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# New visions for Gender Equality 2019

Editors: Niall Crowley & Silvia Sansonetti

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# **NEW VISIONS FOR GENDER EQUALITY 2019**

*Editors: Niall Crowley & Silvia Sansonetti*



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# Introduction

*by Niall Crowley and Silvia Sansonetti*

'New Visions for Gender Equality 2019' is published at a moment of reflection and change for gender equality at European level. The timeframe for the European Commission's Strategic Engagement for Gender Equality 2016–2019 comes to an end, an extensive programme of work draws to a conclusion, and thoughts turn to how best to build on the achievements to date. It is time re-examine our visions for gender equality, the priorities that now need to be pursued, and the new and continuing challenges that have to be met.

Seventeen experts from across the EU and beyond have been invited to contribute short essays to assist in this process. Their essays are grouped loosely across four broad thematic areas of making the case for equality; work-life balance, not a women's affair; inequalities, discrimination and welfare; and power relations in society. Each author has been given a specific topic and invited to take stock of where we stand, explore the current issues, identify new thinking emerging, and point out new policy directions that could now be taken in relation to the topic.

It is hoped that 'New Visions for Gender Equality 2019' will stimulate further policy innovation and ambition in the search for a gender equal society. It should serve as a resource not only to policymakers in the field of gender equality, but also policymakers concerned to bring a gender perspective to bear across all policy fields. It should be relevant to policymakers at all levels, both European and Member State.

'New Visions for Gender Equality 2019' has been developed by the Scientific Analysis and Advice on Gender Equality (SAAGE) network, funded by the European Commission. SAAGE gathers international experts and professionals with expertise in gender equality across a variety of fields. It works to contribute to the improvement of European-level policy analysis and policy development on gender equality and to strengthen the knowledge base of the European Commission for this purpose, including its country-specific knowledge. It is coordinated by Fondazione Giacomo Brodolini.

# The Business Case for Gender Equality

## Introduction

The Strategic Engagement for Gender Equality 2016–2019 identifies that ‘Europeans feel strongly about promoting gender equality: three quarters of respondents of a recent Eurobarometer survey (76 %) think that tackling inequality between men and women should be an European Union (EU) priority. Around nine in ten (91 %) agree that tackling inequality between men and women is necessary to creating a fairer society’.

The following two essays start from an understanding of the centrality of values in making the case for gender equality, and the potential in the European Union treaties of the value of equality as motivating a concern for change and new forms of economy and society. They pursue three different angles in opening up the case for gender equality. The essays explore the arguments for gender equality (Ergas), and gender mainstreaming to advance a value-based economy (Masselot).

## Core issues

In many EU Member States, a widespread backlash threatens to undermine both support for the EU and for gender equality as one of its core values. Despite great variations in both the intensity of the backlash in individual states and the nature of the policies that have been implemented, some common measures stand out. These include: restricting the space for egalitarian civil society mobilisations; defunding or otherwise marginalising gender equality institutions; redefining institutions and policies from a focus on women (or gender) to a focus on ‘the family’; tacitly or overtly supporting a campaign that constructs and elevates ‘the theory of gender’ (also referred to disparagingly as ‘gender ideology’) into a *casus belli*<sup>1</sup>; and support for ‘men’s rights’ movements (Ergas).

Gender equality is considered to be both an instrument of market realisation and a subsection of social policy. As such, the principle of gender equality is constrained and secondary to other EU policies. Gender equality is instrumentalised to serve the market and, as such, it is simultaneously excluded from and subordinated to economic debates. Economic issues are treated as separate from gender equality considerations. Gender equality concerns are not only excluded from large parts of the economy but where they are included, such matters fall under the social realm and are, therefore, regarded as inferior (Masselot).

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1 An act or event that provokes or is used to justify a war.

## Foundations

The European Union treaties provide foundation stones for the pursuit of gender equality and are central to the case for policy and programmes, in particular:

- Article 2 of the Treaty on European Union identifies equality as one of the founding values of the Union.
- Article 3 of the Treaty on European Union identifies equality between women and men as one of the objectives of the Union.
- Article 8 of the Treaty on the Functioning of the European Union identifies that the Union, in all its activities, shall aim to eliminate inequalities and promote equality between women and men.

The UN 2030 Agenda for Sustainable Development involves the pursuit of 17 goals. One goal is to 'Achieve gender equality and empower all women and girls' and all goals are infused with a concern for gender equality.

## Key new directions

There is a need to move away from the consequentialist arguments for gender equality. Two kinds of arguments are advanced: gender equality is smart policymaking (the 'business case'); and, gender equality is right policymaking (the 'human rights' case). Proponents of the business case argue that gender equality is critical to the realisation of multiple aims that societies pursue. In contrast, proponents of the human rights case see equality as a right, and its pursuit as a state obligation, where women should not have to prove their worth by demonstrating their utility for others. The Union's constitutive documents can be seen to have decided the choice of argument for EU policymakers, as it is the human rights case that is embedded in these guiding frameworks (Ergas).

The sustainable development paradigm, now gaining significant ground, may offer the necessary framework to carry this human rights argument in a manner that convinces while remaining true to gender equality as a *per se* good. The Sustainable Development Goals (SDGs), as adopted by all UN Member States in 2015 as part of the 2030 Agenda for Sustainable Development, entail the promotion of gender equality generally across all goals, and SDG 5, a stand-alone goal, reaffirms the value of gender equality independently of any other objectives it may help to promote or be integral to (Ergas).

Gender mainstreaming has the potential to shift the way we measure the economy and to implement a value-based economy, where the value of gender equality could guide the EU economy rather than other way around. The EU institutions would need to reflect and incorporate the Treaty values structurally in order to contribute to the emergence of a value-based economy (Masselot).

If gender mainstreaming is to drive a value-based economy, it should evolve in a way that: includes enhanced knowledge relating to the interdependence between gender equality and the economy; substantially reduces male dominance in key decision-making positions; and embraces an intersectional approach. A value-based economy requires gender mainstreaming to include gender budgeting more effectively (Masselot).

## Arguing for equality: between pragmatism and principle

By Yasmine Ergas

How *can* states be persuaded to pursue gender equality policies<sup>2</sup> more vigorously, and with more success, than they are doing at present? As importantly, what arguments *should* be used to persuade states to champion gender equality? This essay argues that despite the appeal of consequentialist arguments, which promote women's equality as a means to the realisation of other ends, it is the human rights case, centred on non-discrimination as a pathway to equality, and equality as an intrinsic good, which should ultimately be invoked.<sup>3</sup>

### **The issue: equality as a means and equality as an end: European Union commitments**

Gender equality advocates have generally advanced two kinds of arguments: gender equality is *smart* policymaking (the pragmatic or 'business case'); and, gender equality is *right* policymaking (the principled or human rights case). Proponents of the business case argue that gender equality, largely in relation to women, is critical to the realisation of multiple aims that societies pursue. Promoting women's equality is smart economics. The International Monetary Fund, for instance, has shown that increasing women's participation in the formal labour force would provide an unrivalled boost to GDP (Lagarde and Ostry, 28 November 2018) It is smart peace-making – research has found that where women participate in peace negotiations, agreements are more durable (Coomoraswamy, lead author, 2015). It is self-evidently smart public health. It has also been found to be smart corporate governance (Adams and Ferreira, November 2009), smart development policy (FAO, 2011), smart foreign policy (Hudson and Leidl, 2016), smart urban planning,<sup>4</sup> and smart finance (Cihak and Sahay, 2018), among others. In short, promoting women's equality redounds to the general good. In fact, the business case itself is smart rhetoric. Its win-win vision assures governments and other decision-makers that gender equality generates benefits that are greater than the costs, and, hence, must result in their own advantage, enhancing their legitimacy and growing their resources.

In contrast, proponents of the human rights case see equality as a right, and its

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2 I use the term 'gender' to designate the fundamental dimension of social organisation that structures individuals' life chances, rights, and responsibilities in relation to their perceived sex. Policies to promote women's equality necessarily implicate the organisation of gender relations, and hence have consequences that extend beyond women themselves.

3 The relationship between equality and human rights is complex, but women's right to equal rights with men have now been repeatedly reaffirmed in key human rights texts. See, for example, International Covenant on Civil and Political Rights, art. 3 ('The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant'); and see, generally, the Convention on the Elimination of All Forms of Discrimination against Women. Specifically, with respect to the context of the European Union, see the references to gender equality in Article 23 in the Charter of Fundamental Rights of the European Union. For a recent discussion of equality, including in relation to rights, see Waldron (2017).

4 See Women Watch, Gender Equality and Sustainable Urbanisation: Fact Sheet, at: [https://www.un.org/womenwatch/feature/urban/downloads/WomenWatch\\_Gender\\_Equality\\_and\\_Sustainable\\_Urbanisation-fact\\_sheet.pdf](https://www.un.org/womenwatch/feature/urban/downloads/WomenWatch_Gender_Equality_and_Sustainable_Urbanisation-fact_sheet.pdf)

pursuit as a state obligation. It is a *per se* good. Women, they argue, should not once more have to prove their worth by demonstrating their utility for others (Gender & Development Network, 2012). That women's rights are human rights is sufficient to bind policymakers to their pursuit.

Unlike the business case, the human rights case asks policymakers to engage in a more complex cost-benefit calculus, weighing the uneven distribution of gains and losses that promoting gender equality may entail. While it may sometimes be true that transforming inequality into equality is relatively costless, it is hard to imagine that is always the case. If in the long-term, a just society will be better for all, its realisation impacts different groups unevenly. At least in the short-term, then, policymakers must be prepared to address the asymmetrical as well as the significant positive consequences of policies that redistribute resources, reshuffle statuses, and promote the rights of some by limiting the structural privileges of others.

In a sense, European Union policymakers' choice between the business case and the rights case has been made for them. The Union's constitutive documents can be seen to have already decided this, as it is the human rights case that is embedded in the EU's guiding frameworks. The Union is founded 'on the values of ... equality ... [that] are common to Member States in a society in which ... equality between men and women prevail[s],' as the Treaty on European Union (TEU) states.<sup>5</sup> The Union is enjoined to 'promote ... equality between men and women.'<sup>6</sup> The Charter of Fundamental Rights not only bars discrimination on the basis of sex,<sup>7</sup> but also specifically mandates that 'equality between men and women *must* be ensured in all areas, including employment, work and pay.'<sup>8</sup> In sum, the pursuit of equality cannot be subordinated to its utility.

As a result, the only question would appear to be *how* gender equality is to be promoted, not *whether* it is to be a central goal of institutional action at all levels. Indeed, European policymakers have consistently adopted measures to promote equality, including by mandating particular organisations within both the Commission and the Parliament to ensure the relevant functions,<sup>9</sup> committing to the Platform for Action of the Fourth World Conference on Women and establishing institutions to assist both the Union's entities and its Member States in this regard,<sup>10</sup> and making gender mainstreaming a compulsory aspect of all European Structural and Investment Funds programming.<sup>11</sup> But, the effectiveness of European Union

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5 TEU, article 2.

6 TEU, article 3(3).

7 Charter, article 21

8 Charter, article 23.

9 See, FEMM, European Commission, Justice and Fundamental Rights, Gender Equality (at: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality_en))

10 On the commitment to monitor the Beijing Platform for Action, see Madrid European Council 15 and 16 December 1995, Presidency Conclusions. On the development of specifically dedicated institutions see, Regulation (EC) no 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality.

11 See Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries

policies is dependent on the agreement of Member States, which, in turn, is generally a function of popular support. There are serious signs that support for gender equality is eroding, but there are also indications of countervailing trends (Kuhar and Paternotte, 2017).

### **The challenge: equality amidst backlash?**

The egalitarian consensus was never a given and the last several years have seen growing signs of contestation. The Strategic Engagement for Gender Equality 2016–19 was not adopted as a Commission strategy. Conservative members of the European Council had impeded approval of a maternity leave Directive (Sansone and Pagnini, 2019), before the recent adoption of a work-life balance Directive.<sup>12</sup> In many Member States, a widespread backlash threatens to undermine both support for the EU per se and for gender equality as one of its core values.

This backlash challenges the framing of the EU's policies with respect to gender equality, and promotes a radically divergent understanding of their successes and failures. If one presumes that equality is a shared goal, the insufficiencies of current policies can be seen as markers of design errors and implementation deficits. Equality proponents engage in corrective measures, seeking to fill a glass they see as still half empty. On the other hand, 'backlash' describes the forceful emergence of an opposing perspective, whose proponents view the equality glass as over-flowing with the wrong brew. If equality advocates seek to build on past achievements to forge new successes, their opponents seek to claw back egalitarians' gains and re-direct policy resources to fundamentally different targets.

A report commissioned by the European Parliament's Commission on Women's Rights and Gender Equality tracks the regressive strategies adopted by governments in six countries: Austria, Hungary, Italy, Poland, Romania and Slovakia (Juhász and Pap, 2018). Despite great variations in both the intensity of the backlash in individual states and the nature of the policies that have been implemented, a few frequently adopted measures stand out. These include: restricting the space for egalitarian civil society mobilisations, defunding or otherwise marginalising gender equality institutions, redefining institutions and policies from a focus on women (or gender) to a focus on 'the family', and tacitly or overtly supporting a campaign that constructs and elevates 'the theory of gender' (also referred to disparagingly as 'gender ideology') into a *causis belli* (Grzebalska, Kovats and Peto, 2017). Other recurrent features include support for 'men's rights' movements, and critiquing, including by declining to ratify or threatening to withdraw from, the Istanbul Convention on addressing violence against women and domestic violence.<sup>13</sup>

Taken as a whole, these measures describe a profoundly anti-egalitarian strategy.

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Fund and repealing Council Regulation (EC) No 1083/2006, article 7.

12 Directive of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (to be published in the Official Journal in July 2019).

13 By way of example, Poland has threatened to withdraw from the Convention and the Bulgarian Constitutional Court declared its ratification incompatible with the national constitution. See, Ruzha Smilova, Promoting 'Gender Ideology' Constitutional Court of Bulgaria Declares Istanbul Convention Unconstitutional, 22 August 2018. There is a burgeoning literature on the anti-gender backlash. Inter alia, see, Mieke Verloo (editor), *Varieties of Opposition to Gender Equality in Europe*, Taylor and Francis (2018).

The political premises of equality policies are undermined when the space for civil society is restricted, as research shows that the mobilisation of civil society is critical to their implementation (Htun and Weldon, 2012). Institutional support for equality policies is weakened, and the legitimacy of ‘women’s rights’ is eroded, when the agencies mandated to advance them are dissolved or are otherwise incorporated into institutions that focus on ‘the family’. Women are forced into a competition with men over the severity of their relative deprivations and the justice of their claims, when ‘men’s movements’ are highlighted.

If a gender framework, which might explain when, why and with what consequences for whom men and women (and those whose personal identities do not align with this binary scheme) may be more or less disadvantaged, is not invoked, the relationship between these claims of women and men is obscured. Indeed, when references to ‘gender’ are denigrated, so too is its central idea that the unequal life-chances associated with socially constituted identities, related to the perception of individuals as being either male or female or neither, are the products of underlying social processes. When references to gender are substituted by an exclusive focus on women and girls, the transformative agenda that equality implies is elided and issues regarding women are cut loose from their social moorings.

It is precisely the connection between particular manifestations of inequality and their structural underpinnings in gender relations that the Istanbul Convention highlights in relation to violence against women. The critique of the Convention thus has a double valence. It targets the interpretative framework that the Convention’s repeated references to ‘gender’ denote, and the transformative agenda that the Convention entails. Moreover, the critique of the Istanbul Convention undermines what may be women’s most fundamental claim, to be safe in their own bodies, otherwise stated as their right to habeas corpus.

### **New directions: equality nonetheless? Reprising rights**

Despite the backlash, however, the European institutions remain committed to equality between women and men as a per se goal. The Union’s constitutive documents obligate the Union to its pursuit, but so do more recent commitments, including with respect to the United Nations 2030 Agenda for Sustainable Development.<sup>14</sup> Specifically, the EU has declared that it will implement the Sustainable Development Goals (SDGs) of the UN 2030 Agenda for Sustainable Development in both its internal and external policies. The pursuit of gender equality as an inherent good has now been linked with an overarching framework for societal development and this provides a new means to persuade states to champion gender equality and pursue gender equality policies more vigorously.

While the SDGs entail the promotion of gender equality generally across all goals, SDG 5, a stand-alone goal, reaffirms the value of gender equality independently of any other objectives it may help to promote or be integral to. SDG 5 directs parties to ‘achieve gender equality and empower all women and girls’.<sup>15</sup> SDG 5 appears to incorporate the Convention for the Elimination of All Forms of Discrimination against Women, whose title is practically referenced verbatim in the goal’s first target: ending ‘all forms of discrimination against women and girls everywhere’.

<sup>14</sup> See United Nations (2015).

<sup>15</sup> For a discussion of gender and equality in relation to the SDGs, including critical perspectives, see the essays in *Gender & Development, Sustainable Development Goals*, 24 (2016)

SDG 5's targets also entail eliminating all forms of violence against women and girls in both the private and public spheres, essentially reasserting the centrality of the Istanbul Convention's general objective. The Sustainable Development Goals Fund, an international multidonor and multi-agency mechanism created by the UN to support action on sustainable development requires a mainstreaming of gender in the implementation and monitoring of all its programmes.<sup>16</sup>

Parliamentary groupings have also taken initiatives that link the pursuit of gender equality as an inherent good to sustainable development. By way of example, the Greens/EFA construe gender-based violence as a 'breach[] of fundamental rights' and frame sexual and reproductive rights in terms of women's right to self-determination.<sup>17</sup> The Alliance of Liberals and Democrats for Europe (ALDE), promotes 'women's entitlement over their own bodies'.<sup>18</sup>

Gender equality may help to promote other general goals, but it is a per se good, enshrined in the Europe Union's foundational texts, mandated by the European Union's international commitments, and adopted by European Union actors. A human rights-based argument may provide a principled case for the realisation of the gender equality agenda. The sustainable development paradigm, which is now gaining significant ground, may offer the necessary framework to carry this argument in a manner that convinces while remaining true to gender equality as a per se good.

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16 See, Sustainable Development Goal Fund, Gender Mainstreaming, at: <https://www.sdgfund.org/gender-equality>

17 See, inter alia, Time to Smash the Gender Backlash: Four Greens/EFA Demands for a Feminist Europe, <https://www.greens-efa.eu/en/article/news/time-to-smash-the-gender-backlash/>

18 See, ALDE, Women's Right to Decide Over Their Own Body, at: [https://www.aldeparty.eu/sites/alde/files/40-Resolutions/2016\\_womenaos\\_right\\_to\\_decide\\_over\\_their\\_own\\_body.pdf](https://www.aldeparty.eu/sites/alde/files/40-Resolutions/2016_womenaos_right_to_decide_over_their_own_body.pdf)

## How to improve the interaction between legal instruments (EU acquis) and policymaking (communication, funding programme, European semester)

By Annick Masselot<sup>19</sup>

### The goal

This short essay aims to contribute to a new vision for gender equality. Far from providing mechanical quick fixes, it adopts a broad perspective on the nature, the place and the role of gender equality in the EU. It argues that improving the interaction between legal instruments and policymaking requires fulfilling the Treaty promises of an EU economic model guided by ‘its values and the well-being of its peoples’ (Articles 3 TEU). Such a value-based economy would have to fundamentally review what is valued as an economic outcome in the EU. It would have to look beyond short-term financial profit and incorporate gender equality as one of its valued outcomes. At present, this sounds overly ambitious because gender equality is neither understood as a holistic approach, nor as a structural component of the economy.

### The issue

Gender equality is one of the oldest and most sophisticated areas of EU law and policy. Originally introduced by Article 119 of the Treaty of Rome with a view to correct competition distortions between Member States (Ohlin, 1956; Barnard, 1996; Nielsen and Szyszczak, 1997; Streeck, 1995; although, Hoskyns, 1996 suggests that non-economic factors also contributed to the inclusion of Article 119), it soon became clear that gender equality is much more than an economic tool. It is a value (Article 2 TEU), an objective (Article 3 TEU), a fundamental right (Case C-243/95 *Hill and Stapleton*; Koukoulis-Spiliotopoulos, 2008), a process (Article 8 TFEU), as well as a positive duty (Fredman, 2005) of EU law.

Since its inception, the EU has contributed actively to the progress of gender equality. The key relevant EU acquis includes Article 23 of the Charter of Fundamental Rights of the EU, Article 3 on the Treaty of the EU, Articles 8 and 157 of the Treaty on the Functioning of the EU, as well as the Directives implementing the primary law and the applicable case law. This contribution is often highlighted as a successful and dynamic field of EU law and policy (Caracciolo Di Torella and Masselot, 2013). However, indicators underscore that gender equality rights have not achieved their full potential. With a 2017 Gender Equality Index score of 66.2 out of 100, the European Institute for Gender Equality (EIGE) qualifies progress as being at a ‘snail’s pace’ (European Institute for Gender Equality, 2017). This means that women (and men) are not being served properly by the EU.

The origins and construction of the concept of gender equality in the EU go a long way to explain the sluggish realisation of gender equality rights. Gender equality in the EU is considered to be both an instrument of market realisation and a subsection of social policy. As such, the principle of gender equality is constrained and secondary to other EU policies.

<sup>19</sup> I am grateful to Rosalind Cavaghan, Muireann O’Dwyer, Dagmar Schiek, Eugenia Caracciolo di Torella, Silvia Sansonetti and Niall Crowley for their helpful comments.

Being anchored in economic considerations (Bain and Masselot, 2013), the principle of gender equality has progressively developed as a functional spill-over of market integration, to which it is now both 'subordinate and legally ancillary' (Adranghi et al. 2017: 17). The economic model, which the EU subscribes to, does not incorporate the values it has proclaimed in the Treaty, including gender equality and the environment (Power, 2004). Such an economic model considers these values to be too costly. This was well illustrated when the proposed amendments to the Pregnant Workers Directive (COM(2008) 637), introduced within the 2008 work-life package, was rejected by the Council in December 2010, and axed by the Commission on 19 June 2014, because it was deemed 'red tape' and too costly (Foubert and Imamović, 2015).

EU gender equality law is categorised as a subsection of social policy, which is itself in tension with the priority of the market. While the Court of Justice of the European Union held that the 'economic aims pursued by [this] Article, namely the elimination of the distortion of competition between undertakings in different Member States, is secondary to the social aim pursued by the same provision, which constitutes the expression of a fundamental right' (Cases C-270/97 and C-271 *Sievers*, para. 57), the economic imperative remains prevalent over social rights. EU gender equality law is, therefore, shaped by this hierarchical tension and remains impotent in transforming either economic or social policies.

The classification of gender equality law as a subsection of social policy is inappropriate. Gender equality law does not aim 'to promote the same dimension of social justice as social law and policy addressing distributive and participatory injustices of capitalism' (Schiek, 2016: 35). Gender equality law is a separate and distinct category from social policy, which must complement, but cannot replace, social policy (Schiek, 2016). Thus, a reclassification of gender equality as a separate value of the EU, as intended in the Treaty, would allow the concept to guide the evolution of both the market and social policy.

### **When the economy is not value-based**

The EU economic model is not guided by the Treaty values. Gender equality, specifically, is instrumentalised to serve the market and, as such, it is simultaneously excluded from and subordinated to economic debates. Economic issues are treated as separate from gender equality considerations. However, gender equality is not a special topic that can be addressed independently from the economy. Gender dynamics are part and parcel of any society and as such, they are at the heart of European integration (Kantola, 2017). Gender equality and the economy are strongly interconnected in a mutually constitutive relationship, yet the 'EU's economic/social binary places women's interests outside this sphere' (Cavaghan and O'Dwyer, 2018: 96), entrenching gender equality concerns as political rather than economic (Kronsell, 2005).

This exclusion of gender equality is further reflected in the structure of the European Commission, with its social and gender equality arm persistently distinct from its economic arm. For instance, as the Commission relaunched plans to tackle the gender pay gap in Europe (European Commission, 2017), this initiative, originating in DG Justice and Consumers, will have limited impact upon or input from DG Economic and Financial Affairs (Cavaghan, 2017b). Thus, EU institutional organisation would need to reflect and incorporate the Treaty values structurally in order to contribute to the emergence of a value-based economy.

Similar exclusion of gender equality is reproduced in the gender-neutral economic jargon used by the European Commission, which ignores gender equality concerns and entrenches ‘strategic silence’ (Cavaghan and O’Dwyer, 2018 p. 101) in the economy. ‘GDP’, ‘growth measurement’ and ‘competitiveness’ are blind to women’s productive and reproductive work (Waring, 1988). This need not be the case, nor should it be in a value-based economy.

Gender equality concerns are not only excluded from large parts of the economy but where they are included, such matters fall under the social realm and are, therefore, regarded as inferior. The European Semester represents an example of this phenomenon as it subordinates social aims to fiscal and macroeconomic imperatives and prioritises economics-oriented policy (Copeland and Daly, 2018).

As social policy is increasingly incorporated into the European Semester, some recommendations have much stronger legal standing than others. Recommendations connected to the Stability and Growth Pact have a Treaty basis, while social policy recommendations often do not. This means that any conflict between recommendations is biased towards the economic recommendations. The asymmetry in the legal standing of the different recommendations from the European Semester, according to whether they are economic or social, is harmful to the achievement of gender equality.

In 2017, the EU launched the European Pillar of Social Rights as a process designed to counter-balance the economics centred European Semester. However, the success of this initiative remains highly contested, predominantly because these social ‘rights’ lack any binding power (Maricut and Puetter, 2018). The European Pillar of Social Rights has no legal standing, in contrast to the economic measures under the European Semester, which have the potential for hard sanction in the form of financial penalties for breach of the Stability and Growth Pact. Being a subpart of social policy, gender equality follows the same trend. Experience shows that non-binding social policy measures do not produce reliable results (Masselot, 2006), as demonstrated by the difficulty to achieve the childcare objectives agreed in 2002.

### **Redoubling the effort on gender mainstreaming for a value-based economy**

The principle of gender equality, as a stand-alone Treaty value, should instead be guiding the economic and social dimensions of the European Semester to provide a path for a value-based social and economic convergence in the EU (Adranghi et al. 2017).

The EU’s approach to promoting the principle of gender equality is embedded in the Treaties, through gender mainstreaming since the Treaty of Amsterdam. Article 8 TFEU provides that ‘in all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women’. The opportunities and, more importantly, the constraints and limitations of this approach have been analysed widely in the literature (Minto and Mergaert, 2018; O’Connor, 2014; Stratigaki, 2005; Rubery, 2002).

Although gender mainstreaming has been successfully implemented in a small number of areas, including research (Cavaghan, 2017a), its impact in other fields remains vastly limited. Yet, properly implemented, gender mainstreaming has the potential to shift the way we measure the economy and to implement a value-based economy, where the value of gender equality could guide the EU economy rather than other way around. If gender mainstreaming is to drive a value-based economy, it should evolve in a way that, at the very least, would: include enhanced

knowledge relating to the interdependence between gender equality and the economy; substantially reduce male dominance in key decision-making positions; and embrace an intersectional approach.

The state of the knowledge of EU economic experts contributes to the practical segmentation between economic and gender equality issues. Such knowledge is, overall, homogeneous and reflects little understanding of feminist economics (Elsom, 2002). Consequently, European integration has developed on the basis of a common economic space (Hoskyns, 2008) constructed through the pursuit of gender-blind and gender-biased economic goals promoted by the EU (Cavaghan and O'Dwyer, 2018).

Understanding gender as a structural component of the economy (Hoskyns, 2004) requires investing in the generation of research to expand and diversify this knowledge. A value-based economy requires gender mainstreaming to include gender budgeting more effectively. If the economy is understood as a basic human need (Balakrishnan et al. 2010), then gender equality, childcare and education do not necessarily represent costs but investments likely to result in long-term economic growth (Henau et al. 2016; Campbell et al. 2013). Thus, the link between gender equality and the economy needs to be adequately researched and understood. Generating knowledge and research around gender equality as a component of the economy requires, inter alia, the collection of quality data in order to develop reliable indicators across EU Member States.

