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Gender equality and family policies: factors and implications

National Family Allowances Fund (CNAF)
Paris
Technical Commission on Family Benefits

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Gender equality and family policies: factors and implications¹

National Family Allowances Fund (CNAF)
Paris

Technical Commission on Family Benefits,
International Social Security Association
Geneva

Gender equality is more than just a matter of ethics and fairness: in enabling women to take part in the labour market, it is also a prerequisite for sustainable development, economic growth, and hence the sustainability of social protection systems.

In the OECD countries, the non-inclusion of women in employment leads to a loss of investment in human capital, given that women have comparable and sometimes higher levels of qualification than men. Countries more inclined towards gender equality have birth rates that allow for long-term demographic and economic renewal, which in turn helps finance pensions.

For social protection systems and family policies, women's participation in the labour force reduces spending (due to lower levels of poverty for women and children), increases revenue (from contributions) and thus ensures a better financial balance.

Despite this, women are less likely to be employed and are therefore less economically independent. When they are in employment, their incomes are generally lower than those of men. As a result, they and their children are more exposed to poverty when they must bear the burden of childcare single handedly (70 per cent of those living on less than 1 US dollar (USD) per day are women).

Social policies in general, and family policies in particular, can either accelerate or slow down the processes of women's empowerment and inclusion in the labour market.

This report is based on the situation in European countries with developed social protection systems and statistical data from the OECD and Eurostat on the one hand, and Latin American countries, with a long-standing tradition of conferences and resolutions on the subject, alongside information on approaches and statistics from the Economic Commission for Latin America (ECLAC) on the other hand.

The report's aim is to analyze family policy mechanisms and services that either promote or inhibit gender equality. It highlights:

- The increasing attention being paid to gender equality at both European and international level (1);
- The persistence of deep inequalities between men and women in terms of the distribution of domestic and parental tasks and care roles, affecting women's participation in the labour market and exceeding levels of poverty among women as opposed to men (2);

¹ Summary of a 70-page report submitted to ISSA, with extensive statistical data and citations of all sources used.

- The role social protection systems and family policies in particular can play to exacerbate or diminish these inequalities (3);
- Some proposals for developing guidelines for social protection promoting gender equality (4).

1. Gender equality: an issue receiving growing attention at international level

1.1. At European level

European law on gender equality has gradually developed since 1957 (with the advent of the principle of equal pay) and 1999 (legal basis for a gender mainstreaming strategy) alongside the Charter of Fundamental Rights of the European Union.

The EU has a multi-annual strategy for gender equality (the current strategy runs from 2016 to 2019), covering a range of areas (equal pay, equality in decision-making, ending sexual violence, etc.).

1.2. At international level

1.2.1. The main international texts

- From the ILO Constitution of 1919 to the ILO Action Plan 2018-2021

In 1919, the ILO Constitution defined gender equality and non-discrimination as core principles and called for equal pay for men and women for work of equal value. Up to 1981, four main conventions were adopted on maternity protection, equal pay, the fight against discrimination and the protection of workers with family responsibilities.

- UN action

The International Covenant on Economic, Social and Cultural Rights (1976) grants women the right to social security and social insurance on an equal footing with men and without discrimination. Gender equality is identified as a goal to be achieved in the 2030 Agenda for Sustainable Development Goals (UN, 2015).

1.2.2. Texts and commitments specific to Latin America and the Caribbean

The Latin American and Caribbean states have been meeting continuously since 1928² to commit to fighting gender inequalities and move towards guaranteeing full autonomy and human rights for women and girls.

Most recent among the many texts and resolutions adopted are the *Santo Domingo Consensus* (2013) and the *Montevideo Strategy* (2016) for the implementation of a regional gender agenda within the framework of sustainable development up to 2030 (UN-ECLAC), with particular emphasis on gender equality through the redistribution of unpaid work. These texts call for progress towards the universalization of integral, high-quality systems of protection and social security and for the closing of the gaps between contributory and non-contributory social protection and gender inequalities in labour markets.

² The year of the creation of the Inter-American Commission of Women by the Organization of American States in Havana.

2. Some statistical data

In Europe as in Latin America, there is still significant gender inequality in the distribution of work within couples and in the labour market, especially for care (*cuidado*) tasks.

Gender inequality in the labour market is both quantitative (less labour market participation by women over their entire working life) and qualitative (jobs that are more likely to be part-time, informal and less well paid). Women are thus more affected than men by poverty.

