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The need to reconcile work and family life

Report
Committee on Equal Opportunities for Women and Men
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Summary

The Assembly deplores that the absence of measures aiming at reconciling work and family life primarily affects women, since they carry most of the responsibility for running the home, bringing up young children and looking after elderly dependents. The absence, inadequacy or inaccessibility of minding and support structures for children or old people obliges women with family responsibilities to work part-time or stop working altogether.

Facilitating measures for reconciling work and family life is essential to enable women and men to achieve economic independence and take part in working, public and political life while also discharging their family obligations. These measures are a factor of growth and employment – particularly for women - and provide an answer to the challenges posed by population ageing.

The Assembly should recommend that the Committee of Ministers assess the implementation of its Recommendation No. R(96)5 on reconciling work and family life. The Assembly should invite the Committee of Ministers to address a recommendation to the member States asking them to take the necessary measures to ensure, inter alia, equal wages for women and men, the setting up of accessible and flexible minding facilities for young children – in line with the European Union's Lisbon strategy – and elderly dependants. Council of Europe member States should be invited, if they have not yet done so, to introduce paid maternity, paternity and parental leave and initiate dialogue with social partners, local and regional authorities and the private sector to help reconcile work and family life.

A. Draft recommendation

1. Reconciling work and family life allows men and women to achieve economic independence, and fulfil themselves both professionally and personally, while also discharging their family obligations. It makes for increased participation of women and men in working, public and political life.

2. The Assembly notes, however, that the aim of reconciling work and family life is far from being achieved in many Council of Europe member states. The absence of facilitating measures primarily affects women since they still carry most of the responsibility for running the home, bringing up young children and very often looking after dependent parents or other elderly dependents as well. Thus, the absence, inadequacy or inaccessibility of minding and support structures for children or old people obliges women with family responsibilities to work part-time or stop working altogether.

3. The inequality is aggravated still further by the fact that access to the labour market and professional careers is in any case harder for women. Persistent wage discrepancies between women and men make it economically logical that, when children are born, it is the woman who stops working. Moreover, we still have a work culture which tends to attach too much importance to long working days, taking no account of workers' - and above all women workers' - family obligations.

4. The Assembly is convinced that measures making it easier to reconcile work and family life are a factor for growth and employment – particularly of women – and provide an answer to the challenges posed by the ageing of the population. The Assembly thus supports the efforts to promote reconciliation made by the OECD and the European Union which, in its Lisbon Strategy, aims to achieve a 60% employment rate for women by 2010, with minding facilities for at least 33% of children under three and 90% of children from the age of three to the age of compulsory schooling respectively.

5. The Assembly considers that reconciling work and family life is a “win-win” process for workers, public partners and socio-economic players, who must ensure, however, that measures taken for this purpose are aimed at both women and men with a view to promoting gender equality. It also emphasises that political determination on the part of Council of Europe member states is vital to defining innovative, negotiated solutions aimed at promoting a work/family balance and so making a real contribution to equal opportunities for women and men on the labour market.

6. The Assembly recalls Committee of Ministers Recommendation No. R(96)5 on reconciling work and family life, whose general principles are still valid and relevant. However, the persistent discrimination which women still encounter, particularly on the labour market, should prompt the Council of Europe to encourage member states to introduce practical measures and devise pro-active policies. These policies should embody an incentive and also, when necessary, a coercive approach to action by employers to promote reconciliation of work and family life, and so equal opportunities for women and men in entering the labour market, pursuing careers and coping with family obligations.

7. The Assembly recommends that the Committee of Ministers assess the implementation of its Recommendation No. R(96)5 and identify specific legal measures which member states or firms have taken or can take to promote reconciliation of work and family life, bearing in mind the need to promote equal opportunities for both sexes.

8. Moreover, the Assembly invites the Committee of Ministers to address a recommendation to the member States asking them to:

8.1. fully implement Recommendation (96)5 on reconciling work and family life;

8.2. endeavour to reach the goals set in the European Union's Lisbon strategy (minding facilities for at least 33% of children under three and 90% of children from the age of three to the age of compulsory schooling respectively), also in non-European Union member states, and institute a dialogue between national governments, local and regional authorities and social partners on how best to reach these goals;

8.3. take measures making it easier to reconcile work and family life which target women and men, including:

8.3.1. guarantee equal wages for women and men, thus ensuring that financial decisions do not necessarily disadvantage women workers;

- 8.3.2. identify the need for child-minding facilities and determine the number of dependent persons, so that suitable structures can be provided and their effectiveness assessed;
- 8.3.3. initiate dialogue with workers and employers, local and regional authorities and the private sector with a view to considering the main emphases in measures aimed at making it easier to reconcile work and family life and preserving the employability of persons availing themselves of these measures;
- 8.3.4. foster the introduction of working conditions which are flexible and freely accepted by workers, while ensuring equal access of workers who avail themselves of such working conditions to promotions, bonuses, pensions, etc.;
- 8.3.5. provide adequate remuneration/compensation during maternity leave;
- 8.3.6. introduce, if they have not yet done so, paid paternity leave and encourage men to take it;
- 8.3.7. alleviate the social cost of maternity and pro-natalist measures, to ensure that firms taking on future parents are not penalised;
- 8.3.8. introduce paid, socially-covered parental leave, which may be used flexibly by the father and mother, taking special care to ensure that men actually use it;
- 8.3.9. introduce a system of pension entitlement which takes account of periods of non-employment spent looking after young children or dependent persons;
- 8.3.10. set up accessible and flexible minding and support structures for young children and elderly dependent persons, especially for single-parent families;
- 8.3.11. guarantee a place in day nurseries for children whose parents wish to place them there;
- 8.3.12. in order to attract professional staff, make jobs in the care sector attractive with the aim of ensuring high-quality care for all children and dependent elderly persons;
- 8.3.13. encourage private and public employers to take account of their employees' family obligations, adopt measures making it easier to reconcile work and family life, facilitate the establishment of "firm-based day nurseries" and reward the most deserving with certificates or quality labels;
- 8.4. sign and, if they have not already done so, ratify the revised Social Charter, and particularly Article 27 on the right of workers with family responsibilities to equal opportunities and treatment, and implement the Charter provisions.