EU experts in economics matters, such as those involved in the European Semester, are largely homogeneous in their make-up and their understanding of the economy. A recent analysis of the key decision-makers in the field of economic governance shows an overwhelming male dominance (O'Dwyer, 2017). Such male-dominated expert groups are likely to create and perpetuate gender biases (Adranghi et al. 2017). There is therefore a need to diversify the membership of this group of experts with regards to gender, race and class, as well as their range of economic expertise and knowledge.

The evolution of gender mainstreaming to secure a value-based economy would further require an intersectional approach. EU institutions have often mistaken 'working white women' with all women (Hoskyns, 1996). Gender inequalities are, however, not felt equally among women. For instance, the burden of unpaid care work is especially heavy among non-EU born women and young women (European Institute for Gender Equality, 2017). The increase of female employment has led to an increased demand for cheap domestic labour, which has not been taken into account by the EU. As gender hierarchies vary according to other structural axes of inequality such as race or class, there is therefore a need to understand diversity from an intersectional perspective and to bring this understanding into gender mainstreaming.

## **Conclusion**

The vision of gender equality post-2020 requires a vital and dramatic shift in the way we understand and construe gender equality in order to realise the promises of the Treaty. As a fundamental EU value, gender equality must guide the development of law and policies towards a value-based economy. Gender mainstreaming must contribute by incorporating new knowledge on the interdependence of the market with gender dynamics, reducing the mono-culture of the economy, and understanding diversity within an intersectional approach. Such an evolution of gender mainstreaming would allow for gender equality to become a driver towards a value-based economy.

# Work/Life Balance: Not A Women's Affair

## Introduction

The Strategic Engagement for Gender Equality 2016–2019 commits the European Commission to action to 'increase women's participation in the labour market and combine work and family life', under the priority area of 'Increasing female labour-market participation and the equal economic independence of women and men'

The following five essays start from an understanding that women's economic disadvantage in the labour market is closely linked with their primary responsibility for unpaid reproductive work in the home. They pursue five very different angles in opening up the work-life balance theme.

The essays explore the employment/fertility nexus (Kreyenfeld); policy models for family arrangements (Rosina and Luppi), gendered patterns of time use (Plomien), household services and the time squeeze for households (Huws); and optimum workplace flexibility (Lewis). They reflect a shared concern as to the role of men within the household, and the sustained power of gendered norms across society.

## Core issues

Employment and labour market integration of both women and men have become prerequisites for family formation (Kreyenfeld). A significant expansion of childcare services and the adoption of a 'dual-earner/dual-carer' model for couples has enabled this. However, there are issues where this model fails to take account of gender differences in earnings and living conditions and where family policies become incoherent in pursuing the range of goals required.

Three models of family arrangements are evident in policymaking: the single (male) breadwinner model, the dual-earner model and the dual-earner/dual-carer model (Rosina and Luppi). The dual-earner/dual-carer model valuably advances equal involvement in care responsibilities and supports women's participation in the labour market. However, it assumes that both parents want to work, whatever their job, and to spend the same amount of time with their children; or that their work-life balance needs are unchanging over time. This is not always the case.

Gender inequalities in time use remain substantial and persistent with women spending more time on unpaid care and housework and men spending more time on paid work and leisure activities (Plomien). The increase in women's employment has occurred in uneven ways, as gendered patterns in paid work are underpinned by gendered patterns in unpaid work, with lasting consequences for the wellbeing of both women and men.

There is a 'time squeeze' in many households as women's labour market participation has increased, with more time spent on work and commuting and less time available for housework, in a context where men are not doing much more of this

unpaid work (Huw). Digitalisation is playing an ambivalent role in resolving this 'time squeeze' as households turn to the market to obtain household services that are no longer available from the state. These platform services, however, mitigate against social equality because of their high cost, and platform workers are poorly protected and find it difficult to exercise basic rights.

Optimum workplace flexibility is challenged in many instances by workplace culture (Lewis). Deep-seated assumptions suggest 'ideal workers' are always visible in the workplace, employee-led flexibility is undervalued or stigmatised, and social justice challenges emerge as employers develop time and place flexibility for highly skilled workers, but only employer-led flexibility for workers regarded as replaceable.

## **Policy foundations**

The European institutions have implemented a number of key policies that have enabled progress in this policy area, in particular:

- The 2002 Presidency Conclusions, Barcelona European Council – Barcelona objectives on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe.
- The 2017 European Pillar of Social Rights – 20 principles and rights to support fair and functioning labour markets and welfare systems.
- The 2017 Proposal for a Directive of the European Parliament and of the Council on work-life balance for parents and carers, adopted by the European Council in 2019.

## **Key new policy directions**

The imperative of policy promoting cultural change at work and in society, challenging gendered assumptions and disrupting gender norms, underpins the five essays. Each essay, in turn, points to the need for particular policy shifts.

Family and labour market policies are increasingly aligned. Family policies must continue to follow this more holistic approach by taking account of developments in the labour market, changes in employment structures, and inequalities between men and women that are generated on the labour market (Kreyenfeld).

Policy needs to move from enabling a singular model of family arrangement, whether the single breadwinner model, the dual-earner model, or the dual-earner/dual-carer model, to enable couples to choose their preferred model, and to change it according to their needs at different times. This approach should be coupled with policies that advance parents' equal sharing of care, to ensure that mothers and fathers have real choices in this regard (Rosina and Luppi).

A policy focus on the reduction of full-time working hours, accompanied by guarantees of minimum working hours, would enable time-redistribution and a redrawing of the boundary between paid and unpaid work in ways that de-gender the time spent in each sphere. This could generate gender-equal future work scenarios that incorporate time to care and could enable processes of social transformation towards gender-just sustainable societies (Plomien).

Digital platforms, if developed under the control of municipalities or non-profit bodies, or in the form of public-private partnerships, could enable flexible systems for

providing household services. Local platform strategies involving a degree of public control would safeguard service quality and employee rights, and offer a degree of democratisation with people having a say in service prioritisation. Inequalities in access that are inherent in purely market-based services could be avoided by integrating these platforms with public service provision (Huw).

Optimum workplace flexibility focuses on outputs; the work that is done, rather than when or where it is carried out. This goal requires a policy focus on organisational change, that disrupts gendered ideal worker assumptions and encompasses solutions that are socially just. This involves initiatives for redesigning jobs or work practices at all levels, through team collaboration to normalise flexibility, and provision of training for senior and line managers on how to combat gendered assumptions and realise the benefits of workplace flexibility. Policy initiatives could encourage collective approaches to workplace flexibility, including a right to request flexibility as an entitlement of teams as well as individuals (Lewis).

## A new policy paradigm for the employment–fertility nexus to respond to the ‘future of work’ challenge

By Michaela Kreyenfeld

### Introduction

The economic foundation of the family has shifted gradually in European countries. Female work no longer suppresses fertility. Instead, women’s employment and labour market integration have become a prerequisite for family formation in many countries. Pivotal for this development was the expansion of childcare, which allowed parents to better combine work and family life.

### Female work and fertility: shifting patterns

Nobel prize winner Gary Becker stipulated in his foundational monograph, the *Treatise on the Family*, first published in 1981, that the growth in the earning power of women was a major cause of the decline in birth rates in industrialised societies. Empirical evidence was pervasive at that time, and numerous empirical studies confirmed a negative correlation between female earnings, female employment and fertility. In an overview article in the *Journal of Marriage and Family*, that was published only a couple of years later, Spitze (1988: 606) already sensed that a negative relationship between employment and fertility may not be carved in stone, but that it depended on future generations’ abilities and experiences ‘in juggling childcare and jobs’. Yet, it was still regarded as a purely hypothetical future scenario that women’s employment and childrearing could be brought into sync.

When Spitze wrote her overview article, the hypothetical case, however, was gradually becoming a reality. The strong macro-level correlation between high female employment and low fertility that existed before, was about to reverse (Ahn and Mira, 2002; Castles, 2003; Goldscheider, Bernhardt, and Lappegård, 2015). Esping-Andersen (1999: 68) was among the first to have noticed that the association had ‘flip-flopped’. Ahn and Mira (2002) followed with a more careful macro-economic analysis that dated the reversal to the late 1980s (for a critical discussion, see Kögel 2014).

### Results on the micro-level studies: more mixed evidence

There was substantive evidence then that high female employment rates were related to high instead of low fertility rates. However, these studies had just produced evidence by relating fertility and employment rates on the national level, and thus by correlations of macro data. While macro-level evidence was pervasive, micro-level evidence (the correlations of the individual experience of unemployment with individual birth risks) produced more mixed results.

Results were strongly contingent on the operational definition of employment status, varied by birth order and country (Matysiak and Vignoli, 2008). Some micro level studies, for countries such as Italy and Germany, showed that part-time employed, unemployed, or non-working women were more likely to have children than

full-time employed women (Kreyenfeld, Andersson and Pailhé, 2012). For countries where work and family life was already more compatible due to a wider availability of public childcare, such as France and Sweden, micro level evidence was more clear-cut. In these countries, both male as well as female unemployment resulted in a postponement of first birth and a drop in second birth rates. However, for these countries results for third births were more mixed, too (ibid.).

The global economic crisis generated a new body of empirical research, which focused less on the gendered differences in the employment-fertility nexus, and was more concerned with how the overall macro-economic developments had affected birth rates. These studies highlighted that a close association between economic development and fertility existed in this period, as countries which were seriously hit by the economic recession reacted with drastic drops in their birth rates (Goldstein et al. 2013; Schneider, 2015).

### **Childcare and women's work**

The theories that tried to explain why a high engagement of women in the labour market no longer resulted in low or declining fertility, emphasised the pivotal role of institutions and social policies. According to this view, the foundations of the modern welfare state were modelled on the ideal of a male breadwinner family (Gleichen and Seeleib-Kaiser, 2018). In the male breadwinner family, it is the male's employment and income which is central to securing the household income and to providing the economic foundation of the family. Social policies were designed to support and protect this family form. Examples of this kind of policy are: the survivor pensions, which ameliorates the economic risks associated with the death of the primary earner; and tax reliefs for non-working spouses which financially supported the male breadwinner family.

Albeit that women's work patterns and family forms were beginning to change in the second half of the 20<sup>th</sup> century, countries were slow to react to this. McDonald (2006) observed a growing incoherence between the different layers of the society. While gender equity was slowly advancing in education and the labour market 'family-related institutions, especially the family itself, continue to be characterised by gender inequity' (ibid: 492). Many countries seemed to be locked into the dependency path of their social policy regulations and were unable to accommodate the needs of family forms and living arrangements beyond the male breadwinner model. However, some countries resolved that tension by adopting more progressive family policies, abolishing tax reliefs for non-working spouses, and expanding public childcare.

Overall, the expansion of childcare was identified as a chief policy to promote female employment, gender equality and to increase the birth rate. In this spirit, the Lisbon Strategy and the subsequent Barcelona Summit in 2002 set out targets for all EU-Member States to improve the compatibility of work and family by expanding the provision of childcare. Member States were encouraged to increase day care to 33 % for children below the age of three and to 90 % for children aged between three and mandatory school age (European Council, 2002). Some scholars regarded the Lisbon Strategy as an important impetus for installing the dual earner/dual carer model as a leitmotif on the EU level, being defined as a model that required women 'to take formal employment to secure economic independence' (Annesley, 2007: 196).

## **Social policies and fathers' work**

Many Member State governments addressed the EU recommendation and expanded public childcare and, thus, enabled parents to combine work and family life. The contribution of this expansion of day care to greater gender equality and the promotion of parental employment is mixed. Female employment rates have continued to increase in the last decade. Men have also become more active in housework, and in particular the upbringing of their children than before (Altintas and Sullivan, 2017). However, mothers' and fathers' earnings continue to differ to the disadvantage of women and so do their working hours. While women have expanded their working hours, there is no clear change in men's.

Concerns were raised that policymakers have been largely concerned with increasing women's labour market participation through measures such as the expansion of public childcare, whereas policies that support a more equal division of household labour and that push men to take on childrearing obligations have not been adopted to the same extent. While some authors assume that policies which support a more equal division of household labour would boost the fertility rates (Goldscheider et al. 2015), others caution against this viewpoint. Okun and Raz-Yurovich (2019: p. 169) have recently argued, for example, that when 'men themselves may experience the pinch of greater work-family conflict' this could also depress fertility.

## **Policy challenges**

The 'dual earner/dual carer worker model' constitutes a policy goal which is firmly committed to gender equality. However, there is a risk that social policy makers assume a dual earner/dual carer model without accounting for the gender differences in earnings and living conditions that continue to persist. Lewis (2001: 157) argued, for example, that cuts in the benefits for single mothers in the United Kingdom were largely based on the assumption that women could be full-time workers, which did not match the reality of single mother families who were not yet 'comprised of self-sufficient, autonomous individuals' (ibid: 155). In Germany, a reform in 2008 involved significant cuts in ex-spousal maintenance after divorce. This reform too was heavily criticised for assuming a degree of economic independence that could not easily be achieved by previously married mothers. These discussions reveal the difficulties that national governments face in modernising their family policies. On the one hand, institutions that support the male breadwinner model set 'misguided' incentives for mothers to reduce employment. On the other hand, dismantling these incentives may put some groups of mothers at an economic and social risk. As a result, family policies in many countries have been described as 'incoherent' and 'pushing and pulling' in different directions at the same time (Fleckenstein, 2011).

Expansion of childcare is core to facilitating the labour market integration of parents and to sustaining high birth rates. Several countries have expanded childcare in response to the Lisbon strategy. However, some countries, in particular in Central and Eastern Europe, have experienced cutbacks in childcare and a 're-traditionalisation' of their family policies (Thévenon 2011). Furthermore, while the Lisbon strategy set clear-cut and quantifiable targets for childcare below the age of three, low quality of childcare, restricted opening hours and limited care for school-aged children continue to be barriers for mothers' labour market participation in some instances.

While public childcare is an established policy to integrate mothers into the labour market, governments commonly shy away from more cohesive measures that aim at a reduction of fathers' working times. Parental leave regulations are exceptions

in this regard. Some countries, such as Sweden, Germany and Iceland, have installed incentives in their parental leave system to encourage fathers to take parental leave. The Swedish system is regularly praised for its flexibility allowing parents to take parental leave in a piecemeal manner until the child turns age eight. The recent adoption of the Work Life Balance Directive sets a further valuable marker in this regard (EU 2017), prompting countries to install a paternity leave of at least 10 days around the birth of a child.

A new challenge is the transformation of the labour market induced by the spread of the platform, shared or gig economy, which creates novel employment structures and employment relations. The move to a digital economy may come with more unstable contractual work and greater economic uncertainty. This may have repercussions on the fertility behaviour of the future generation, inhibiting or delaying their family formation.

### **Policy directions**

Family policies in the past were often conceptualised as redistributive policies, designed to reduce inequalities between families or between families and childless individuals. With the Lisbon Strategy, the European Commission took a new turn. It emphasised the importance of the labour market integration of both parents, who, with their economic engagement, provide the foundation of the family. With the Lisbon Strategy, family and labour market policies have moved closer together. Family policies must continue to follow this more holistic approach by paying close attention to the developments in the labour market, the changes in the employment structures, and the inequalities between men and women that are generated on the labour market.

New work forms offered by the spread of the platform, shared or gig economy and the move to a digital economy, may, despite the challenges they pose, offer greater freedom and flexibility for parents to choose the working times that fit best their preferences and life styles (Lehdonvirta, 2018). Policymakers will need to support flexible working time arrangement and at the same time safeguard labour rights, so that the boundary between work and family is not blurred, at the expense of working parents.

Reducing marginal employment on the one hand, and promoting career tracks for workers in (extended) part-time employment, on the other, are concrete and viable reform steps in many countries to further promote the employment and career development of women with children. Müller, Neumann and Wrohlich (2018) propose a radical reform that simultaneously aims at increasing mother's employment and lowering father's work hours. They suggest a provision of a transfer system for fathers and mothers of small children (between age one and six) which supports extended part-time employment. According to the authors, a model where parents both work extended part-time (around 30 hours each) still qualifies as a dual earner/dual carer model, but fits better with the preferences of parents with small children, than a model where both work full-time. This policy proposal remains undeveloped, but it provides an attractive vision of future working arrangements for families with small children.

## From a single breadwinner model to two breadwinners to double earner/carer – do we need a new model?

By Francesca Luppi and Alessandro Rosina

### Gender arrangements within couples

Three models have been used in policymaking to understand and respond appropriately to gender arrangements within couples and continue to be evident. These have been termed: the Single (male) Breadwinner model, the Dual-Earner model, and Dual-Earner/Dual-Carer model. The shift in modelling reflects how couples are responding to contextual circumstances and the choices made within couples.

The increase in women's participation on the labour market, especially during the typical ages of family formation, has, in particular, posed challenges to gender arrangements within couples. It has undermined the prevalence of the traditional *Single (male) Breadwinner model*. This model is based on gender specialisation, with men devoted to the labour market and women having primary responsibility for household and family tasks, especially childcare.

The female employment rate is now close to the male employment rate. This has driven the emergence of the *Dual-Earner model*, which is based on both women and men being in paid work. However, the amount of paid work now being done by women has increased more than men's participation in family and household work. Therefore, the spread of a *Dual-Earner model*, has merely meant that women face a so-called 'double-shift' of work to earn a wage and to engage in unpaid domestic labour. This situation comes out of deeply rooted traditional gender culture and the inadequacy of previous policies to promote gender equality in both labour market and family spheres.

Recent EU policy initiatives on work-life balance<sup>20</sup> promote the diffusion of another model in response to this situation. The proposed Directive on work-life balance for parents and carers is particularly illustrative of this shift.<sup>21</sup> This is the *Dual Earner/ Dual Carer model* (DEDC), where both partners are equally involved in care giving and in paid work activities (Gornick and Meyers, 2009). As stated in these policy initiatives, promoting equal involvement in care responsibility has a positive effect not only on gender equality. It also supports women's participation to the labour market, which enhances economic growth, reduces the risk of poverty for families with children, and secures positive returns in family wellbeing, by enriching the quality of the supportive relationships in the couple and between fathers and children.

The three models coexist in the European context. Differences in the mainstream gender arrangement model across countries are suggested by looking at the gender division of time spent in family and work. The latest OECD data<sup>22</sup> (Graph 1) on the

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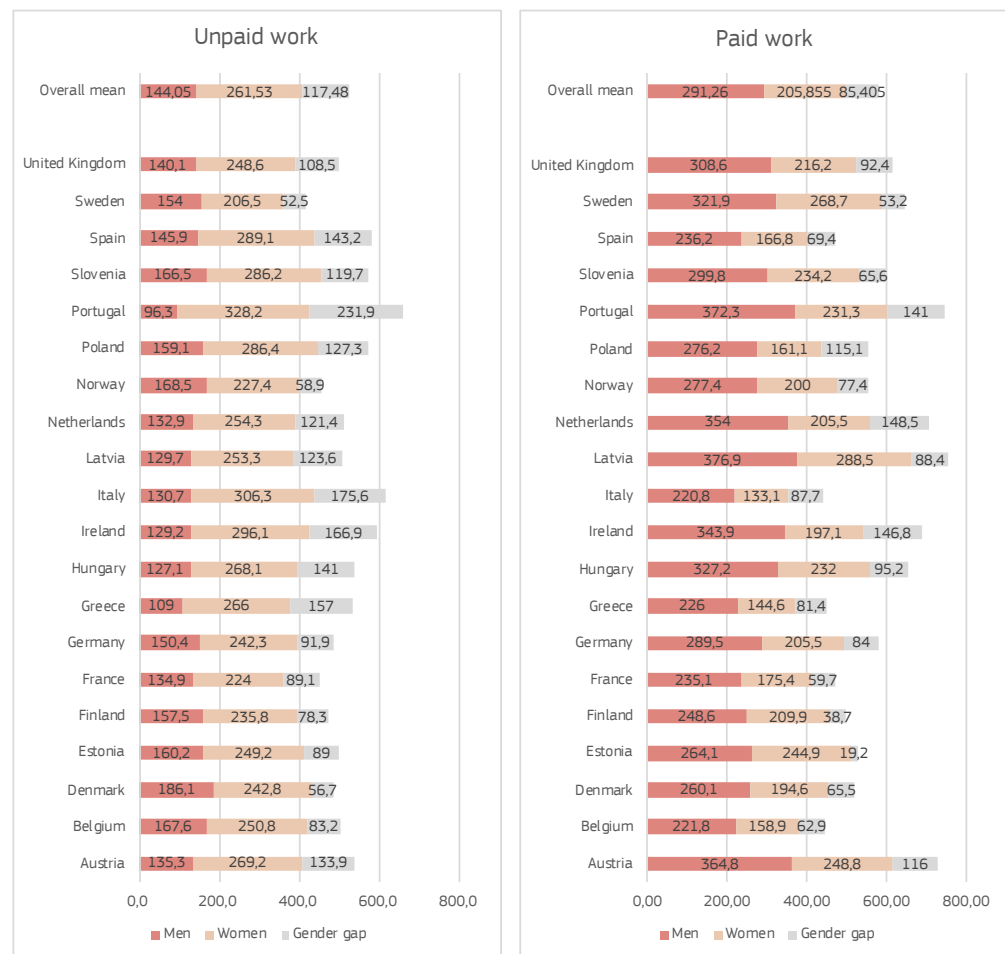
20 In 2017, the European Parliament, the Council and the European Commission compiled the European Pillar of Social Rights, that included the aim to support parents' work-life balance, by promoting women's presence in the labour market and improving the minimum standards for parental and fathers' leave. See: <https://www.eurofound.europa.eu/topic/work-life-balance>.

21 European Parliament legislative resolution of 4 April 2019 on the proposal for a directive of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (COM(2017)0253 – C8-0137/2017 – 2017/0085(COD)).

22 Data from European or country-specific Time Use Survey (latest year available for each country

average amount of time spent by women and men in doing paid and unpaid work during their 'active ages', 15–64 years, show a significant gender gap (see also Plomien in this publication). The gap is more evident for time spent in doing unpaid work (e.g. housework, childcare), with women doing on average more than men, even though with some country differences (Sweden, Netherland and Norway are more equal, while Portugal, Italy, Ireland and Spain report the highest gap).

**Figure 1.** Number of minutes spent in a week by women and men (age 15–64) in unpaid and paid work by country (Source: authors' elaboration on OECD data, last year available 2010–2015).



This gap is still present even when considering the situation of employed women and men only. According to Eurofound data (2016), working women in Europe spend 22 hours per week in unpaid work, while working men spend less than 10 hours.

### Policy challenges in modelling gender arrangements within couples

The kind of welfare state may support one specific model of gender arrangement, depending on whether and how policies sustain the gender equal involvement in paid work and household tasks – intended as both childcare and housework (Blossfeld and Hofmeister 2006). In this sense, Europe represents a 'palette' of prevalent

between 2010 and 2015)

models of gender arrangement, ranging from countries where the traditional breadwinner model is still mainstream, to countries displaying high level of diffusion of the DEDC model. The gender gap in paid-unpaid labour reported in Graph 1 mirrors exactly this cross-country variation.

Where the gender gap persists (such as in Southern and Eastern European countries), this is mainly due to the persistence of policies based on the Single Male Breadwinner model. This is reflected in the lack of effective work–life balance policies. Most of the policy interventions aim to protect maternity in the form of family allowances and maternity leave, while childcare services and paternity leaves are very limited. Under this perspective, all the policies that aim to support maternity without specifically favouring the mother's choice to participate to the labour market and without promoting a culture that gives value to men's role and involvement in caring responsibilities, can be considered as implicitly supporting the breadwinner model.

The predominance of the Dual Earner model is reflected in policies that provide maternity leave arrangements combined with part-time contracts and some provision of childcare services. However, also in this case, fathers are still not targeted with ad hoc measures to incentivise their involvement in family tasks. Therefore, this incentivises the mothers' attachment to the labour market, without relieving them from the double shift.

Finally, where the DEDC model prevails (such as in Northern European countries), policies that enable both parents to access long almost fully paid and flexible parental leave are also present, combined with an extensive public childcare system, and availability of part-time contracts or flexible work arrangements (Morgan, 2008).

However, the DEDC model is not widespread in Europe. Many countries still lack adequate policies to sustain the gender equal involvement in labour market and household tasks. Moreover, social expectations about who should take parental leave and how parents should share care responsibilities are still more traditional than expected even among countries with prevalence of DEDC model (Evertsson, 2013).

EU policy actions to promote the DEDC model are, therefore, essential, given their potential to dismantle these institutional and cultural constraints and contribute to such an outcome.

Even though the diffusion of the DEDC model is an indicator of higher level of gender equality in the work and family sphere, it is also useful to consider potential limitations if we consider its adoption 'the way' to reach gender equality within the couple.

The model, in fact, implies that both parents desire to work, independently of the kind of job they might have. This might not always be the case. Moreover, it assumes that both parents have the same desire to spend the same amount of time with their children. The model does not take into consideration that, even in a context of widespread egalitarian gender attitudes, both mothers and fathers may prefer to invest more time in their career than in their family or vice versa. The model does not take into account that couples might need to adjust their work-care arrangement over time in a flexible way, according to new needs, by adopting either the Single Breadwinner or the Dual Earner model for periods.

Therefore, the promotion of the DEDC model is a transitional phase towards higher level of gender equality. This would allow parents' choices with regard to their involvement in paid and unpaid work not being driven by traditional gender culture or stereotypes. However, it is the aggregated gender gap, *between* women and men

and not *within* the couple, in work and care tasks that needs to be overcome. In other words, couples should be free to choose the kind of arrangement they prefer without any institutional or cultural constraints. Still, this can happen only if the DEDC model is an actual option that all the couples may effectively consider to adopt in their territorial and social context.

### Policy responses

In order to favour the diffusion of the DEDC model, the 2019 EU Directive on work-life balance for parents and carers includes exclusive paternity leave, high compensation rates and affordable and high-quality childcare services as priorities for the family policies development. In particular, the Directive includes provision for a minimum of two weeks (10 days) of exclusive adequately paid paternity leave, in order to improve fathers' involvement in childcare.<sup>23</sup> The measure follows results from studies showing that fathers taking parental leave participate more in childcare, especially if the leave is used during the first weeks of life of the child (Huerta et al. 2013; Bunning and Pollmann-Schult, 2016). Parental leaves are one of the most effective policy tools to improve fathers' involvement in childcare and domestic work (Hook, 2006; Nepomnyaschy and Waldfogel, 2007). This is particularly true when there is a non-transferable element specifically for fathers. However, it has been calculated that almost 90 % of fathers in Europe do not take parental leave (Borg, 2018).

In order to incentivise fathers to take longer leaves they should be not only non-transferable but also well-paid (Morgan, 2008). Currently, only 13 countries (Nordic countries, Germany, Austria, Spain and Eastern countries) offer well-paid paternity leave equal to or longer than this minimum entitlement (European Commission, 2010). The original proposal of the Directive on work-life referred to adequate pay, previously a 'well-paid' leave has been defined as being paid at, at least, 66 % of previous earnings (European Commission, 2010). The European Parliament's Committee on Employment and Social Affairs proposed to increase the compensation level to at least the equivalent of 75 % of the worker's gross wage (Janta and Stewart, 2018). The approved Directive provides for a compensation at least at the level of sick pay, which varies across Member States (European Commission, 2016). In this respect the new Directive could usefully be subject to future improvements.

