

IN FOCUS BRIEF

WORK LIFE BALANCE



In Focus Brief Work Life Balance

A Gender Issue

Work life balance is about the division of one's time and focus between work and family or leisure activities. There are a number of public policies and legislation affecting work life balance for **workers across Europe. These especially relate to birth, parental and carer's leave, flexible working hours and accommodation** of working hours and duties, child care and tax benefit systems.

Work life balance affects **gender equality** in many ways, and in particular when it comes to the role of parents. For example, if there is no accessible child care or working hours are rigid, one of the parents might find it necessary to work part time or not work at all to take care of home and children.

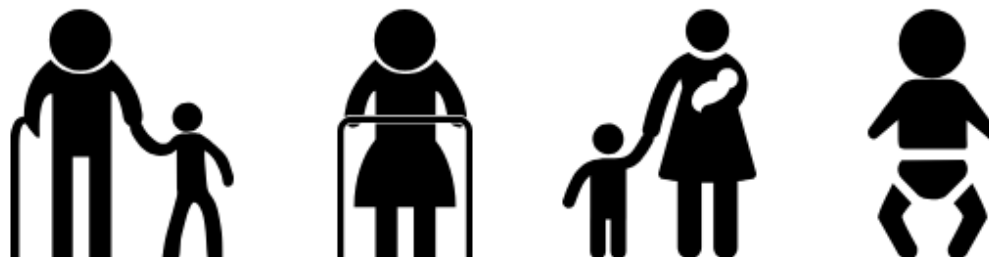
Work life balance measures also affect **religious employees or employees with disabilities and parents of children with disabilities**, because they may be in particular need of flexibility and accommodation in their work situation. Furthermore, employees with **responsibility for elderly family members** or others in need of care can also benefit from good work life balance policies.

Due to **traditional gender norms, caring responsibilities are very often taken up by women.** This impacts on their access to the labour market and paid employment, career progression, economic independence, equal pay and equal participation in decision-making and society at large.



Facts and Figures

Did you know that...?



In 2015, in the EU, every day 37,5% of women and 24,7% of men care for and educate their children or grandchildren, elderly or people with disabilities.

(EIGE Gender Equality Index 2017)

Part time work



Mothers are **8 times more likely to work part time than fathers.**

(Eurostat 2013)

Inactivity in the Labour Market caused by Caring Responsibilities



(European Commission)

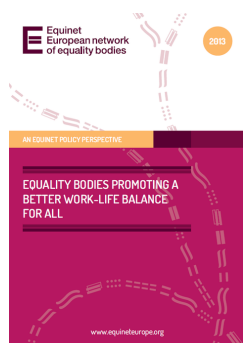
Disparities in Europe

- **Maternity Leave, granted to mothers after giving birth:** ranging from **14 weeks** (Germany) – **58 weeks** (Bulgaria)
- **Paternity Leave, granted to fathers after childbirth:** **7 countries do not have paternity leave provisions** (AT, HR, CY, CZ, DE, LU, SK). Other countries have paternity leave ranging from **1 day** (Malta) – **9 weeks** (Finland)
- **Parental Leave, granted to both parents after childbirth, useable for a longer period of time:** All EU Member States have a minimum of 4 months parental leave in line with the 2010 Parental Leave Directive. Not all of them have a period of leave that cannot be transferred.



European Parliament Briefing: Maternity, paternity and parental leave in the EU (March 2017)