B. Explanatory memorandum by Ms Pericleous-Papadopoulou, Rapporteur

I. Introduction

1. Action to reconcile work and family life allows women and men to be professionally active and participate in political or public life, while also discharging their family responsibilities. However, it must be said that reconciling the two can be difficult, particularly for women, who still carry most of the responsibility for running the home, bringing up young children, and very often - at a time when Europe's population is ageing - looking after dependent parents and other elderly dependents as well. As the Assembly noted again very recently¹, this situation can make it hard for women to participate in professional, public and political life.

2. I am convinced that reconciling work and family life is important for both women and men, and helps to ensure that they have equal opportunities, rights and responsibilities, and can achieve economic independence, take on family obligations and fulfil themselves professionally and personally. I would also like to emphasise that reconciling work and private life has obvious effects on the employment rate for women, the fertility rate and the availability of women to meet the labour market's needs. To that extent, it has a bearing on our countries' economic growth.

3. In this report, I wanted to highlight measures and good practices which member states can and must undertake to create conditions which make it easier to reconcile work and family life, which match the professional and personal aspirations of men and women, and which promote equal opportunities for both sexes. A detailed questionnaire (see Appendix I) was sent to the national delegations for this purpose. I should like to thank the 30 delegations (see Appendix II) who replied. Their answers allowed us to identify good practices devised in the member states, and underline the extremely disparate character of the data family available in Europe on reconciling work and family life.

II. A fact: the impossibility of reconciling work and family life primarily penalises women

4. Reconciling work and family life used to be seen as a "women's issue". Long restricted to caring for children and bringing them up, they now have to take on these responsibilities and hold down jobs as well - often, in the case of the best qualified, after long years of study.

5. Reconciling work and family life becomes particularly difficult when child-minding facilities are inadequate, poor or too expensive, and when women are discriminated against on the labour market, continue to be paid less than men - women earn 15% less than men in the enlarged European Union² - and are so encouraged to stop working (particularly when one parent is entitled to take leave and the man's higher earning capacity militates against the woman's working³), and face a work culture which emphasises long working hours and ignores workers' family responsibilities.

6. This global situation is also confirmed in Cyprus : 23% of women stopped work mainly because they've had children. The individual responsible for children's transportation, their reading, caring of children and dependent individuals is mainly the mother⁴.

7. These obstacles to reconciling work and family life leave many women with a choice between having no children (or having them as late as possible, with all the fertility problems this can imply)⁵ and either not working or working part-time. The latter is still a women's speciality. In the enlarged EU, 27% of active women work part-time (less than 30 hours a week), as compared with 4% of men. The percentage figure increases with the number of children: 33% of women with one child below the age of 12, 44% of women with two, and 51% of women with three or more work part-time.

¹ See in particular Recommendation 1700 (2005) on «Discrimination against women in the workforce and the workplace» and Recommendation 1701 (2005) on «Discrimination against women and girls in sport ».

² Eurostat STAT/06/29, 6 March 2006.

³ Hélène Périvier (2003), « La garde des jeunes enfants : affaire de femmes ou affaire d'Etat ? » Lettre de l'Observatoire français des Conjonctures Economiques (OFCE) No. 228, 7 January 2003, p.4.

⁴ Results from a study performed in Cyprus by the Women Organization of the Democratic Party, sponsored by the National Machinery of Women (February 2006).

⁵ Gilbert Cette, Nicolas Dromel and Dominique Meda, «Conciliation entre vies professionnelle et familiale et renoncement à l'enfant » OFCE journal No. 92, January 2005, p.265.

8. The employment rate for women, which is generally lower than that for men⁶, decreases with the number of children: in Europe of the 25, 64.8% of women between the ages of 20 and 49 with one child below the age of 12 were working in 2003, as compared with 57.8% of women with two, and 41.2% of women with three. The corresponding figures for men were 91.4%, 92.3% and 86.1%⁷. Parents in precarious situations and single parents, who often have to accept insecure employment and non-standard working hours, find it even harder to enter the labour market.

9. The European Parliament has found that the employment rate for women has been rising more slowly since 2003. The employment rate for older women remains particularly low, largely because many of them leave work to take on family responsibilities, with negative effects on their pension and insurance rights - which makes them more vulnerable to the risk of poverty⁸. Ten of the countries that replied to the questionnaire have a female employment rate equal to or greater than 60% (Austria, Denmark, Finland, Germany, Luxembourg, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom), while, in five, fewer than 35% of women are employed (Bosnia and Herzegovina, Greece, Italy, "the former Yugoslav Republic of Macedonia" and Turkey).

10. It is worth noting that in the Nordic countries female employment rates, the percentage of children being cared for in child-minding facilities from a very young age and female fertility are all high. In Sweden, 71.80% of women work, 92% of three-year-olds are enrolled in some form of pre-school scheme, and the total fertility rate⁹ is 1.7 children/woman; in Finland it is 1.8 (67.7% of women work), while Iceland has a rate of 2 children/women, with a female employment rate of 81.9% in 2003¹⁰.