Low compensation levels, in fact, may promote gender specialisation in work and family tasks, especially in a context where formal childcare services are limited and/or expensive. A stronger social investment is required to overcome the traditional gender culture. Consideration could usefully be given to the possibility of rewarding fathers taking parental leave with more than the 100 % of their earning. This could happen, for instance, by providing a special baby bonus, added to fully paid paternity leave, which is proportional to the length of the leave taken by the father. An initiative of this nature could increase take-up in the short-term, and promote change in traditional gender culture in the longer-term. This would have to be designed and pursued in terms of positive action, allowed under equal treatment legislation, seeking the achievement of full equality in practice.

Policy directions are needed that move from reflecting, enabling and promoting

<sup>23</sup> See the European Parliament resolution of 4 April 2019 on the proposal for a directive of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (COM(2017)0253 – C8-0137/2017 – 2017/0085(COD)).

a singular specific model of family arrangement, whether the Single Breadwinner model, the Dual-Earner model or the DEDC. Couples should be enabled by policy to choose their preferred model, and to change it according to their needs at different times. This approach needs to be coupled with policies that enable and promote parents' equal sharing of care, in order to ensure that mothers and fathers are really free to choose their preferred arrangement for involvement in work and family spheres and are not bound by cultural or institutional constraints.

In the medium to long-term perspective, it will be necessary to move from policy reflecting enabling and promoting specific models for arrangements within couples to policy based on reflecting, enabling and promoting cultural change in dominant gender cultures that currently prevail and underpin traditional gender roles. Such an approach affects the gender culture of the next generation, through the intergenerational transmission of values from the parenting approach they experience, as an added benefit.

Policies have the power to affect gender relations in general and gender arrangements in particular (Orloff, 1996). Cultural change will come from a coherent policy system supporting fathers' involvement in care as the norm and avoiding parental leave characterised by very long duration and low compensation.

Cultural change requires investment in rethinking and reshaping policy responses to the care role. This needs to include guaranteeing equal treatment, in terms of earnings and career, for working mothers and fathers who decide to take parental leaves compared to their colleagues. Recent experience in some countries, Germany and Iceland for example, has shown positive developments in this regard for three types of policies:

1. A consistent increase in **the length and the size of well-paid exclusive paternity leave**, which incentivises parents' equal share of care work, even in the long term;
2. A broader investment in improving the accessibility, both in terms of availability, high-quality and affordability, of **flexible childcare services**, which supports both parents to meet their work and family needs;
3. Incentivising both parents, with a specific focus on fathers, **to take flexible working arrangements**, both in terms of working hours (e.g. part-time) and place of work (e.g. teleworking), without any negative consequences at the workplace in terms of career or earnings.

## Time and gendered life course trajectories: paid work-time reduction policies for a gender-just Europe

By Ania Plomien

### Introduction

European societies are characterised by social structures that stand in the way of achieving gender equality and justice. The social organisation of time is one such gendered structure of constraint. Embedded within states, markets, communities and families, spanning the boundary between paid and unpaid work, and shaping access to material and immaterial resources, time is a pivotal dimension of gendered social practices unfolding over the life course.

The division of time between paid and unpaid work sorts people into performing visible labour, socially defined as 'productive', and invisible labour, socially defined as 'unproductive'. While equally important and part of the same socioeconomic process, whereby work for pay depends on unpaid work and care to restore and sustain people, and people depend on paid work to survive, these activities are unequally valued. Gendered patterns of time use in paid and unpaid work trigger lasting consequences for women's and men's wellbeing. Time policies aimed at shifting the boundary between paid and unpaid work in ways that de-gender time spent in each sphere are needed in moving towards a gender-just society.

### Time use

Gender inequalities in time use are substantial and persistent. Across the EU, women spend more time on unpaid care and housework, whereas men spend more time on paid work and leisure activities (EIGE, 2017).

Among the working age population (20–64) women's employment rates increased from 52.8 % in 1995 (EU-15) and 59.9 % in 2005 (EU-28) to 67.4 % in 2018 (EU-28). Despite this, they remain substantially below men's rates of 78.9 %, a gap of 11.5 p.p., which increases to 18.1 p.p. in full-time equivalents (EC, 2019). These trends are similar for older workers (55–64), where lower employment of women (52.4 %) than men (65.4 %) widens the gender gap to 13p.p. (Eurostat 2019).

Stark gender differences are evident in paid work. For instance, while weekly hours of paid work are similar among full-time workers (42.2 for men and 39.9 for women) and part-time workers (19.3 for men and 20.7 for women), the incidence of working part-time is much higher for women (30.8 % women, versus 8 % men) (Eurostat, 2019). Looking after children or incapacitated adults is the main reason for women's part-time employment (28.7% women, versus 5.9 % men), followed by other family or personal responsibilities (15.3 % women, versus 9.6 % men). These disparities are even more pronounced among the population not seeking employment, where care- and family-related reasons amount to 63.6 % for 'inactive' women versus 9.2 % for 'inactive' men (Eurostat, 2019). Differences among women in their ability to engage with the labour market are gendered as men do not face comparable constraints.

Women's substantial employment gains have thus occurred in uneven ways largely because gendered patterns in paid work are underpinned by gendered patterns in unpaid work. Studies demonstrate that since the 1960s women have reduced the

time they spend on unpaid work and care, while men are contributing more (Gershuny and Fisher, 2015; Altintas and Sullivan, 2016). However, convergence trends vary according to national policy and gender regimes (the social structures influencing gender relations (Connel, 1987)) and have slowed down. Women still do twice as much routine housework (cooking, cleaning, laundry) and a third more care and non-routine housework (shopping, gardening, home maintenance) than men.

Taking the general population (aged 20–74) as a whole, the amount of time spent on unpaid domestic work and childcare is similar to that spent on paid work, on average 225 minutes and 218 minutes per day respectively. However, on a daily basis, women spend 290 minutes on domestic work and childcare and 170 minutes on paid work, while the proportions are reversed for men, with 154 and 270 minutes respectively (Giannelli, Mangiavacchi and Piccoli, 2012). Therefore, not only is each type of work, paid and unpaid, gendered but the total amount is unequal as women work 36 minutes more per day or 4.2 hours more per week than men, a difference equivalent to over 27 'standard' 8-hour workdays annually.

Among the employed population specifically, inequalities in unpaid work-time persist. Women spend 22 hours per week on unpaid work and men only 9 hours, with relatively narrower gaps in the Nordic countries of 6 to 8 hours, but wider than 15 hours in Austria, Malta, Greece or Cyprus (Eurofound, 2018). Time demands due to care responsibilities affect people's entire working lives. During life phases with young children, unpaid work levels go up for men and women, but impact women more. Women with a partner and a young child spend 39 hours a week on unpaid work, which is more than double the 19 hours reported by men in the same situation. In paid work, the widest time gap also occurs during the intense parenting phases, although it is driven by increases in paid work-time of fathers and reductions of mothers' paid work time (Eurofound, 2018). At older ages (50–64 and 65+), a higher proportion of women than men care for grandchildren, adult relatives and friends (Eurofound 2017a).

Gendered distribution of time shapes unequal conditions for attaining autonomy and independence deriving from paid employment. Discontinuous and non-standard employment contribute to the gender pay gap and relatively higher levels of material deprivation. Labour market inequalities extend cumulatively into disadvantages in later stages of life, including older women's high risks of poverty and a high gender pension gap of 35.7 % (Eurostat 2019). Yet, unpaid work and care are necessary and important to individual, family, and societal well-being. At the macro level, they comprise a large proportion of economic activities taking place in the non-market sphere. Estimates of the output of unpaid domestic work and childcare in Europe put its value at 17 % to 31.6 % of GDP, and higher if adult care were included (Giannelli et al. 2012). Time outside of paid employment is thus neither 'inactive' nor 'unproductive' and shifting activities and resources from unpaid to the paid economy cannot simply demand more women engaging in more paid work.

### **Existing policy initiatives**

The EU has had some impact on the gendered division of time in paid and unpaid work. The efforts to normalise gender equality as a fundamental value and to pursue its implementation through social and employment policies have primarily targeted employed women (Fagan and Rubery 2018). Policy interventions have addressed women's labour market participation and work-family reconciliation. Specific time-related legislation includes: minimum levels of paid maternity

leave (Directive 92/85/EEC); minimum levels of parental leave and the right for parents to request reduced and flexible schedules when returning from leave (Directive 2010/18/EU); elimination of discrimination against part-time workers (Directive 97/81/EC); protection against discrimination and dismissal (Recast Directive 2006/54/EC); and working time laws on rest-breaks and holidays and maximum weekly working hours (Directive 2003/88/EC). These have been supported by soft measures, such as encouraging the development of childcare services through the 2002 Barcelona objectives.

However, these initiatives have not overcome the gendered organisation of time in paid and unpaid work, but, to some extent, have accommodated its persistence. Undoubtedly, family-friendly working arrangements have enabled large numbers of women to combine employment with care work. But the limits of existing policy are clear where working hours are long, public care provision underdeveloped, and men's level of unpaid work insufficient. Similarly, improvements to employment conditions for part-time and full-time workers have been beneficial. Yet, instead of encouraging the convergence of gendered patterns in paid and unpaid work and blurring the production-reproduction divide, they have instituted bifurcated work-time (Mutari and Figart, 2001; Zbyszewska, 2013). Gender difference is reinforced by entrenching one path of standard full-time long-hours for unconstrained (supported) workers and another path of non-standard (albeit increasingly prevalent) part-time and otherwise flexible work for constrained (supporting) workers. As a result, women's life courses have been channelled into three worlds: primarily unpaid work and care, a combination of unpaid and paid work, and primarily paid work. Less varied, men's life courses centre on paid work.

The new Directive on work-life balance for parents and carers adopted in June 2019 (Council, 2019) strengthens the legal framework concerning organisation of time by, for example, targeting fathers' low take-up of paternity and parental leave and thus addressing their absence from unpaid work and care. Men's negotiations of care-time are crucially important in bridging the gap between policy provisions and use (Brandth and Kvande, 2009; Hobson and Fählen, 2009; Kilkey, Perrons and Plomien, 2013). Fathers express desire for hands-on involvement in the day-to-day care of their children, but don't see this as a real possibility because of their 'crazy hours of work', reluctance to ask for flexible schedules for fear of being made 'redundant at the first opportunity', and because any reduction of their earnings tends to cost their family more than foregoing their partners' income (Kilkey et al. 2013). The Directive usefully broadens the scope for eligible workers, sets a new minimum standard of 10 days of paid paternity leave, strengthens the individual right to parental leave, introduces 5 days of annual carer's leave, and improves rights to request flexible working arrangements. However, while it advances existing provisions for fathers and carers in general, more is needed to de-gender paid and unpaid work (Plomien, 2018).

### **New policy directions**

Broad-ranging time policies can facilitate a more gender-equal allocation of time between paid and unpaid activities. Two types of policy, family-friendly working arrangements and care-leave regulations, have been particularly instrumental in raising women's employment rate. However, their gendered take-up solidified rather than dissolved gendered differences, especially as men's participation in unpaid work has been slow to change. Further adjustments to such measures offer some scope for making women's and men's life courses more equal by strengthening the

incentives for men to avail of them, especially regarding parental leave (Eurofound, 2019).

A third type of time policy is needed to enable more equal, just, and, given growing care needs, sustainable use of time: reduction in full-time paid work-time. Although, at the EU level, relatively little space has been given to policy debates on reducing work-time, the issue is not new (Marx, 1845; Mill, 1871; Keynes, 1930). It accords with key feminist demands for the redistribution of resources, including time, to better 'integrate wage earning, caregiving, community activism, political participation, and involvement in the associational life' (Fraser, 1997: 62).

No single policy can cut through all the complexity and deliver immediate results for the deep-rooted problem of gender inequality, but measures 'to shorten the work week and challenge the norms of full-time employment ... offer the best prospects for achieving gender equity' (Mutari and Figart, 2001: 56). Effectively, shorter full-time work hours will directly bridge part-time and full-time employment gaps. Given the importance of time availability for performing unpaid work as partners with more time outside of employment do more of it (Aasve et al. 2014), it will facilitate more equal sharing of unpaid work and care. Enhancing these direct changes, a policy multiplier logic (Himmelweit and Sigala, 2004) might instigate indirect mechanisms generated by the redrawn paid-unpaid work boundary, such as strengthening of fathers' substantive rights or valuing feminised types of work.

Paid work-time reduction policies are seen as desirable. Of the 42 % of working Europeans who want to change their working time, a larger proportion prefers reduction over an increase, with a higher proportion of men wishing for shorter paid work-time and a higher proportion of women for longer paid work-time (Eurofound, 2017b). Consensus is emerging among organisations concerned with working conditions. The ILO advocates for gender-equal future work scenarios to incorporate time to care (2019) and proposes that full-time hours reduction, accompanied by minimum hours guarantees, can generate positive outcomes for workers, companies, and societies (2018). The Trade Union Congress (2018) advocates a four-day working week, and the New Economics Foundation (2010) suggests that weekly paid work should be revised down to 21 hours as the new norm.

The feasibility of such seemingly radical changes stems from productivity growth (Schor 1992; 2005). Although productivity gains have not been sufficiently shared with and among workers in recent decades, they can support cuts to long hours and thus enhance work-family balance. Automation developments can also contribute to the social reorganisation of time. The political feasibility of progressive time policies could be reinforced by the increasingly egalitarian gender social norms.

Given the prevalence and importance of unpaid work and care, there are limits in the extent to which women's life courses can and should approximate the current masculine employment norm. Only some women have found this norm attainable and any further advances towards gender equality necessitate its transformation. Women's increased participation in the labour market needs to be met by men's participation in unpaid housework and care, for their worlds to become more equal. Paid work-time reduction policies offer an opportunity to attain gender justice in Europe.

## Changing world of work and gender equality: work-life balance, household labour and the platform economy

By Ursula Huws

### The issue

The history of debates about domestic labour is as old as the history of feminism. There is general agreement that women's economic disadvantage in the labour market is closely linked with their primary responsibility for unpaid reproductive work in the home (Huws, 2018). Opinions have been split about how this should best be addressed. One strategy has been to seek public provision of services that can substitute paid labour for this unpaid work, making it the basis for decent employment carried out by qualified workers with agreed standards of care. A second strategy has been to pursue policies that encourage men to take greater responsibility for household tasks, including providing them with paid leave to take a more active role in childcare. A third strategy seeks payment for domestic labour, in the form of subsidies such as child benefits, carers' allowances or universal benefits or subsidies to support domestic help such as the French Chèque de Services (Chèque de Services, 2019) or the Belgian Titres-services de Lens (Talens, 2019) schemes. A fourth strategy is focused on the potential of new technologies to automate household tasks and reduce, if not eliminate, the time spent on them.

Progress has been made on all these fronts in the EU, but there is a risk that some of these trends may go into reverse. Considerable advances were made in many Member States in the second half of the 20<sup>th</sup> century in the development of public services to provide childcare, care for older people and disabled people, and, in many cases, supplementary services such as 'meals on wheels'. However, since the crisis of 2008, austerity policies have resulted in significant cutbacks to these services in some Member States, with these tasks reverting to households as unpaid work.

At the same time, women's labour market participation has increased, leading to more time being spent on work and commuting (Gershuny, 2018) leaving less time available for housework. While the gap between women and men in the number of hours devoted to unpaid housework and care work has reduced, this has largely been because women are doing less, rather than men doing more (Altinas and Sullivan, 2016: 458; OECD, 2014). There is a major 'time squeeze' in many EU households, with negative effects on work-life balance. This time squeeze, by limiting the time available for further labour market participation, inhibits further progress towards equality of opportunity between men and women, although the Directive on work-life balance (European Parliament, 2019) and the implementation of the work-life balance and childcare principles in the European Pillar of Social Rights,<sup>24</sup> could go some way towards addressing this in Member States whose basic provisions are exceeded by their terms.

The evidence is that households are responding to this time squeeze by turning to the market to obtain household services that are no longer available from the state. For example, one household in three in the United Kingdom is now paying for do-

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<sup>24</sup> Also through the European Structural and Investment (ESI) Funds, in particular the European Social Fund (ESF) and the European Regional Development Fund (ERDF), that supported work-life balance policies and investments to improve access and quality of childcare services in the 2014–2020 programming period (European Commission, 2017a).

mestic help (Poulter, 2016). Digitalisation is playing an ambivalent role in resolving this 'time squeeze'. On the one hand, it adds to the pressures on household time by extending the working day, making workers available outside normal working hours to respond to electronic communications from employers and clients and providing the means for them to be available at short notice on a just-in-time basis, with negative impacts on employment quality and work-life balance (for further detail see Wajcman, 2016; Gregg, 2011). On the other hand, the development of online platforms for household services, ranging from food delivery to cleaning, household maintenance and babysitting, provides new market solutions to substitute for unpaid household labour.

### **Digitalisation and the platform economy**

Research at the University of Hertfordshire covering seven European countries in 2016–17 found a high proportion of the population purchasing and providing services from online platforms. Aside from platform work in public places providing taxi and food delivery, and focusing only on services in private homes such as cleaning, babysitting, gardening or household repairs, between 2.4 % of the adult population (in Sweden) and 8.9 % (in Italy) were found to be providing such services at least weekly. Between 10 % of working-age adults (in Germany) and 23.8 % (in the United Kingdom) were purchasing these services (Huws et al. 2017).

Previous research (Hondagneu-Sotelo, 2001; Ehrenreich and Hochschild, 2002; Young, 2001) suggests that the delivery of household services might replicate traditional patterns whereby middle-class two-earner households employ poorer workers, often migrant women, to carry out their household tasks. However, the evidence from the UH surveys is that most of the customers are not high earners but people on average earnings or below who work full time. Furthermore, across the seven countries, on average no less than 84.9 % of people providing these household services were also customers for them (Huws, 2019).

The platform economy can, therefore, be regarded as a new marketplace in which time-poor households shop for labour to meet their needs for domestic services to maintain their homes and care for their families. Platform services may be more flexible than public services. However, they mitigate against social equality because of their high cost, leaving the poorest households, such as single-parent households and older households, both more likely to be female-headed, disadvantaged in their ability to access the services.

On the supply side, platform workers are poorly protected and find it difficult to exercise basic rights, such as the right to call in safety inspectors. They are also vulnerable to being arbitrarily dropped from platforms if their customer ratings fall too low (Huws et al. 2017). The scant research available on gender and platform work suggests that women work longer hours and their hourly rates are on average two-thirds of those of their male counterparts (Barzilay and Ben-David, 2017). Studies have also found systematic bias in customer ratings against women and ethnic minorities (Mitchell and Martin, 2018; Rosenblat et al. 2016). Some of these labour protection issues could be addressed by the provisions of the proposed Directive on Transparent and Predictable Working Conditions (European Commission, 2017b).

## Policy directions

Digitally managed online platforms in their current form thus present risks to workers (in terms of poor working conditions and lack of security) while also placing barriers to equality of access by users when compared with public services, because they are available only to those who can afford them. However, if combined with other traditional demands of feminists for solving the 'housework problem', they could open up important new opportunities to free both men and women to play more equal roles in the home and in paid work. A range of policy initiatives are required to ensure this potential is realised.

The underlying technologies of digital platforms, if developed under the control of municipalities or non-profit bodies, or in the form of public-private partnerships, could be used to develop flexible systems for providing household services on a just-in-time basis, ranging from ready meals for people who are sick, older and housebound to emergency baby-sitting services. Local platform strategies could be promoted and secured by national policy and supported by EU initiatives.

It would be possible to avoid the inequalities in access that are inherent in purely market-based services by integrating these platforms with public service provision. It could be useful, for example, to make certain services free to particular categories of users, to introduce means-testing, to apply existing rules on entitlement to public services to platform services, or to provide households with vouchers or a basic income part of which could be used to purchase such services. Placing these platform services wholly or partially under public management would bring them under democratic control, opening up the possibility for local communities to have a say in service prioritisation.

A degree of public control would make it possible to safeguard service quality. This could ensure, for example, that all workers are suitably trained, qualified and vetted, that health and safety standards are met and that workers are properly compensated, with employment rights, decent working conditions and entitlements to maternity, paternity and parental leave, sick leave, holidays and pensions. Such policy initiatives could be complemented by other policy steps to address the social protection, wages and working conditions of platform workers more generally. This would include clarification of their employment rights and a reform of social protection systems to better protect precarious workers in this field, as recommended in the Council Recommendation on access to social protection for workers and the self-employed (European Commission, 2018).

Such initiatives could take advantage of some of the new possibilities opened up by digitalisation, such as the flexibility offered by online platforms for matching supply and demand in real time. This could make it easier to meet the needs of users with unpredictable demands for services, such as people with intermittent medical conditions or workers on on-call contracts, by providing them with just-in-time provision of services (such as emergency baby-sitting or short-term care). It would, further, be possible to combine these platform services with other public goals, such as ensuring that the food delivered is nutritious and ethically or locally sourced.

A local platform strategy could be combined with initiatives to ensure decent working conditions, professional training and employee benefits for the workforce. An integration with existing care and home help services could be achieved where relevant. Such local platform strategies could, in addition to creating new kinds of decent employment in local communities, bring other forms of benefit to local communities. If the platforms provide market services as well as subsidised ones,

then the extra value created by them would be more likely to remain in the local economy, generating a range of multiplier effects. Once platforms are set up, there would be no reason in principle to restrict them to providing household services. They could also be used to create other sorts of employment for local job-seekers, such as, for example supplying business services to local start-ups or SMEs. Consultation with other local stakeholders, including trade unions, would, however, be required to ensure that they were not inadvertently undercutting existing businesses in so doing.

Digitalisation in and of itself is unlikely to lead to the liberation of women from carrying an unfair share of the load of unpaid domestic work. However, when combined with progressive and innovative public policies to create new forms of service provision, and with fair employment policies that respect the rights of female and male workers, it could further equality between men and women by creating local platform economies that are integrated with local welfare services.

By freeing up time that would otherwise be devoted to housework this could enable both women and men to access the labour market on more equal terms, while improving their work-life balance. On the labour supply side, it could create better-quality and more satisfying employment combining flexibility with security and full inclusion in the labour market, including the legal protections and social rights of employees. Local economies and communities could also benefit in several ways. The value generated by these new economic activities would remain in the local economy; the flexibility offered by digital technology in matching supply and demand in real time would result in better quality services, responsive to the varied needs of local residents; and the improved work-life balance of the local population could release more time for other activities such as creative work, voluntary work or active citizenship.

## Changing world of work and gender equality: can flexibility in the workplace enable men and women to adapt working time to private time needs throughout their working lives?

By Suzan Lewis

### Introduction

Optimum workplace flexibility focuses on outputs; the work that is done, rather than when or where it is carried out. This essay explores the possibilities for achieving optimum workplace flexibility, normalised for men and women, to enable them to adapt working time to private time needs throughout their working lives, regardless of whether this is for parenting or care responsibilities, health or disability issues, fertility treatment, studying, or other needs. This requires a focus on workplace structures, cultures, and practices and on organisational change rather than individual flexibility needs.

Not all forms of workplace flexibility support work-life balance. Some employer-led flexibility is designed primarily to benefit employers, for example zero hours contracts or, more generally, the gig economy, where lack of regular secure income can undermine work-life balance. In contrast mutual flexibility is designed to meet a dual agenda of benefiting both employees and employers. This includes flexitime ranging from limited to total flexibility and may involve off-site working or, for front line staff, flexible rostering, shift swapping or multiskilling to ensure employees can cover for each other.

The dual agenda argument for workplace flexibility should be extended to a triple agenda: finding solutions that benefit employees and employers and that are socially just. Social justice must be a key feature of optimum workplace flexibility. This encompasses equality of access across genders and occupational levels and within work groups. While the formalisation of flexibility in workplace policy and procedure is usually necessary to ensure fairness, some degree of informality can be important in some contexts, for example in smaller organisations.

EU and national policies to promote workplace flexibility, such as entitlement to request flexible working, can potentially enable women and men to adapt working time to private time needs. However, such policies must be implemented in workplaces where they face a number of interrelated challenges that need to be met to achieve such an outcome.

### Challenges

Workplace culture poses significant challenges to optimum workplace flexibility. In many workplaces, deep-seated assumptions, that 'ideal workers' are always visible in the workplace and prepared to put work before family, remain strong. Thus employee-led flexibility is undervalued or stigmatised, reinforcing gender inequality. Such gendered workplace assumptions are sustained by wider societal and family norms. Where traditional gender role assumptions persist, women are more likely to accept employer-led flexibility, such as reduced or insecure hours put in place in the interest of the employer, in order to manage family responsibilities, while men are more likely to conform to ideal worker norms of long or rigid hours and visibility in the workplace. Social justice challenges also emerge as employers develop time

and place flexibility for highly skilled workers, but only employer-led flexibility for workers who are regarded as easily replaceable

Lack of understanding of the benefits of flexibility, or assumptions that it is a 'cost' or something that must be limited, can underpin manager resistance to optimum workplace flexibility. Short-term thinking leads to ineffective quick-fix solutions, such as the implementation of a flexible working policy without attention to longer term cultural change

The use of technology to support workplace flexibility can blur boundaries between work and home. This is double-edged. It can contribute to work-life balance, but can also mean that employees who have heavy workloads or no clear work boundaries, often work longer and harder.

Finally, policy and research can limit the scope for optimum workplace flexibility by predominantly focusing on the needs of parents and carers. This neglects other life course phases, creating barriers to overall organisational cultural change.

### **What has been done to date?**

There is considerable research evidence that workplace flexibility, if well implemented by supportive managers within supportive workplace cultures and based on trust and effective communication, can reduce employee work-family conflict, enhance perceived work-life balance, and be associated with a range of positive organisational outcomes. However, ideal worker assumptions are difficult to challenge. Even in Sweden, where flexibility and a fathers' leave quota are well established, workplace flexibility depends on the values and assumptions that make up organisational cultures (Haas and Hwang, 2019). Action or intervention research begins to address some of these challenges.

Collaborative Interactive Action Research (CIAR), developed by Rhona Rapoport, Lotte Bailyn and colleagues, involves working with workplace teams to highlight and challenge gendered ideal worker assumptions and demonstrate how these lead to counterproductive working practices (Kim et al. 2016). It encourages teams to collaboratively identify and experiment with innovative flexible working arrangements to meet a dual agenda of gender equity and workplace effectiveness. Flexibility that meets the needs of only employers or only employees is less effective. Solutions with personal and productivity benefits can go beyond flexitime to involve, for example, changing workplace norms and practices, increasing collaboration, and securing job redesign. CIAR recognises the importance of context. No single solution fits all workplaces.

However, this approach is time-intensive and has been mainly limited to studies of highly skilled workers in large organisations. Family intervention research and other work has, however, focused on, for example staff working in nursing homes or care homes, with similar positive outcomes of change to workplace norms and practices (Hammer et al. 2016)

Many smaller enterprises operate optimum workplace flexibility, developed through informal processes of mutual adjustment or give-and-take rather than top-down formal processes (Stumbitz et al. 2018). An ILO review of research (Lewis et al. 2014 ) found evidence that workplace flexibility can enhance productivity in some SMEs, while no studies demonstrated negative effects of flexibility on productivity. Nevertheless, not all SMEs support workplace flexibility. Much depends on owner-

managers, so regulation becomes an important focus.

The EU Directive on work-life balance for parents and carers recognises the triple agenda but limits the right to request flexibility of working hours, schedules, and place to parents and carers. This implies that flexibility is an accommodation, which leaves ideal worker assumptions unchallenged. A right to request flexible working is already extended across the life course in some states. In doing so, most states focus on the number of hours worked, although increasingly the focus includes flexibility of time and place. In the United Kingdom and the Netherlands, the right to request flexible work relates to flexibility of time and place for all workers with a given period of service. In both these cases, employers have a right to refuse flexibility on business grounds, but it is more difficult for employers to do so in relation to offsite working in the Netherlands, where employers must discuss requests for this flexibility with employees and justify why the work is bound to a location. However, in the Netherlands, enterprises with under 10 employees are exempt from the provisions.