2.1. The distribution of domestic and parental tasks

The distribution of domestic and parental tasks remains heavily gender-based in both Europe and Latin America. While their participation in the labour market has increased, women continue to spend more time than men on unpaid work.

- In Europe

In OECD countries, the difference in unpaid work time between men and women averages 14 hours per week: women spend the same amount of time doing paid and unpaid work, whereas men's unpaid work represents only a quarter of their paid work time. Domestic and care tasks are the most unequally distributed: for childcare, the difference is 27%. Even when women are in employment, the ratio of time spent on domestic and household tasks by women doubles that of men and widens with the arrival of a child.

- In Latin America

Women spend about half as much time on paid work as men, while men spend between half and a quarter as much time on unpaid work as women, as in the average OECD country.

2.2. Women's place in the labour market

The unequal distribution of domestic and family tasks results in pronounced gender differentials in terms of employment rates, pay and pensions.

In Europe, women's labour market participation rate is among the highest in the world – but with large disparities between countries. In Latin America, labour market participation rates are lower and informal employment is widespread, particularly in rural areas and in the domestic service sector.

Where care work is part of the labour market, in both Europe and Latin America it is still mainly carried out by women in three sectors of the economy: paid domestic work, healthcare and education.

- In Europe

Women's employment rates are rising, but remain lower than those of men (an 11.5 per cent difference in 2017). Women are overrepresented in the lowest-paid sectors (services in particular), in the public sector and in part-time³ or insecure jobs. They spend an average of five years less than men in the labour market. Wage gaps between men and women average

³ 33 per cent of women and 8 per cent of men work part-time (EU average 2016)

14 per cent for singles, 38 per cent for couples with children, and 40 per cent for single parents. Women's pensions are 37 per cent lower than those of men.

- In Latin America

Women's participation rate was on the rise until 2007 but has since stagnated; the gaps between men and women are highest among the lowest-skilled workers. The care sector for children and dependent adults (education, healthcare, social work and domestic work) is an important source of employment for women: 28 per cent of female employees work there compared to 5 per cent of men.

2.3. Gender poverty gaps

Differences in labour force participation rates and differences in exposure to the risks of poverty between the sexes are linked, with women being particularly vulnerable to family breakdown or retirement.

- In Europe

The risk of poverty for women and men is roughly equivalent, but is particularly high for single-parent families, in which the parent tends to be a woman (46 per cent compared to 20 per cent for couples with children), and for women over 75 years old.

- In Latin America

The poverty rate among households headed by women aged between 20 and 59 has increased by 11 points in 12 years. More than a third of women over the age of 15 have no personal wealth. As in Europe, single-parent households make up a large share of the poorest households. The poorest households are female-headed households with dependents, limiting the availability of women for paid employment.

3. The impact of social protection and family policies on gender equality

3.1.1. Autonomous rights and derived rights: how individualized are social rights?

Social protection systems are constructed on various principles in terms of the way family situations are taken into account in the allocation of social rights. In family-based systems, which were originally linked to a negative view of women's employment, rights are granted at family or household level: an insured person possesses rights not just for him/herself, but also for his/her spouse and children (the beneficiaries do not pay any contributions themselves). The tax system is based on joint taxation of income.

In individualized systems, every adult citizen possesses rights for him/herself. Separate taxation of income avoids discouraging female employment.

3.1.2. Convergence towards individualization?

In Europe, a convergence towards individualization (particularly for taxation) has been seen since 2007. This was initiated by the European Union in 1987, and then in 1997 in a communication entitled *Modernising and improving social protection in the European Union*.

3.2. Compensation for the consequences of breaks from work due to the birth of a child: family leave policies

The family leave policy brings together four types of leave (maternity, paternity and parental leave and, more marginally, family leave) which have diversified impacts on gender equality.

3.2.1. Maternity leave

The ILO recommends granting at least 14 weeks of maternity leave with a guarantee of return to work to avoid a lasting break with the labour market.

If the leave is too short, mothers may not feel ready to return to work, and may give up their jobs. On the other hand, leave that is too long can undermine women's competitiveness in the labour market.

If the responsibility for paying for such leave lies entirely with the employer, this can prove to be an obstacle to the employment of women of childbearing age. It is therefore desirable for maternity leave to be financed by a social security system.

In 2014, out of 98 countries, 53 per cent had leave of at least 14 weeks. Fifty-eight per cent funded such leave through social security and 45 per cent paid women at least two-thirds of their previous income during this period.