11. Women are the first to suffer when work and family life clash, but action to alleviate the problem must still benefit both sexes. This report sets out to identify effective solutions and ways of promoting equality between women and men.

III. Proposing public policy measures to help women and men to reconcile working and family life

12. In Recommendation R(96)5, the Committee of Ministers of the Council of Europe called on the member states to introduce measures making it easier to reconcile work and family life. In the European Employment Strategy adopted in Lisbon in 2000, the European Union set a 60% employment target for women (the 2004 figure was 55.6%). The European Commission sees reconciling work and family life as one of the keys to implementing the Lisbon Strategy, and acknowledges that "a major challenge is to focus on policies to encourage men to take up family responsibilities"¹¹. This is also an integral part of the policies which must be introduced to increase women's employment, revitalise birth-rates and counter the effects of ageing of the population¹². Nineteen Council of Europe member states have ratified the International Labour Office Convention on workers with family responsibilities¹³, adopted in 1981.

⁶ In the OECD countries, the activity rate for women was 60,1%, and that for men 80,3%, in 2004, see www.oecd.org.

⁷ 2003 figures, Eurostat press communiqué 49/2005, 12 April 2005, www.europa.eu.int/comm/eurostat.

⁸ Report by Mrs Edite Estrela on the future of the Lisbon Strategy from the point of view of the gender perspective (2004/22191(INI), A-6-0402/2005, paragraph H.

⁹ Average number of children a woman would have during her life if current birth rates for her age group remained constant throughout her child-bearing years.

¹⁰ (Source: http://fr.wikipedia.org/wiki/Taux_d'emploi_des_femmes_en_Europe).

¹¹ Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on equality between women and men, 2004, COM(2004) 115 final.

¹² "A better work/family life balance in the EU: either we all help out or we lose out", European Commission press release IP/05/898 of 11 July 2005, <http://europa.eu.int/rapid/>, issued in connection with the public consultation process for the Green Paper, "Confronting demographic change: a new solidarity between generations".

¹³ C156, Convention concerning equal opportunities and equal treatment for men and women workers: workers with family responsibilities (came into force on 11 August 1983).

13. Public authorities on all levels of the decision-making process must take practical action (see below) to promote equal opportunities for women and men by creating conditions which make it easier to reconcile work and family life, taking due account of national behaviour patterns and cultures (the same measure may produce different effects in different countries). The aim here is to promote equality between women and men, and economic growth as well.

14. Several countries have carried out research into the obstacles to reconciling work and family life and the measures needed to facilitate this, examples being Austria (assessment of the education allowance for bringing up children), Bulgaria (a study is being carried out this year), Cyprus (a study on reconciling working and family life performed by a non governmental women organization and sponsored by the National Machinery for Women was prepared in February 2006), Denmark (gender-based segregation in the labour market, the male working culture as an obstacle to parental leave), Finland, France, Germany ("Monitor Familienfreundlichkeit"), Liechtenstein (interviews with civil servants in 2003), Lithuania (study carried out with political representatives and employers to promote greater involvement of men in the upbringing of their children), Malta (a study under way on how to reconcile work and family life is expected to lead to government recommendations; publication of a study of "Men on Parental Leave"), the Netherlands, Norway (recent publication on "flexible fathers" and the interaction between working hours and time spent with the family, and between fathers', mothers' and children's timetables), Slovenia, Spain (May 2005 study on reconciling working and family life, covering the existing situation, needs and demand; a study has also been commissioned by the Ministry of Public Administration on leave granted under conciliation schemes), Sweden, Switzerland and Turkey.

15. Child-minding facilities (collective or individual) are in short supply in all the countries of Europe. Nonetheless, it seems to have been shown that there is a correlation between availability of such facilities, measures to improve the links between work and family life¹⁴, and employment of mothers¹⁵. For example, it emerges from the replies to the questionnaire that day nurseries can accommodate only 10% of children under the age of two in Italy; in Germany, 2.4 million children aged 0 to 6 are looked after informally (compared with 2% in Sweden), while fewer than 120,000 are cared for in collective child-minding facilities; in Switzerland, 60% of children are looked after informally. The Netherlands has increased government funding for child-minding facilities for young children and wants to promote a policy based on the demand for - and not the supply of - such facilities. Luxembourg is seeking to step up its efforts to expand the supply of child-minding facilities and set up new, more flexible facilities based on the concept of "relay houses".

16. The legislative measures needed to make reconciling work and family life easier must, inter alia, guarantee adequate remuneration/compensation during maternity leave without penalising women economically, make it possible to take parental leave¹⁶, cover equal wages for women and men (to ensure that mothers are not necessarily the ones who have to stop working), alleviate the social cost of parent-support measures for firms which employ future parents, and provide for pension assessment which counts time spent bringing up children or looking after old people.

17. To this end, the Spanish government sought, in its Bill on equality between the sexes, adopted on 3 March 2006, to make specific provision for the right to reconcile working and family life and encourage men and women to share family responsibilities more equally. The Bill introduces eight days' paternity leave and the right to flexible working hours and reduced working time and gives women who have not paid many social security contributions before their pregnancy an entitlement to maternity benefit. Measures taken by a company against a woman on the grounds of pregnancy will be considered void. The burden of proof will rest with the employer in the event of a dispute over discrimination, and companies guilty of discrimination, particularly sex discrimination, may be fined up to 90,000 euros¹⁷.

¹⁴ OECD, *Babies and Bosses*, 2001, quoted by H el ene P erivier (2004) *ibid.* p. 241.

¹⁵ H el ene P erivier (2004) *ibid.* p. 241.

