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including care-giving in the context of HIV/AIDS”  
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## **Background paper**

### **Equal sharing of responsibilities between women and men, including care-giving in the context of HIV/AIDS**

**International Labour Organization (ILO) \***

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\* *The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.*

## **1. Background: 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.

number of employed women in 2007, 36.1 per cent worked in agriculture and 46.3 per cent in services. Male sectoral shares in comparison were 34.0 per cent in agriculture and 40.4 per cent in services. The share of women in wage and salaried work grew during the last ten years from 41.8 per cent in 1997 to 46.4 per cent in 2007 while the share working as contributing family workers or own-account workers decreased from 56.1 to 51.7 per cent. Women's share as contributing family workers and own-account workers remains much larger than men's, especially in the world's poorest regions.<sup>2</sup>

***Increasing pressures from long work***

do so, in part, for the flexible work hours that enable them to fulfil household and child care responsibilities<sup>10</sup>.

At the same time, working conditions that demand long hours in paid work undermine both men's and women's capacities to provide the care required at home, intensifying conflict between economic and care responsibilities. ILO global estimates indicate that about one in five – 22 per cent, or 614.2 million – workers around the world are working more than 48 hours per week. The share of men and women putting in excessive working time is particularly important in a number of countries, where more than 30 per cent of all employees are reported to work more than 48 hours per week, such as: Ethiopia (Total: 41.2%; M: 44.2%; W: 37.3%); Honduras (T: 32.3; M: 31.2%; W: 32.4%); Indonesia (T: 51.2%; M:55.1%; W:42.0%); Republic of Korea (T:49.5%; M: 54.0%; W: 42.6%); Pakistan (T:44.4%; M: 50.9%; W:14.4 %). That men tend to be more likely to work excessive hours is both a consequence of gender stereotypes about men's breadwinner roles and women's care giving roles, but also a cause, reinforcing existing divisions of labour<sup>11</sup>.

### ***Increasing commuting 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; rese

hours of assistance from their parents in the previous month, while eight out of ten had received none.<sup>14</sup>

In many developing countries, it is often assumed th



over the age of 3 or 4, early child care and education (ECCE) programs exist and are expanding in most developing countries, although these too remain uneven in their coverage with little access in particular for poor and rural communities.<sup>20</sup>

Of equal concern is the extent to which older children, usually girls, are employed as childminders, contributing both to child labour and to girls' lower educational opportunities and long term employment prospects. For parents, the lack of training or quality standards for caregivers provides very little assurance of the quality of care their children receive.

Poor households, short of economic resources, have even fewer options for individual reconciliation strategies. For these households, hiring domestic help can be beyond their economic reach, and families may be forced to engage children in paid work and unpaid domestic work in order to enable the family to eke out a livelihood. It is typically girls that are removed from school in poor communities to care for younger children and accomplish domestic tasks, contributing to household



as they grow. With few means for representation, informal economy workers have little chance to voice their needs and improve their lives.

### ***Discrimination at work***

When society is organized such that family responsibilities conflict considerably with work demands, family 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, as previously mentioned, 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.

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.<sup>30</sup>

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.

#### **4. Addressing workers' needs: The policy responses**

Policy solutions to facilitate women's access to the labour market and to decent work by explicitly addressing and supporting their unpaid family responsibilities have long been recognized, albeit poorly utilized. Member States of the International Labour Organization established a framework for addressing the needs of workers with family responsibilities in 1981, in the form of the Workers with Family Responsibilities Convention, 1981 (No. 156) and its corresponding Recommendation (No. 165). Convention No.156 represents a flexible tool to support the formulation of policies that enable men and women workers with family responsibilities to exercise their right to engage, participate and advance in employment without discrimination, and to the extent possible, without conflict between employment and family responsibilities.

Convention No.156 covers all workers and all sectors of the economy. The measures that can be taken at the national, community and workplace levels are intended to make family responsibilities more compatible with paid work (e.g. childcare) and to make working conditions more compatible with family responsibilities (e.g. working time and leave measures).

##### ***The role of governments and social partners and existing good practices***

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

- d. Measures to lighten the burden of family responsibilities
- e. Facilitating re-entry into employment
- f. Communication and information to explain measures and encourage change
- g. Promotion of social dialogue and tripartite participation

**a. 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

## b. 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. 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.

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. 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 2 provides examples from Malaysia and the United Kingdom.

### **Box 2 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.

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 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.<sup>31</sup>

A major responsibility of government is to ensure that legislation is effectively implemented. Virtually everywhere, there are problems concerning the implementation of leave and working time provisions. From industrialized countries, for example, a large share of discrimination8(and )-e0(1)-253 Twi

concludes that the Government could considerably help reconciliation by enforcing the implementation of existing legislation, in particular certain specific provisions related to overtime and leave entitlements.<sup>33</sup>

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.