### **What needs to be done now?**

Overall, it is important to focus on organisational change to challenge gendered ideal worker assumptions and encompass solutions that are socially just.

Fundamental workplace change cannot be achieved by human resources policymaking alone. Development and evaluation of training for senior and line managers is strategically important for combating gendered ideal worker assumptions and understanding how to realise the benefits of flexibility.

CIAR or other interventions could be rolled out in a wider range of organisations. Redesigning jobs or working practices at all levels through team collaboration can help to normalise flexibility.

Dissemination of the positive impacts of normalising flexibility, and the processes involved in achieving this, is important to support workplace capacity and commitment. Good practices in some SMEs and the processes by which they are pursued should be widely disseminated to small business owner-managers, many of whom are sceptical or need support in realising the benefits of mutual flexibility. These good practices could also serve as a living laboratory, demonstrating how a model of collaborative processes and give-and-take among small teams can produce positive outcomes that may be transferrable to teams within larger organisations.

More traditional research is also required. Evidence is needed of the cost benefits of flexibility in diverse workplaces, to challenge the myth that too much flexibility is a problem and to encourage innovative ways of benefitting from workplace flexibility. Case studies of mutually beneficial forms of flexibility providing secure income for low-skilled or precariously employee workers, and in sectors commonly using only employer-led flexibility, should be sought and widely communicated. The negative impacts of flexibility and of blurred work and family boundaries, including work intruding into family life in some contexts, need to be monitored to understand how this can be reduced.

In parallel with workplace changes, further social campaigns and community initiatives are needed to challenge wider cultural gendered assumptions. One example of the type of action required is a community-based initiative in the London borough of Wandsworth This both supports parents of disabled children from diverse ethnic groups by helping them to find flexible work and manage their complex work, family

and leisure needs, and also enhances community integration. Volunteer fathers and mothers work with parents from their own ethnic groups and, in some cases, this has challenged cultural gender roles

The European level has a key role to play in shifting discourses and practices, funding experimentation, promoting research and monitoring, and establishing a supportive policy context for optimum workplace flexibility. This would include a shift to a focus on organisational change, challenging gendered ideal worker assumptions, redesigning jobs and harnessing the creativity of work teams in a manner that meets the interrelated needs of workers and employers in diverse sectors and organisations.

The European Commission could promote dialogue with Member States, social partners and other relevant actors about actions to shift the focus from flexible working as an accommodation or favour, to emphasising the mutual benefits of optimum flexibility. It could encourage and fund experimentation in workplaces, using CIAR, and provide support and information infrastructure for SMEs in negotiating informal mutual flexibility and, ultimately, in formalising this. It could also fund campaigns and awards for optimally flexible workplaces.

In terms of research, the European Commission could monitor the impacts of contemporary employer-led flexibility on families and encourage innovation and experimentation into how a wider range of employers could benefit from mutual flexibility. It could research and disseminate good practices for optimum workplace flexibility.

Policy initiatives could encourage collective approaches to normative workplace flexibility by including a right to request flexibility as an entitlement of teams as well as individuals in order to encourage collaboration and creativity. The teams would be required to collaborate and innovate in addressing flexibility issues, not just requesting flexibility but providing solutions as to how this can work.

The Working Time Directive could be reviewed to assess whether changes in working time and the blurring of work-home boundaries due to home-working are sufficiently reflected and addressed. This could be pursued through regulation of workloads. The Directive on work-life balance for parents and carers could be extended to support optimum flexibility for all workers across the life course without disclosure of reasons, in order to encourage change in culture and practice.

In conclusion, workplace flexibility can enable men and women to adapt working time to private time needs throughout their working lives, providing it is focused on achieving optimum and mutual flexibility.

# Inequalities, Discrimination and Welfare

## Introduction

The Strategic Engagement for Gender Equality 2016–2019 commits the European Commission to actions under the priority area of ‘reducing the gender pay, earnings and pension gaps and thus fighting poverty among women’, and to attend to the ‘specific needs of groups facing multiple disadvantages, e.g. single parents and older, migrant, Roma and disabled women’.

The following five essays start from an understanding of disadvantage and poverty being shaped by gendered inequalities and the institutionalised constraints on women’s aspirations and opportunities. They pursue five very different angles in opening up the theme of inequalities, discrimination and welfare.

The essays explore gender gaps in pay, pensions and earnings (Boll); the feminisation of poverty (Barry); women migrant workers (Triandafyllidou); intersectionality (van der Vleuten); and labour market segregation (Rubery and Fagan).

## Core issues

Despite convergence in qualification and employment patterns, the overall gender pay gap remains high. Key drivers include gender segregation between and within occupations and industries; men’s greater preferences or abilities to move to higher paying firms and positions, a factor exacerbated with increases in women’s family responsibilities, in a context where individual and social costs accrue from deviation from gender stereotyped behaviour; women’s prevalence in low-paid occupations due to systematic undervaluation of female work; and greater work-family conflicts, more intermittent biographies, and discrimination for women (Boll).

Higher poverty rates among women are shaped by this gender pay gap and its key drivers, with other drivers including lower paid employment rates, and precarious employment for women. There is little understanding of the need for a gender-specific analysis of poverty and social exclusion to inform anti-poverty policies. Women lone parents, older women, minority ethnic women and women with disabilities are particularly vulnerable in this feminisation of poverty (Barry).

Migrant women form an important part of the care economy. However, current migration and labour policies offer only partial protection for them. They can often find themselves isolated in private homes; at particular risk of exploitation, abuse and lack of access to fundamental rights; disconnected from trade unions or other support networks; and with little knowledge of their rights. In many countries there is no specific regulation for domestic work (Triandafyllidou).

Intersectionality views inequalities on different grounds as mutually constitutive rather than being simply additive or to be considered separately. Attention to intersectionality has increased in policy documents addressing specific situations or groups.

However, it remains rare in most policymaking and poorly articulated. An awareness of intersections of gender with class is needed (van der Vleuten).

Gender segregation, horizontal and vertical, is a pervasive and dynamic feature of labour markets. Women with low skills or major care responsibilities face risks of being confined to low-paying sectors or firms. Women with higher qualifications face risks of being channelled into particular subsections of professions or occupations, often with lower pay or prestige. Horizontal segregation fuels gender stereotypes. Vertical segregation fuels the gender pay gap and under-representation of women in economic decision-making (Rubery and Fagan).

### **Policy foundations**

The European institutions have implemented a number of key policies that have enabled progress in this policy area, in particular:

- The 2017–2019 Action plan to tackle the gender pay gap, and the 2018 Commission Recommendation on strengthening the principle of equal pay between men and women through transparency.
- The 2017 European Pillar of Social Rights – twenty principles and rights to support fair and functioning labour markets and welfare systems.
- The 2017 Proposal for a Directive of the European Parliament and of the Council on work-life balance for parents and carers, adopted in 2019.
- The 2017 European Commission Proposal for a Directive of the European Parliament and of the Council on Transparent and Predictable Working Conditions in the EU, modified and approved by the Parliament in 2019.
- The 2018 European Commission Proposal for a Council Recommendation on access to social protection for atypical workers and the self-employed.

### **Key policy directions**

While each essay points to the need for particular policy shifts, there is a shared concern that policy would address cultural change at work and in society, and take an intersectional approach.

A twofold strategy of action for structural change and cultural change, by government, companies and the social partners, should frame policy directions on the gender pay gap. In terms of structural change, government action needs to include promoting adequate female employment, boosting female leadership, supporting fathers' involvement in family tasks, and enforcing equal pay legislation. Action by firms needs to include flexible working arrangements, quotas for female career advancement, regular salary reviews, and male role modelling in leave take-up. In terms of cultural change, actions should include rethinking work cultures and striving for an output-oriented work organisation and pay system, and combating gender stereotypes, changing mindsets early in the socialisation process (Boll).

A carer-earner framework in policy could unravel many gendered aspects of poverty and social exclusion. Social policy needs to recognise and value both roles, provide for transitions in and out of both, and drive a more equal sharing of care responsibilities. A system of protection of precarious workers needs to be prioritised. Gender and equality proofing systems based on an intersectional analysis and linked to gender equality plans need to be implemented (Barry).

Specific migration channels for workers in the care and domestic work sectors are needed. Circular care work arrangements, involving pairs of workers taking shifts in live-in care work, could be supported through circular migration models, allowing for multiple entries and work periods, finding appropriate schemes for social insurance, and helping workers and households find a good 'match'. An EU Directive on domestic and care work, incorporating the provisions of the relevant ILO Convention, C189 of 2011 could be proposed (Triandafyllidou).

An intersectional approach in policy should involve problematising which barriers are experienced by different groups of women and men, and removing such barriers for the worst-off groups. Policy impact assessments could take an intersectional approach, and intersectionality needs to be monitored in policy implementation. Intersectional disaggregated data is needed (van der Vleuten).

A multifaceted policy programme to combat segregation is needed. Policies need to address both the organisation of working hours and the gender division of care work; raise the overall wage floor, possibly embracing the notion of the living wage; and lower standard working hours to enable both men and women to engage more equally in wage work and care work. Training opportunities are needed to enable entry into specific gender imbalanced occupations and action to reduce harassment in male-dominated work cultures (Rubery and Fagan).

## Is the gender pay gap still a relevant indicator?

*By Christina Boll*

### **Introduction**

Despite the convergence in qualification and employment patterns between women and men during recent decades (O'Neill and Polachek, 1993; Blau and Kahn, 2017), the overall gender pay gap (GPG) in the EU still averages around 16 % (European Commission 2018, 2019). This is disadvantageous for individual women, firms and the economy.

Low pay relates to a higher risk of material deprivation for individual women and their families and often reflects poor social participation in and outside the labour market. Unequal pay may cause losses in innovation and productivity and thereby hamper firms' profitability and competitiveness on global product and human capital markets. Mobile workers will quit jobs where wages do not equal labour productivity (Cavalcanti and Tavares, 2015) and switch to jobs where this is the case. Discriminating firms fail to attract and retain qualified labour. The pool of talents is inefficiently allocated in the economy and remains partly untapped which is costly in ageing and shrinking societies (Klasen and Minasyan, 2017; Christiansen et al. 2017; Klasen and Lamanna, 2009; Cavalcanti and Tavares, 2015; Galor and Weil, 1996).

The gender wage gap is a summary statistic for current gender differences in work (Goldin, 2014). There are four main takeaways from the GPG measure:

- First, there is still a long way to go to achieve gender parity on EU labour markets, and there is significant cross-country heterogeneity both in magnitude and causal factors of the GPG.
- Second, it is important to note that the adjusted gap, that compares men and women with similar observable characteristics, must not be equated with discrimination, as it incorporates unmeasured wage-relevant gender differences such as actual work experience, job preferences or bargaining skills. However, these characteristics are not necessarily free from discrimination as, for example, there can be unequal access to wage-attractive jobs.
- Third, to get a full picture of gender equality on the labour market, female employment rates have also to be taken into account as cross-country analyses suggest that we cannot have both, high female employment rates and low GPG.
- Fourth, the major part of the overall GPG remains unexplained in most countries. In 2014, the adjusted gap made up for 9.4 percentage points of the overall GPG at EU level (Boll and Lagemann, 2018).

Thus, the gender pay gap is still a relevant indicator because it points to both the magnitude and driving forces of unequal pay. However, due to its limitations, it has to be put in context with the use of other relevant gender equality indicators.

### Driving forces of the GPG

Due to women's catching up in education (Polachek, 2006) and experience (Blau and Kahn, 2016), human capital factors tend to take a back seat in the explanation of current gender wage gaps.<sup>25</sup> A key driver is gender segregation between and within occupations and industries (Bettio and Verashchagina, 2009). Men's higher sector premiums, compared to women's, highlight the importance of gender segregation within firms and sectors (Boll and Lagemann, 2018). In 2014, sector affiliation accounted for 4.2 percentage points out of the 14.2 % unadjusted gap on the EU level.

Goldin (2017) suggests that men have greater preferences or abilities to move to higher paying firms and positions and that this factor particularly increases with women's increasing family responsibilities (also Barth et al. 2017). According to sociological theories, gendered behaviour is a component of identity formation in following role models (Mead, 1934) and societal expectations with respect to gender-specific competences and skills (Correll, 2004). Economic identity theory refers to individual and social costs of deviating from gender stereotyped behaviour (Akerlof and Kranton, 2000). Beyond individual rationales, the prevalence of women in low-paid occupations is considered an outcome of a systematic undervaluation of female work (England, 1992). Reasons for women's lower hierarchical positions compared to men (Blau and Kahn, 2016; Bettio and Verashchagina, 2009) may lie in greater work-family conflicts, more intermittent biographies, or discrimination. Pronounced GPGs among managers constitute effective disincentives for women to move up the career ladder.

In 2014, women's higher frequency of part-time work accounted for 2.8 percentage points of the overall GPG at the EU level (Boll and Lagemann, 2018). Goldin (2014) suggests that sectors differ in their ability and cost to provide employees with reduced working hours in the occasion of family events. Long hours and continuous careers are honoured with high wage premiums and short hours and/or career disruptions are penalised. As women regularly value flexible jobs higher than men, they are more disadvantaged than men in this regard.

### Responses to the GPG

Member States have undertaken serious efforts to improve the structural and legal conditions for more women in paid work in recent years in terms of childcare facilities, paid parental leave and pay transparency measures, and for more gender equality in economic decision-making, in terms of the introduction of gender quotas for boards (European Commission, 2018). The European Commission has been stimulating and supporting national-level engagement on this issue through initiatives such as: its Strategic Engagement for Gender Equality 2016–19; the initiative on work-life balance for working parents and carers; the 2017–2019 Action Plan to tackle the gender pay gap; and the evaluation report on the implementation of the Pay Transparency Recommendation (European Commission 2018).

The primary strand has been to remove structural barriers, helping women to access pay-attractive jobs as easily as men, which is visibly bearing fruit. More and more

<sup>25</sup> However, one has to be careful with this diagnosis since the wage gap particularly widens during family formation (Kleven et al. 2018, 2019) and furthermore, some data, also the SES, does not provide information on actual work experience, leaving the related pay differential to the unexplained gap. The role of actual labour market experience for the GPG is thus underestimated in SES-based statistics.

women enter the labour market. Female employment continued to increase slowly but steadily, similarly to that of men, and reached 63.6 % in the fourth quarter of 2018.<sup>26</sup> Women increasingly move into STEM professions and gain a presence in the middle tier of management and advisory boards. Member states, with the support of the European Commission, should therefore continue implementing this strategy. A second strand, directly addressing paid wages, of pay transparency measures tackles potential discrimination at the other end of the causal chain. This is valuable.

However, serious gaps remain. Women still bear the lion's share of unpaid childcare and housework. 31 % of inactive women were inactive due to caring responsibilities in 2017, whereas men's share stood at 4.5 %.<sup>27</sup> The prevalence of women in part-time jobs is differently penalised across jobs, occupations and sectors. The share of part-time employment on total employment was 31.3 % in the fourth quarter of 2018 for women, compared to 8.7 % for men.<sup>28</sup> Horizontal and vertical segregation still account for major parts of the GPG. In 2018, women held 26.7 % of senior management positions.<sup>29</sup> Thus, with the toolkit deployed so far, Member States have yet to address the true cornerstones of unequal pay. Further thinking is necessary.

### **New policy directions**

A twofold strategy of action both in the field of structure and culture should frame policy directions on this issue (see Table 1). The Commission has affirmed its commitment to continue its work on these policy directions in its current work programme 'Strategic Engagement for Gender Equality 2016–2019'.

First, business and policymakers should level the playing field for men and women on the labour market (**structural conditions**). Only when women and men are given the same access to material resources and jobs, can they develop and express gender-specific preferences. These preferences may or may not accord with societal gender prototypes. Routes to happiness and satisfaction are diverse.

Member States need to: Enable adequate female employment through the provision of public childcare and elder care aligned with family's needs (1a); abandon monetary disincentives for adequate employment, spousal income taxation and poverty traps in social transfer systems (2a); establish and evaluate gender quota legislation to boost female leadership (3a); and support fathers' involvement in family tasks through father-friendly leave regulations (4a). Enforcing equal pay legislation (5a) is necessary to correct unfair classification of predominantly 'female' work, compared to predominantly 'male' work in job evaluation systems. Demographic change suggest societies need to adjust the societal value reflected in the pecuniary evaluation, of care work (6a).

On the level of the firm: the compatibility of work and family can be significantly increased through flexible work arrangements in terms of time and space (1b), enabling women to work more hours, stimulating female earnings, helping fathers to adjust their schedules to family needs, and allowing parents to better synchronize their work schedules (Bryan and Sevilla Sanz, 2014); gender quotas will be of help if suitable human resources policies prepare the ground for female career advance-

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26 EU-28 average, women aged 15 to 64, see Eurostat Database (2019a).

27 EU-28 average, women and men aged 20 to 64, see Eurostat Database (2019b).

28 EU-28 average, women and men aged 15 to 64, see Eurostat Database (2019c).

29 EU-28 average, see Eurostat Database (2019d).

ment within the firm (3b); parental leave systems can leverage a more egalitarian share of household chores only if positive male role models in the office encourage fathers' uptake of leave (4b); regular salary reviews to check whether female employees are paid the same wages as male employees with the same performance (5b). Further, the public sector should set a good example with non-discriminatory job evaluation systems (6b).

Second, **cultural change** is necessary. Societies should rethink their work cultures (7), particularly with respect to time cultures, office attendance, promotion, and leadership cultures. In general, firms should strive for an output-orientated work organisation and pay system, in order to fully grasp the talent pool and to better align with the younger generation's work preferences.

Gender stereotypes (8) have to be combated. Gendered occupational stereotypes hamper economic wealth. It is a mismatch not of skills but of identity, when, for example, men who dominated the fast declining blue collar jobs due to digitisation in the United States refuse to perform 'women's' jobs due to masculinity norms (Katz, 2014). Similarly, gender stereotyping may induce potential female executives to create a glass ceiling for themselves.

A change of mindsets, starting early in the socialisation process, is required. Promoting gender equality in all levels and types of education is part of the 'Education and Training 2020' framework of the Commission (2016–2019). Several countries have taken action to dismantle gender stereotyping at school, which in Sweden explicitly extends to preschools. Education systems should not only encourage young people to pursue their own goals and interests but also critically address masculine cultures and norms that work to discriminate against women and girls (OECD, 2017).

Governments recognise that getting fathers to participate in unpaid care work is key to gender equality outside of the home. Fathers' uptake of leave can change their attitudes towards caregiving and thereby stimulate a societal change in mindsets towards gender roles and norms (Unterhofer and Wrohlich, 2017).

Most importantly, the social learning of gender differences is known to start very early (Bussey and Bandura, 1999). For example, gender differences in other-regarding preferences are already established at approximately age 10 (John and Thomsen, 2017). At age 15, boys and girls expect to pursue careers in stereotypically gender-specific fields, regardless of the subjects in which they are proficient (OECD, 2017: 37). To enable nursery staff and teachers to effectively combat stereotyping, Member States' public care and education systems should implement appropriate compulsory training curricula (8a). The Commission could foster this process by providing Member States with guidelines for training curricula in public ECEC and schools. Campaigns that raise public awareness of the issue in social networks and the media can also be an effective measure.

Finally, the main responsibility to initiate a new thinking lies with employers and social partners (8b). On the firm level, measures such as gender-blind recruitment processes can pave the way for women to enter jobs with gender-averse connotations. Civil courage of women and men who clearly articulate their interests is an essential ingredient of societal change. Hence, much has to be done in collaborative effort from different actors.

**Table 1. Concrete measures and relevant actors to advance women's earnings perspectives (own illustration)**

Kind of Action	No.	Field of Action	Concrete Measures by Actor Group		
STR=structural; CUL=cultural			state (a)	employers & social partners (b)	employees
<b>Addressing Allocation of Work: Equal Access of Women and Men to Jobs</b>					
STR	1	ENABLE ADEQUATE FEMALE EMPLOYMENT <i>ensure compatibility of work &amp; family</i>	<ul style="list-style-type: none"> <li>Provide affordable and high-quality public childcare and public eldercare facilities</li> </ul>	<ul style="list-style-type: none"> <li>Introduce firm-specific reconciliation policies, i.e. flexible work arrangements, &amp;</li> <li>stage-of-life-sensitive personnel training and development strategies</li> </ul>	<ul style="list-style-type: none"> <li>Negotiate with partner over fair division of unpaid work</li> </ul>
STR	2	STOP DISINCENTIVES <i>abandon policies that provide monetary disincentives for adequate female employment</i>	<ul style="list-style-type: none"> <li>Adjust tax and social security systems accordingly</li> </ul>		
STR	3	BOOST WOMEN'S MOVE TO THE TOP <i>boost female careers</i>	<ul style="list-style-type: none"> <li>Introduce gender quota legislation</li> </ul>	<ul style="list-style-type: none"> <li>Establish incentive strategies for female career advancement</li> </ul>	<ul style="list-style-type: none"> <li>Provide positive role models: female leaders</li> </ul>
STR	4	SUPPORT BACKING BY PARTNERS <i>get fathers involved at home</i>	<ul style="list-style-type: none"> <li>Establish father-friendly parental leave systems</li> </ul>	<ul style="list-style-type: none"> <li>Encourage fathers to uptake paternal leave and family breaks</li> </ul>	<ul style="list-style-type: none"> <li>Provide positive role models: family-active fathers</li> </ul>
<b>Addressing Evaluation of Work: w and w/o respect to gender</b>					
STR	5	AVOID PAY DISCRIMINATION <i>Correct relative pay with respect to gender</i>	<ul style="list-style-type: none"> <li>Introduce and enforce equal pay legislation, thereby mimicking good practices in the EU</li> </ul>	<ul style="list-style-type: none"> <li>Establish regular salary reviews to check conformity with non-discriminatory practices: Pay women same wage as men with same performance</li> </ul>	<ul style="list-style-type: none"> <li>Claim right of access to salary structure information</li> </ul>
STR	6	RE-EVALUATE CARE WORK <i>Correct relative pay with respect to tasks</i>	<ul style="list-style-type: none"> <li>Re-evaluate 'female' work in the public sector's remuneration systems</li> <li>see the big picture: rethink the assignment systems of value-to-work in ageing societies and the role pecuniary rewards shall play in them</li> </ul>	<ul style="list-style-type: none"> <li>Re-evaluate 'female' work in firm-level remuneration systems and collective agreements</li> </ul>	
CUL	7	RETHINK WORK CULTURES <i>doing something meaningful does not require 24/7 correct pay criteria: change from input- to output orientation</i>	<ul style="list-style-type: none"> <li>Lead by example in the public sector</li> </ul>	<ul style="list-style-type: none"> <li>Focus on output-orientation,</li> <li>optimize office attendance time</li> <li>introduce options for flexitime and telework and reflect firm-level reward systems</li> </ul>	<ul style="list-style-type: none"> <li>Resist self-exploitation</li> <li>Ensure gender equity in exercising flexibility options</li> </ul>
<b>Hybrid: Addressing Both Allocation and Evaluation of Work</b>					
CUL	8	COMBAT GENDER STEREOTYPES <i>Challenge gender prejudices and stereotypes throughout the education cycle</i>	<ul style="list-style-type: none"> <li>Combat gender-prototyped behaviour, interest and attitudes in ECEC systems and compulsory schools</li> <li>Promote every child's learning capacities, integrate respective training in curricula for staff in public ECEC systems and public schools</li> <li>public awareness campaigns</li> </ul>	<ul style="list-style-type: none"> <li>Pursue gender-diverse and prototype-averse staff recruitment and staff promotion policies</li> </ul>	<ul style="list-style-type: none"> <li>Pursue talent-oriented occupational choice</li> <li>Articulate one's own interests</li> </ul>

## Feminisation of poverty – lone parents, migrant women and older women

By Ursula Barry

### Gender analysis of poverty

Tackling poverty is a stated aim of EU policy since 2000, reinforced in 2010 by the European Council of Ministers that adopted a specific target of reducing poverty and social exclusion in the EU by 20 million to 100 million by 2020 as part of the Europe 2020 strategy. One year out from 2020, the EU is a long way from achieving this core objective. According to the latest data for 2017, 112.9 million people, or 22.5 % of the population in the EU were at risk of poverty or social exclusion (ARO-PE) (Eurostat, 2017). Poverty was exacerbated by the economic crisis of 2008 and 2013. This has been recognised in the European Pillar on Social Rights:

*‘However, the social consequences of the crisis have been far-reaching – from youth and long-term unemployment to the risk of poverty – and addressing those consequences remains an urgent priority.’ (EU Pillar on Social Rights, 2019)*

The Europe 2020 strategy incorporates a regular review and monitoring system that has reported on the extent to which targets have been, or have not been reached. This system has highlighted the fact that targets on poverty reduction have not been successfully achieved. While education, climate and energy targets ‘have made substantial progress, employment and poverty alleviation are far from reached’ (EU, 2019). The reports suggest that the challenge of addressing issues such as poverty operates ‘at regional level and sometimes at national level as well’.

However, the gendered nature of poverty remains invisible, as there is little understanding that a gender-specific analysis of poverty and social exclusion is critically needed to inform effective anti-poverty policies (European Pillar of Social Rights, 2019; European Platform of Poverty and Social Exclusion, 2019). While, for example, the Committee of the Regions report on Europe 2020 advocates for a better monitoring of all indicators at all levels, gender-specific indicators are not identified as a priority (Europe 2020 Monitoring Platform, 2018). While the EU Social Scoreboard does present data on employment, education and income on a gender-disaggregated basis, only global figures on poverty are disaggregated, most data continues to be presented on a household basis (European Commission, 2019).

Research has consistently indicated that a clear gendered analysis of poverty would deepen an understanding of how poverty continues to be generated and regenerated across the EU (Kennedy, 2019; EAPN, 2017; Bennet and Daly, 2014; Murphy, 2014; Meulders and O’Dorchai, 2013; Chzhen and Bradshaw, 2012; Vartanian and McNamara, 2002; and Stone, 1989). A critical starting point is the recognition that gender inequality and poverty are deeply intertwined, and that both are forms of social injustice that undermine human rights, alongside the wellbeing of individuals and social sectors (European Anti-Poverty Network, 2017).

Central to this understanding is an analysis of how structural inequalities are maintained through systems of discrimination in the workings of labour markets and social protection systems and through systems of power and privilege operating in wider society. State, corporate and institutional systems, as well as family structu-

res, are implicated:

*'A gender analysis of poverty must examine social and economic relations as well as how the features of the family, labour market and welfare state interact with gender ... they are all potential systems of resource distribution and, as such, they affect the poverty risks and their nature'. (Bennett and Daly 2014).*

Gender analysis needs to go beyond analysis of gender differences in poverty to look at how gender differentiates the socioeconomic processes leading to poverty. Policies addressing poverty must be gender-specific and recognise gendered realities of poverty experiences and vulnerabilities. As Ruspini (2001) argues:

*'In effect, women experience poverty in different ways than men. Due to the prevailing gender inequalities in the public and private sphere — for example, in the labour market, decision-making and education, as evidenced, inter alia, by unequal access to different resources, gender-based violence, and unequal division of unpaid domestic work and care — the routes into and out of poverty are gender specific'. (Ruspini, 2001)*

Inequalities of access to different resources such as employment and pensions tend to be measured at an individual level, but traditional measures of poverty are different. The focus on poverty in Eurostat data systems is on *households* not *individuals*. As a result, the datasets do not lend themselves easily to an analysis of gender inequalities *within* households, critical for effective policymaking.

### **Factors shaping feminisation of poverty**

Higher poverty rates among women are shaped by a range of gendered inequalities including: lower paid employment rates; gender pay gap; low pay; precarious employment; undervaluing of female-dominated occupations; segregation in education and on the labour market; physical and sexual harassment (Grimshaw and Rubery, 2015). At the root of these gendered differences is an institutionalised inequality of power that characterises EU societies. This is evident in the under-representation of women in most national and regional political decision-making systems, as well as in corporate structures.