Equality Bodies promoting a better Work Life Balance for all

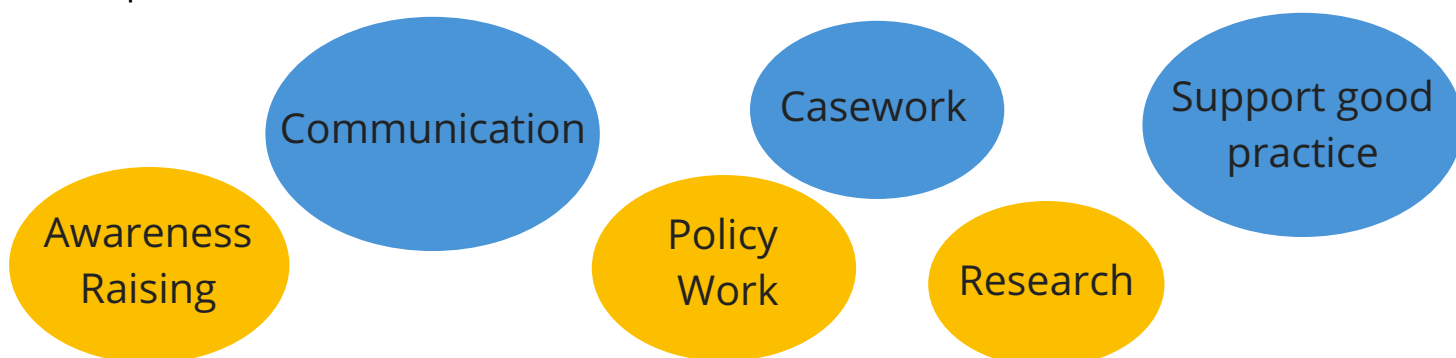


RECONCILIATION OF WORK AND FAMILY LIFE AND WORK LIFE BALANCE ARE ISSUES OF CONCERN TO MANY EQUALITY BODIES AND HAVE BEEN A FOCUS FOR IMPORTANT INITIATIVES BY A NUMBER OF THEM. THE 2013 EQUINET PERSPECTIVE "*EQUALITY BODIES PROMOTING A BETTER WORK LIFE BALANCE FOR ALL*" GIVES AN OVERVIEW OF THE WORK OF AND CHALLENGES ENCOUNTERED BY EQUALITY BODIES IN THIS AREA.

Work on this issue has involved a particular focus on **eliminating discrimination where women have been denied access to the workplace** or returned to **poorer working conditions** on foot of their pregnancy or after taking up maternity leave.

What do equality bodies do to support work life balance?

- Equality bodies work on **combating gender stereotypes** that assign particular roles to men and women.
- They **raise awareness** on the different experiences and situations of women and men in the design and provision of statutory leave arrangements.
- Equality bodies **support access by men** to flexible working arrangements and statutory leave provisions.
- They **advance equality for women** by supporting workplace flexibilities that enable women to remain in or return to the workplace while having care responsibilities.



Discrimination: What do equality bodies see on the ground?



- High levels of pregnancy related discrimination.
- Discrimination in connection with taking up leave arrangements.
- Denial of rights in access to statutory leave arrangements.
- Discrimination in access to flexible working arrangements.

Challenges for Equality Bodies

- **Under-reporting** due to fear of victimisation.
- **Lack of human and financial resources** of equality bodies.
- In a context of high levels of unemployment, some **social partner organisations and individual employers can be disinterested in taking action on reconciliation of work and family life and work life balance issues.**
- **Fiscal consolidation measures have impacted negatively** on the supply of public sector care services.
- The arena of **private or family life can be seen as beyond the mandate of the equality body** or any statutory intervention.

Equality Bodies' Practices

Equality and Human Rights Commission (EHRC), UK Great Britain

In 2016, the British equality body published **research on pregnancy and maternity discrimination at the workplace.**



The main findings of the study show that 84% of **employers believe that supporting women in the workplace is an asset and that female employees are committed workers.** However, the research also revealed that 77% of **UK mothers reported negative experiences and possible discrimination.** Drawing from the information collected, the EHRC proposed six recommendations.

Government to show leadership for change by working with employers to attract the best talent and create conditions for their staff to perform well.



Improving employer practice to promote family-friendly workplaces, effective management and open communication.



Improving access to information and advice so that women and employers understand their rights and obligations.



Improving health and safety so that employers manage risks effectively and women are not forced to choose between their health or the health of their unborn child.



Improving access to justice by making changes to the tribunal fee system and considering increasing the time limit to bring a claim from 3 to 6 months.