¹⁶ In 2004, the Council of Europe prepared a detailed study of the question, which highlighted the gender-determined nature and effects of parental leave for women, and the need to adopt an approach which targets the attitudes and behaviour of both men and women. See Eileen Drew, «Parental leave in Council of Europe member states», CDEG (2004) 14 final.

¹⁷ C ecile Chambraud, "L'Espagne va obliger les entreprises   mettre en oeuvre la parit  entre hommes et femmes", *Le Monde*, 6 March 2006.

18. The question of parental leave is particularly relevant to making it easier for women and men to reconcile work and family life. Even when it is available to both, women remain the beneficiaries, which is probably a matter of attitude. The duration of parental leave, the remuneration received and the conditions under which such leave may be taken vary considerably from country to country. It does not exist in the public sector in Greece, and does not exist at all in Turkey. In Monaco, only the mother is eligible¹⁸. In Cyprus, parental leave is available to both sexes, but only 11% of men take advantage of it (**parental leave amounts to 2,3 weeks on average**), compared to 89% of women (**maternity leave amounts to 11,3 weeks on average**), according to a recent study sponsored by the National Machinery for women¹⁹. Another study conducted by the Council of Europe in 2004 highlighted the gender-related nature and effects of parental leave for women. To be effective and help to promote equal opportunities and responsibilities for men and women, parental leave must be designed to (1) offer economic advantages or at least provide some compensation for lack of earnings (2)²⁰ be sufficiently flexible to be used continuously or in stages by one and/or both parents, but it must also be part of an approach which targets the attitudes and behaviour patterns of men and women, and allows both to determine ways of reconciling their family and professional responsibilities²¹.

19. The state thus has a duty to create conditions conducive to the founding of families, ensure that the interests of employers and workers are protected, and make reconciling work and family life a strategic growth objective. Poland, for example, included measures to reconcile work and family life in its "Social policy strategy for 2007-2013", adopted on 13 September 2005. Spain's fourth equal opportunity plan for women and men (2003-2006) made recommendations on changes in the regulations, making it easier to reconcile work and family life and assess the impact of existing legislative measures.

20. As an employer, the State can also innovate in the matter of measures to reconcile work and family life. An example is the Spanish Government, which negotiated with the trade unions the "Concilia" plan²², which was signed in December 2005 and introduces important changes for over 500,000 civil servants. New provisions include ten-day paternity leave, replacement of nursing leave for children below the age of one by four optional weeks of extra maternity leave, more flexible hours for single-parent families, a 50% cut in working hours for one month, without loss of salary, for persons looking after a seriously ill relative, etc. Existing provisions have also been improved: a shorter working week for parents of children below the age of 12 (instead of 6), reduction in fixed working hours (27.5 hours per week, as compared with 32 previously). One noteworthy fact: the Concilia plan gives women victims of gender-based violence two months' paid leave to organise protective measures.

21. The Ministry for Equal Opportunities in Luxemburg provides its logistical and financial support to businesses that take measures enabling women and men to better reconcile their professional and private responsibilities²³. More than thirty businesses have participated in this programme since 1999 and developed good practices in this field.

22. Cyprus has devised a policy to increase the employment rate for women and enable them to cope with their family responsibilities under the Lisbon reform programme (2005-2008), which will involve 2,500 women. The aims include promoting flexible forms of work to give women easier access to the labour market, increasing and renovating child-minding facilities, and introducing whole-day schooling. The Social Affairs Department intends to set up a pilot project to extend the social

¹⁸ See document AS/EGA (2006) 13.

¹⁹ Study performed in Cyprus by the Women Organization of the Democratic Party, sponsored by the National Machinery of Women (February 2006).

²⁰ Andorra, Bulgaria, Cyprus, Greece, Ireland, Liechtenstein, Malta, Netherlands, United Kingdom have no remuneration. Switzerland and "the former Yugoslav Republic of Macedonia" have no parental leave (see CDEG (2004) 14 final).

²¹ Eileen Drew, "Parental leave in Council of Europe member states", CDEG(204)14 final.

²² http://www.map.es/iniciativas/mejora_de_la_administracion_general_del_estado/funcion_publica/concilia.html

²³ See www.mega.public.lu/actions_projets/Travail_et_emploi/actions_positives

programmes offered at local level by non-governmental organisations and/or local authorities, and bring more women into the labour market by providing support services for dependent people.

23. We should also remember that a democracy's functioning properly depends on balanced participation of men and women in political life. The public authorities must thus create conditions making it possible for men – and women – with family responsibilities to participate. The Council of Europe has accordingly encouraged the member states to “adopt appropriate legislative and/or administrative measures to support elected representatives in the reconciliation of their family and public responsibilities and, in particular, encourage parliaments and local and regional authorities to ensure that their timetables and working methods enable elected representatives of both sexes to reconcile their work and family life”²⁴.

IV. Promoting a work culture which makes it easier to reconcile work and family life in the workplace

24. Reconciling work and family life is something which must also be organised in the workplace and with employers. There are many possible measures, and these need to be negotiated within firms or sectors: work-time adjustment and full-year work-time assessment, flexible working hours, leave for family reasons, special leave, job-sharing, part-time work and teleworking²⁵.

25. Good practices quoted in the replies to the questionnaire include leave granted to parents to monitor the children's schooling, a reduction in working hours for mothers of young children without loss of pay (Greece) and the opportunity for one of the parents of a disabled child to work half time while being paid full time, subject to the approval of a health committee (“Former Yugoslav Republic of Macedonia”). The Danish government is drafting a law introducing a right to leave when urgent family circumstances oblige employees to take time off work.

26. Special attention should, however, be paid to the reasons which would lead workers – principally women workers – to go on part-time, and the possible effects of this on their employability. In its report on “Increased rights to full-time work” (30 November 2005), a Swedish commission of enquiry proposed adoption of a law providing increased opportunities for working full-time for women who, today, work part-time without necessarily having chosen to do so.