In many countries, trade unions seek not only to improve legislation but 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.<sup>34</sup> Thus in some developing countries, trade unions include maternity protection in collective bargaining agreements (see box 3), as already provided in labour legislation.

**Box 3 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,

Leave entitlements enable workers to be temporarily absent to deal with caring responsibilities and family emergencies. Having leave at the same time as the rest of the family, particularly children, is important for the quality of family leave. Apart from maternity leave, key provisions for promoting a better share of care responsibilities between women and men include paternal leave, parental leave and emergency leave, which can be used for sick family members.

### **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



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.<sup>37</sup> 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 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 Encouraging fathers to take parental leave in France, Norway and Iceland**

**France** In 2002, France introduced a paternity leave of 14 days, the first three fully paid by the employer and the remaining eleven paid by Social Security, up to 80 per cent of gross salary. The provision has shown remarkable success: almost two-thirds of eligible fathers had made use of this leave as of 2004. That includes wage-earners, the self-employed and farmers.

**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: DREES, 2005, for France; 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.

**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.<sup>38</sup> In the Netherlands, most collective agreements provide for pension payments during parental leave.<sup>39</sup>

**Avoiding the leave trap.** According to the OECD, “Leave for long periods damages the ~~firm's ability to attract and retain talent. If (a) done in 2001 em.~~



*short period of child rearing*".<sup>40</sup> The Annual Report for Equal Opportunities for Men and Women in the European Union 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."<sup>41</sup>

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.<sup>42</sup> 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.<sup>43</sup>

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".<sup>44</sup> The possibility of taking parental leave on a part-time basis and returning to work part-time, can facilitate contact with the job and help avoid problems of reintegration.

#### **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 of dependents, such as HIV-related diseases 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 short or longer term 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 7) whereas in others specific types of leave are foreseen, such as the palliative leave in the Netherlands.

#### **Box 7 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.

Sources: 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.

### 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.

To cope with AIDS-related emergencies, short leave measures result in a fundamental support for family care providers. Compassionate leave to prepare and attend funeral ceremonies is also important as the example from Uganda shows (box 8)

#### Box 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.

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.<sup>45</sup> These agreements sometimes permit carers to use up some of their annual quota of sick days. 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.

In the Netherlands, short-term leave for caring or family emergencies has been the subject of legislation. 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.<sup>46</sup> 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 9.

**Box 9 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. 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 10 provides examples from Madagascar and the Seychelles of national legislation related to short-term leave.

**Box 10 General provisions for short leave**

*Madagascar* 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



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

With the adoption in 1997 of the European Directive on Part-time Work<sup>52</sup>, 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.

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.<sup>53</sup> Some countries have also adopted legislative provisions to give “on call” workers a minimum of security in respect of the hours they work.<sup>54</sup>

At enterprise level, there have been efforts to ensure the quality of part-time work both through management initiatives and collective bargaining agreements. Trade unions are recognizing the importance of quality part-time work and have negotiated related terms into their collective bargaining agreements.

### **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. 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, 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

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.

### **Flexibility of working time and location**

*Particular attention should be given to general measures for improving working conditions and the quality of work life, including measures aiming at [...] (b) more*

- 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: Sorj, B. (2004): Reconciling work and family: Issues and policies in Brazil, Conditions of Work and Employment Series No. 8 (Geneva, ILO).





Likewise the example of Kenya (box 16) illustrates the use of partnerships for the provision of pre-school care.

**Box 16 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

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 Guatemala, the government programme of Community Daycare Centres (“Hogares Comunitarios”) targets particularly destitute communities in the city.<sup>60</sup>

In South Africa, the government is implementing a non-conditional cash benefit programme, the Child Support Grant, in the form of child allowances paid to the caregiver, instead of the mother. The merit of this “follow the child” approach would be to avoid the reinforcement of the role of women as primary caregivers. In addition, the grant is not conditional on the mother having to attend training sessions or performing unpaid community work, a controversial feature of family and child allowances in other developing countries. In May 2006 the size of the grant stood at USD 25.50 per under-fourteen child per month. The total beneficiaries summed up to almost 7 million children<sup>61</sup>.

Employment guarantee schemes have increasingly been perceived as an effective tool integrating employment and social protection objectives. If properly structured, these public work schemes may bring potentialities for reducing unpaid care work, including HIV/AIDS-

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.

In some countries, government services (such as medical visits, vaccinating a child, paying

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.

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<sup>66</sup>. 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.

