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Exchange of good practices on gender equality

New forms of work

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Comments paper – Czech Republic

Flexible women on non-flexible labour market

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1. Situation of women on the labour market

The Czech Republic, as well as other socialist countries in Central and Eastern Europe, has undergone major changes after 1989. Concerning labour market, the development after 1989 for women can not be described at all only as positive.

1.1 Hard working emancipated socialist woman

Socialism supported the idea of a working woman. Immediately after World War II (in 1949), new and modern Family Act was adopted, which made both sexes equal in both family and working life.¹

Within the new regime, the level of education of women increased rapidly, network of creches and kindergartens was built, since the beginning of 60-s the maternity leave started to be prolonged and later parental leave was introduced. There was a general legal obligation to work, housewives did not exist.

1.2 Recent situation of working women

Free women in the free market economy?

After the changes in 1989, many new politicians expressed their opinion that Czech women are finally free to become housewives. Measures were taken to support this idea, e. g. the eligible period for receiving parental benefit has been prolonged from 3rd to 4th year of the child. However, due to various reasons these expectations remained unfulfilled and until nowadays most of the Czech households depend on incomes from both partners. Women also express the importance of job in their lives in the public opinion pools: job is very important for 86% of men and 84% of women.² However the available statistic data show that position of women on the labour market worsened and inequalities between both sexes have grown after 1989.³

¹ Sokacova ed. (2009)

² Public opinion research (2009)

³ Krizkova, Dudova eds. (2008)

Basic data

According to the Czech Statistical Office⁴, there are several basic characteristics of position of women on the labour market:

- The employment rate of Czech women 15+ is 46,1% (and 64,6% of men).
- The participation rate of all women 15+ is 50,5% (and 68,4% of men).
- The unemployment rate of women is 8,8% (and 5,8% of men) – the unemployment rate of women is higher than of men in all age groups 15-60.
- The average salary of women is 75,1% of the average salary of men; the median of women's wages is 81,1% of the male median wage.
- Only 8,6% of women work part time (and only 2,3% of men) – the EU average of part-time working women is 31%.
- Full time working women work weekly on average 4,9 hours less than full time working men. Part time working women work weekly on average 1 hour more than part time working men.
- The share of part-time and fixed-term contracts of all workers in total employment is 11,2% compared to 28,7% in the EU.

For the purpose of this paper, it is necessary to mention another major characteristic: **the Czech Republic has the largest employment impact of motherhood in the EU.** As described by the European Commission, in 2009, the employment rate of women aged 20-49 without children was almost 50 percentage points higher than that of women with children under six years of age, while the average EU difference was 17,4 percentage points.⁵

1.3 Institutional and legal background

Relevant institutions

The relevant institution is the Ministry of Labour and Social Affairs. At this Ministry, there is department responsible for family policy, proposing i. e. any kind of work-life balance measures. But since 2006, when the conservative governments took power, this department is strictly avoiding dealing with gender equality issues.

Gender equality has been dealt with at the Office of the Government and also within an advisory body – Governmental Council for Equal Opportunities of Women and Men (members include government officials, women's NGOs, trade unions, employers and experts)⁶. The Council can propose measures which have to be assessed by the government. It has several Committees incl. Committee on Harmonisation of Family and Professional Life. However, since the last elections in June 2010, the Council has

⁴ Zeny a muzi v datech (*Women and Men in Data*) (2008)

⁵ European Commission (2011)

⁶ Roth ed. (2008)

not been working.

Legal possibilities of flexible time arrangements

The Czech legislation does enable employees to use flexible working arrangements. However, as apparent from the statistical data above, the legal provisions are often not used. As described in the European Commission working paper, „this problem can be attributed partly to the fact that firms may be unwilling to provide part-time employment contracts...and partly to the limited availability of affordable child-care facilities especially for children below the age of three“⁷.

According to the Labour Code⁸, following types of work can be agreed upon between employer and employee:

- shorter and different working hours,
- flexible working time,
- homeworking (partly or for the whole time),
- teleworking,
- several types of agreements on work done e. g. for limited amount of hours,
- account of working hours (used for seasonal work).

However, the legal conditions are not sufficient: although flexible forms of work are allowed in the Code, it does not precisely define its conditions.⁹

Provisions connected to motherhood and parenthood

In general, these legal provisions represent more obstacles to work-life balance than help.

Maternity and parental leave

The maternity leave lasts for 28 weeks and the employer is, according to the Labour Code, obliged to keep the same position for the mother until the end of it. This provision is used very rarely because of lack of care for such small children and part-time jobs.