This under-representation of women serves to place the care economy low down the list of policy priorities in many countries. This is another influential factor, despite EU commitments to enhanced childcare supports as evidenced by the setting of targets under the Barcelona Agreement and progress made on their implementation (European Commission, 2018). The lack of social responsibility for the care economy at the level of many Member States, as well as an absence of corporate responsibility, means that, in effect, women are compensating for society's lack of a socioeconomic framework for shared care systems (Grimshaw and Rubery, 2015; Budig et al. 2014; Thévenon, 2013).

Inequalities shaped by patriarchal norms and values are evident within households and family structures, that influence levels of poverty. These include: unequal sharing of household responsibilities and family care; unequal access to household income; interrupted paid employment history; lack of quality care supports; low level of pension entitlements; sexual and domestic abuse. Household gendered inequalities need to be recognised in order that policy measures are monitored for their

effects *within* households vulnerable to poverty.

Women carry the disproportionate share of care responsibilities and this is proving extremely slow to change. Care responsibilities for children and dependent adults are the main reasons for women's interrupted connection to paid employment in most EU countries. Data for 2016 revealed that women carry out 77 % of all domestic activities in the EU- 28 (EIGE, 2016a). As a consequence, women face a lifetime of penalties that undermines their economic independence, creating a real *material burden of care*. Many women are forced to choose between jobs/careers and their role as carers, many others opt to work on a part-time or temporary basis, leading to limited financial independence (EIGE, 2016a). Agreement is close to being concluded on the new Work-life Balance Directive which includes welcome steps to emphasise the sharing of care between women and men in its provisions (EU, 2017).

Economic recession and accompanying austerity policies have had gendered effects. These are reflected among men in immediate high levels of unemployment, primarily among construction workers, and among women in more long-term impacts, including: higher rates of precarious employment; stagnant or falling wages; and higher rates of poverty and social exclusion. Precarious employment has become a persistent and growing reality within retail, hospitality and domestic services, all sectors dominated by women, including migrant women, and young women. These are sectors in which social protections are minimal, an issue which national and EU policies have yet to address (Meulders and O'Dorchai, 2013). However, the proposed EU Directive on transparent and predictable working conditions in the European Union could enable important change in this area (EU, 2017).

Over the crisis years and after, there has been a widespread return towards male-oriented policies that have focused primarily on addressing registered unemployment, within which women are underrepresented. Consequently, progress towards gender equalities policies has been at a standstill. This has negative consequences for the levels of poverty among women, captured by the phrase 'the less gender equality, the more poverty among women' (European Anti-Poverty Network, 2017).

### **Intersectionality and the feminisation of poverty**

Exploring the intersection of gender and other social factors, demonstrates the particular vulnerability of women lone parents, older women, minority ethnic women and women with disabilities in this feminisation of poverty. This cuts to the core of women and poverty. The proportion of households headed by women is increasing, as women now compose 85 % of lone parents across the EU and over half of them experience poverty and social exclusion. The gender gap in poverty is high among older women, who are particularly vulnerable due to an accumulation of lifetime experiences of inequalities on the labour market and in welfare systems; penalisation of care; low rates of poorly paid employment; and reduced pension entitlements (Millar 2008; EIGE 2016b). There are women from specific minorities who are particularly vulnerable to high levels of gender-based poverty and social exclusion. These include migrant minority ethnic women, women members of Roma and Traveller communities, women asylum seekers and refugees, and disabled women (EIGE 2016a).

## **Policy directions**

New and welcome EU policy directives based on translating the European Pillar of Social Rights into practice will, when implemented, strengthen anti-poverty and gender equality policies. A **carer-earner** framework has the potential to unravel many gendered aspects of poverty and social exclusion and this is a critical challenge for EU gender equality policy. Recognition and valuing of both roles, providing for transitions in an out of both and driving a more equal sharing of care responsibilities between women and men would makes for more comprehensive social policy. The proposed EU Work-life Balance Directive (a central part of the European Pillar of Social Rights) feeds directly into such a framework, emphasising as it does a more equal sharing of care and paid work, supported by enhanced leave policies and informed by the principle of non-transferability (EU, 2017).

Once this new Work-life Balance Directive is implemented, new minimum standards for leave entitlements will be put in place, not just for childcare but also for care of older people which should act as benchmark for future policy directions. Centrally supported **quality systems of provision of care** that accompany this benchmark are needed alongside the carer-earner policy framework and should form part of policy direction supported at EU, national and regional levels. A gendered perspective on care should be informed by a life course perspective and an understanding of the changes over one's lifetime with the need for systems of intergenerational social solidarity.

A **system of protection of precarious workers** is another strand to the policy directions that needs to be prioritised. Such a system needs to be based on an enforceable EU Directive transposed and fully implemented at national levels. The European Commission proposal for a Council Recommendation on access to social protection for atypical workers and the self-employed, reflects an important and necessary concern for those who do not have access to sufficient social protection due to their type of employment relationship. This, together with the proposed EU Directive on Transparent and Predictable Working Conditions and its provisions for minimum predictability of work and employment, as modified and approved by the Parliament in April 2019, are useful steps in this direction. However, there is a possibility of limitations in the Directive, such as an hours thresholds, which, may exclude some in vulnerable working conditions from coverage. A similar but stronger approach to tackling the abuse of casual employment relationships has recently been introduced in Ireland which bans zero-hours contracts and entitles workers to be placed in a band of hours that is reviewed periodically (UNI Global Union, 2019).

The two European proposals usefully move in the direction of a necessary comprehensive system of protection for precarious workers. They will hopefully be finally adopted and properly transposed in Member States, and then serve as a foundation for further developments in this direction, which could draw from good practices identified at individual Member State level, as in the Irish example. In this way, women, young people, migrants and other minorities, who make up a growing segment of this increasingly unequal labour market, would be provided with greater supports and protections, which would eliminate a key factor driving the feminisation of poverty.

These policy directions need to be accompanied by an EU-wide gender **and** equality proofing system, based on appropriate gender-disaggregated data and linked to national Gender Action Plans. Data on poverty needs to be gathered on an *individual* as well as the traditional household basis enabling analysis of gender inequalities *within* the household to inform anti-poverty policies. This would help to ensure that all poverty-related policymaking for the future takes place within a specific gender and equality perspective, based on an intersectional framework of analysis.

## Mobility, migration and care work: from new demands on welfare to new labour force?

*By Anna Triandafyllidou*

Migrant women form an important part of the European care economy. They work as nannies and housekeepers, live-in caregivers or live-out cleaners in a large number of European households. They are providing care services for older people, families and young children, which are not covered by the European welfare systems. Current migration and labour policies offer only partial protection to these migrant women workers. They can often find themselves isolated in private homes, disconnected from trade unions or other support networks, with little knowledge of their rights. European policies could improve their situation in two ways: codify domestic and care work into a special legal framework valid throughout the EU, thus protecting migrant domestic workers from exploitation; and open up specific legal immigration channels for care workers that would meet labour demands in this sector.

### **Migration, welfare, care work and gender**

European labour markets are increasingly shifting towards atypical forms of work, European societies are ageing rapidly, while European welfare systems strive to find their pace amidst decreasing budgets and increasing welfare and care needs. In this context, the role of migrant women is crucial as they fill the 'care gaps' in looking after young children, older parents, or ill family members. The availability of a plentiful female migrant labour force to provide for domestic and care work has allowed more women to find paid employment outside the home, particularly in countries where there is low male participation in reproductive roles and household chores (Ambrosini, 2013).

Different countries have opted for different solutions to these contrasting pressures of increased care needs and welfare cuts on their care regimes. These regimes ranged from systems that largely relied on the unpaid assistance of family members, particularly women, as in Italy or Spain, to publicly provided assistance, as in Belgium, Czechia or Slovenia (see Triandafyllidou, 2017).

In a study on Italy, the Netherlands and the United Kingdom, Van Hooren (2012) argues that different welfare systems lead to different types of migration, care arrangements and specific 'care markets'. She found that the Italian family-based care regime which provides cash allowances to families, without income testing or other restrictions on how they spend the funds, provided incentives for the emergence of a 'migrant in the family' model of care, whereby families become employers of migrant care workers. In the British care regime, where care is increasingly transformed into cash payments, a double market emerges with more affluent families resorting to the private market for paid care and less affluent families using care allowances to cover food or transportation costs and, only in a few cases to directly provide care to the older person with the help of a paid care worker (Van Hooren 2012, 141). In the Dutch care regime, care services are provided by the public welfare system and there is no market for privately purchased personal care services, with a low demand for migrant care workers (Van Hooren 2012, 142).

The findings of Da Roit and Weicht (2013) confirm that Austria, Germany, Italy and Spain rely mainly on migrant care workers in the home, while the Netherlands,

Norway, Sweden and the United Kingdom tend to rely more on the formal sector and on services provided by public or private entities.

In Italy, the existence of cash-for-care programmes is complemented by a notable level of undocumented migration flows and informal work arrangements (see León and Pavolini, 2014) thus further contributing to the emergence of a migrant in the family care model. In the absence of uncontrolled cash benefits and of a large informal economy, on the other hand, as happens in France, the Netherlands, Norway and Sweden, a migrant informal care model can arise (Da Roit and Weicht, 2013) to satisfy the care needs of households.

### Migrant women domestic and care workers

The migrant in the family care model offers important employment opportunities for migrant women. However, it leaves them exposed to several risks: the workplace is the home of the employer; care work is at the margins of what we conventionally call 'work' given that it pertains to the intimate sphere of everyday life and can lack appropriate recognition as a workplace (see Alice Childress' classic collection, *Like One of the Family*, originally published in 1956); and working hours and conditions tend to be flexible to the detriment of the domestic worker. Live-in domestic workers are at particular risk of exploitation, abuse and lack of access to fundamental rights (privacy, dignity, freedom) and in many European countries there is no ad hoc regulation for domestic work despite its special characteristics (see Triandafyllidou and Marchetti, 2014).

**Table 2.** Legal framework for the private employment of domestic workers

Country	Specific legislation for domestic work	Specific collective agreement	Application of collective agreements on agency recruitment	No specific law (application of general labour law)	Domestic work is NOT considered employment
Austria	x	x			
Belgium	x	x			
Denmark				x	
Finland	x				
France	x	x			
Germany		x			
Greece				x	
Hungary	x				
Ireland	x				
Italy	x	x			
Netherlands	x		x		
Poland					x
Portugal	x	x			
Spain	x		x		
Sweden		x			
United Kingdom				x	

(Source: Triandafyllidou and Marchetti, 2014: 3)

In the more formal welfare regimes of the northern and western European countries, on the other hand, migrant women care workers face very high barriers for entering the formal labour market and finding jobs in the sector, despite the relatively high demand by households.

**Table 3.** Legal framework for the employment of migrant domestic workers (main countries)

Country	Possible to hire non-EU domestic workers	Market-test as barrier to hiring non-EU domestic workers	Quota limitations	Self-employment	Sponsor system	Au-pairs as substitute channel
Austria	yes			x		
Belgium	yes	x		x	x	x
Denmark	no					x
Finland	no					x
France	yes	x				
Germany	no					
Ireland	yes					
Italy	yes		x		x	
Netherlands	no					x
Poland	yes					
Portugal	yes					
Spain	yes	x				
Sweden	yes					x
United Kingdom	yes				x	x
Hungary	yes					
Greece	yes		x			

(Source: Triandafyllidou and Marchetti, 2014: 4).

Migrant women employed in domestic and care work face language and cultural barriers to accessing information on administrative procedures, labour laws and rights (Triandafyllidou, 2013).

The European Commission Strategic Engagement for Gender Equality (2016–2019) highlights the need to develop legislation that allows for flexible working arrangements and improves work-life balance for parents and people with caring responsibilities. It aims to support employers in this as part of efforts to increase female labour market participation. There is, however, little acknowledgement in the Strategic Engagement for Gender Equality of the particular contribution that migrant women care workers make in these domains and no intersectional mainstreaming of migrant women in fair work and life opportunities or specific protection from exploitative labour relations in ‘sensitive’ domains such as domestic and care work.

## **Emerging good practice**

New employment arrangements are emerging in different countries in response to the growing presence of migrant domestic workers and two examples identified are good practices that could be transferred to other country contexts (Triandafyllidou and Marchetti, 2015).

### *The promise of circular work arrangements: the case of Italy*

In a pioneering study on Ukrainian and Polish female care workers, Marchetti (2013) identified a model of circular care work arrangements that has emerged as a bottom up initiative from migrant women themselves. This circular arrangement involved a pair of workers who took shifts of two to four months in a live-in care job with an Italian family. The arrangement allowed them to go back home for important family events, celebrations or to take care of commitments in the home country. They divided the calendar year roughly equally. The schedule of arrivals and departures was usually decided well in advance, in order to reserve cheap travel fares and to return on time for the shift. If an unexpected event occurred that delayed one's return the other would stay on as necessary. Normally the two workers overlap for 24 hours to update each other on any developments. This circularity was actively, organised by the migrant women themselves, was seen to best satisfy their need to periodically go back home and take care of their families there, and the need of Italian households to employ a full time live-in carer to look after an older or disabled member of the family.

### *Work flexibility, placement agencies and migrant women: the case of Austria*

Austria legalised rotational 24-hour care work, with significant flexibility to agree free time and shifts between the employer (usually a family) and the employee (typically a migrant woman from another EU country). This led to the regularisation of migrant domestic and care work arrangements that were previously informal. The workers could have legal contracts stating their real conditions of employment and giving them full social protection rights (Österle and Bauer, 2015). However, the regulation of this type of work as self-employment, while keeping it practical and affordable for families, left migrant women to their own devices as they had little bargaining power over work and pay, which was eventually decided by employers/families and placement agencies. Care work regulations need to strike a balance between protecting the workers and responding to the needs of employers for practical and affordable care arrangements.

## **Key policy directions required**

Care and domestic work sectors are characterised by a high demand for migrant women workers. It would, therefore, be important to open up specific migration channels for workers in these sectors. These could be regulated through bilateral agreements, between specific countries of origin and destination, or through regional agreements, for instance between a number of EU countries and one or more countries of origin (see also Triandafyllidou, 2017 for IOM). The role of mobility partnerships or special EU partnerships could be explored with specific countries of origin in the EU's neighbourhood, such as Ukraine or Moldova, or farther afield, such as the Philippines, Bangladesh, Ethiopia or Nigeria.

Circular care work arrangements require circular migration models. These could be institutionalised in immigration policy allowing for multiple entries and work periods, finding appropriate schemes for social insurance, and even helping the interested workers and households to find a good ‘match’.

Migrant women workers in these sectors can find themselves in particularly vulnerable situations. The European Commission Proposal for a Directive on Transparent and Predictable Working Conditions is a step in the right direction as it clarifies the obligations of employers and the limits of flexibility and on-demand availability that can be asked from workers. The Directive aims to cover domestic workers and does help towards clarifying working times, tasks, remuneration and social insurance paid. However, it falls short of acknowledging many of the special conditions of domestic work, notably that the worker and the employer work in the latter’s home, that there is hardly any monitoring, and that there is often a lack of information or support if it happens that the agreed working conditions are not respected.

In this context, the European Commission could usefully draft a proposal for a Directive focusing specifically on domestic and care work, thus creating a common legal framework at the EU level . This would incorporate the provisions of the relevant ILO Convention, C189 of 2011. It would include not only a list of rights and duties, but also monitoring mechanisms to ensure these workers have access to their rights. This monitoring would be implemented by labour inspectors or specialised civil society organisations or trade unions.

## Intersectionalising EU policies

*By Anna van der Vleuten*

### **The issue**

The concept of intersectionality has been discussed extensively since Kimberley Crenshaw introduced it (Crenshaw 1989). It views inequalities ‘as mutually constitutive rather than simply adding them up or considering them separately’ because ‘the intersecting effect of several forms of inequalities ... together form an impact that is different from the one made by one of them alone or in simple addition’ (Lombardo and Rolandsen Agustín, 2012: 484).

A ‘cascade’ of publications on intersectionality has emerged since the 2000s (Kantola and Lombardo, 2017, 40; see Mügge et al. 2018 for an analysis of how the concept has travelled). Authors tend to agree on the need for an intersectional approach to tackle inequalities more effectively. A singular focus on gender equality alone ignores structural power differentials among women and among men based on intersecting patterns of privilege and discrimination resulting from sex, class, ‘race’ and ethnicity, sexual orientation, gender identity, age and (dis)ability. Though unintentionally, policies based on such a singular focus may benefit privileged women (white, able, higher-educated, high-income) more than others, thus reproducing instead of transforming inequalities.

Scholars point at persistent difficulties in intersectional policy design, in particular given the manner in which an additive approach often prevails. For instance, when the grounds of gender and ethnicity are addressed in labour-market policies without acknowledging how ethnicity impacts gender differences and vice versa, and how opportunities and obstacles are different for men and women, for minority ethnic women and ‘white’ women, and for minority ethnic women and minority ethnic men. Additive approaches merely add new categories to the non-discrimination principle. Therefore, they cannot deal adequately with inequalities which develop at the intersections of the various single specific categories, which are more than the sum of their parts. They give rise to the so-called ‘Oppression Olympics’ phenomenon, where groups of people compete ‘in a struggle to obtain access to the fringes of opportunities and resources’ (Hancock, 2007: 250).

It is problematic where intersectional policies treat inequalities as if they all matter equally in a predetermined relationship to each other, instead of acknowledging how relative impacts vary. This approach risks reproducing stereotypes, such as the poor single mother, the vulnerable migrant woman, and the low-skilled Muslim man, which undermine agency. Finally, intersectional privileges and inequalities are context-specific and this too needs to be reflected in intersectional policies. Being a lesbian woman may have different implications in the context of migration, housing or research and development policies.

Nonetheless, it remains important to acknowledge that single specific inequalities may have autonomous effects. Scholars even warn that intersectionality may lead to ‘degendering’, losing sight of the gendered inequalities underlying all other structural inequalities (Kriszan et al. 2012). Good equality policies therefore acknowledge causal complexity, the relevance of single inequality grounds as well as multiple and intersecting inequalities, in order to ‘challenge the privileges of dominant groups and avoid stigmatizing people’ (Lombardo and Rolandsen Agustín, 2016:

365). This is a major challenge.

### **Policy responses**

Research published in 2012 concluded that intersectional thinking was rare in EU documents, poorly articulated, and failing to present transformative solutions that challenge existing privileges (Lombardo and Rolandsen Agustín, 2012). A later report by the same authors observed that attention to intersectionality in EU policy documents had increased, but that it was present mainly when ‘contextual phenomena’ such as migration or the economic crisis, or the situation of specific groups such as Roma women, ‘forced’ policymakers to abandon single-ground thinking (Lombardo and Rolandsen Agustín, 2016: 370).

In order to assess how intersectionality is faring in EU policymaking, it is useful to examine two recent policy documents, the Strategic Engagement for Gender Equality (European Commission, 2015) and the Work-life Balance Directive (European Commission, 2017).

The Strategic Engagement document does not mention ‘intersectionality’, but it contains intersectional ideas because it promises to pay ‘[p]articular attention ... to the specific needs of groups facing multiple disadvantages, e.g. single parents and older, migrant, Roma and disabled women’ (p. 9). Older women are referred to as more at risk of poverty than older men (p. 8), and ‘migrant women and single parents’ are identified as facing particular barriers in the labour market (pp. 12, 26). No further mention of Roma women or disabled women is made. Other relevant grounds, with potential for relative intersectional privilege or inequality, such as religion and sexual diversity are not addressed at all.

Although the document promises that ‘attention will be paid to the role of men, dismantling gender stereotypes and promoting non-discriminatory gender roles’ (p. 9), it almost entirely targets women. Fathers are potentially included in the concept ‘single parents’ (pp. 12, 26), but how gender intersects with single parenthood is not thematised. Only motherhood is considered as a disadvantage for work and career rather than parenthood (p. 8). Women should change their professional, educational and vocational training choices (p. 25), not men. This approach is referred to as ‘fixing women’ (Chant and Sweetman, 2012), which leaves both single and intersectional gendered inequalities in place.

While the sections of the document on internal EU actions address barriers for vulnerable groups, external EU action also includes the concept of empowerment (p. 16). This changes the liberal perspective of enabling specific groups to enter the economic and political ‘arena’, into a transformative aim of giving groups the power to reshape the constraints and opportunities of the arena.

The document commits to integrate gender equality into the human resource practices of the European Commission under the label of ‘diversity management’ which ‘recognises the wide variety of qualities among staff’ (p. 37). This promising approach, however, lacks awareness of structural intersecting inequalities of gender, class and ethnicity, inadvertently supporting the relatively privileged, and its key actions are single category-oriented (more teleworking as beneficial for people with caring duties; more women in management functions; attracting staff with a disability). In sum, despite promising intersectional ideas, the Strategic Engagement for Gender Equality overall lacks a consistent and contextualised intersectional approach.

The Work-life Balance Directive seeks to address women's under-representation in employment by improving family-related leaves and flexible working arrangements, and increasing their take-up by men. The Commission proposal did not differentiate among different women and men, with the exception that it acknowledged specific needs of parents and children with a disability (European Commission, 2017, Art. 5). In the negotiations, the definition of personal care was expanded to include 'a person who lives in the same household as the worker', and the right to paternity leave was extended to 'equivalent second parents' (Council of the EU, 2018; European Parliament, 2019). These changes show an intersectional awareness of how policies can address the structurally underprivileged position of people living in 'non-traditional' families.

Consistent awareness of intersections with class, and the concomitant professional and financial margin of manoeuvre, is absent from the Directive, which means that low-income workers are likely to benefit less. They cannot afford to take up leave when paid at the level of sick pay; their work (such as cleaning, nursing and food preparation) is not amenable to remote working arrangements, and they depend more on the availability of affordable public care.

### **New policy directions & recommendations**

A comprehensive approach would require a consistent integration of intersectionality in the problem diagnosis and the prognosis of policies.

The Work-life Balance Directive, for example, does not address the issue of stereotyping regarding men's and women's paid and unpaid work. Stereotyping may be stronger among certain groups of workers (e.g. lower-educated, orthodox religious) and by employers towards certain groups of workers (e.g. minority ethnic women), which may inhibit their making use of the provisions of the Directive. Including this issue in the problem diagnosis would enable the proposing of more fine-grained incentives which better address the needs of different groups.

A more comprehensive intersectional approach in the Strategic Engagement for Gender Equality would start by problematising which barriers are experienced by different groups of women and different groups of men. In its prognosis it would then, first and foremost, aim to remove such barriers for the worst-off groups.

Policy impact assessments could usefully take an intersectional approach. Detailed criteria have been developed for assessing intersectionality in policies. These are:

- 'explicitness and visibility of certain inequalities as well as inclusiveness of a wide range of inequality categories';
- relations between categories are understood as mutually constitutive (intersections of inequalities generate substantially different results than the sum of the categories they include);
- 'gendering of policy issues and intersecting inequalities;
- transformative approach to intersectionality;
- structural understanding of inequality;
- awareness/challenging of privileges;
- avoiding the stigmatisation of specific groups';
- involving civil society organisations with expertise on the issue in the policymaking process (Lombardo and Rolandsen Agustín, 2012: 488).

Intersectionality then needs to be monitored in policy implementation to establish intersection-specific patterns, for instance of take-up of work-life balance arrangements or in the European Semester exercise. Intersectionally disaggregated data, therefore, need to be gathered. The intersectional analysis in the 2017 Gender Equality Index, which is compiled by the European Institute for Gender Equality, demonstrates the challenge in this as it is severely hampered by gaps in the data available. The field of health studies offers some lessons for analysing such data. Intersectional quantitative approaches have been developed to examine interactions between interlocking social identities and systems of discrimination and privilege, and explain inequalities in health (Bauer and Scheim, 2019). Intersectional impact assessment and monitoring of EU policies would benefit from such modelling techniques based on intersectionally disaggregated data.

Finally, in the previous edition of *Visions for Gender Equality*, Hege Skjeie proposed a way to include intersectionality through gender equal treatment legislation, which is useful but must be seen as a very basic minimum. This proposal was to add a clause to ground-specific legislation which would prohibit discrimination on the protected ground in combination with other protected grounds; and include a similar clause in provisions on positive duties which would seek to eliminate gender-based discrimination and disadvantage in relation to the other protected grounds for discrimination.

## How to combat segregation in the labour market for both low- and high-qualified women

*By Jill Rubery and Colette Fagan*

### **The issue**

Gender segregation is a pervasive and dynamic feature of labour markets. It involves both horizontal segregation (similar skill level, different jobs) and vertical segregation (by seniority or responsibility). Job areas that are heavily male- or female-dominated fuel gender stereotypes (Fagan and Norman 2013), and constrain women and men's employment aspirations and opportunities. Vertical segregation fuels both the gender pay gap and women's under-representation in high-level economic decision-making positions. This horizontal and vertical channelling of women and men results in a suboptimal development and use of skills (Rubery et al. 1996). Segregation into particular types of occupations, firms or sectors also limits the effectiveness of equal pay laws due to an absence of male comparators within the same employing organisation and undertaking equivalent work. This facilitates the undervaluation of women's work. However, segregation may also provide a degree of protection for some women's employment in recessions which impact unevenly on different sectors and occupations; and indicators of segregation may coexist with high rates of female employment in some countries, for example when a large proportion of total employment is located in public services, including care work (Karamessini and Rubery, 2013; Bettio, 2002).

Designing and implementing policies to combat segregation is challenging because of processes of segregation and re-segregation. Even if women succeed in entering a male-dominated occupation, this is only the start of a process of change. Although, in the first phase, women may be breaking down traditional barriers, a smooth transition towards a stable mixed and gender equal profession or occupation is far from guaranteed. The pioneer entrants may find the culture unwelcoming and may quit, as appears to have happened, for example, in IT and the digital sector where women's representation has fallen back after initial growth in this expanding sector (Trauth et al. 2009). Male dominance may be due to women not taking STEM degrees but also to exclusionary male work cultures and to problems in maintaining careers if taking a break or working part-time for care reasons (Bennett, 2011). In other occupational areas the entry of women may trigger, or accompany, the start of a more radical process of change (Reskin and Roos, 1990). This could even result in the feminisation of the whole profession or occupation. This occurred with the feminisation of clerical work in the mid-20<sup>th</sup> century and may now be occurring in several professions, for example, medicine, if trends towards a majority of female students continues. Alternatively, distinct subsections within an occupation or profession can emerge, with women concentrated in the less well-rewarded segments, as has occurred in, for example, the legal profession and finance (Bolton and Muzio, 2007; Crompton and Sanderson, 1990).

Women with low skills or major care responsibilities face the most risk of being confined to low-paying sectors or firms. Higher paying firms may outsource activities (Drahokoup, 2015), such as cleaning or catering, to take advantage of the availability of 'cheap' and frequently female labour, particularly when the jobs are mainly part-time or casual and where there are large differences in minimum pay rates between firms or sectors. These low-paying areas often offer limited chances

for pay or skill progression. Some groups of men may also be employed in these sectors but gender desegregation through the entry of disadvantaged men into low-paying female-dominated jobs is unlikely to raise the pay or status of the work.

Women with care responsibilities have fewer choices over where to work and in what jobs. Not only do they need to work close to home but they also have to fit childcare around their working time. Work schedules in many low-wage jobs may be driven by the employers' requirements, not by consideration of how to combine work and family responsibilities. Once childcare is arranged, switching jobs may also become difficult. In most countries any rights to adjust work schedules, or even make such a request, are only available once someone has been working for the employer for some time, not at the point of hire.