#### **e. 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. These policies are essentially for ensuring that family responsibilities do not undermine men’s and women’s possibilities for paid work and to promote broader conditions for equality in both paid and unpaid work. Active labour market policies have a long tradition in countries such as Sweden, Denmark and Germany and are more or less systematically pursued today in all EU Member States.<sup>67</sup>

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 20 provides an example of such an approach in Switzerland, which is directed specifically at women wishing to rejoin the labour force.

#### **Box 20 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>.

**f. Communication and information**

*The competent authorities and bodies in each*

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. 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.

Making the workplace and working conditions more family-friendly while ensuring the competitiveness of enterprises requires tripartite dialogue and collaboration. 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 (box 21).

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**Box 21 Tripartite committees**

(ACTU), Ireland (ITUC), the United Kingdom (TUC) and the United States (AFL-CIO) which could be of interest to readers in other countries.

**Box 22 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



*men and women*".<sup>69</sup> The objective of equality is elusive and it is important to review the design and

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 assuming essential but unpaid care work. Improving the conditions of these alternative working arrangements will also help to promote them as equally attractive to men and women. Ultimately, the implications of part-time work for gender equality are debatable and depend on national conditions and legislation. 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.

Apart from workers and employers, a wide range of partners beyond the world of work must be involved in improving the organization of society. More suitable opening hours of government services, of schools, and of shops, and improvements in transportation and community services are just some examples of the wide ranging policies indicated earlier in this paper required to support unpaid care work and support efforts to move towards a more equitable sharing of family responsibilities between women and men.

It is when the models of male ideal worker and female carer 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.

Distributing the responsibilities for the care and maintenance of society's members more equally--- between the state and families, and within families, between women and men---provide a basis for equality and opportunity for men and women in all spheres of public and private life. Labour standards on workers with family responsibilities and maternity protection articulate the frameworks developed by ILO member States for achieving these goals through labour and social policy.

**ANNEX: Further reading and resources, ILO**

<http://www.ilo.org/public/english/protection/condtrav/index.htm>

**Conditions of Work and Employment Series**

No. 1: Quality of working life: A review on changes in work organization, conditions of employment and work-life arrangements (2003), by H. Gospel

No. 2: Sexual harassment at work: National and international responses (2005), by D. McCann

No. 3: Statistics on working time arrangements based on time-use survey data (2003), by A. S. Harvey, J. Gershuny, K. Fisher and A. Akbari

No. 4: The definition, classification and measurement of working time arrangements (2003), by D. Bell and P. Elias

No. 5: Reconciling work and family: Issues and policies in Japan (2003), by M. Abe, C. Hamamoto and S. Tanaka

No. 6: Reconciling work and family: Issues and policies in the Republic of Korea (2004), by T.H. Kim and K.K. Kim

No. 7: Domestic work, conditions of work and employment: A legal perspective (2003), by J. M. Ramirez-Machado

No. 8: Reconciling work and family: Issues and policies in Brazil (2004), by B. Sorj

No. 9: Employment conditions in an ageing world: Meeting the working time challenge (2004), by A. Jolivet and S. Lee

No. 10: Designing programmes to improve working and employment conditions in the informal economy: A literature review (2004), by R. Rinehart

No. 11: Working time in transition: The dual task of standardization and flexibilization in China (2005), by X. Zeng, L. Lu and S.Umar Idris

No. 12: Compressed working weeks (2006), by P. Tucker

No. 13: Etude sur le temps de travail et l'organisation du travail au Sénégal: Analyse juridique et enquête auprès des entreprises (2006), by A.I. Ndiaye

No. 14: Reconciling work and family: Issues and policies in Thailand (2006), by K. Kusakabe

No. 15: Conditions of work and employment for older workers in industrialized countries:

Messenger and F. Michon (eds.)
Compressed working weeks (2006), Conditions of Work and Employment Series No. 12, by P. Tucker
Working time laws: A global perspective (2005), by D. McCann
Working time in transition: The dual task of standardization and flexibilization in China (2005), Conditions of Work and Employment Series No. 11, by X. Zeng, L. Lu and S.Umar Idris
Working time and workers' preferences in industrialized countries: Finding the balance (2004), by J.C. Messenger (ed.)
Employment conditions in an ageing world: Meeting the working time challenge (2004), Conditions of Work and Employment Series No. 9, by A. Jolivet and S. Lee
Working time: Its impact on safety and health (2003), by A. Spurgeon
Quality of working life: A review on changes in work organization, conditions of employment and work-life arrangements (2003), Conditions of Work and Employment Series No. 1, by H. Gospel
Statistics on working time arrangements based on time-use survey data (2003), Conditions of Work and Employment Series No. 3, by A. S. Harvey, J. Gershuny, K. Fisher and A. Akbari
The definition, classification and measurement of working time arrangements (2003), Conditions of Work and Employment Series No. 4, by D. Bell and P. Elias
Work organization and ergonomics (1998), by V. Di Martino and N. Corlett
Les évolutions du temps de travail en Europe (1996), by G. Azmar and J-Y. Boulin
L'annualisation du temps de travail en France (1995), by M. Lallement
The development of annual working hours in the United Kingdom (1995), by P. Blyton
Annual working hours in Germany (1995), by G. Bosch and S. Lehndorff
Working time around the world (1995), <i>Conditions of Work Digest</i> , Vol. 14
<b>Wages and incomes</b>
Global Wage Report 2008 (forthcoming)