27. Article 27 of the Council of Europe's (revised) European Social Charter recalls the need to guarantee the right of workers with family responsibilities to equal opportunities and equal treatment. The parties undertake to introduce measures to ensure “the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers”.²⁶ The Council of Europe thus has a legal instrument which requires contracting parties to take measures “to ensure that workers with family responsibilities are not discriminated against due to these responsibilities and to assist them to remain [on] the labour market”²⁷. Under the revised European Social Charter, workers with family responsibilities must be entitled to parental leave, and be authorised to reduce or interrupt their professional activity if a child is seriously ill. Moreover, family responsibilities may not be a valid ground of dismissal. The European Committee of Social Rights accordingly decided that Estonia was not complying with the Charter,

²⁴ Paragraph A.8 of the appendix to Recommendation Rec(2003)3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision-making.

²⁵ See the «OECD Employment Outlook», «Balancing work and family life : helping parents into paid employment», OECD, 2001

²⁶ The measures advocated in Article 27 of the (revised) European Social Charter of 3 May 1996 (ETS 163) are designed to enable workers with family responsibilities to enter and remain in employment, and also to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training; to take account of their needs in terms of conditions of employment and social security; to develop or promote services, public or private, in particular child day-care services and other child care arrangements. The parties also undertake to make it possible for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which are to be determined by national legislation, collective agreements or practice, and to ensure that family responsibilities do not, as such, constitute a valid reason for termination of employment. At 31 August 2006, the revised Social Charter had been signed by 18 and ratified by 22 Council of Europe member states.

²⁷ Conclusions 2005 of the European Committee of Social Rights, France, Article 27.

since the amount of the compensation which might be awarded to an illegally dismissed worker with family responsibilities was subject to a ceiling²⁸.

28. These new organisational arrangements have proved beneficial to firms: a more motivated, committed and fulfilled workforce, less absenteeism and allowance for workers' time constraints. They also allow them to respond better to changing circumstances and seasonal production peaks, and solve manpower shortage problems by encouraging skilled women workers to apply for vacancies, particularly in sectors where working hours are non-standard or variable. Indeed, this whole approach should produce a "win-win" situation, where reconciling work and family life brings maximum benefits for both firms and workers.

29. The Parliamentary Assembly believes, like the European Parliament, that adjusted working hours and flexible working conditions (eg teleworking, part-time work, annualised working hours), which may help to improve the quality of women's employment and make it easier to reconcile work and family life, deserve to be promoted for both men and women. At present, the part-time employment rate in the European Union averages 30.4% for women, as compared with 6.6% for men²⁹.

30. Employers have an active role to play in overcoming stereotypes and creating working conditions more likely to promote equal opportunities for women and men in terms of recruitment and career development. The study prepared by the Danish Minister for Equality between Women and Men on gender-based segregation in the labour market (published in February 2006) emphasises that firms themselves have allowed in their projections for the fact that women get jobs which allow them to plan their work in advance – making it easier to reconcile work and family life – whereas men are recruited for unforeseen tasks, offering more career opportunities.

31. The key is developing an "in-house culture" which makes it easier to combine having a family with having a job by limiting the number of hours spent in the workplace, and guaranteeing equal training and career opportunities, to ensure that parents who choose to work part-time or take parental leave remain employable.

V. Identifying effective measures which make it easier to reconcile work and family life

32. Measures aimed at reconciling work and family life must ensure equal treatment on two levels - between male and female workers who avail themselves of them, and between them and other workers. Their effectiveness may vary, depending on countries and individual behaviour patterns. Various good practices and effective measures introduced by member states or by industry have made it possible to expand and diversify the range of services and assistance measures provided for children and dependent persons who need minding:

i. *Setting up accessible and flexible minding and support facilities, tailored to the needs of working people*

33. The member states are cruelly short of places in collective day nurseries. Public investment in this area would seem to be essential. The development of private or firm-based day nurseries must be encouraged, even though access to these is, by definition, restricted (eg to workers in a given firm) and may put a brake on investment in community facilities³⁰, which are still the most accessible for parents, and particularly the least well-off. Whole-day schooling and out-of-school support would also help parents to organise their working time better.

34. The Barcelona European Council gave EU member states the objective of providing by 2010, under the Lisbon Strategy, minding facilities for at least 90% of children from the age of three to the

²⁸ Conclusions 2005, Estonia, Article 27§3, cited in the information document "Equality between Women and Men in the European Social Charter", prepared by the Charter Secretariat.

²⁹ Report by Mrs Edite Estrela on the future of the Lisbon Strategy from the point of view of the gender perspective, *ibid.*, paragraphs X and Y.

³⁰ Anne Daguere, « Enfant ou travail, un dilemme toujours actuel », *Le Monde Diplomatique*, November 2004.

age of compulsory schooling, and at least 33% of children under three³¹. In this connection, the European Parliament, considering that “adequate access to services for the care of children, the elderly and other dependants are essential in order to permit full and equal participation of men and women in the labour market”, urged the member states “to take appropriate measures to support the reconciliation of work and private life for working women, e.g. by providing facilities for the care of children, elderly people and dependants and devising more flexible working conditions.”³²

35. In Finland, every pre-school child is entitled to a place in a municipal day nursery or host family. The least well-off families are not required to pay for this.

36. Bosnia and Herzegovina has committed itself to removing obstacles to the integration of women on the labour market by meeting the need for support facilities for children according to the Lisbon strategy goals, meaning that these services should be provided for at least 33% of children under three and 90% of children between the ages of three and six respectively by 2010.