- In Europe

A European directive of 1992 provides for the right to 14 weeks of maternity leave. Varying between 14 and 43 weeks depending on the country, and accompanied by a guaranteed return to employment, it is remunerated at a satisfactory level in the great majority of countries (although the rate of compensation varies between 31 and 100 per cent). Depending on the country, maternity leave and parental leave may be separate or a single scheme (Sweden).

- In Latin America

Maternity leave is guaranteed in all Latin American countries, although the duration varies from one country to another. Out of 20 countries studied, only 9 have leave of 14 weeks or more.

3.2.2. Paternity leave

In both Europe and Latin America, paternity leave is a more recent introduction than maternity leave. It is potentially beneficial for gender equality, but its level of remuneration determines fathers' use of it and hence its actual impact. In 2014, 70 out of 167 countries granted paid paternity leave.

- In Europe

The work-life balance directive adopted on 4 April 2019 creates the right to paternity leave of 10 days to be taken at the time of the birth.

In countries where parental leave is at least partly non-transferable, the non-transferable portion of leave is very similar to paternity leave intended to involve the father in the upbringing of the child.

- In Latin America

In Latin America and the Caribbean, less than half of the countries grant paternity leave, and such leave never exceeds 15 days.

3.2.3. Parental leave

Durations of paid parental leave vary across OECD countries.

- In Europe

Having been designed in most cases without regard to gender equality, parental leave often has a negative effect on mothers' employment.

Even where there is an egalitarian perspective, as in Sweden, such leave is still mostly taken by mothers, with fathers accounting for no more than a quarter of leave taken in terms of time.

A long period of leave can make it harder to return to the labour market, risk leading to a permanently part-time job in the case of part-time leave and adversely affect women's pay prospects.

The negative effect of parental leave on gender equality is minimized when the leave:

- is accompanied by a guarantee of return to the same or at least equivalent employment;
- is of fairly short duration;
- encourages sharing between parents by being paid at a proper level and by including a period which is reserved for the father (quota, bonus);
- is combined with taking part-time leave;
- is linked with the provision of childcare facilities.

- Latin America and the Caribbean

Only three countries have a system of parental leave following maternity leave that can be used by mothers or fathers: Chile, Cuba and Uruguay.

3.2.4. Leave for sick children and care giversleave

- Leave for sick children

In Europe, only eight countries give the right to ten days or more of leave for sick children every year. The leave is usually paid at a high rate.

In Latin America and the Caribbean, very few countries have the possibility of family leave for reasons other than maternity, for example to care for a child or other family member.

- Leave for family care givers for the elderly

Regardless of the country, the responsibility of caring for the dependent elderly falls mainly on their families, and especially on women (85 per cent).

Care for the dependent elderly and how it can be balanced with the careers' working lives will become increasingly important as the number of dependent elderly grows.

The issue of leave for active care givers is a growing concern in a number of countries that are still to experience it. The *Directive on work-life balance for parents and care givers* adopted by the European Parliament provides for a right to five working days of care givers leave per year and encourages Member States to grant a right to an ‘adequate allowance’ during the leave. At least 18 countries in the European Union have established leave of at least five days per year; in 15 of these countries, the leave is paid.

3.3. Care for children and dependents

3.3.1. A cross-cutting issue

Care for children and dependents is a cross-cutting challenge in attaining work-life balance, but is dealt with on a sectoral basis in most countries: care for young children, extracurricular services, care for the disabled and care for the dependent elderly.

In Latin America, an integrated approach to these care services is taken by various countries, at the instigation of ECLAC in particular.

Uruguay has the most successful cross-sectoral system, with a national care provision scheme for children and the dependent elderly within the framework of the country’s social protection system, complementing health policy, the education system and the social security system.

Many Latin American and Caribbean countries confine their support to the protection of employed mothers and the provision of compulsory education. Out-of-home care services are provided almost exclusively by the market and without help, poor households cannot afford them.

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3.3.2. Care for children under six years

- In Europe

All European countries offer almost universal coverage for children from three to six years old, and in France, pre-schooling becomes compulsory from the age of three in September 2019. On the other hand, care for children under the age of three is very variable in terms of both quantity and quality; however, at the instigation of the European Commission, there is a shared recognition of the urgent need to develop such care provision. Some countries recognize a statutory right to a certain type of care provision, but the rate of coverage of 33 percent was only achieved in twelve Member States in 2016.