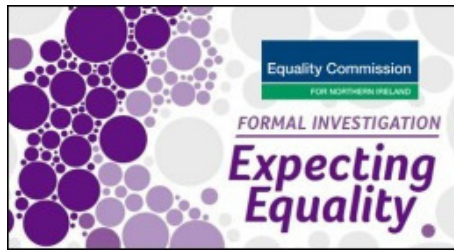


Monitoring progress to track the pace of change towards creating fairer workplaces.



Outcomes of the project also include an **employer toolkit.**

Equality Commission for Northern Ireland, UK Northern Ireland



Half of the women who responded to a 2015 Equality Commission **investigation into the employment experiences of pregnant workers and mothers in Northern Ireland** believe that their **career opportunities have been negatively affected by their pregnancy or maternity leave**. That is one of the findings of *'Expecting Equality: a Formal Investigation under the Sex Discrimination (Northern Ireland) Order 1976'*. Nevertheless, around half of the women believed they were supported by their employer during their pregnancy. Women identified supportive employers as those who:



- implemented policies and practices to **effectively manage pregnancy, maternity leave and return to work**,
- were prepared to consider **adjustment to work load and work environment** during pregnancy,
- **maintained reasonable contact** during maternity leave,
- provided a **family friendly work environment** for mothers on return to work,
- communicated with employees in order to promote **understanding of the needs and expectations** of both parties.

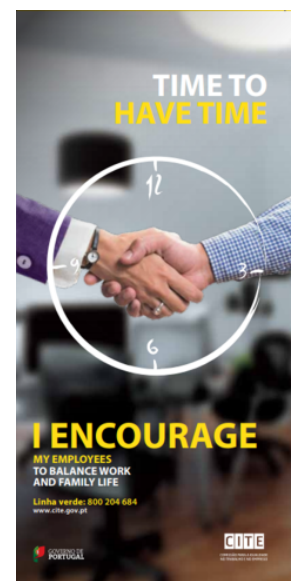
More information is available [here](#).

Commission for Equality in Labour and Employment, Portugal

The **'Time to have Time'** campaign aimed to **raise awareness about simple tools to ensure work life balance**. It provides advice and examples of good practices on reconciliation of professional and family life, such as organising the work schedule, parenthood protection and family assistance, and social benefits and financial assistance to workers and their families.

The main instruments for reconciling professional and family life provided by the labour code are also highlighted.

More information is available [here](#).



Taking action at EU level: Work Life Balance Package

Alongside the launch of the European Pillar of Social Rights in April 2017, the European Commission presented its Work Life Balance Package including both **legislative and non-legislative measures**. The package does not address the question of maternity leave.



Of particular interest is the proposed **Directive on Work Life Balance** which sets a number of minimum standards for parental, paternity and carer's leave. The proposal is an **ambitious step towards equal sharing of caring responsibilities, better participation of men and improved protection against discrimination of workers** who have taken paternity, parental or carers' leave.

Main Measures:

- 10 working days of **paternity leave**.
- Minimum 4 months of **parental leave**, which cannot be transferred between parents. It can be taken until the child is 12 years old.
- Workers will have the right to take up to 5 days of **carers' leave** per year.
- Paternity, parental and carers' **leave should be compensated** at least at the level of sick leave.
- Working parents of children up to 12 and carers will have the right to request **defined flexible working arrangements**.
- Member States should also ensure the **prohibition of less favourable treatment** of workers who applied or have taken paternity, parental or carers' leave, or who have exercised their right to flexible working arrangements.
- The Directive **extends the mandate of equality bodies** competent for Directive 2006/54/EC (Gender Recast Directive) to issues covered by the proposal.



Equinet and equality bodies strongly welcome this proposal, and suggest the European Parliament and Council of the EU to keep its level of ambition throughout the negotiations.

Equinet would also welcome additional reference to the necessity for Member States to take all measures to **ensure the body or bodies are independent and allocated adequate powers, functions and resources to implement their mandate** within the scope of this Directive. The clarification of this article is necessary to ensure equality bodies have a broad mandate to promote and support the achievement of full equality in practice.

Communication: An initiative to support work life balance for working parents and carers

In addition to the proposed Directive, the European Commission also released a **Communication outlining non-legislative measures it will undertake in the coming years in the area of work life balance**. The Communication aims to complement the proposed Directive.