The parental leave can be used up to the 3rd year of the child and the employer is obliged to keep some position in the company for the mother or father. But employers often use legal possibilities not to take mothers back (e. g. due to re-organisation).

⁷ European Commission (2011)

⁸ Website of the Ministry of Labour and Social Affairs, <http://www.mpsv.cz/cs/5793>

⁹ Gender Studies, o. p. s., (2007)

Child care system

Except the lack of facilities for children under three, the obstacle in work-life balance also represent legal conditions, which are necessary to be met for the entitlement to parental benefit. The most important one is, that the parent is „obliged to ensure a whole-day and proper care by an adult person“. This in fact means that if a parent has a private baby sitter for every day, she or he remains entitled to receive the benefit. But if the child until the age of 3 is put into a public “institutional care” (nurseries), it can stay there only for 5 days each month – otherwise the parental benefit for that month is lost.

2. Transferability issues

Concerning flexibility on the labour market, the Czech Republic is rather on the opposite site within EU than Netherlands.

In my opinion, we can take an inspiration in the Customised Working initiative. In the case of the Czech Republic, such initiative should be lead by the Ministry of Labour and Social Affairs. What is also very inspiring is the active cooperation with media on this topic.

There is already existing document dealing partly with work-life balance issues: National Concept on Family Policy, first approved by the government in 2005 and later actualised in 2009. This document contains recommendations supporting i. e. more flexible working arrangements and broad public debate involving employers, social partners and media. Although some of the proposed measures were introduced (the „three-degree“ parental leave and benefit – see *bellow*), the ideas of broader public discussion were not fulfilled. An initiative similar to „Customised Working“ would help the fulfilment.

Also the idea of contest of companies providing best flexible working arrangements is very inspiring, although similar events have been already going on (*see bellow*).

3. Policy debate

Public discussion on women on the labour market has been started by NGOs. It was not until the 21st century when it started to be recognised also on the governmental level, but concrete measures taken to improve the situation are almost non existent.

NGOs

Until nowadays, NGOs take the major role in discussing the discrimination of women on the labour market caused by motherhood, including debate on flexible working arrangements.

Many conferences and discussions on the work-life balance topic took place during last years, mostly within various EU founded projects. One of the most significant project is the contest organised by Gender Studies in Prague since 2004 – „Equal Opportunities

Company“.¹⁰ One of the conditions the companies have to fulfil for entering this contest are work-life balance measures.¹¹ Gender Studies, together with the Ministry of Internal Affairs, also organise a similar contest „Public Administration Office – Respect to Equal Opportunities“, since 2009.¹²

NGOs also point on to the negative site of flexible working arrangements: they can also mean that the employer requires constant availability of the employer or they can result in lower wages, maternity leave allowance or unemployment benefit.¹³

Government

The first significant change connected to better work-life balance was introduced in January 2008: parental leave and parental benefit have been divided into 3 degrees depending on the chosen length of the leave. The shorter „degree“ is chosen, the higher the monthly benefit – only the first and shortest „degree“ depend also on the salary prior to the birth and can be taken only by parents with relatively high salaries. Because no other changes were introduced (more child care facilities), this change has had no impact on better work-life balance, although it was presented so by the government.

There were also measures proposed by the Ministry of Labour and Social Affairs to support employers who employ parents of children under the age of 10 for part-time jobs – via lowering the social insurance. But this was dismissed by the Ministry of Finances.

The most recent discussion on this topic is going on within governmental economic advisory body called NERV¹⁴. The main role of it is to analyse and propose economical reforms including reform of the pension system. In its document Framework of Competitiveness Strategy it points to the importance of increasing the participation of women with children on the labour market mainly in connection to the pension reform (it is assumed that increasing the participation of women between 20-40 of 10 pps would lower the deficit of the pension system of more than 1/3 of its yearly budget for the next 20-30 years).

Media

Media do refer about the work-life balance issues. Sometimes the news are connected to some of the EU founded projects, sometimes because it is an interesting topic. But it is not result of any systematic policy.

¹⁰ Sokacova ed. (2009)

¹¹ Website of Gender Studies, www.genderstudies.cz

¹² Ministerstvo vnitra (*Ministry of Internal Affairs*) (2010)

¹³ Gender Studies, o. p. s., (2007)

¹⁴ NERV=Narodni ekonomicka rada vlady (National Economic Council of the Government)

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