical industry 25 (box), 149
parental leave 14, 35, 43, 122–6	(box)
collective bargaining 123	Philippines
duration/payment 123	grandparents/childcare 7 (box)
Europe 75–6	home work 152, 153 (box)
European Directive 111	household employment 78
flexibility 125, 126 (box)	Indo Phil Textil Manufacturing 85 (box)
gender equality 58, 76	PATAMABA 152, 153 (box)
grandparents 122, 123 (box)	Phillips, G. 10
part-time 144	piece rates 152
return to work 125	Poelmans, S. 63 (box)
scope 122–3	Poland 111 (box), 130, 140
social security benefits 124–5	population structure 23–4, 38, 94
take-up rate/gender 123–4	Portugal 37 (box), 133 (box), 142, 143
trade unions 56	(box), 147
UK 40 (box)	poverty v, 22, 45, 81 (box), 82
part-time work 138–40	pre-school provision 79–80
absenteeism 145	Brazil 32 (box), 42, 43 (box), 88
collective bargaining 143 (box)	Canada 81
employers 145	child development 80–1
gender 11, 59, 139–40	employers 32 (box), 85–7
legislation 143 (box)	facilities 81–4
parental leave 125, 126 (box)	Kenya 42, 44 (box)
Portugal 37 (box), 142, 143 (box)	partnership 44 (box)
productivity 145	quality/cost 87–8
quality 141–2	Spain 36 (box), 42
Recommendation (No. 165) 60, 141–2,	pregnancy/dismissal from work 40, 41
144	(box)
retail trade 145	Press, F. 45 (box)
returning to full-time 144–5	Presser, H.B. 135 (box), 136
welfare benefits 25 (box), 141–2, 143	Pricewaterhouse Coopers 133 (box)
(box)	primary schools 44 (box)
Part-Time Work Convention (No. 175)	private—public partnerships 98, 99 (box)
142, 144	private sector 42, 43
participation in labour market	productivity
childcare 23	employers 27
temporary withdrawal 11, 19–20	family friendly policies 27 (box), 62–3
women 4–6, 19–21, 25 (box), 29–30,	fatigue 132–3
113	parents 18, 136–7
partnership, pre-school provision 44 (box)	part-time work 145
paternity leave 50, 105, 112, 120–1	teleworking 155
pensions 24 (box), 36 (box), 41–2	US 145
People's Daily 137 (box)	working hours 133
Perista, H. 143 (box)	psychiatrically impaired elderly 94
Persian Gulf countries 78	public holidays 106–7
Peru	public sector 125
children accompanying mother 17–18	public transport 8, 9 (box)
community homes 82, 83 (box)	puone transport o, 7 (box)
domestic workers 101, 102 (box)	quality of care 42 91 97 9
domestic workers 101, 102 (00x)	quality of care 42, 81, 87–8

Raelison, E. 87	service sector 134
Railway Workers' Union, Kenya 117 (box)	Seychelles 112 (box)
Ramirez-Machado, J.M. 101	Sharma, S. 79 (box)
re-entry to labour force 49, 117-19	sheltered housing 92 (box), 94
Recommendation No. 191 115	shift swapping 137 (box)
recruitment 26	shift work 135, 136–7, 151
religious institutions 43	sick leave 110, 111 (box)
République Tunisienne 141 (box), 148	Singapore
(box)	childcare centres 83
resource and referral programme 95–6	civil service 47 (box)
resource kits 55 (box)	elderly, care of 13 (box)
respite beds 92 (box)	Employer Alliance on Work and Family
respite care 93 (box)	54
responsibility, social/personal 24	Family Friendly Employer Award 54
Retail Wholesale and Department Store	family friendly policies 51–2, 52 (box)
Union 96 (box)	government advocacy 51–3
	•
retailing sector 28–9 (box), 145	hospital work 27, 28 (box)
retirement 41–2	household employees 77 (box)
return to work 118–19 (box), 125	Maintenance of Parents Act 13 (box)
Rice, A. 52 (box)	Ministry of Community Development
rights	and Sports 20, 28 (box), 52 (box)