Its priority areas for action include:

- Improving the **design and gender-balanced take-up of family-related leaves** and flexible working arrangements,
- Improving the **quality, affordability and access to childcare and long-term care**
- **Addressing economic disincentives** for parents and carers to work.



Thanasis Zovoilis/Flickr RF/Getty Images

Importantly, the Communication commits EU funds to achieve progress in all these areas for actions.

The Communication also foresees the **organisation of a seminar, in cooperation with Equinet, on capacity building activities for equality bodies and other respective labour market supervisory bodies (Network of Labor Inspectorates, SLIC) in Member States, with a focus on dismissal protection**. The Seminar will be organised in the autumn 2018. It would aim for participants to:



- Familiarize themselves with a range of issues arising in the context of **discriminatory dismissal and discrimination in access to statutory rights** and challenges in tackling these;
- **Exchange good practices** between equality bodies and labour inspectorates;
- **Exchange on strategies** for handling discrimination and dismissal in the workplace;
- **Strengthen networking and cooperation between Equinet and SLIC** and their members where it already exist and initiation of possible new cooperation.

Equinet is the European Network of Equality Bodies, gathering 46 equality bodies in 34 European countries. Equality bodies are independent public institutions with a mandate to promote equality and tackle discrimination on grounds of gender, race, age, sexual orientation, religion and belief, disability and other grounds. According to EU legislation, each EU Member States have to set up one or several equality bodies with a mandate to address discrimination on the ground of gender equality. Equality bodies are also instrumental in ensuring access to justice to victims of discrimination in the European Union. More information about Equinet is available here.

EQUINET MEMBERS

Commissioner for the Protection from Discrimination, Albania | Austrian Disability Ombudsman, Austria | Ombud for Equal Treatment, Austria | Unia (Interfederal Centre for Equal Opportunities), Belgium | Institute for Equality between Women and Men, Belgium | Institution of Human Rights Ombudsman, Bosnia and Herzegovina | Commission for Protection against Discrimination, Bulgaria | Office of the Ombudsman, Croatia | Ombudsperson for Gender Equality, Croatia | Ombudswoman for Persons with Disabilities, Croatia | Office of the Commissioner for Administration and Human Rights (Ombudsman), Cyprus | Public Defender of Rights – Ombudsman, Czech Republic | Board of Equal Treatment, Denmark | Danish Institute for Human Rights, Denmark | Gender Equality and Equal Treatment Commissioner, Estonia | Ombudsman for Equality, Finland | Non-Discrimination Ombudsman, Finland | Commission for Protection against Discrimination, Former Yugoslav Republic of Macedonia (FYROM) | Defender of Rights, France | Federal Anti-Discrimination Agency, Germany | Greek Ombudsman, Greece | Equal Treatment Authority, Hungary | Office of the Commissioner for Fundamental Rights, Hungary | Irish Human Rights and Equality Commission, Ireland | National Office Against Racial Discrimination, Italy | National Equality Councillor, Italy | Office of the Ombudsman, Latvia | Office of the Equal Opportunities Ombudsperson, Lithuania | Centre for Equal Treatment, Luxembourg | National Commission for the Promotion of Equality, Malta | Commission for the Rights of Persons with Disability, Malta | The Protector of Human Rights and Freedoms (Ombudsman), Montenegro | Netherlands Institute for Human Rights, Netherlands | Equality and Anti-Discrimination Ombud, Norway | Commissioner for Human Rights, Poland | Commission for Citizenship and Gender Equality, Portugal | Commission for Equality in Labour and Employment, Portugal | High Commission for Migration, Portugal | National Council for Combating Discrimination, Romania | Commissioner for Protection of Equality, Serbia | National Centre for Human Rights, Slovakia | Advocate of the Principle of Equality, Slovenia | Council for the Elimination of Ethnic or Racial Discrimination, Spain | Equality Ombudsman, Sweden | Equality and Human Rights Commission, UK – Great Britain | Equality Commission for Northern Ireland, UK – Northern Ireland



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