Is minimum wage an effective tool to promote decent work and reduce poverty? The experience of selected developing countries (2001), by C. Saget
The determinants of female labour supply in Hungary, in <i>Economics of Transition</i> , Vol. 7, No. 3, pp. 575-591, (1999), by C. Saget
Albania in crisis: The predictable fall of the shining star (1999), by D. Vaughan-Whitehead
Systems of public sector remuneration in six OECD countries (Canada, France, Germany, Great Britain, Italy, United States): Comparative and analytical study (1998), by Y. Ghellab and N. Laniel
Paying the price: The wage crisis in Central and Eastern Europe (1998), by D. Vaughan-Whitehead (ed.)
Workers' financial participation: East-west experiences (1995), by D. vaughan-Whitehead et al.
Minimum wages in Central and Eastern Europe: From protection to destitution (1995), by D. Vaughan-Whitehead and G. Standing (eds.)
Les formes hiérarchiques: Travail et salaires dans neuf pays industrialisés (1994), by F. Eyraud and P. Rozenblatt
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Equal pay protection in industrialised market economies: In search of greater effectiveness (1993), by F. Eyraud et al.
Civil service pay in Africa (1990), by D. Robinson
<b>Work and family</b>
Report on Work and Family in developing countries 2009 (forthcoming)
Workplace partnerships for childcare solutions 2009(forthcoming)
La maternidad sin riesgo y el mundo del trabajo (2008), Programa sobre las condiciones de trabajo y del empleo
Maternité sans risques et le

Maternity protection at work, Report IV(1) (1999)
Maternity protection at work, Report V(2) (1999)
Maternity protection at work, Report V(1) (1997)
Combining work and elder care: A challenge for now and the future (1996), by I. Hoskins
Maternity and work (1994), <i>Conditions of Work Digest</i> , Vol. 13
<b>Working conditions</b>
Designing programmes to improve working and employment conditions in the informal economy: A literature review (2004), <i>Conditions of Work and Employment Series No. 10</i> , by R. Rinehart
Company cases and cross-company initiatives: Working conditions improvement in Haiti (2003), by V. Di Martino, S. Filippi and C. Loïselle
Work organization and ergonomics (1998), by V. Di Martino and N. Corlett
Improving working conditions and productivity in the garment industry: Action manual (1998), by J. C. Hiba (ed.)
Stress prevention for blue-collar workers in assembly-line production (1997), by S. Kvanström
Protection of workers' personal data: An ILO code of practice (1997)
Work-related stress in nursing: Controlling the risk to health (1996), by T. Cox, A. Griffiths and S. Cox
Bus drivers: Occupational stress and stress prevention (1996), by M.A.J. Kompier
Stress prevention in the offshore oil and gas exploration and production industry (1996), by V.J. Sutherland and C.L. Cooper
Occupational stress and stress prevention in air traffic control (1995), by G. Costa
Action programmes for the protection of homeworkers (1995), by U. Huws
Employment of homeworkers: Examples of good practice (1995), by U. Huws and S. Podro
Workers' privacy: Part III: Testing in the workplace (1993), <i>Conditions of Work Digest</i> , Vol. 12, No. 2
Workers' privacy: Part II: Monitoring and surveillance in the workplace (1993), <i>Conditions of Work Digest</i> , Vol 12, No. 1
Workers' Privacy: Part I: Protection of personal data (1991),

Action against sexual harassment at work in Asia and the Pacific (Technical Report for discussion at the ILO/Japan Regional Tripartite Seminar on Action against Sexual Harassment at Work in Asia and the Pacific (Penang, Malaysia, 2-4 October 2001) (2001)
Violence at work (Second edition, 2000), by D. Chappell and V. Di Martino
Sexual harassment: Addressing sexual harassment in the workplace – A management information booklet (1999), by A. Reinhart
Annotated bibliography on violence at work (1999)
Annotated bibliography on sexual harassment at work (1999)
Sectoral Activities Programme working papers on violence in services sectors
<b>Cross-cutting research</b>
Working Conditions Laws 2006-2007 (2008), by E. Evain

ANNEX II. Ratifications of ILO Convention No. 156

**Country**

**Ratification**



## Peru