information 50	Ministry of Manpower 47 (box), 77 (box)
labour 101	NTUC 44 (box)
workers 40	NTUC Childcare 84 (box), 89, 90 (box)
Rio de Janeiro 9 (box)	NTUC Elder Care Cooperative 95 (box)
Rizzo, S. 148 (box)	trade unions 44 (box), 89, 90 (box)
Rochon, C.R. 52 (box)	tripartite committees 53 (box)
routines, work/family 33, 35, 129	women in labour force 19–20, 85, 86
Rowbotham, S. 152	(box)
Royal Ministry of Children and Family	Work—Life Unit 51 (box)
Affairs, Norway 124 (box)	Singh, R. 3 (box)
Rubery, J. 22, 23, 36	single-parent families v, 21, 22
rural—urban migration 79	Singles-Friendly Workplace Corporate
Russian Federation 40 (box), 123 (box),	Leadership Award 67 (box)
124	skill levels 28–9, 145
	Slovak Republic 140
Sabates-Wheeler, R. 87 (box)	small and medium companies 52 (box),
Sadasivam, B. 45, 83 (box), 87 (box)	69–70, 71 (box)
San Salvador 86, 87 (box)	social security 41
sand mines 18	disincentives 36 (box)
Sato, H. 127 (box)	employment record 11
scale economies 68	maternity leave 115
Scandinavia: see Nordic states	Nordic states 42
Schiek, D. 115	parental leave 35, 124-5
school holidays 31 (box), 90, 108	part-time work 143 (box)
school hours 10, 46	social welfare systems 14
school meals 88–9, 89 (box)	socialist regimes 14
self-employment 2, 11, 17 (box), 77, 105	Solomon, C.M. 62 (box), 68 (box)
Semakafu, A. 17 (box)	Sorj, B. 7 (box), 21, 21 (fig), 41 (box), 43
Senegal 147	(box), 77 (box), 88, 89, 140, 147, 151
SERNAM 50 (box)	(box)
Service Employees International Unon 96	South Africa 9, 45, 77 (box), 101, 102
(box), 103 (box)	(box)

South African Domestic Service and Allied Workers Union 102 (box)	Textile, Garment and Leather Workers' Federation 31 (box)
Spain 36 (box), 42, 63 (box), 78 (box)	Thailand 7 (box), 9 (box), 79, 131
split shift couples 136	Thenge, M. 87 (box), 112 (box), 117 (box)
Spurgeon, A. 131	Thomas, C. 90 (box)
Sri Lanka 78, 85 (box), 152	time—money squeeze 9–10
staff cooperatives 48 (box)	time banking 35, 108–9, 149–50, 150
*	and the second s
staff retention 28–9 (box), 85	(box)
Stapinski, H. 74 (box)	time flexibility 108–9
state enterprises 14	Todaya D. 59 (hay) 116 (hay) 117 (hay)
state intervention 13–16, 38, 39, 42	Todaro, R. 58 (box), 116 (box), 117 (box)
Statistics South Africa 77 (box)	trade unions
stock market 63	advocacy 54–6
street vendors 87 (box)	Australia 30–1
stressors 131	care facilities 44 (box), 95–6
Student's Place 89, 90 (box)	developing countries 31
subcontracting 152	domestic chores 48
subsidies	domestic workers 101–3
childcare 42–4, 85, 86 (box), 90 (box)	family friendly policies 70
school meals 89 (box)	home carers 103 (box)
sugar plantation workers 10, 17 (box)	implementation of law 41, 55 (box)
see also Kakira Sugar Works	increased visibility 32
Sung, S. 58 (box)	information 54–5, 56
Swaziland 9, 21 (box)	maternity leave 116
Sweden	part-time work 142
childcare 16 (box)	resource kits 55 (box)
dual-income families 6	Student's Place 89, 90 (box)
elderly independence 94 (box)	UK 31, 55 (box)
gender equality 37 (box)	US 96 (box), 146 (box)
HIV 127 (box)	women members 29–30
Leave Compensation 127 (box)	working conditions 30–1
overtime 130	see also collective bargaining
parental leave 124, 125, 126 (box), 144	Trades Union Congress, UK 31, 55 (box)
pension credits 125	training 26, 66, 73, 74 (box)
re-entry to labour market 49	Trans America Corporation 91