Women with higher qualifications face risks of being channelled into particular subsections of professions or occupations that often offer lower pay or prestige and may eventually be considered separate occupations or professions if mobility between segments is restricted. For example, entry of women into banking coincided with a new division between retail and corporate banking, with women channelled into the former (Crompton and Sanderson 1990). Assigning women seeking flexible employment due to care responsibilities to a 'mommy track' can also reinforce vertical segregation (Grimshaw and Rubery 2015 for a review). The phenomenon of the 'leaky pipeline' is a further risk factor, resulting in a perceived shortage of suitable female candidates for higher positions, due to a range of factors including discriminatory or exclusionary promotion processes through to more voluntary quits or decisions not to seek promotion. Organisation of work in higher level jobs involving expectations of long hours, presenteeism, out of hours availability and extensive travel presents difficulties for women taking primary care responsibilities.

Future risks for women's employment stemming from changing patterns of employment and segregation must also be considered. The so-called fourth industrial revolution is forecast to displace jobs and to transform the organisation of work and employment. These changes will be driven by the new configurations of market power, not by technology per se, but significant changes can be anticipated. The direction of change by gender is unclear (Howcroft and Rubery 2018). A further issue is how far there will be a growth of the gig economy or platform work based around self-employment. This could mean higher representation of women in skilled jobs where these are organised around freelance work through platforms but at the cost of deteriorating employment conditions.

### **Policy responses**

A policy programme to combat segregation needs to be multifaceted and aimed at changing behaviour of men and of employers, not just women. It needs legal measures, collective actions through social partners, voluntary action by employers and community campaigns. These need to build upon and extend the policies and regulations already implemented or planned at EU level, including the work-life balance package and the recommendation on pay transparency.

Key policies for combating segregation relate to both the organisation of working hours and the gender division of care work. The EU's Work-life Balance package would provide more opportunities for fathers to share in care work and care leaves and extend rights to request flexible working, including rights to request to return to

previous working patterns. However, Member States can stipulate service requirements prior to a request for flexible working, which may lead to carers, still mainly women, being trapped on ‘mommy tracks’ offering limited career progression as they are not able to transfer their rights to request flexible working to another employer. Flexible working policies thus need to go further to establish rights to flexible working at the point of hire.

The work-life balance package only addresses flexible working and part-time work and not the overall pattern of long or unsocial working hours that may limit shared parenting and restrict opportunities for both partners to work in full-time jobs (see Fagan et al. 2012a for a review). The predictions of job displacement and work shortage should provide new opportunities to revitalise campaigns for shorter full-time working hours and for changing work organisation practices to guard against extreme working hours to extend more employment opportunities for women and enable men to share care work.

Additional action is needed to ensure that the desegregation potentially facilitated by new forms of flexible working with spread of digitalisation do not come at the expense of deteriorating employment conditions and security. There is already provisional agreement on an EU Directive on Transparent and Predictable Working Conditions<sup>30</sup> that could protect against extreme flexibility but there may need to be further efforts to provide for more guaranteed hours and to increase access to social protection for those in non-standard forms of employment. The focus in the EU’s Work-life Balance package on securing an extension of rights to those who might be considered workers, even if employed on a self-employment basis, is positive in this regard. Nevertheless, more needs to be done to reduce any tax and other incentives to employers to use bogus self-employment.

The EU recommendation on pay transparency<sup>31</sup> has provided a new platform for action on the pay penalties and problems of pay progression associated with horizontal and vertical segregation. The recommendations for transparency on pay, for pay gap reporting and pay audits, for clarification of the meaning of equal pay for work of equal value, for the use of gender sensitive job evaluation and for equality to be included in collective bargaining, should, if fully implemented in Members States, all contribute to reducing pay penalties associated with horizontal segregation.

However, all of these measures relate to pay equality within a company or possibly, in relation to collective bargaining, a sector. Due to the segregation of low-paid women’s jobs into low-paying firms and sectors, often as a consequence of outsourcing, it is also important for gender equality to raise the overall wage floor (Rubery and Koukiadaki, 2016). This could include embracing the notion of the living wage, namely that adult national minimum wages should be sufficient, for full-time workers, to cover an adult’s reasonable living costs. This would help remove the legacy of women being dependant on their partners.

Wide gender pay gaps at company level need to be followed up by mandatory action plans, drawn up with the involvement of trade unions or workers’ representatives and to include organisational targets to secure gender balance at senior levels (Fagan et al. 2012b). Consideration should also be given to following Iceland’s example (Wagner 2018) and requiring companies to be certified that their pay systems are compatible with equal pay for work of equal value laws. This approach could be

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30 See: [https://ec.europa.eu/newsroom/just/item-detail.cfm?item\\_id=607452](https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=607452)

31 See: [https://ec.europa.eu/newsroom/just/item-detail.cfm?item\\_id=607452](https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=607452)

extended to make companies responsible for demonstrating that they do not discriminate in their recruitment and promotion practices.

Training opportunities are needed to enable entry into specific gender-imbalanced occupations, for example the digital sector for women and care jobs for men. Action on both fronts may be necessary to break down gender stereotyping, though there is still the risk that men entering female-dominated occupations find themselves on a glass elevator to higher-level positions.

Action is needed to reduce harassment, particularly against younger women in male-dominated work cultures. This may need campaigns to change the culture at both a European and national level, building for example on what has been learnt from the *#MeToo* movement alongside company actions to create a zero tolerance culture at the workplace.

### **New policy directions**

While many policy programmes relevant to addressing horizontal and vertical segregation need to be developed at Member State level, the EU has an important role in shaping and developing the direction of these policies. The EU, for example, could provide leadership on the need to start a debate on shorter full-time working hours for all, on rights to flexible working at the point of hire, on improved protections for the bogus self-employed, on the gender implications of campaigns for a living wage, and on action plans following mandatory gender pay gap reporting.

Many of these policies protect women in both higher and lower skilled groups. It is, for example, women from all skill groups that may be vulnerable to lower protection as a consequence of platform work. Likewise, policies to restart the process of lowering standard working hours to enable both men and women to engage more equally in wage work and care work should benefit all groups, at least in the medium- to long-term, especially if risks of job shortage are realised under the fourth industrial revolution.

However, some protections have particular resonances by skill group. Those in the lowest paid jobs would benefit most from living wages while higher skilled workers might benefit more from better opportunities to progress through rights to flexible working at the point of hire and action plans to reduce vertical segregation and promote fairer reward practices.

# Power Relations in Society

## Introduction

The Strategic Engagement for Gender Equality 2016–2019 commits the European Commission to action in relation to gendered power relations across two priority areas: ‘promoting equality in decision making’ and ‘combating gender-based violence and protecting and supporting victims’.

The following five essays start from an understanding of persistent and substantial power imbalances between women and men and the negative implications of this for women, that stretch from not having their interests realised to exclusion from opportunity to issues of personal safety due to gender-based violence.

The essays pursue five very different angles in opening up the theme of power relations. They explore issues of power relations in terms of political representation (Childs and Celis), entrepreneurship (Thebaud), access to decision-making positions (Lefkofridi), economic abuse (Postmus), and sexual harassment (Bettio). Issues of intersectionality and gendered cultural norms are evident across the essays.

## Core issues

Men are overrepresented in parliaments and, when it comes to the representation of women’s interests, electoral politics does not seem to be delivering for women. Gender quotas, gender mainstreaming and women’s policy bodies continue to be necessary, but have not yet been sufficient to break this male dominance. Women’s ideological and intersectional diversity raises questions about the ability of a limited number and range of representatives to represent women from different backgrounds, situations, and identities (Childs and Celis).

Structural and cultural factors impede women’s pursuit of entrepreneurship as a career. Structural factors include differential access to entrepreneurship education and information, administrative hurdles in gaining access to financing, networking disadvantages, lower likelihood of acquiring the types of work experience and skills conducive to starting a business, and greater likelihood of having family and caregiving responsibilities. Cultural factors include widely shared cultural beliefs that link entrepreneurship to men and stereotypically masculine traits (Thebaud).

The goal of parity in decision-making remains distant across all sectors. Unequal access to decision-making roles manifests itself even in fields with a strong female presence. Despite rising numbers women in corporations, organisations and political systems, women remain underrepresented in decision-making positions. Access to these positions still largely depends upon male gatekeepers across all. Gender stereotypes affect men’s evaluations of women but also women’s self-evaluation of fitness for top decision-making jobs (Lefkofridi).

Economic abuse, as a form of gender-based violence, is prevalent, but can be an ‘invisible’ form of violence, thus less easily recognised. It, therefore, requires specific attention. Women are particularly vulnerable to economic abuse by an intimate partner owing to gendered income inequality, obstacles to wage-earning resources,

and gendered cultural norms. Economic abuse against women impacts on their children and families, financial services providers, and co-workers and supervisors in corporate and other work settings (Postmus).

The pervasiveness of sexual harassment and the costs it entails require urgent policy attention. As women progressively gain economic emancipation, violence against them transforms and transfers at least in part from private to public spaces, to the workplace in particular. Policy relevant knowledge and policy measures to effectively fight sexual harassment need further development. The detailed evidence to support targeted and effective policy needs to be developed (Bettio).

### **Policy foundations**

The European institutions have implemented a number of key policies that have enabled progress in this policy area, in particular:

- The 2012 European Commission Proposal for a Directive of the European Parliament and of the Council on improving gender balance among non-executive directors of companies listed on stock exchanges and related measures.
- A wide range of specific strategies and measures have been implemented in support of gender balance in decision-making and in combating gender-based violence.

### **Key new policy directions**

Two augmentations are needed for parliaments to be better able to take fair and just decisions for women in all their diversity. Group advocacy, the first, involves the formal inclusion of self-representatives of differently affected women in voicing their interests before elected representatives, prior to deliberation and decision-making. Account-giving, the second, provides for an institutionalised moment in parliament when elected representatives provide explanations and justifications for decisions taken in the light of the perspectives voiced during group advocacy. Prototypes for these augmentations could be developed, piloted and made subject to feasibility studies prior to their full implementation (Childs and Celis).

A shift in policy from a focus on the challenges that women entrepreneurs face, to include a focus on increasing the number of potential women entrepreneurs, is needed. Policy initiatives should focus on two key goals: facilitating women's acquisition of entrepreneurship-relevant education and work experience, and fostering cultural and structural changes that would make entrepreneurship as desirable and feasible for women as it is for men. Initiatives that broaden the cultural image of entrepreneurship are essential (Thebaud).

A direct challenge to gender stereotyping needs a policy focus on the market for children's goods, education, and the manner in which leadership styles are understood. Policy steps are needed that raise awareness of gender bias and encourage reflection on such bias inherent in the paths to decision-making positions in economics, politics, culture, sport, media and science. Positive action remains necessary if the numbers of women in decision-making positions are to increase in spite of existing gender stereotypes (Lefkofridi).

A legal definition of economic abuse needs to be incorporated into laws pertaining to gender-based violence. Policies in this field should be revised to include for address-

sing economic abuse by holding perpetrators accountable, providing appropriate support to survivors, and funding those working directly with families. Research on economic abuse, including data collection on prevalence and incidence rates, understanding its impacts, identifying evidenced based effective practices, and evaluating any legislative developments on the issue, should be supported. Those working on the frontline in providing services to those who experience gender-based violence should be supported to understand how to identify and screen for economic abuse and its impact (Postmus).

ILO Convention 190 ('Violence and Harassment Convention') represents a breakthrough, particularly in the fight against sexual harassment at work. Implementation of this Convention and support for its implementation need to be a central focus for policymaking. There is always a challenge of translating legal potential into effective action. Traditional generalised approaches of setting up monitoring bodies and local procedures to deal with sexual harassment on a case-by-case basis, often safeguarding privacy at the cost of transparency, can be ineffective and action is required to advance context-specific approaches (Bettio).

## Beyond gender quotas: redesigning democratic political institutions for women's political representation

By Keren Celis and Sarah Childs

### The issues

Across Europe, and around the world, women continue to experience a poverty of political representation. Notwithstanding the widespread diffusion of gender quotas ([www.idea.int/data/tools/gender-quotas](http://www.idea.int/data/tools/gender-quotas)), men are still overrepresented in parliaments relative to their percentage in the wider population (see Box 1). When it comes to the representation of women's issues and interests, electoral politics does not seem to be delivering for women either. As pioneering feminist political scientist Joni Lovenduski (2019: p. 19, 29) writes, women remain 'afterthoughts' rather than 'fundamental elements of systems of representative democracy'.

**Box 1.** Women in national parliaments 2019

	Single House or Lower House	Upper House or Senate	Both Houses combined
<b>Nordic countries</b>	<b>42.5 %</b>	---	---
<b>Americas</b>	<b>30.6 %</b>	31.3 %	30.7 %
<b>Europe</b> (Nordic countries included)	<b>28.6 %</b>	28.0 %	28.5 %
<b>Europe</b> (Nordic countries not included)	<b>27.2 %</b>	28.0 %	27.4 %
<b>Sub-Saharan Africa</b>	<b>23.9 %</b>	22.2 %	23.7 %
<b>Asia</b>	<b>19.9 %</b>	17.4 %	19.6 %
<b>Middle East and North Africa</b>	<b>19.0 %</b>	12.5 %	18.1 %
<b>Pacific</b>	<b>16.3 %</b>	36.0 %	18.4 %

Source: Inter-Parliamentary Union, <http://archive.ipu.org/wmn-e/world.htm> accessed on 10 April 2019

The powerful case for women's group representation faces a new challenge. In contexts of widespread contestation over 'what is in the interests of women' the claim for women's group representation appears to unravel. An acknowledgement of women's ideological and intersectional diversity raises serious questions about the ability of a limited number and range of descriptive representatives (usually elite women), to represent women from different, and oftentimes less privileged, backgrounds and identities (Smooth, 2011). Confident claims about the necessity of gender equality in democratic political institutions, defined as the presence of women, and underpinned by the idea that women share interests, have rightly become problematised (Phillips 1995). However, it has also left feminist democratic theorists and political scientists somewhat bereft. On what grounds can we make a claim for women's group representation when women are not easily considered to form a group?

Such representational concerns encircling the case for women's political presence need to be situated against the wider and dark backdrop of democratic erosion currently being experienced in many democracies. A central part of this erosion is both an explicit and, at times, more surreptitious backlash against gender equality

(Verloo, 2018). If there was previously little reason to think that women's inequality would wither away without feminist intervention in the domain of electoral politics, the urgency in the contemporary moment is multiplied. As *The Handmaid's Tale*-dressed protesters seen around the world remind us (Box 2), demonstrating outside parliaments and other state institutions, we need to take formal political institutions seriously. These are key sites for the rolling back of women's rights. It would be foolhardy not to attend to questions of how to make our parliaments institutionally secure against both unintentional negative effects on women and patriarchal forces, operating within and through the state, which wish to undermine women's hard fought social, economic and cultural rights.

### **Box 2. *Handmaid's Tale*-dressed protest – 2017 and 2018**

In her 1985 dystopian novel *The Handmaid's Tale*, Margaret Atwood's describes a totalitarian society, Gilead, in what used to be part of the United States faced with environmental disaster and a plummeting birth rate. Gilead is a fundamentalist regime that treats women as property of the state, and forces the few remaining fertile women, the Handmaids, into sexual servitude in an attempt to repopulate a devastated world. The handmaids' attire – scarlet cloaks and oversize white bonnets – has in the last few years become *the* symbol of contemporary feminist resistance against patriarchal rule. Across the United States, women have dressed as handmaids and demonstrated outside state capitals defying the Republican administration's efforts to roll back reproductive rights and health care; the United States vice-president Mike Pence had to face a wall of red when he visited Philadelphia; for President Trump's visit to London, British handmaids took to the streets; and demanding abortion rights, handmaids protested in front of the Republic of Ireland's Parliament, outside the Argentinian National Congress in Buenos Aires, and in Alabama, USA.

### **Policy responses**

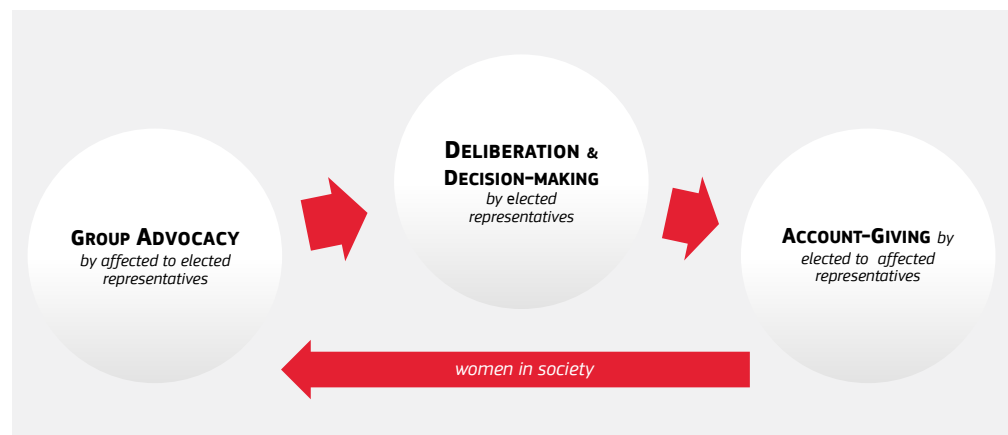
'First generation' measures, notably, gender quotas, gender mainstreaming and women's policy bodies have not to-date been sufficient to break male dominance in politics (Dahlerup and Leyenaar, 2013), nor to be adequately responsive to questions of intersectional inequalities among women. However, their use remains necessary. They constitute the necessary wider institutional context in which a second generation of feminist interventions in electoral politics can be made. If anything, they actually require protection against those seeking their abolition, co-option or pre-emption.

Yet to ensure that women's political representation becomes a core business of democracies, our formal political institutions require another round of redesign. Crucially, women's group representation should be engineered in such a way that it addresses all women's interests and thus delivers on the representation and accountability of ideologically and intersectionally diverse women, especially those currently the most marginalised. In this commitment, institutional redesign must create, among different women, an appreciation and experience of the formal political institutions, previously regarded as distant and uninterested in women, as now working for them.

## New policy directions

To deliver on feminist democratic representation, we suggest two new institutional augmentations to complement gender quotas and gender mainstreaming: group advocacy; and account-giving. Both require the inclusion of a new set of actors within the formal representative institutions and processes: the ‘affected representatives’ of women. These new representatives are *formally brought into the established institutionalised* processes of representation within the legislature when particular issues affecting women are being discussed and legislated on by elected representatives. Who these affected representatives are is determined on the ground with different representatives emerging from civil society as specific issues arise on the political agenda (Young 2000). In this we assume a healthy and diverse civil society capable of identifying and supporting such unelected representatives of women.

**Figure 2.** The process of feminist democratic representation



In the first augmentation, group advocacy, what is added to our representative institutions is the formal inclusion of representatives voicing the interests of differently affected women before elected representatives. These we call ‘affected representatives’. In this way, diverse women’s issues and interests are brought forward and articulated. Critically, women’s interests are constituted during the group advocacy stage that takes place prior to deliberation and decision-making by elected representatives (see Figure 1). Group advocacy thereby opens up parliaments to different women to make their representative claims to elected representatives as part of the normal, everyday, and formal processes of representation.

The second augmentation, account-giving, is the ‘other side’ or complement of group advocacy. It provides for an institutionalised moment within our parliaments whereby elected representatives provide explanations and justifications for the decisions they have taken in the light of the perspectives voiced during the first augmentation, group advocacy, and following deliberations among elected representatives. Significantly, the elected representatives’ account is given directly to the affected representatives of women within the legislature, who in turn have the right to respond to the elected representatives’ claims.

These twin augmentations are designed to ensure that parliaments, and their elected representatives, male and female, are better able to take fair and just decisions for women in all their diversity (Young, 2000). Group advocacy and account-giving work together to nudge elected representatives (Waylen, 2018) into a form

of deliberation and decision-making that is pointedly feminist because, and to the extent to which, it realises the principles of inclusiveness, egalitarianism and responsiveness. Irrespective of political, socioeconomic or cultural power hierarchies, these principles prompt elected representatives to take the interests, opinions and perspectives of different groups of women into account as they debate and decide upon what is a fair and just decision for women.

It is not possible to guarantee that augmenting our parliaments to formally include affected representatives of women in these ways will deliver better representational outcomes (Phillips, 1995). Nonetheless, they secure a better representational process that increases the chance of better substantive outcomes for women. Importantly, they do so for women in all their ideological and intersectional diversity. That group advocacy and account-giving moments happen within our representative institutions, and with women in society witnessing their interests being voiced, heard and actively responded to, in and of itself constitutes an institutional redress of women's poverty of representation. In short, our democratic institutions would be recognised by women as 'their house' too.

Translating this 'design thinking' into practice for specific legislatures would require additional consideration and development. A useful starting point would be a European-level commitment to explore and test out the potential in redesigning political institutions for gender equality. This could be included in future strategies for gender equality.

At the European level, it would be valuable to work through a body such as the Advisory Committee on Equal Opportunities for Women and Men to convene women's movements representatives and representatives of women's policy bodies, advised by academics, to develop prototypes for group advocacy and account-giving augmentations. This includes observer NGOs representing women's interests, including the European Women's Lobby, which would be well-placed to be involved in such institutional redesign planning. Prototypes for the twin augmentations could then be piloted by identifying salient issues that will be coming before the European parliament. Pilots could also take place at the national parliament level too, with support from the European Level.

Feasibility studies should be conducted as part of these pilot initiatives to identify conducive and constraining factors, and levels of support within and outside the parliament, and among elected and affected representatives. Strategies for implementation would then need to be drawn up based on this work. The pilot studies would thus seek to demonstrate and publicise how affected representatives of diverse women could emerge ready to come before parliament when a particular issue is being considered, and how best they might undertake their new roles in group advocacy and account-giving.

## How to close the gender gap in entrepreneurship

By Sarah Thébaud

### Gender and entrepreneurship

Gender disparities in business start-ups and growth continue to be stark, despite some progress in recent decades. Whereas women's labour force participation rate in the EU approaches that of men, at 67.4 % for women and 78.9 % for men (Eurostat, 2019), women's rate of entrepreneurship is only about half that of men at about 10 % compared to 19 % (European Commission, 2014). This means that women are involved in only about 30 % of all new businesses. They are even less likely to be engaged in high-growth or high-tech ventures (Brush et al. 2018; Thébaud, 2015a).

Promoting women's engagement in entrepreneurship is important because it facilitates economic growth as well as gender equality. Women's relatively low rate of engagement in high-growth ventures represents a missed opportunity for the creation of thousands of jobs and trillions in revenue (Halabisky, 2018; McShane, 2018). Entrepreneurship can enable greater control over work content, schedule, and location, and may allow some women workers to sidestep discriminatory promotion or compensation practices in their workplace (Budig, 2006; Maniero and Sullivan, 2006; Thébaud, 2016). Recent evidence suggests that entrepreneurship is the primary career path through which women workers are able to achieve very high incomes, at least in the United States (Yavorsky, Keister and Quian, 2019).

For a long time, scholarship seeking to explain the persistent gender gap in entrepreneurship has focused on the myriad sets of challenges that women entrepreneurs face, including differential access to entrepreneurship education and information, administrative hurdles in gaining access to financing, and networking disadvantages. More recently, however, a burgeoning body of evidence is shifting this perspective and revealing how factors in the broader social and institutional environment significantly limit women's tendency to participate in entrepreneurship in the first place (Brush et al. 2018; Jennings and Brush, 2013).

One such factor is the persistent inequalities between men and women in the wage and salaried labour force, which place women at a structural disadvantage for entrepreneurship compared to men. Because women, on average, pursue different educational fields, are less likely to be in management positions, and are paid less than men, they are less likely to acquire the types of work experience and skills, social network contacts, or financial resources that are most conducive to embarking on a successful business endeavour (Brush et al. 2017; Tonoyan et al. 2019). The segregation of women into different fields and occupations is an especially important reason why women express less interest in starting a business, given that workers in female-dominated jobs and occupations typically acquire fewer entrepreneurially relevant resources, are less likely to have work experience that resembles an entrepreneur's (e.g. with less autonomy, intrapreneurship and time-intensive work) and are less likely to be exposed to market opportunities within their industry (Tonoyan et al. 2019). Women are also more likely than men to maintain family and caregiving responsibilities. This not only affects their work experience and career trajectories, but may also limit the amount of time available for initiating and growing a new business (Jennings and McDougald, 2007; Morris et al. 2006; Thébaud, 2015a). As such, women are less likely to be engaged in growth-oriented

forms of entrepreneurship in contexts that lack supportive work-family policies designed to facilitate women's experience in full-time employment (Thébaud, 2015a).

Alongside these structural issues, widely shared cultural beliefs link entrepreneurship, especially high-growth entrepreneurship, to men and stereotypically masculine traits, like individualism, risk tolerance, aggressiveness and competitiveness (Ahl, 2006; Bird and Brush, 2002; Gupta et al. 2009). In practice, these traits are not strongly correlated with entrepreneurship (see e.g. Xu and Ruef, 2004). Successful entrepreneurs take very calculated risks, often work in teams, and rely on an interconnected network of social and financial support. Nonetheless, the masculine-stereotyped cultural image exerts powerful effects on entrepreneurial intentions and outcomes. It can lead women to discount their entrepreneurial ability relative to men with similar levels of human capital and limit their intentions of pursuing business ownership (Gupta et al. 2009; Thébaud, 2010). Furthermore, controlled experimental studies have demonstrated that stakeholders often perceive a given business idea to be more investment-worthy and the founder to be more competent when they are told the business is led by a man than by a woman (Bigelow et al. 2014; Brooks et al. 2014; Shane et al. 2012; Thébaud, 2015b). Such bias is rooted in the taken-for-granted, male-typed image of the successful entrepreneur.

In sum, existing research indicates that, in the aggregate, structural and cultural factors reduce women's likelihood of pursuing entrepreneurship as a career and can hinder their ability to gain resources from key stakeholders once they decide to start a business. There are, therefore, two separate issues to be addressed: how to increase the percentage of women interested in entrepreneurship and how to assist women entrepreneurs once they decide to become one. A critical aim for policymakers, in a context where the first issue has lacked attention, will be to change the institutional and cultural landscape in ways that increase the number of potential women entrepreneurs, that is, the number of women who would view entrepreneurship as a feasible and exciting career option in the first place. This aim can then usefully be accompanied by improvements to existing efforts to facilitate the growth and success of the businesses that women decide to start.

### **Assessing EU initiatives**

Most EU initiatives on the gender gap in entrepreneurship have focused on offering better resources for women entrepreneurs rather than focusing on change to the institutional and cultural landscape. Most notably, they have involved creating better opportunities for networking and peer-to-peer education, and more streamlined and accessible opportunities for funding for women entrepreneurs. The 'WEgate' online platform, the European Network of Women Business Angels, and the Network of Women's Web Entrepreneurs hubs are key examples.

These measures are undoubtedly helpful and needed by women who have already decided to pursue entrepreneurship. However, they fall short of addressing the root of the problem, which is women's comparatively lower odds than men of perceiving entrepreneurship as a viable or desirable employment option. The EU has recognised this issue to some extent through initiatives around entrepreneurship education, such as in the Entrepreneurship 2020 action plan. But more focus needs to be placed on the ways that initiatives aimed at reducing gendered occupational segregation and easing women's domestic responsibilities more broadly can boost women's interest in, and potential for, entrepreneurial activity. As more women obtain a new kind of work experience, they will not only obtain necessary networks and skills, but will also be more likely to identify and act on critical market opportunities.

In relation to the cultural landscape, EU initiatives address the issue of gendered stereotypes about entrepreneurship, but do so indirectly, via mentoring programs and support for awards for women entrepreneurs. Such programmes are useful in raising the profile of successful women entrepreneurs and, arguably, providing role models for other women. However, such initiatives typically only reach that small fraction of the population already interested or engaged in entrepreneurship. Messaging from high-profile women may also have limited success in increasing women's interest more broadly because it can promote an 'individualized superwoman' image that is seemingly unattainable for the average woman (Byrne, Fattoum and Garcia, 2018). Such entrepreneurs often come from privileged backgrounds; deny, or appear to have been uniquely able to overcome, gendered barriers; embody social expectations that women must be successful in both personal and professional domains; and promote the idea of individual responsibility for their success. Therefore, though useful, such programmes may ultimately be unable to decouple high-growth entrepreneurship from masculinity in the broader popular imagination.