37. The Spanish Ministry of Social Affairs, the autonomous communities (with the exception of the Basque Country and Navarre, because of their special tax arrangements) and the towns of Ceuta and Melilla have co-operated to increase the number of places in day nurseries for children under the age of three. Nearly 29 million euros has been earmarked for this programme.

38. A new law increasing government resources for child-minding facilities and setting up services based on demand rather than supply came into force in the Netherlands in January 2005.

ii. Recruiting and training more child-minders and geriatric staff and training for support staff

39. The development and upgrading of child-minding jobs in institutional structures (day nurseries, day hospitals) or in the home (mothers' helpers, day mothers, home helps), would supplement community minding and reception facilities. These jobs would also be a source of employment and training for many women and men.

40. Elderly people in Denmark are provided with help at home by local authorities, which are required to provide assistance for people who need personal care or are no longer able to perform practical tasks. Since 1 July 2002, elderly people have been able to manage this assistance flexibly and exchange the services offered for other services matching their personal needs, within time limits set by municipal councils and under their supervision.

iii. Diversification of the services provided

41. New and flexible working patterns, matching the requirements of the market, mean that the services provided for very young children or elderly people must meet new needs: “on-the-spot” day nurseries, near railway stations, minimising travel time for parents who drop off their children, and “day nursery/child-minding vouchers”, modelled on “luncheon vouchers”, with firms helping to cover the cost of placing workers' children in approved minding facilities³³, are now being considered in France, for example.

42. Municipal authorities in Denmark may employ family members to look after relatives who are seriously and permanently incapacitated or chronically ill. Recruited for a maximum of six months, these persons had a monthly salary of 16,556 DKK (approximately 2,180 euros) in 2005. 12% of this is paid into a pension fund (8% is covered by the employer and 4% by the employee). They may also provide wage compensation (care allowances) for persons caring for relatives.

³¹ See also Resolution of the Council and of the Ministers for Employment and Social Policy, meeting within the Council of 29 June 2000, on the balanced participation of women and men in family and working life (2000/C 218/02).

³² Report on equality between women and men in the European Union (2004/2159(INI)) A-0401/2005, Rapporteur Mrs Edite Estrela, adopted on 22 December 2005.

³³ Proposals made by the French Minister of Health, Philippe Douste-Blazy, in his speech presenting the Ministry's action programme on 9 March 2005.

iv. *Removing psychological and structural barriers*

43. In spite of the facilities provided, reconciling work and family life is still too often a “women’s issue”. The adoption of strong measures, giving men access to these facilities, might help to overcome the psychological barriers which still remain, and promote genuine equality of opportunity on the labour market.

44. Parental leave is emblematic here. The adoption of measures obliging fathers to take it (or lose part of the parental leave) has helped to make this practice acceptable to employers and the community. An example is Norway’s “father’s month” scheme, which gives fathers four weeks off work (non-transferable), and which led to an increase in the percentage of fathers taking parental leave from 4% in 1993 to 85% in 1998/1999. A similar scheme in Iceland led to an increase in the average number of days of parental leave taken by fathers from 39 in 2001 to 94 in 2003³⁴.

45. To alleviate the social cost of motherhood, the Finnish Ministry of Social Affairs and Health has set up a working party to examine ways of reducing the cost of family and parental leave (particularly in sectors employing many women), allow employers to replace women on maternity leave, and improve the labour-market situation of women of childbearing age.

46. The Danish Government has decided to prepare a report proposing measures to combat the gender-linked segregation noted on the labour market (see paragraph 30).

v. *Consciousness-raising to change attitudes among employers and employees*

47. Making it easier to reconcile family and working life is a matter of changing people’s attitudes. Firms, public authorities and individuals need to be provided with counselling and back-up facilities (or “time offices”) to make adoption of the necessary measures easier and encourage firms to provide a framework to facilitate reconciliation.

48. Efforts to inform should be made in certain cases: the survey on reconciling family and working life carried out in Cyprus showed that 72% of working mothers wanted employers to set up advisory services for first-time parents. Only 7% thought that they had been given adequate information on their rights, and 81% wanted the state to provide information on the rights of working mothers³⁵.

49. The Federal Bureau for Equality between Women and Men in Switzerland has set up two projects, “fair play at work” and “fair play at home”, encouraging firms to seek advice from specialists and introduce measures making it possible to strike a better balance between professional and family obligations, thus motivating families and making firms themselves more attractive³⁶.

50. The Hertie Foundation in Germany ran a “work and family” audit scheme in over 160 firms, institutions and major schools, totalling 400,000 employees, the aim being to motivate staff, reduce sick leave and improve the employer’s image. 110 certificates were awarded in 2005³⁷. This scheme has been emulated by the Austrian authorities, which carry out “family and career” audits and award certificates, valid for three years, to firms which have successfully helped staff to reconcile working and family life.

51. In Spain, the government’s “Prize for excellence in firms” takes account of efforts made to reconcile working and family life. Firms voluntarily participating in the “Optima” programme are encouraged to take measures to promote equality between women and men and a healthy work/home balance, including affirmative action (flexibility, parental leave, etc.) targeting women and men.

³⁴ Eileen Drew, *ibid*, p.36/37.

³⁵ Results from a study performed in Cyprus by the Women Organisation of the Democratic Party, sponsored by the National Machinery of Women (February 2006).

³⁶ See <http://www.fairplay-at-work.ch> and <http://fairplay-at-home.ch> and the advisory service on family and working life for men and women – “und” www.und-online.ch

³⁷ Gemeinnützige Hertie Stiftung, <http://www.ghst.de>. See in addition the internet platform « Mittelstand und Familie » proposed by the German federal government and the Bertelsmann Foundation aiming in particular at small businesses (<http://www.mittelstand-und-familie.de>).