single-parent families 21	transition countries 130, 131 (fig), 140
social welfare systems 14	transport problems 47–8
subsidies 42–3	
Swedish National Social Insurance Board	Transport Workers Union 46 (box)
	travel time 8, 9 (box), 47–8, 150–1
126 (box)	Trinidad 101
Switzerland 20, 49 (box), 93 (box), 125	tripartite committees 53 (box)
Sydney Water Corporation 111	Tsakloglou, P. 143 (box)
Syria 4	Tunisia 141 (box), 147, 148 (box)
	Turkey 8
	Turner, D. 40 (box)
take-up rate 69, 123–4	turnover of staff
Tam, M. 141 (box)	careworkers 99
Tamplin, S. 76	costs 25–6, 70 (box)
Tanzania 10, 17 (box)	family friendly policies 62–3
Tate, J. 152	Fathering Program 62 (box)
taxation policy 45–6, 98 (box), 116	Germany 100 (box)
teleworking 2, 66, 129, 153-5	maternity leave 26
terminal illness 127 (box)	reductions 25 (box)

Uganda	work pressures 8
childcare facilities 86, 87 (box)	working hours 26 (box), 55 (box), 130
children accompanying working mother	see also Department of Trade and
87 (box)	Industry
collective agreements 112 (box)	United Nations 4, 17
maternity leave 117 (box)	United Nations Development Fund for
paternity leave 120 (box)	Women (UNIFEM) 153
Ukraine 123 (box)	United States of America
under-utilization 19–20	AFL-CIO 46 (box), 55 (box)
	annual leave 106
underemployment 28, 140 UNECE Gender Statistics Database 21	
	carer's leave 126, 127 (box)
(fig)	childcare by relatives 76 (box)
unemployment 28, 49	Department of Labor 139 (box)
UNESCO 79	dual-income families 6
Unions for Women Campaign Kit 30	Family and Medical Leave Act 114
UNITE 143 (box)	(box), 127 (box)
United Auto Workers 96 (box)	family work roles 4 (box)
United Kingdom	federal government employment 26–7
care allowances 45 (box)	flexibility 147
childcare 19, 20 (box), 89 (box)	flexitime 149 (box)
communication failures 72 (box)	Head Start 80, 81 (box)
DfEE 89 (box)	hospital work 137
dual-income families 6	IKÉA 25 (box), 74 (box)
Employers for Work—Life Balance 54	Internation Brotherhood of Teamsters
(box)	union 95 (box)
employers' tax relief 46 (box)	job-sharing 146 (box)
Employment and Equal Opportunities	leave benefits 110 (fig)
53 (box)	low-income families 22
fathers' roles 12	maternity leave lacking 14
full-time work 141 (box), 144 (box)	overtime 130
government advocacy 51–3	part-time work 143 (box)
household employment 78 (box)	productivity 145
	Service Employees International Unon
human resources policies 15	
IBM 118 (box)	103 (box)
Institute for Employment Studies 26	single-parent families 21
management training 74 (box)	subsidies for childcare 44
mothers returning 118, 118 (box)	teleworking 154 (box)
Office of National Statistics 76	trade unions 96 (box), 146 (box)
overtime 130	turnover reductions 25 (box)
overwork 132	United Auto Workers 96 (box)
parental leave 40 (box), 123	voluntary family friendly policies 85
part-time work 140, 141 (box), 144	weekend working 135 (box)
(box)	urbanization 6
small and medium companies 69-70	Uruguay 116 (box), 117 (box), 131
tax/maternity pay 116	
teleworking 154 (box)	Van Bastelaer, A. 19
trade union benefits 30	Vaughan-Whitehead, D.C. 130
TUC 31, 55 (box)	Venezuela 4
turnover reductions 25 (box)	Viet Nam 7 (box)
voluntary family friendly policies 85	voluntary work—family measures 22–3, 85
women's paid/unpaid work 20 (box)	y
work—family measures 19	wages
Work—Life Balance 2000 39 (box), 51	careworkers 99, 100