### **Fostering entrepreneurial potential**

Policy initiatives should focus on two key goals: facilitating women's acquisition of entrepreneurship-relevant education and work experience, and fostering cultural changes that would make entrepreneurship as desirable and feasible for women as it is for men.

Education is one critical institution that contributes to gender inequalities in the labour market, a key precursor to gender inequality in entrepreneurship (Charles and Bradley, 2009; Thébaud and Charles, 2018). EU initiatives that encourage the integration of women into fields and industries that are conducive to entrepreneurship, especially science, technology, engineering, and math, are especially important in this. These currently include: gender equality initiatives under Horizon 2020, a dedicated budget within the 'science with and for society' work programme; a focus on under-representation of women in this sector in the EU action plan on tackling the gender pay gap (EU, 2017); and the Women in Digital strategy, which includes actions focused on challenging stereotypes, promoting digital skills and education for girls and women, and advocating for more women entrepreneurs. Programmes that offer experience and mentoring opportunities for girls and young women are likely to be especially beneficial in this regard (Salanauskaitė and Reingardė, 2018; WITEC, 2015).

Initiatives in education should be accompanied by ones that help ensure women's success once they enter the labour force as employees. These include improving access to high-quality subsidised childcare and paid family leaves of a moderate length for women and their spouses. Such policies should foster women's work experience and increase their likelihood of engaging later on in high-growth forms of entrepreneurship (Haupfleisch et al. 2015; Janta, Iakovidou and Butkute, 2018; Thébaud, 2015). The European Directive on work-life balance for parents and carers makes a valuable contribution in this regard (EU, 2019).

Despite fostering higher numbers of potential women entrepreneurs, these policies fall short of helping women achieve success once they decide to pursue entrepreneurship. Starting a business, especially a high-growth business, is a very time-intensive endeavour. Where possible, work-family policies should be assessed to ensure that women and men entrepreneurs have access to the same supports as wage and salaried workers. The study of the rights to family-related leave that

are granted to self-employed persons required under Article 18 of the work-life balance Directive (EU, 2019) and Directive 2010/41/EU on the application of equal treatment between men and women engaged in self-employment are steps in the right direction.<sup>32</sup>

Being a part of an entrepreneurial team may also ease work intensity and demands, thereby promoting the integration of family responsibilities with an entrepreneurial career. However, women remain far less likely than their male counterparts to start a business as a part of an entrepreneurial team (Brush et al. 2018; Ruef, 2011). As such, initiatives that facilitate women's knowledge about entrepreneurial teams as a work model, as well as their access to team-building opportunities, would be important in increasing women's interest and subsequent success in entrepreneurship. This could include initiatives to support team-based entrepreneurial projects in educational and workplace contexts, and to develop the resources and outreach of incubators and accelerators, which can aid in fostering collaborative start-ups.

Initiatives that broaden the cultural image of entrepreneurship are also essential alongside these structural initiatives. Curricula could be developed that aim to break down the link between men, masculinity, and entrepreneurship. Basic business and economics, as well as activities that foster leadership skills and creativity, could be integrated into routine course-work early on, such as at the secondary level. Such measures would not only help increase young women's awareness of and knowledge about entrepreneurship as a career possibility, but would also help increase young women's confidence in their entrepreneurship-related knowledge and skills.

Another priority would be to, where possible, promote a more diverse image of entrepreneurship in public messaging and dialogue and in the marketing of business and entrepreneurship education programmes. Studies find that media representations of women entrepreneurs often reinforce the idea of business success as unfeminine (Achtenhagen and Welter, 2011; Eikhof et al. 2013). Role-model and mentoring initiatives that highlight the great diversity in personality, style, motivations and priorities that exists both among women entrepreneurs and among men entrepreneurs is critical. There are numerous ways that people successfully 'do' entrepreneurship, many of which run counter to dominant stereotypes about entrepreneurs.

Developing a theme of diversity in entrepreneurship would make women more likely to perceive entrepreneurship as an accessible and realistic endeavour. It may also decrease the probability that key stakeholders, including family, friends, colleagues, and formal lenders, will favour men's businesses over women's. Measures that would, where possible, encourage lenders to abide by systematic evaluation procedures based on a clear set of criteria and to be held accountable for their decision-making could also be used to significantly reduce bias and discrimination (Wynn and Correll, 2018).

In conclusion, a shift in policy framing and orientation from a focus on the challenges that women entrepreneurs face, to include a focus on increasing the number of potential women entrepreneurs, is needed. Structural and cultural changes that facilitate women's and girls' representation across academic disciplines and foster their leadership skills, work experience, and professional networks are important. But these changes will only be effective if they are accompanied by initiatives that create a cultural and institutional context which makes women as likely as men to identify with entrepreneurship, and that is designed to receive and support women entrepreneurs and women-led enterprises.

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32 See: [http://www.europarl.europa.eu/doceo/document/TA-8-2019-0348\\_EN.html#def\\_2\\_5](http://www.europarl.europa.eu/doceo/document/TA-8-2019-0348_EN.html#def_2_5)

## Decision-making in key areas: economics, politics, culture, sport, media, science

By Zoe Lefkofridi<sup>33</sup>

### The issue

In an era when radical right populist parties across Europe make opportunistic uses of gender relations (Lefkofridi, 2019; Dingler et al. 2017), the EU cannot avoid the challenge of setting a global example in non-discriminatory and equal access to decision-making. The European Commission's past, current and future actions on women in decision-making are thus very important.

### Taking action

These actions are and have been wide-ranging during 2012–2019. Equality in decision-making is valuably set as a key action area in the Commission's Strategic Engagement for Gender Equality 2016–2019 (2015) Actions, including setting and effectively pursuing the goal of 40 % women in senior and middle management within the Commission itself. Significant specific efforts have been made by the Commission to encourage companies listed in the stock exchange to promote gender balance on Boards (target of 40 % by 2020). These include the proposal for a Directive (2012) and follow-up initiatives on the gender composition of company Boards, such as the 'Women on the Board Pledge for Europe'.

The Commission has provided guidance to Member States and stakeholders by supporting initiatives to improve the gender balance in economic decision-making (e.g. through the PROGRESS programme). It continues to provide support to national authorities' activities to promote gender balance in political and public decision-making positions. It has provided guidance on a common approach to the implementation of quantitative targets for decision-making positions in research.

Importantly, the Commission has been collecting and disseminating data on the representation of women and men in high-level decision-making positions and created a database on Men and Women in Decision Making (WMID).<sup>34</sup> It has developed indicators, that have been endorsed by the Council, to collect data in the main areas covered by this database. This data is essential for visualising the problem and understanding variations across fields of decision-making and/or Member States.

### The situation

Though the numbers have certainly improved, we are still far from the goal of parity in decision-making. Unequal access to top decision-making roles manifests itself even in fields with a strong female presence such as culture (compared, for instance, to sports or science). Despite rising numbers women in corporations, or-

<sup>33</sup> I am grateful to Cornelia Brunnauer for discussing with me some of the points included in this essay.

<sup>34</sup> The database was established by the Commission in 2003. It has been taken over by the European Institute for Gender Equality since 2017. See: <https://eige.europa.eu/gender-statistics/dgs/browse/wmidm>

organisations and political systems, women remain underrepresented in their 'upper echelons'. Numerical targets and quotas have proved very important in helping women's access to the pool of candidates, but they cannot ensure that women will reach top decision-making positions. This largely depends upon the gatekeepers. In political and economic decision-making, in social decision-making (science, media and sports) as well as in decision-making in the cultural sector, these gatekeepers are still men (Culture Action Europe, 2016; EIGE, 2015; EIGE, 2013; European Commission, 2019).

### **Gender stereotypes affecting access to decision-making**

Access to top decision-making positions in these different fields is affected by gender stereotypes, which persist in European societies (Giger et al. 2019). Gender stereotypes are implicit, non-conscious assumptions about differences between men and women that are rooted in historically socialised roles of men and women (Eagly and Steffen, 1984). For instance, historically many more men were leaders compared to women; as a result, the leader prototype and the male stereotype are the same (agentic). Children learn how their society and/or culture understand the role of a man and that of a woman and internalise this knowledge as a gender schema, which they use to organise and process subsequent experiences (Bem, 1981; 1993).

#### **Box 3. The descriptive and prescriptive nature of gender stereotypes**

Gender stereotypes are both descriptive and prescriptive in nature: they concern beliefs about what men and women typically do and about what they should do. What boys and girls should and should not do (e.g. in terms of appearance and playing behaviours) is instilled in early ages (toddlers and elementary aged youth) (Koenig, 2018).

Gender stereotypes affect our perceptions of and expectations about men and women, our evaluations of their work and their professional performance (Valian, 1999). They influence women's access to decision-making positions in multiple ways.

#### **Box 4. Gender bias in trait attribution.**

There is systematic gender bias in trait attribution, and stereotypically assigned traits also influence our perceptions about a person's interests and competence. Women are typically perceived as warm, compassionate, caring, consensus building, passive, kind, and emotional; men are viewed as logical, rational, assertive, decisive, strong, able to provide strong leadership, direct, knowledgeable, and ambitious (Huddy and Terkilsen, 1993). In short, women are perceived as more communal, and men are perceived as more agentic.

First and foremost, gender stereotypes colour our assumptions about the 'ideal decision-maker'. If those who act as gatekeepers for access to top decision-making positions value stereotypically masculine attributes (e.g. assertiveness and ambition) as the defining qualities for this role, then persons perceived as having ste-

reotypically feminine traits (e.g. compassion and consensus-seeking) will be at a disadvantage. Men's dominance in top decision-making roles may be self-perpetuated by the fact that men devalue communal styles of leadership, which are usually associated with women (Vial and Naiper, 2018).

As long as society's understanding of what it takes to be a top decision-maker remains rooted in stereotypes, women are faced with the problems of lack of fit and role incongruity: as top decision-makers, they are expected to be agentic; but as women, they are expected to be communal. This incongruence between what we expect from leaders and what we expect from women has two distinct implications: first, women are perceived less favourably than men as potential decision-makers; and second, the behaviour that fulfils the prescriptions of a leader role is less favourably evaluated when it is enacted by a woman (Eagly and Karau, 2002). Too communal leaders and too agentic women are judged harshly.

Crucially, gender stereotypes do not only affect men's evaluations of women but also women's self-evaluation of fitness for top decision-making jobs (Fox and Lawless, 2011). This is also moderated by contextual factors. For instance, exposure to stereotypic media images decreases women's desire to pursue leadership roles (Simon and Hoyt, 2013).

In addition, gender stereotypes concern assumptions about the division of care responsibilities. This has two distinct effects on women's access to top decision-making positions. First, women are perceived as most suitable and competent for children and care of older people. The burden of unpaid work in the private sphere still rests largely on women (European Commission, 2019: 9). As a result, women face a dilemma between creating a family and pursuing a top decision-making position, where adequate childcare services or company policies on flexible working time arrangements are lacking (European Commission 2019: 18). Second, the assumption that women are best suited for caring tasks (which is perpetuated by gender segregation in occupations) is coupled with the expectation on women to prioritise care (family) over work duties (career). If, however, mothers are viewed by their employers as less dedicated and/or productive compared to their colleagues, they might also be given less (financial or other) support to climb up the career ladder; or they may be confined to specific types of positions within organisations.

Gender stereotypes result in segregation in allocation of responsibilities and portfolios *within* organisations, companies and institutions, with the most prestigious positions being reserved not only for those conforming to the prototype of leader (agentic) but also for those who are perceived as fully dedicated. As a result, even when women make it to top managerial positions, their positions and tasks *within* boards or management often differ from those of men. In the field of culture, for example, where, compared to other sectors, women have been present in much larger numbers, there is a strong gender segregation into certain types of employment: creative and non-creative roles; and prestigious and non-prestigious roles (e.g. Hesmondhalgh and Baker, 2015).

Finally, wage disparities are also rooted in unequal gender norms, which value men's work more than women's. Looking at women and men in the same occupational categories, women earn lower wages even in countries where women are more highly educated; not only do women earn less for the same profession, but managerial positions manifest the largest gap (23 %) (European Commission, 2019: 19).

Taken together, these different effects of gender stereotypes result in women being perceived as inadequate for top decision-making positions. At the same time, such

positions are also unattractive to women since to get and maintain the job would necessitate they have masculine attributes and a network of support and resources at their disposal (which vary across countries, organisations but also across individual women). In a context of extensive wage disparities rooted in unequal gender norms, if wages for decision-making positions are not gender equal, then the price for women in such positions may become simply too high to pay.

### **Policy directions**

The European institutions have a contribution to make to the dismantling of such stereotypes and promoting non-discriminatory gender roles as part of their efforts to achieve gender equal access to decision-making positions. This contribution can be made in a number of interrelated ways.

A direct challenge to gender stereotyping needs a policy focus on the market for children's goods, education, and the manner in which leadership styles are understood. Policy steps could encourage companies that produce children's clothing and toys to reflect on their role in sustaining gender stereotypes and motivate them to focus on toys that are for all children and advertising that is commensurate with this.

Policy steps are needed that raise awareness of gender bias and encourage reflection on such bias inherent in the paths to powerful decision-making positions in economics, politics, culture, sport, media and science. Gender bias is most successful in the absence of specific information. Education policies ensuring gender-equal representation in the sources of knowledge, talent and expertise (e.g. feminising syllabi) are crucial. Policies that encourage gender-equal appearance in scientific panels, media roundtables, and museum exhibitions are also important to increase visibility of female achievement.

If women are being evaluated as lacking the necessary skills for the top decision-making positions because of gender stereotypes, then we need to appreciate different types of leadership and management. This implies questioning agency as the essential quality for access to decision-making positions and policy steps that would promote and underpin an embracing of diversity in leadership styles.

Stereotypes can also be directly challenged by fighting the segregation of occupations. This would weaken the assumption that men are more agentic than women and that women are more communal than men. Not only should women enter male-dominated fields, but men should also enter female-dominated fields. For instance, the EU could set the goal of increasing the number of men being trained as childcare professionals, support appropriate training programs, etc. To decrease gender segregation and discrimination, employment policies should be accompanied by education policies.

Positive action remains necessary if we want numbers of women in decision-making positions to increase in spite of existing gender stereotypes. Given that the male-to-female ratio in the pool of candidates matters greatly for women's success (Giger et al. 2014), if women are to be given equal chances, policy needs to encourage stakeholders to strive for parity in the candidate pool (Valian, 1999)

Parity in numbers is important because gender stereotypes result in women being perceived as *less* qualified in settings in which female presence is low and confined to specific sectors. The Finnish example shows that gender stereotypes weaken over

time, as the number of women in top decision-making positions increases and as women are entrusted with high-profile 'masculine' portfolios (Lefkofridi et al. 2018).

Large numbers matter because neither women nor men can aspire at something that is not visible. The less visible female leadership is, the more young women's ambitions diminish. The supply cannot be limited to just a few role models (tokens) however. As long as women are seen as exceptions in the upper echelons of power, employers, investors, or the media will pay attention to their gender, and this creates space for bias (Kanter, 1977).

Finally, the vaguer and more poorly defined judgment criteria are in a setting, the more easily information can be distorted to fit expectations (Fiske and Taylor, 1991). Lack of transparency in board and leadership appointment processes combined with a male-dominated culture result in gender-biased recruitment and promotion procedures (EIGE, 2015: 7). Policy steps could be taken to define measurable performance review and promotion selection criteria and encourage companies, organisations and institutions to use them and apply gender-blind processes when reviewing applicants for jobs and promotion. Transparency in hiring, and leadership selection decisions should be encouraged.

## Economic abuse: how economic independence could empower women

*By Judy Postmus*

### **Introduction**

Violence against women is a massive problem involving individual safety, public health, and human rights across the globe. One in three women (33 %) in the European Union (EU) has experienced physical and/or sexual abuse since the age of 15 (FRA, 2014). The Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention, 2011), defines violence against women as a violation of human rights, a form of discrimination against women, and a gender-based crime (Article 3). Such violence is comprised of nine different forms including psychological violence, stalking, physical violence, sexual violence including rape, forced marriage, female genital mutilation, forced abortion, forced sterilisation, and sexual harassment. In the EU, the prevalence of intimate partner violence (IPV) against women varies across different forms of abuse: physical abuse and/or sexual violence (22 %), psychological violence (43 %), and stalking (10 %) (FRA, 2014).

From this same dataset (FRA, 2014), researchers looked at factors that were related to increased risk of IPV in general (Reichel, 2017). Unfortunately, this study, as per the Istanbul Convention definition where this phenomenon is overlooked (Walby, 2016), did not specifically examine economic abuse as a form of IPV; however, they identified several risk factors that are related to such abuse in other studies. The FRA study found that couples who had lower socioeconomic status, had higher rates of IPV. Higher rates were also found by women who reported difficulties living on their household income or if they do not have input into decisions about household financial management (Reichel, 2017). Researchers found that a woman's lack of access to resources resulted in her feeling trapped in the relationship (Garcia-Moreno and Watts, 2011; McCloskey, Williams and Larsen, 2005).

Different from other forms of IPV (Stylianou, Postmus and McMahon, 2013), economic abuse may not pose fatal danger for survivors and is less immediately recognised. Hence, economic abuse, as an 'invisible' form of IPV, involving subjective perceptions and objective economic resources, should be separated in its own category with attention given to addressing such abuse by social service agencies, criminal justice systems, and governments (Postmus, Hoge, Breckenridge, Sharp-Jeffs and Chung, 2018).

### **Understanding economic abuse**

Economic abuse is a form of IPV in which the perpetrator engages in behaviours aimed towards gaining control over, exploiting, or sabotaging the survivor's employment or financial resources (Fawole, 2008; Postmus, Plummer and Stylianou, 2016). Survivors of economic control report their partners control and limit access to financial resources (Sanders, 2015; Wettersten et al. 2004) and deny access to necessities such as food, clothing, and/or medications (VonDeLinde and Correia, 2005). A perpetrator may track the victim's use of money, withhold or hide jointly earned money, prevent the survivor from having access to a bank account, or lie about shared properties or assets (Brewster, 2003; VonDeLinde and Correia, 2005).

Among unbanked individuals, economic control focuses on maintaining control over the family's cash income and expenses. Among banked individuals, economic control expands to include control over current and savings accounts, retirement accounts, assets and more.

Perpetrators engage in numerous physical and emotional behaviours aimed at sabotaging the survivor's employment. These include keeping survivors up all night with arguments before job interviews, turning off alarm clocks, destroying clothing, inflicting visual facial injuries, disabling the car, threatening to kidnap the children from childcare, or failing to show up as promised for childcare or transportation (Tolman and Raphael, 2000). Studies have documented on-the-job harassment as a form of employment sabotage, including incidents of the perpetrator physically appearing at the workplace or making repeated telephone calls to the survivor or to the survivor's co-workers and supervisors (Riger, Ahrens and Blickenstaff, 2000; Swanberg, Logan and Macke, 2005; Wettersten et al. 2004). Research has also documented that perpetrators interfere with their partners' ability to attend educational opportunities and obstruct their partners from receiving other forms of income such as child support, public assistance or disability payments (Brewster, 2003; Moe and Bell, 2004).

As consumer lending has increased, perpetrators increasingly use debt as a means of gaining power and control over their partners (Littwin, 2012). This form of economic exploitation can occur when a perpetrator steals money, cheques or ATM cards; opens or uses a survivor's line of credit without permission; refuses to pay the mortgage, rent or other utility payments; runs up bills under the name of the survivor or of their children; or gambles jointly earned money (Postmus et al. 2012). A perpetrator may steal or damage the survivor's possessions to exploit the survivor (Brewster, 2003). Abusive partners impede their partner's ability to establish or maintain financial independence. When women are unable to establish financial independence, they become dependent on the abusive partner. This financial dependence often becomes the primary obstacle for women to leaving abusive relationships.

### **Risk, prevalence and impact of economic abuse**

Women are at higher risk of economic abuse by an intimate partner owing to gendered income inequality, obstacles to wage-earning resources, and gendered culture norms (Christy and Valandra, 2017). Compared to men, women earn less pay, have greater difficulties accessing working benefits, and are expected to take care of children and household chores.

The prevalence of economic abuse in the EU varies from 2.5 % to 12 %, depending on different definitions and countries. The FRA survey included economic abuse as one form of psychological partner violence in two items: economic controls and job sabotage. Among 42,000 women across 28 member states of the EU, the prevalence of economic abuse is 12 %; with 5 % and 13 % of women experiencing economic abuse by current partners and past partners, respectively (FRA, 2014). Based on the FRA survey, Bettio and Ticci (2017) found that unemployed women and women of minority religions or minority ethnic groups have greater likelihood of exposure to economic abuse than their counterparts. In Spain, the lifetime prevalence of economic abuse is 10.8 %, and 2.5 % of women reported current economic abuse in the 12 months prior to the interview, and 8.3 % reported past economic abuse (del Rio and Valle, 2017). In a study sample of 10,264 German women, economic abuse was

the second most prevalent form of abuse, at 17 % among women aged 50 years or older, compared with a slightly lower figure of 13 % for women younger than 49 years and 15 % for women between 66 and 86 years (Stockl and Penhale, 2015).

There has been no nationally representative survey examining the prevalence of economic abuse in the United States to date. Adams and colleagues (2008) found that 99 % of 103 domestic violence service-seeking female survivors reported economic abuse in their relationship. Postmus and colleagues (2012) surveyed 120 women receiving domestic violence services and found 92 % reported experiencing economic abuse.

Economic abuse has negative impacts on women's economic well-being and mental health (Kutin, Russell and Reid, 2017; Postmus, Huang and Stylianou, 2012; Sedziafa et al. 2017; Stylianou, 2018). Such abuse severely impacts women's economic independence and economic self-sufficiency that are regarded as a crucial factor to leaving the abusive relationship (Kim and Gray, 2008). Economic abuse also makes women become dependent on their male partners and traps women in abusive relationships (Adams et al. 2008; Antai, Antai and Anthony, 2014; Christy and Valandra, 2017; Sanders, 2015; Sedziafa et al. 2017).

In Spain, women currently experiencing emotional or economic abuse were more likely to report symptoms of irritability and lack of sexual desire than among women who reported past physical or sexual violence (del Rio and Valle, 2017). In the Stöckl and Penhale (2015) study of German women, economic abuse had fewer associations with health symptoms than other forms of IPV. However, women aged 50 to 65 years who experienced economic abuse were more likely to report increased gastrointestinal and psychosomatic syndromes, allergies and hair loss, and weight problems.

Economic abuse against women impacts their children and families, financial services providers, and co-workers and supervisors in corporate and other work settings. Without sufficient financial resources, survivors' children and families are exposed to risks of maintaining daily necessities and housing safety. Banks and financial agencies may impede survivors' financial safety if the providers are not familiar with signs of economic abuse and do not have protocols in place to alert for possible abnormal activity on accounts. Job sabotages in any corporate or work setting may lead to a public safety concern.

### **Policy directions**

As attention on economic abuse is increasing globally (Postmus et al. 2018), more actions need to be taken to address this issue. Most immediately, these need to revolve around a focus on strengthening the survivor's economic independence.

Those working in the frontlines with IPV victims, such as financial or human service providers, should understand how to identify and screen for economic abuse and its impact. Actions to address economic abuse need to include support for the women survivors in developing financial safety plans, teaching financial management (financial knowledge), enhancing economic self-sufficiency and economic self-efficacy, and building assets. Financial safety plans help survivors to build a foundation for economic safety and plan for an independent future (Ellsberg et al. 2015). Research indicates financial education as a valuable path for empowering abused women economically (Hetling, Postmus, and Kaltz, 2015; Johnson, 2018; Postmus, Hetling, and Hoge, 2015; Postmus et al. 2013). Financial knowledge equips abused

women with understanding their personal credit history, community resources, public assistance programs, individual savings and checking accounts, estate planning, and investment opportunities.

Interventions are needed to develop survivors' employment skills, career counseling, and balancing work and families to improve economic self-sufficiency (Hong, 2013; Postmus, 2010). Since psychological factors play a role in making financial choices, it is imperative to enhance survivors' economic self-efficacy or confidence in their ability to make sound financial decisions, manage their finances, and improve their financial behaviours (Hoge, Stylianou, Hetling, and Postmus, 2017 online). Successful saving and asset building programmes can improve survivors' economic stability (Sanders, 2014). This includes safe housing, accessible transportation, reliable day care, along with enough funds to pay bills and feed their family.

A legal definition of economic abuse needs to be incorporated into laws pertaining to IPV to improve legal responses as well as increase public awareness. Currently, only seven EU Member States include economic or financial violence in the legal definition of IPV (Belgium, Denmark, Croatia, Lithuania, Romania, Slovenia and the United Kingdom) (EIGE, 2019) `URL:"https://eige.europa.eu/gender-based-violence/regulatory-and-legal-framework/legal-definitions-in-the-eu",language:"en",author":{"family":"European Institute for Gender Inequality",given:""},issued":{"date-parts":["2019"]},"accessed":{"date-parts":["2019",2,28]}},"schema":"https://github.com/citation-style-language/schema/raw/master/csl-citation.json" .`

The EU as a whole and the Member States should revise IPV policies to include addressing economic abuse by holding perpetrators accountable for such violence, providing appropriate support to survivors, and funding those working directly with families. Such services may include comprehensive care and job search assistance (Bettio and Ticci, 2017) or other programmes of economic empowerment (Walby, 2016).

The EU should support research on economic abuse, including data collection on prevalence and incidence rates, understanding its impacts, identifying evidence-based effective practices, and evaluating any legislative developments on the issue at the EU, country, state or local community levels.

## On the prevalence, frequency and seriousness of sexual harassment and violence against women

By Francesca Bettio

### Introduction

One in every five women (21 %) interviewed in the 2012 survey carried out by the European Union Agency for Fundamental Rights ('FRA' henceforth) reported having experienced, over the preceding 12 months, at least one of the 11 'acts' included in the extensive definition of sexual harassment used in the survey. Women in work reported a higher prevalence. The FRA survey offers the most comprehensive, recent and comparable source on violence against women in EU countries to date (FRA 2014). However, until the 'MeToo' campaign, the spotlight on violence against women was mainly narrowly directed at domestic violence, both in research and in the media.

The numbers involved in the 'MeToo' campaign on social media are impressive and serve as a measure of this shift in attention. A recent study which collected the posts for the #MeToo hashtag on Twitter as well as the local equivalent in France (#balancetonporc), Germany (#db120), Italy (#quellavoltache), Spain/ Latin America (#yotambien), and Sweden (#sistabriefen) tallied 2,174,787 posts from 1,203,564 different users between October 2017 and April 2018, with over 12 % accounted for by these 5 European initiatives (Zacchia, 2018).

This shift of attention is justified and can contribute to furthering equality between men and women. As women progressively gain economic emancipation, violence against them transforms and transfers at least in part from private to public spaces, to the workplace in particular (Bettio and Ticci, 2017: 59–60, 81). Because this transfer has only recently gained public visibility, policy relevant knowledge and policy measures to effectively fight sexual harassment need further development, as argued below.

### Violence transforming and transferring

The evidence that, with economic emancipation, violence transforms and transfers from private to public spaces echoes 'the time of exposure' hypothesis that originally gained ground among criminologists (Dugan et al. 1999). The hypothesis suggests that violence against women is roughly proportional to the time women spend in the space where there is risk of a given type of violence. By implication, domestic violence would be expected to decrease if women spend less time at home, while workplace sexual harassment would be expected to increase if they spend more time at work. Although time of exposure is a plausible risk factor underpinning current patterns of violence against women, many other factors are involved, and if we are to fully grasp these patterns, the analytical viewpoint should be broader and encompass developments in gender equality as a whole.