52. Since 1999, Austria has been running a national competition for firms providing “the best conditions for women workers and their families”, the aim being to reward firms which have introduced measures to help women and their families. Selection of the winners is organised by the Länder. The Federal Ministry of Social Security, Generations and Consumers also wishes to set up an innovative coaching programme, “Family competence – key to a more successful career”, preparing housewives and mothers to return to work. This programme will be offered at selected family counselling centres throughout the country.

53. At the end of 2004, the French Ministry for Social Cohesion and Equality introduced an equality award for firms, public authorities or associations with outstandingly good practices in this area. Winners are selected by an award-making body, and measures to make working life easier for parents are one of its criteria³⁸.

54. Taking the conclusions of a report “Male work culture - a barrier to paternal leave” (January 2006) as a starting point, the Danish Government will be launching, in 2006, a consciousness-raising campaign aimed at firms and sectors with a largely male workforce.

55. Ireland instituted a « Work life balance Day » in 2000, which is celebrated each year on the first of March. It is the result of one of the initiatives proposed by the National Framework Committee for Work Life Balance Policies³⁹, whose members are a number of ministries, the Irish Business and Employers Confederation and the Irish Congress of Trade Unions. The Committee diffuses practical information such as studies, examples of practical arrangements at work, information kits for firms, legal information on the labour code, and even offers a "diagnostic study" to firms. In 2002, this Committee spent 157 965 Euros helping to fund projects favouring a better work/life balance in eight firms (employing a total of 18 470 people) in order for them to serve as an example to other firms. In 2004, it supported a further seven firms in their endeavours.

VI. Recommendations

56. Making a success of measures to reconcile work and family life means (1) promoting schemes which do not penalise women in their professional and personal life-choices, and (2) taking positive measures to encourage men and women to share their parental responsibilities, allowing them to achieve a better work/family balance, without having to choose between them to the detriment of women’s employment.

57. The Assembly is convinced that the introduction of measures making it easier for both men and women to reconcile work and family life is a key factor in promoting equal opportunity for women and men, better access for women to the labour market and economic growth. The rapporteur believes that political determination on the part of Council of Europe member states is vital to striking a healthy balance between work and family, and to genuinely promoting equal opportunity for women and men on the labour market, with the help of groundbreaking initiatives capable of mobilising employers and employees.

58. In this connection, implementation of Committee of Ministers Recommendation No. R(96)5 to member states on reconciling work and family life needs to be assessed and its concrete implementation promoted. Specific legal or other measures which member states or firms can take to promote reconciliation of work and family life also need to be identified. Such measures might include minding facilities for young children and dependent persons, and the planning of maternity and parental leave in ways which help fathers and mothers to strike a better work/family balance, bearing in mind the need to promote equal opportunities for both sexes.

59. The Assembly might also ask the Committee of Ministers to send a recommendation to the member states, asking them to take practical measures concerning maternity, paternity and parental leave, adopt measures to facilitate work and family life, provide sufficiently numerous and accessible minding and support facilities for young children and dependent persons, and promote dialogue on measures making it easier to reconcile work and family life with workers, employers and local authorities.

³⁸ See http://www.femmes-egalite.gouv.fr/se_documenter/operations_de_communication/label_egalite.pdf

³⁹ See www.worklifebalance.ie

APPENDIX I

Questionnaire on “reconciling work and family life”

Approved by the Committee on 13 September 2005 and sent to national delegations of Council of Europe member states on 28 September 2005

Country: _____

I. General situation

	Total (%)	Full-time (%)	Part-time (less than 30 hours per week) (%)
Women's employment rate (total)			
Employment rate of women with one child under 12 years of age			
Employment rate of women with 2 children under 12 years of age			
Employment rate of women with 3 or more children under 12 years of age			
Men's employment rate (total)			

Legal working time : hours / day
 Minimum salary (if applicable): Euros / month

Is maternity leave granted?

yes no

If yes, how long does it last?

If yes, is it paid for by the state?

What amount/Percentage of the normal/minimum salary? Or is it a fixed amount?

Is paternity leave granted?

yes no

If yes, how long does it last?

If yes, is it paid for by the state?

What amount/Percentage of the normal/minimum salary? Or is it a fixed amount?

Is parental leave granted?

yes no

If yes, how long does it last?

If yes, is it paid for by the state?

What amount/Percentage of the normal/minimum salary? Or is it a fixed amount?

Is there an education allowance for looking after children? yes no

If yes, what is the amount?

If yes, for how long is it paid?

Can both parents benefit from the allowance?

Are there other kinds of leave foreseen to take care of sick family members, disabled or drug addicted children or in case of bereavement of family members (please specify which kind of leave and whether it is paid leave)

.....