The respective shares of collective care and individual care across all care types vary from country to country. Individual care is still largely informal, without any social security coverage or contributions; this penalizes the women who make up the bulk of the sector’s employees.

Care provision was in many cases originally designed to make it easier for women to work, but other countries have focused on the most disadvantaged parents in a social investment approach; this trend is shared in a growing number of countries.

- In Latin America

Some countries have adopted an integrated approach to care (from early childhood to the dependent elderly), but such policies usually focus on young children.

In most countries, services are not regulated by the state, which leads to variable quality and affordability problems for many parents, especially the less well off.

Examples of interesting policies were noted:

- In Mexico, with support from different institutions, including social security;
- In Colombia, where collective and individual care provision coexists;
- In Uruguay, where there are public centres, community centres and a childcare inclusion grant so that disadvantaged parents can afford to use the private sector if necessary.

3.3.3. Services for the dependent elderly

▪ In Europe

Intergenerational cohabitation is less common than in Latin American countries, but the level of support for children not living in the family home is higher. The most family-oriented countries (Spain, Italy) delegate responsibility for care to families and *de facto* to women. In contrast, in the northern countries, family support serves as a back-up for community care provision. There is a general trend towards deinstitutionalization of care with the development of the home care sector. But, except in Sweden, care givers support rarely takes proper account of the issues and is rarely adapted the problems that care givers – most of whom are women – face in gaining access to the labour market.

▪ In Latin America

Most countries are undergoing rapid population ageing and have had to think about care provision for dependent elderly people, most of which takes place in the family or in an informal setting. Specific institutions are generally only affordable for those on very high incomes or are reserved for people in extreme poverty with no family to take care of them.

3.4. Compensation for inequalities due to break-ups (divorces, separations, single parenthood)

Social protection plays an important role in offsetting economic inequalities between men and women after separation or divorce.⁴ Break-ups bring about a drop in standard of living that private and public transfers can reverse.

3.4.1. Child support payments and their recovery

▪ In Europe

The obligation for the child's non-custodial parent to pay child support represents part of the private transfers that reduce the poverty of single-parent families, but the rate of non-payment is high in most countries. Public systems have therefore been introduced in many cases to help parents beneficiaries of unpaid child support to recover amounts due through a public social guarantee system in compensation of unpaid and/or delayed benefits (the Nordic countries and France).

⁴ In France, on average, divorce leads to a drop in standard of living of 35 per cent for women and a rise in standard of living of 24 per cent for men.

Compensatory benefits avert the drop in living standards during periods of none and/or untimely payment of child support, but exist in only a few countries.

- In Latin America

Some countries have tried to reduce the discretionary nature of the amount of child support benefits and to guarantee regularity in payment.

In Uruguay, a centralized information system makes it possible to register parents who default in the payment of child support benefits, to automatically detect any change of employment and to penalize employers who fail to disclose the real amount of their earnings. In Chile, the ‘child support savings account’ allows a judicious monitoring of payments and avoids the need for contacts between parents. Ecuador is considering a preferential employability strategy for those liable to child support without steady income.

3.5. Family and marital pension rights

Both in Latin America and in Europe, pension systems generally reproduce accentuated inequalities between men and women, given the links between the size of pension and the type of economic activity or salary.

In some countries, the right to family benefits accorded to pensioners (a supplement for dependent children, pension entitlements for childcare periods, etc.) aim to offset family expenses and their effects on women’s pensions.

The survivor’s pension allows women, in particular, to receive a supplementary pension on the spouse’s death and to improve their standard of living. The decline of marriage, the increasing frequency of divorce and the tendency of the survivor’s pension to reinforce a model contrary to gender equality raises serious concerns. However, proscribing survivors’ pensions would lead to the impoverishment of a large number of women, thereby necessitating other forms of assistance to address gender inequalities.

4. Some proposals for guidelines

4.1. Develop contributory social protection with equal rights for men and women

In line with the UN 2030 Agenda (SDG 1.3), developing contributory social protection, starting with social security systems, ensures social cover for employees and reduces the attractiveness of informal work, an area in which women are overrepresented.

In accordance with the 1957 Treaty of Rome, the aim is to ensure that social protection systems ensure greater equality of rights between women and men. However, differences are justifiable where they are attributable to maternity.