When the FRA survey results appeared, however, those who expected to find lower levels of violence in more gender equal countries were disappointed. According to the FRA results, some European countries with a poorer performance in terms of overall gender equality exhibit a lower prevalence of violence against women than some of the best performers, including the Nordic countries. Unsurprisingly, this

finding attracted attention and became known as the ‘Nordic Paradox’ (Gracia and Merlo, 2016).

The paradox is often articulated in relation to domestic violence but it applies more widely. If the prevalence of physical and sexual violence over the age 15 for each EU country is matched with the EIGE index of gender equality, some of the most equal countries display the highest prevalence of physical and sexual violence, and vice-versa (Davoine and Jarred, 2018: 3). This paradox appears to be primarily driven by the Nordic countries, given that it weakens considerably, though it still holds, when the Nordic countries are removed from the EU sample. Davoine and Jarred concluded that we may be witnessing a particular cultural backlash in countries where women have made most progress, with complex repercussions on violence depending on countries and types of violence involved.<sup>35</sup>

However, recent research indicates that these results change considerably depending on the measure of violence that is used. If a more comprehensive measure of violence is used and if different types of violence are separately analysed, the Nordic paradox no longer holds for domestic violence, while it continues to hold for sexual harassment. This is documented in Figure 3 which displays the cross-country relationship between the EIGE index in 2010 and an index of violence experienced during the preceding 12 months (the ‘fuzzy index’ which accounts for prevalence, frequency and severity of violence using the methodology proposed by Bettio et al. 2018)).

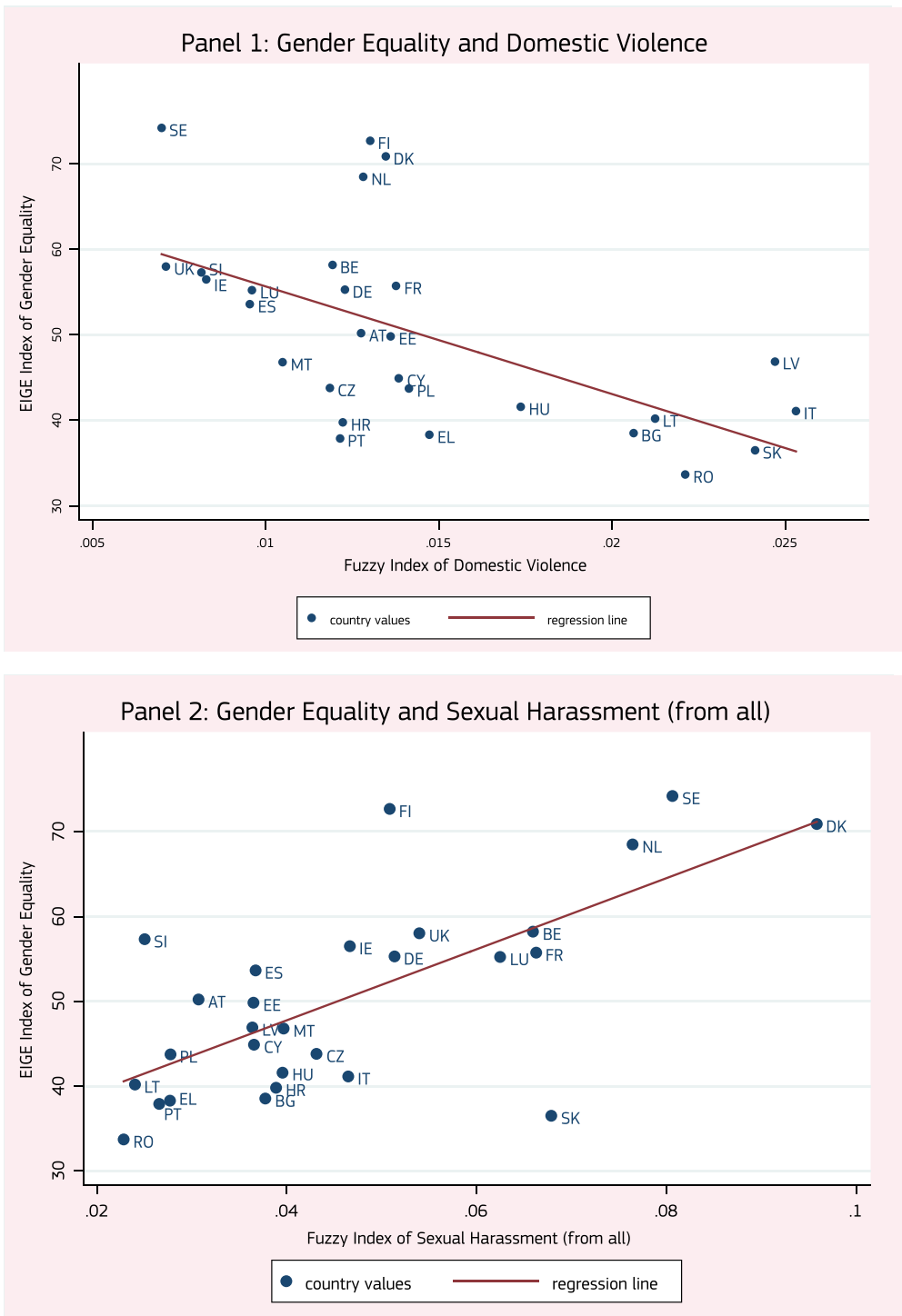
Panel 1 refers to domestic violence, physical, sexual or psychological abuse inflicted by the current partner. Panel 2 refers to sexual harassment by any perpetrator. In Panel 1, there is a clear and statistically significant negative association between gender equality and domestic violence, while the reverse emerges in Panel 2.<sup>36</sup> Across EU countries, gender equality appears to associate with an erosion of domestic violence and an increase in sexual harassment. This supports the claim that, to an extent, violence may be transferring from private spaces towards public spaces, and the workplace in particular.<sup>37</sup>

<sup>35</sup> The authors consider but dismiss or qualify alternative explanations such as dissimilarities in data collection across countries, higher reporting due to higher awareness in more equal countries, and national differences in substance abuse.

<sup>36</sup> The respective Pearson correlation coefficients are  $-.58$  and  $+.69$ .

<sup>37</sup> Research in progress indicates that the findings from Figure 3 are actually more robust and general than simple correlations coefficients indicate. First, if the three components of domestic violence – physical, sexual and psychological abuse, are separately analysed, the association with gender equality remains negative and significant. This implies that the results for domestic violence as a whole are not a statistical artefact due to aggregation. Moreover, what holds using country data and correlation statistics appears to also hold when individuals rather than countries are compared, and econometric analysis is used to establish causality rather than simple association. Last but not least when employment status is used in lieu of the gender equality index in order to specifically test the link between economic independence and violence, the findings still mirror those from Figure 3.

**Figure 3. Types of violence and gender equality**



Notwithstanding such evidence, it would be unwarranted, for a number of reasons, to conclude, solely on the basis of the above, that sexual harassment in Europe is bound to rise if women’s social and economic integration grows deeper. The reasons for this include the following.

Firstly, the FRA survey took a snapshot of the situation in 2012 and cannot be taken as evidence of how violence evolves over time. A mixed picture, on the other hand, emerges from national or European surveys which have been repeated over time. For example, national sources spanning different (and generally short) subperiods

between 2004 and 2013 show stability of gender/sexual harassment levels in Sweden and Norway, while Belgian, Bulgarian and Finnish sources indicate an increase in levels (Eurofound, 2015: Table 2 and pp. 5 and 17).

Secondly, individual respondents who are more aware of what constitutes violence are more likely to report it, and this reporting bias may be stronger for sexual harassment which has only recently gained visibility (Eurofound, 2015: 56 and ff.).

Finally, it can be argued that sexual harassment against women might be more easily counteracted than other types of violence, given that it occurs more frequently at the workplace where it has been likened to discrimination (Latcheva, 2017), a familiar policy area for the Member States and the European Union.

### Entering the policy radar screen

The pervasiveness of sexual harassment and the costs it entails require urgent policy attention, independent of ongoing trends. However, the detailed evidence to support targeted and effective policy still needs to be developed. There is no comprehensive estimation of the costs that sexual harassment entails across Europe.<sup>38</sup> The costs are different depending on the 'space' where sexual harassment takes place: the home, the internet, the workplace, the political arena and so forth. Some of the economic costs of sexual harassment in the workplace for which there is evidence are listed below, by way of example, (Glossbard and Stancanelli, 2017: 17–20; Eurofound, 2015: 30–36):

- health costs: physical and mental costs;
- lower productivity at work: a cost that may be borne by the employer as well as the employee, in being penalised with lower wages, diminished career prospects or inferior working conditions;
- costs of quitting and changing jobs: costs that may be borne by the employer or the employee if quitting leads to inferior matches for either of them;
- reputational costs: women are discouraged from entering a certain profession by rumours of widespread sexual harassment for that working environment;
- well-being and job satisfaction costs: a negative relationship between a climate of sexual harassment and job satisfaction;
- earnings costs: women exposed to sexual harassment are more likely to experience financial stress;
- costs of retaining harassers: workplaces are often found to tolerate harassers, given that they frequently hold positions of power, with tolerance reproducing the costs of harassment over time.

Costs are not only specific to the 'space' where sexual harassment occurs, they also affect different groups of women differently. Women workers facing higher risks of sexual harassment are known to include: younger workers; those in occupations where women are a minority, e.g. the military profession; those at the bottom and those at the top of the pay pyramid; members of ethnic minorities; those who hold lower level job positions, and work mostly with and are supervised by members of the opposite sex; those recently exposed to some economic or organisational shock, e.g. radical technological restructuring or downsizing due to a crisis; and those with

<sup>38</sup> Eurofound (2015: 36) acknowledges the difficulty of comprehensively estimating the costs of sexual harassment.

lower security of tenure (European Commission, 1998; Eurofound, 2015; Grossbard and Stancanelli, 2017).

### Policy pointers

Discrimination law and policy, a strategic asset the EU can rely upon, provides a common framework within which specific actions to counter sexual harassment can be devised and implemented. Recent compilations of national initiatives and best practices to counter sexism in general, or more specifically bullying and sexual harassment, indicate that there is both room and interest for policy action in this area in several Member States (Hoel and Vartia, 2018; Council of Europe, 2018).

Such support from EU Member States was demonstrated in and was important for the recent adoption by the International Labour Conference of Convention 190 ('Violence and Harassment Convention')<sup>39</sup>. This new ILO Convention (International Labour Organization) represents a breakthrough at world level, particularly in the fight against sexual harassment at work. It offers a broad pragmatic definition of violence and harassment as 'a range of unacceptable behaviours and practices' that 'aim at, result in, or are likely to result in physical, psychological, sexual or economic harm'. Physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, and other adverse behaviours all fall under this definition. This definition can, by itself, promote a shared understating and measurement of the phenomenon of sexual harassment across legal systems and disciplinary boundaries. Crucially, the Convention acknowledges that 'gender-based violence and harassment disproportionately affects women and girls, and fills the need for a new labour standard aiming to protect workers and employees, irrespective of their contractual status.

A Recommendation was approved alongside the Convention to provide concrete and detailed guidance on the practical implementation of the Convention.<sup>40</sup> As is well known, Conventions are legally binding for countries that ratify them, but Recommendations are not. While this may encourage ratification, it is also a reminder that the challenge lying ahead, in relation to the Convention is effective policy implementation. This implementation and supporting this implementation need to be a central focus for European and Member State policymaking in the coming period.

This challenge of translating legal potential into effective action cannot be overestimated. The extent of this challenge is best clarified with two examples. The first example concerns the Framework Agreement on Harassment and Violence at Work, a voluntary and EU-based precursor of the ILO Convention. The Agreement was signed in 2007 by the European social partners in order to increase awareness among employers, workers and their representatives about sexual harassment and violence at work. The Agreement provides general definitions along with guidance on how to handle complaints and consequences of harassment, and change the organisational culture in favour of prevention and early detection. In 2018, the Agreement had been in force for over a decade garnering favourable assessment among experts; yet, 'it is still little known and applied, including in some countries where very considerable effort has gone into preventing bullying, such as Finland, Norway and the United Kingdom' (Hoel and Vartia, 2018: 46).

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39 <https://www.ilo.org/ilc/ILCSessions/108/reports/texts-adopted/lang--en/index.htm>

40 Recommendation 206 Concerning the Elimination of Violence and Harassment in the World of Work, adopted by the International Labour Conference, Geneva, 21 June 2019 (link in the previous footnote).

A very different example, coming from the other side of the Atlantic (USA), suggests that, even if a workplace or institution is formally committed to fight harassment, it may not succeed if the specific provisions that are put in place are not context tailored. A 2018 report of the National Academy of Sciences, Engineering, and Medicine 'Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine' clarifies that traditional generalised approaches proved to be largely ineffective and measures are needed that specifically target harassment within research institutions.

The traditional generalised approaches envisaged setting up monitoring bodies and local procedures to deal with sexual harassment on a case-by-case basis, often safeguarding privacy at the cost of transparency. The report strongly recommends that sexual harassment be treated as research misconduct. Faculty members found guilty of harassment should be denied research funds and career advances, just as when they are found guilty of plagiarism. Within academia, as elsewhere, the harasser often enjoys a large power differential, but academic power is strongly tied to research assessment. This is why treating harassment as research misconduct promises to be effective both at the symbolic level and on a practical level.

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# Contributors

**Ursula Barry** is Associate Professor in the School of Social Justice, University College Dublin, Ireland specialising in gender, equality and public policy, and the Irish representative on the EU Expert Network on Scientific Analysis and Assessment on Gender Equality (SAAGE). She is the author of *Gendered Austerity Policies: inequality on the rise in the EU, including Ireland* in *Global Women's Work – perspectives on gender and work in the global economy*. (eds) English, B., Frederickson M. E. and Sanmiguel-Valderrama, O. Routledge 2019; *Gender equality and economic crisis: Ireland and the EU in Economics and Austerity in Europe – gendered impacts and sustainable alternatives* (eds) Bargawani, H., Cozzi, G. and Himmelweit, S. Routledge 2017; with Pauline Conroy of *Ch 10 Ireland in Crisis 2008–2012: Women, Austerity and Inequality* in Rubery, J. and Karamessini, M. (Eds) *Women and Austerity – the economic crisis and the future for gender equality*. Routledge 2014.

**Francesca Bettio** is Professor of Economics at the University of Siena and author or co-author of more than 70 publications on topics ranging from patterns of female employment, including during economic crises, wage and pension income differentials, occupational segregation, fertility in Mediterranean countries, care work, sex work, and violence against women; a decades-long collaboration with the European Commission as an expert on female employment culminating with the role of lead coordinator of the 33 countries European Network of Experts on Gender Equality (ENEGE 2007–2015) and the current role of task coordinator of the SAAGE team (Scientific Analysis and Advice on Gender Equality in the EU, DG-Justice); a long track record as a consultant for local Italian governments in equal opportunity projects and initiatives; and a founder and member of the editorial board of the portal inGenere.it

**Christina Boll** is an economist who obtained her Diploma in economics in 1995 and her PhD in economics in 2010, both from the University of Kiel, Germany. Since April 2019, she has headed the Department of Families and Family Policies at the German Youth Institute in Munich. From 2008 to 2019, she worked as a research director and head of the research area 'Labour, Education and Demography' at the Hamburg Institute of International Economics (HWWI). Christina has lectured economics at German universities since 2001. As of September 2017, she is a guest professor of economics at the University of the Federal Employment Agency (HdBA). Her empirically oriented research interests lie in the economics of family, gender, labour and education.

**Karen Celis** is research professor at the Department of Political Science of the Vrije Universiteit Brussel, and co-director Research of RHEA Centre of Expertise Gender, Diversity, Intersectionality. She conducts theoretical and empirical research on the democratic quality of political representation from the perspective of disadvantaged groups and intersectionality. She is co-editor of *The Oxford Handbook on Gender and Politics* (Oxford University Press, 2013), *Gender, Conservatism and Representation* (ECPR Press, 2014), and of the book series *Gender and Comparative Politics* (Routledge, until 2019). She is founding editor of the *European Journal of Politics and Gender*.

**Sarah Childs** is Professor of Politics and Gender at Birkbeck, University of London. Her research centres on the theory and practice of women's representation, gender and political parties, parliaments and institutional change. She has published three research books (*New Labour's Women MPs*, 2004, *Women and British Party Politics*, 2008, and *Sex Gender and the Conservative Party*, 2012 with Webb). A fourth book *Feminist Democratic Representation* is forthcoming with Celis. Childs is also the author of *The Good Parliament Report* following a secondment to the House of Commons, and is currently advising the United Kingdom Women and Equalities Committee. In 2015, she received the United Kingdom Political Studies Association 'Special Recognition Award'.

**Niall Crowley** has worked as an independent equality and human rights expert over the past decade with a range of European institutions, including the European Commission and the European Institute for Gender Equality, and in a range of jurisdictions. His work has included serving as thematic expert to the European Commission's High Level Group on Non-Discrimination, Diversity and Equality, conducting research projects on gender mainstreaming and gender budgeting, and researching and supporting the work of equality bodies and the development and implementation of equal treatment legislation across the EU. Prior to working as an independent expert, Niall Crowley was chief executive officer of the Equality Authority in Ireland for ten years from its establishment in 1999. This was the national equality body and had a mandate to promote equality and combat discrimination that covered nine grounds including the ground of gender. He is co-founder of Values Lab in Ireland. Values Lab has developed resources and provides support to organisations to pursue values-led approaches to management, communication and the pursuit of equality and human rights goals.

**Yasmine Ergas** is the Director of the Specialization on Gender and Public at the School of International and Public Affairs at Columbia University and Senior Advisor to the Institute for the Study of Human Rights. She also co-chairs the Women's, Gender & Sexuality Studies Council of Columbia University. Her work focuses on gender and women's rights through the international perspective and on human rights and globalisation. Her recent research addresses the backlash against women's rights and the rise of sovereigntist movements, and she has been engaged in developing a network of academic women's and gender scholars and centres focused on global affairs. She has also worked extensively on the emergence of a global market in reproductive services. Her new book *Reassembling Motherhood: Procreation and Care in a Globalized World*, co-edited with Jane Jenson and Sonya Michel was published by Columbia University Press and her most recent essay was 'Take Back the Future: the Global Feminisms and the Coming Crisis of the Beijing Settlement,' in the *Journal of International Affairs* (vol. 72-2, 2019). Ergas has been engaged as a scholar, advocate and policy consultant on women's rights and gender issues and human rights more broadly through her work with international and domestic organisations, including the OECD, the Millennium Villages Project, Human Rights Watch and Women Strong International.

**Colette Fagan** is a Professor and Vice-President for Research at The University of Manchester. Her research focus is on employment, working conditions and job quality; with particular interests in gender relations and inequalities and international comparative analysis. Her record of knowledge exchange and policy impact formed one of the University's REF 2014 impact cases for sociology. She is the United Kingdom national academic expert in the European Commission's Scientific Analysis and Advice on Gender Equality in the EU (SAAGE) group and a member of the Eurofound

Advisory Committee on Working Conditions and Sustainable Work. She is an elected Fellow of the Academy of Social Sciences and has held visiting academic appointments at the Wissenschaftszentrum (WZB) Berlin; RMIT Australia; the University of Wisconsin-Madison, USA; and the University of Sydney Business School.

**Ursula Huws** is Professor of Labour and Globalisation at the University of Hertfordshire in the United Kingdom. She has been researching the economic and social impacts of technological change, the restructuring of employment, and the changing international division of labour since the 1970s. She has directed a large number of interdisciplinary international research projects and is the editor of the international interdisciplinary peer-reviewed journal *Work Organisation, Labour and Globalisation*. Her work has appeared in translation in many languages. She is currently carrying out research on work in the 'gig economy' in Europe.

**Michaela Kreyenfeld** is professor of Sociology at the Hertie School of Governance in Berlin. Before coming to the Hertie School of Governance, she led the research group 'Life Course, Social Policy, and the Family' at the Max Planck Institute for Demographic Research in Rostock. Between 2005 and 2012, she was a Professor of Demography at Rostock University.

**Zoe Lefkofridi** is Associate Professor of Comparative Politics at the Department of Political Science and Sociology of the University of Salzburg and chairs the Standing Group on Political Representation of the European Consortium for Political Research (ECPR). Her research on democracy, political representation and inequality appears, inter alia, in the *Journal of Common Market Studies*, *European Union Politics*, *Politics and Gender*, *West European Politics* and Oxford University Press. Zoe Lefkofridi studied Politics and European integration at the College of Europe in Bruges, the Diplomatic Academy and the Institute for Advanced Studies in Vienna as well as the University of Vienna; she was awarded the *Venia Docendi* in Political Science and Political Sociology by the University of Salzburg.

**Suzan Lewis** is Professor of Organisational Psychology at Middlesex University, London. Her research focuses on work-personal life issues and workplace practice, culture and change, in different national contexts. She has led many national and international research projects and worked with employers and policymakers in Europe, Asia and North America to help to create fairer workplaces. She was a founding editor of the international journal *Community, Work and Family*. Her many books include *Work, Families and Organisations in Transition: European Perspectives* and *Work-Life Balance in Times of Recession, Austerity and Beyond*. Her current research interests include fertility treatment and employment and also work-family issues in developing countries.

**Francesca Luppi** is a postdoctoral fellow in Demography at the Department of Statistical Sciences of Università Cattolica del Sacro Cuore in Milan (Italy). She had her PhD in Socio-Demography at the Universitat Pompeu Fabra (Spain). She is a lecturer of demography and she collaborated in many international projects on topics related to family policies, fertility, subjective well-being, work-family balance, life course and children health. She has published in top ranked journals of demography, sociology and political sciences.

**Annick Masselot** is a Professor of Law at the School of Law of University of Canterbury, New Zealand. Her research interests focus on gender equality and equal treatment, social and employment law, reconciliation between work and family life,

pregnancy and maternity rights in a comparative context. Annick is the author of *Reconciling Work and Family Life in EU Law and Policy* (Palgrave Macmillan, 2010) and *Caring responsibility in EU law and policy: who cares?* (Routledge, forthcoming 2020) both with E. Caracciolo di Torella. She has co-edited *Importing EU Norms? Conceptual Framework and Empirical Findings* (Springer, 2015). She is co-editor of the *Journal of Common Market Studies*.

**Ania Plomien** is Assistant Professor in Gender Studies, LSE. She researches gender inequalities in contemporary Europe from a feminist political economy perspective. Gendered issues of paid work and paid/unpaid care lie at the core of this problematic. The key question is why, despite the prominence of equality objectives in policies at organisational, national and supra-national levels, gender and other forms of inequality endure? What are the mechanisms that underpin their persistence or change? Ania is currently working on two projects: 'Gender and diversity in banking and finance' and 'Social reproduction, capitalist production, and labour mobility in Europe'. She has guest edited a themed section 'UK's membership of the EU: Brexit and the gains, losses and dilemmas for social policy' (*Social Policy & Society*, 2018); co-edited *The SAGE Handbook of Feminist Theory* (2014); and co-authored *Gender, Migration and Domestic Work: Masculinities, Male Labour and Fathering in the United Kingdom and USA* (with Kilkey, M. and Perrons, D. 2013).

**Judy L. Postmus** is a Professor and Associate Dean for Research and Faculty Development at the School of Social Work, Rutgers University. She is also the founder and former director of the Center on Violence Against Women & Children. Her research is on physical, sexual and economic victimisation experiences of women including an examination of strategies to economically empower survivors. Her most recent work includes leading the Violence Against Women Research Consortium, funded by the National Institute of Justice (2016-MU-CX-K011). She has given many local, national and international presentations on the impact of policies and interventions for survivors of violence. Her work is strongly influenced from her 20 years as a practitioner and administrator.

**Alessandro Rosina** is a Full Professor at the Università Cattolica del Sacro Cuore, Faculty of Economics, where he teaches Demography, Population Dynamics and Social Statistics. He is the head of the Department of Statistics and of the Centre for Applied Statistics in Business and Economics. He has been a member of the Board of Directors of the Italian Statistical Society (2011–2014) and served as an expert on several Italian government committees. He has published many books on the transition to adulthood and intergenerational relations, welfare and demographic behaviour, as well as articles in international journals on family formation and fertility decision-making, the balance between female work and family responsibilities, life-course transitions and social vulnerability.

**Jill Rubery** is Professor of Comparative Employment Systems and the Director of the Work and Equalities Institute, at Alliance Manchester Business School, University of Manchester and a Fellow of the British Academy. She has worked extensively for the European Commission, coordinating its gender and employment expert group for around 15 years, and for the International Labour Organization. Her research focuses on the interdisciplinary comparative analysis of employment systems. Her most recent book is M. Karamessini and J. Rubery ed. (2013) *Women and Austerity: The Economic Crisis and the Future for Gender Equality*, Routledge.

**Silvia Sansonetti** has been working at FGB (Fondazione Giacomo Brodolini) since 2007. She is a gender equality expert and antidiscrimination expert. She holds an MA in Socio-demographic Statistics and a European PhD in Socio-economic Sciences from Sapienza University of Rome. She has been serving as the country expert for Italy for European Union institutions since 2008 and has produced several published and unpublished reports. She has coordinated many international projects on labour market, social inclusion, gender equality, gender mainstreaming and social issues and is currently contributing to the management of the Scientific Analysis and Advice in Gender Equality (SAAGE).

**Sarah Thébaud** is Associate Professor of Sociology and faculty affiliate of the Broom Center for Demography and the Technology Management Program at the University of California—Santa Barbara. Her research examines how government policy, organisational practices and stereotypical beliefs about men's and women's traits and abilities matter for understanding men's overrepresentation in entrepreneurship, science and engineering, the gender division of household labour, and gender gaps in workplace authority. Thébaud's research has been supported by the U.S. National Science Foundation and the Kauffman Foundation, among others, and has appeared in academic journals such as the *American Sociological Review*, *Administrative Science Quarterly*, and *Social Forces*. It has also been featured by several international media outlets. Thébaud received her PhD in Sociology from Cornell University.

**Anna Triandafyllidou** is the Canada Excellence Research Chair in Migration and Integration at Ryerson University, in Toronto, Canada since August 2019. Previously, she held a Robert Schuman Chair at the European University Institute in Florence, Italy (2012–2019). She is the Editor-in-Chief of the *Journal of Immigrant and Refugee Studies*. After obtaining her PhD at the EUI in 1995, Anna has held teaching and research positions around the world including at the London School of Economics, New York University, and Consiglio Nazionale per le Ricerche in Rome. Her recent books include: *Migration and Globalisation Handbook* (Ed., Edward Elgar, 2018); and *Multicultural Governance in a Mobile World* (Ed., Edinburgh University Press, 2018). She is the author of *What is Europe?* (with R. Gropas, Palgrave, 2015), *Migrant Smuggling* (with T. Maroukis, Palgrave, 2012) and *Immigrants and National Identity in Europe* (Routledge, 2001). She is currently writing *Migration, Globalisation and the Nation*, forthcoming from Palgrave in 2020.

**Anna van der Vleuten** is a professor of Contesting Europeanization at the Institute for Management Research, Radboud University, Netherlands. Her research interests are at the intersection of comparative regionalism, EU and gender studies. Current projects focus on gendering EU external relations, contestations of transgender rights and categories of sex. She has published widely in journals, edited volumes and a monograph (Ashgate, 2007, *The price of gender equality. Member states and governance in the EU*). Her latest publications include 'Fish Fingers and Measles? Assessing Complex Gender Equality in the Scenarios for the Future of Europe' by Petra Ahrens (*Journal of Common Market Studies* 2019) and 'Albion Lost, Paradise Regained? Gender+ Equality Policies in EU27' (*European Journal on Politics and Gender*, 2019, 2:2: 313–315).



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