II. Action taken by the public authorities to help reconcile work and private life

1. Care provision for young children

A. What is the enrolment ratio for three-year olds?
(nursery school, kindergarten)

B. What care provision is opted for by parents of children under six years old?
Reference year:

Type of care	Number of children		Maximum duration of care (hours/day)	Cost per day per child for parents (in Euros)
	0-3 years	3-6 years		
Nursery school/kindergarten				
Crèches / day nurseries (state, regional or municipal)				
Parent-run or co-operative crèches / day nurseries				
Private crèches / day nurseries				
Company crèches / day nurseries				
Child minders				
Informal arrangement (relative, friend)				
Others (please specify)				

C. What are the school hours: Nurseries (0-3 years old) :
Kindergarten / Pre-elementary school (3-6):
Elementary school (6-10/11) :

2. Care of dependent elderly people

A. What is the estimated number of dependent elderly people in your country?

B. What care arrangements are there for dependent people?
Reference year:

Type of care arrangement	Number of places available	Cost per person per day (in Euros)
Retirement home		
Hospital / day centre / temporary residential care		
Home help for dependent people		
Living with relatives or friends		
Others (please specify)		

3. Existing arrangements:

- Is there any specific legislation on reconciling work and private life?
- Which measures have been / will be introduced to increase women's employment, revitalise birth rates and counter the effects of the ageing population?
- Is the State encouraging enterprises in the private sector to promote conciliation of professional and private life? In which way?
- Do non-governmental organizations and women's organizations contribute in the promotion of measures in favour of conciliation?
- Has any research been conducted at national level on the issue of conciliation ?

III. *The situation in the public sector*

1. Are public authorities encouraged to introduce measures to help reconcile work and family life?
 - Are there crèches, day nurseries, "baby parks" or play areas available for the children of public authority staff, especially in large organisations with a high percentage of women (such as hospitals)?
 - Is a counselling service provided for staff with family problems?
 - Is paid leave granted when parents use care provisions for young children for the first time (e.g first day at kindergarten/school)?
 - Is financial assistance granted for employees using care provision facilities?
 - Are holidays or study grants granted for the children of staff?
 - Can working hours be tailored to suit the needs of staff (flexible bands for example)?
 - Can staff manage their working time in their own shifts?
 - Is it possible for working time to be spread out over a whole year?
 - Is there an "hours bank" system, allowing overtime to be used as time off, according to the staff's needs?
 - Is there a system of job-sharing, particularly for posts of responsibility?
 - Is teleworking possible, in particular during the child's first year?
2. What has been done to raise the authorities' awareness of the need to reconcile work and private life?

APPENDIX II

**By 1 September 2006, replies had been received from the following states:
(published as AS/Ega/Inf (2006) 4)**

Member States

Andorra
Austria
Azerbaijan
Belgium
Bosnia and Herzegovina
Bulgaria
Croatia
Cyprus
Denmark
Finland
France
Germany
Greece
Italy
Liechtenstein
Lithuania
Luxembourg
Malta
Monaco
Netherlands
Poland
Romania
Russia
Slovenia
Spain
Sweden
Switzerland
"The former Yugoslav Republic of Macedonia"
Turkey
United Kingdom

Reporting committee: Committee on Equal Opportunities for Women and Men

Reference to Committee: Doc 10464, reference N°3062 of 18 March 2005

Draft recommendation unanimously adopted by the Committee on 12 September 2006.

Members of the Committee: Mrs Minodora **Cliveti** (Chairperson), Mrs Rosmarie **Zapfl-Helbling** (1st Vice-Chairperson), Mrs Anna Čurdová (2nd Vice-Chairperson), Mrs Svetlana Smirnova (3rd Vice-Chairperson), Ms Birgitta Ahlqvist, Ms Elmira Akhundova, Mrs Edita Angyalová, Mrs Željka Antunović, Mrs Aneliya **Atanassova**, Mr John Austin (alternate: Mr James **Clappison**), Mr Oleksiy Baburin, Mr Denis Badré, Ms Marieluise Beck, Mrs Gülsün **Bilgehan**, Mrs Marida Bolognesi, Mr Krzysztof Bosak, Mrs Mimount **Bousakia**, Mr Paul Bradford, Ms Sanja Čeković, Mrs Ingrida Circene, Ms Diana Çuli, Mr Ivica Dačić, Mrs Lydie Err, Mrs Catherine Fautrier, Mrs Maria Emelina **Fernández Soriano**, Ms Sonia Fertuzinhos, Mrs Margrét **Frímannsdóttir**, Mr Guiseppe **Gaburro**, Mr Piotr Gadzinowski, Mrs Alena **Gajdůšková**, Mr Pierre Goldberg, Mrs Claude **Greff**, Mr Attila Gruber, Mrs Carina Hägg, Mr Poul-Henrik Hedeboe, Mr Ilie **Ilaşcu**, Mrs Halide **Incekara**, Ms Danuta **Jazlowiecka**, Mrs Eleonora Katseli (alternate: Ms Maria **Damanaki**), Baroness Knight of Collingtree, Mrs Angela Leahu, Mrs Minna Lintonen, Mr José **Mendes Bota**, Mrs Danguté Mikutienė, Mrs Fausta Morganti, Mr Burkhardt **Müller-Sönksen**, Mrs Christine Muttonen, Mrs Hermine **Naghdalyan**, Mr Hilmo Neimarlija, Mrs Vera Oskina, Mr Ibrahim Özal, Mr Julio **Padilla**, Mrs Patrizia Paoletti Tangheroni, Ms Elsa Papadimitriou, Mrs Fatma Pehlivan, Mrs Antigoni **Pericleous-Papadopoulos**, Mr Leo **Platvoet**, Mrs Majda Potrata, Mr Jeffrey Pullicino Orlando, Mr Andrea Rigoni, Mrs Marlene Rupprecht, Mrs Klára Sándor, Mrs Rodica-Mihaela **Stănoiu**, Mrs Darinka **Stantcheva**, Mrs Ruth-Gaby **Vermot-Mangold**, Mrs Betty Williams (alternate: Ms Chris **McCafferty**, Mrs Jenny Willott, Mr Gert Winkelmeier, Ms Karin S. Woldseth, Mrs Gisela Wurm, Mr Andrej Zernovski.

N.B. The names of the members who took part in the meeting are printed in bold.

Secretariat of the Committee: Ms Kleinsorge, Ms Affholder, Ms Devaux