4.2. Provide basic social cover in addition to contributory social protection

UN Women⁵ advocates moving towards universal social protection in order to promote gender equality. It also suggests ‘reconsidering the use of conditionality for cash transfers’ and ‘scrapping them when they have a negative impact on gender equality’.

The social protection floors guarantee basic social security coverage (access to care, a minimum income regardless of age) to women most of whom still work in undeclared and/or unpaid activities, or part-time activities.

The combination of contributory schemes supplemented by a basic universal basic social security coverage is likely to improve the economic and social situation of women and their children.

4.3. Fight against informal work, especially in the area of domestic services and care for young children and dependent adults

Combating informal work, especially in the sectors of domestic services and care for child and dependent adults, is a priority to ensure adequate social coverage for the women who do most of the work in this sector.

This will involve introducing both incentives for the formalization of activities for all employers and penalties for employers who do not declare their employees.

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4.4. Promote more equitable sharing of domestic and care tasks for children and dependent persons between men and women

Any measure likely to favour a better distribution of domestic tasks and care work between men and women is likely to improve women’s integration in the labour market and hence to increase the revenue of social protection schemes and reduce their expenditure by reducing poverty. Such measures may include educational and awareness-raising measures from an early age, communication campaigns, etc. to gradually change attitudes. Time use surveys can be used to assess progress.

4.5. Steer the development of systems towards an individualization of social rights

Many countries have moved in this direction; such a development is worth encouraging in the context of greater gender equality. However, some measures of individualization of rights should be introduced gradually, in view of the additional costs they may induce for social protection systems or, conversely, the loss of income that they would entail for the current beneficiaries of a family benefits system.

⁵ Report on progress of women in Latin America – 2017

4.6. Put in place family leave systems favourable to women's employment

4.6.1. Maternity leave arrangements that do not create obstacles for women's employment

For parents, especially mothers on maternity leave, there should be provision of social security cover, a sufficiently high rate of pay (compensation at 100 percent of previous salary is ideal), inclusion of such pay in calculation of pension entitlement and a guaranteed return to employment at the end of the leave.

The ILO recommends a maternity leave entitlement of at least 14 weeks, with pay that does not rely exclusively on employers. Financing through social security systems avoids this problem.

4.6.2. Systematic paternity leave

Paternity leave paid at the same level as maternity leave and of sufficient length (one week for example) will favour more involvement by fathers in the parenting of their children and a better distribution of labour between women and men.

4.6.3. Parental leave that promotes sharing of tasks and does not disincentivize women's work

Parental leave should be shared between both parents (part of the leave should be compulsorily taken by the father and part of it should be non-transferable between the two parents). Leave that does not last too long, can be taken part-time, is properly paid and is accompanied by a guarantee of return to work, will not undermine women's involvement in the labour market.

4.6.4. Family leave open to women and men

For the care of sick children or support for caregivers, entitlements to leave, if possible paid leave, which are available to both women and men are likely to help women in their daily lives by allowing them to stay in their jobs.

4.7. Develop solutions for children and dependent adults

To enable women to engage in declared work and benefit from social cover by promoting formal employment in these sectors, public policies should be put in place to meet the care needs of children and dependent adults.

4.7.1. Overall thinking about care

Overall thinking about care provision for children and dependent adults should be promoted along the lines of the reflections initiated or led by ECLAC in Latin America. The establishment of integrated systems such as those in Uruguay or those under consideration in Chile or El Salvador should be appraised in order to evaluate their applicability by other countries.

4.7.2. Develop formal provision of early age childcare

Formal early age childcare provision (but also extracurricular childcare for schoolchildren), which is quantitatively and qualitatively adapted and affordable for families (especially disadvantaged families), is a key requirement for gender equality. It is justifiable for Social security systems to contribute in financing family support systems alongside other public or private actors.

4.7.3. Improve care provision for the dependent and support for carers

Care provision for dependent adults and support for care givers, the vast majority of whom are women, facilitate the work-life balance of those concerned. Social protection institutions can usefully contribute to the financing of these measures.

4.8. Ensure that child support payments are received by separated parents in charge of children

Child support benefits are an important part of the income of single parents who have primary or exclusive responsibility for children and the vast majority of whom are women.

Putting in place systems to help ensure payment or recovery in the event of non-payment will directly combat women's and children's poverty. Social security institutions and/or the state can support these systems.

4.9. Put in place family pension rights

Family pension rights reduce poverty in older women who are penalized by careers marked by periods of interruption or part-time work.