31K Elie Balance 2000 37 (00A), 31	

continuous employment record 11 gender 6, 100, 141	Work—Life Balance 2000, UK 39 (box), 51, 53 (box)
girls in education 17 (box)	work—life conflict 8 (box), 27 (box), 40
household employment 77–8 (box)	Work—life Harmony Programme 63 (box)
inequality 22	work—life programmes 73 (box)
low-income families 6, 22, 109–10, 131	Work—Life Unit, Singapore 51 (box)
Wall Street Journal 63	Work and Care Act, Netherlands 111
Washbrook, L. 81 (box)	(box), 120
Wazir, R. 18	Work and Family Awards, Australia 118
welfare benefits 25 (box), 141–2, 143	Work and Family Campaign, ACTU 55
(box)	(box)
Wessel, H. 150 (box)	Work Foundation, UK 78 (box)
Whitehead, A. 4	work schedules 34
Whitehouse, G. 154, 155	asocial hours 134–7
Williams, B. 9 (box), 59	childcare cover 84
women	flexibility 48
career opportunities 11	ILO studies 147
carer model 25, 57–60	routines 129
civil servants 141 (box)	school-age children 88–90
double burden 10, 23, 57	work-week, compressed 150–1
education 6	workers 40, 67
human resources policies 19–20	see also employees
independent 5, 20–1, 22	workers' organizations 50
labour force participation 4–6, 19–21,	Workers with Family Responsibilities
29–30, 85, 113	Convention (No. 156) v, 2, 57,
paid/unpaid work 20 (box)	157–61
part-time work 139–40	care services 42
public transport 8, 9 (box)	discrimination at work 10–11
trade unions 29–30	employers' organizations 50
Tunisia 141 (box)	equality of opportunity 33, 37, 39,
see also gender; gender inequalities	49–50
Women and Employment 49 (box)	re-entry to labour force 49
work, paid/unpaid 16–17, 20 (box), 58	workers' organizations 50
(box)	Workers with Family Responsibilities
work—family conflict v, 1, 2 (box), 7–8	Recommendation (No. 165) 2, 38,
developing countries 15–16	46, 60, 98, 162–8
expanded 56–7	asocial hours 136
family friendly solutions 67–8	carer's leave 126
Japan 36 (box)	long-hours 132
mother's employment 20	parental leave 122
problems 33, 34 (tab)	part-time work 60, 141–2, 144
working hours 129	working hours 146
workplace 24	workforce, demography 65
work—family reconciliation 2 (box), 36	working conditions
family planning 49	adaptation 66
flexitime 149	careworkers 99–100
government 36, 37–8	family-unfriendly 25
Nordic states 24	legislation 61
OECD 22	state 38, 39
teleworking 154	trade unions 30–1
work—family units 37, 51 (box)	working hours 7–8, 129–31
work—life balance 26, 54–5, 55 (box),	annualized 36
132	asocial 134–7

workplace Australia 74 (box), 130 (box) childcare facilities 86 (box) childcare cover 83-4 collective bargaining 130 collective bargaining 61 culture 11, 12 culture 59-60 family friendly policies 27, 51, 61-4 family schedules 10 flexibility 2, 16, 25 (box), 26 (box), 31 work—family conflict 24 (box), 35, 59, 75, 90, 146–51 Workplace Employee Relations Survey industrialized countries 130 56 Japan 132, 133 (box) World Commission on the Social Korea 131, 133 (box) Dimension of Globalization v World Health Organization 119 legislation 133 (box) long-hours culture 132–3 World Wide Web 56 loss of 91 low-income families 131 Xerox 67 (box), 143 (box) productivity 133 Recommendation (No. 165) 146 Yeandle, S. 72 (box), 74 (box) Year of the Family v staggered 151 UK 55 (box), 130 Yoo Yang factory 31 (box) work—family conflict 129 Zambia 9 working locations 151-5 Working Time Act, Netherlands 144 (box) Zimbabwe 21 (box)