

# **Women's employment in Europe. The long and winding road to gender equality in the Western EU member States**

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## ***Introduction***

In 2009 the treaty of Lisbon has come into force, opening a new chapter of the development of the political dimension of the European Union. So far, the EU has, proved to be a decisive driving force for the political coordination in many sectors of formerly domestic policy making in the economic and social sphere. Especially the field of equal opportunity policies, the European Union has continuously stimulated the advancement of national policies. In fact, the increase of women's labour market participation had been one objective of the European Employment Strategy by which Europe's competitiveness in the Global Economy should be enhanced. The European Employment Strategy thus provided tailwind to feminist's concerns for equality in the sphere of paid employment. But to what extent have national gender arrangements changed under the influence of the EU policies? Or is the observable policy change solely superficial and leaves the culturally and institutionally rooted gender relations largely untouched?

The paper addresses the advancement of gender equality in terms of labour market participation in the Western EU member states within the last three decades and points out its ambiguity and incompleteness. It acknowledges that the EU has been a driving force for the promotion of gender equality for more than thirty years now, but states that the present state of EU's policy will hardly allow for more progress in this field. The German case study will more precisely illustrate the need for further regulation beside antidiscrimination and child-care: It rather needs substantial intervention in the field of labour regulation and social protection to avoid the anew aggravation of the gender divide. As the 'quality issue' of employment has been neglected in the European Employment strategy as well as in German employment policies, increasing gendered labour market segmentation now requires substantial intervention in terms of regulation of the labour market. It is questionable however whether the present EU employment policy will address this new problem in the near future.

The following section provides an overview on the situation of women in the European labour markets and underscores the need to question the success of the EU employment strategy. The analysis of the EU policies with regard to equal employment is undertaken in the third section, followed by the analyses of the German policy strategy (fourth section). We finally conclude by showing the relative strength (or weakness) of the EU as a leverage for the advancement of gender equality in Europe.

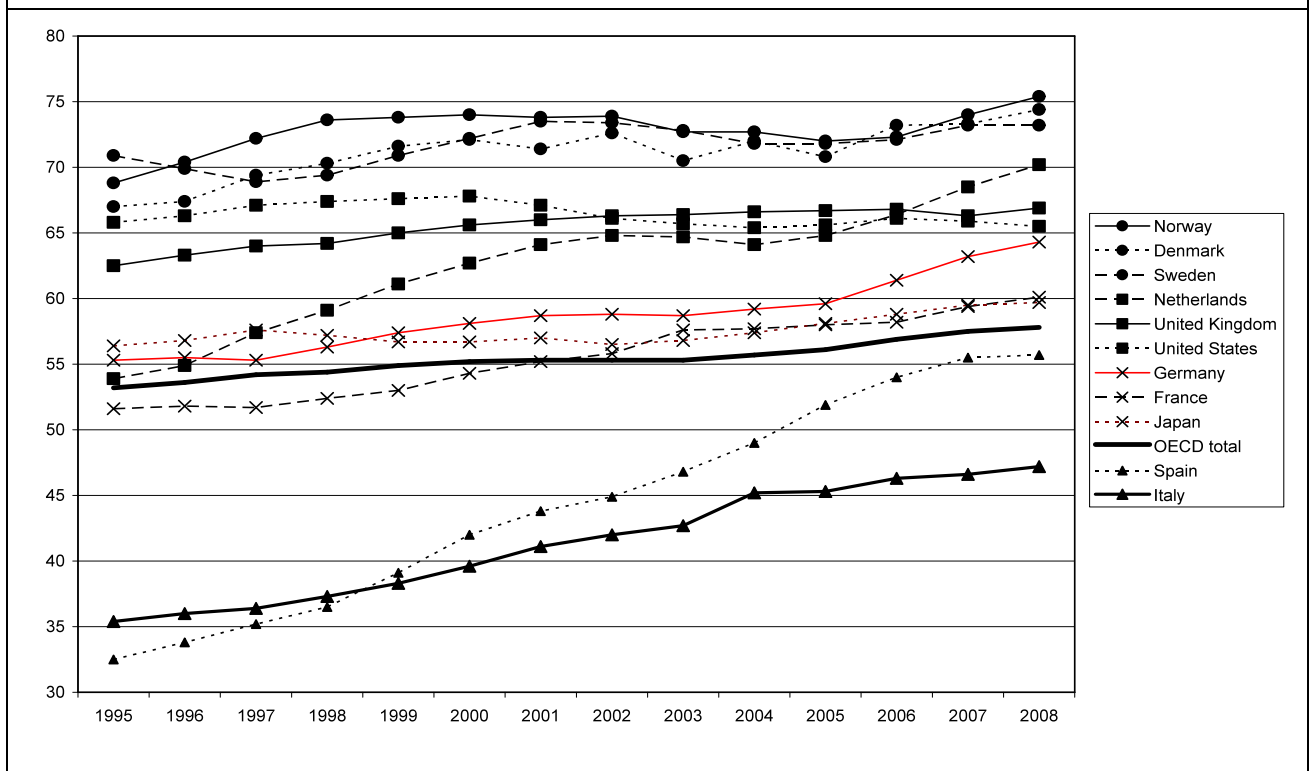
## ***2. Gender inequality in employment in Western European welfare states***

Significant differences between women and men persist in the economic sphere, although women's employment in the EU has made important progress during the past two decades. Women still drag behind men concerning the volume of work, the access to more recognised

professions and positions with better career perspectives as well as regarding the working conditions such as pay, employment security or social security coverage (EU Commission 2009). The OECD comparison confirms earlier findings that Germany and Japan still demonstrate a high degree of resemblance regarding women's employment patterns, which - as a typical reflection of the traditional and conservative model of labour division (Gottfried/O'Reilly 2002)- combine a relatively low employment rate with a low level of fertility (see graph A1 in the annex).

Although, the overall employment rate of women has increased in all EU member states as well as in Japan over the past two decades, (see graph 1), the typical patterns of different welfare state types however remain visible, with the Nordic countries (Norway, Denmark, Sweden) being far ahead of the liberal (UK, US) and the 'conservative' countries comprising among others, Germany, France and Japan. In the southern member states as well as in the Netherlands we can observe high increases; but whilst the Netherlands have caught up with the Nordic countries, Italy and Spain had not yet attained the benchmark of the Lisbon objective (a female employment of 60%) by 2008.

Graph 1: Employment rates of women (aged 15-64 yrs) in selected OECD countries 1995-2008

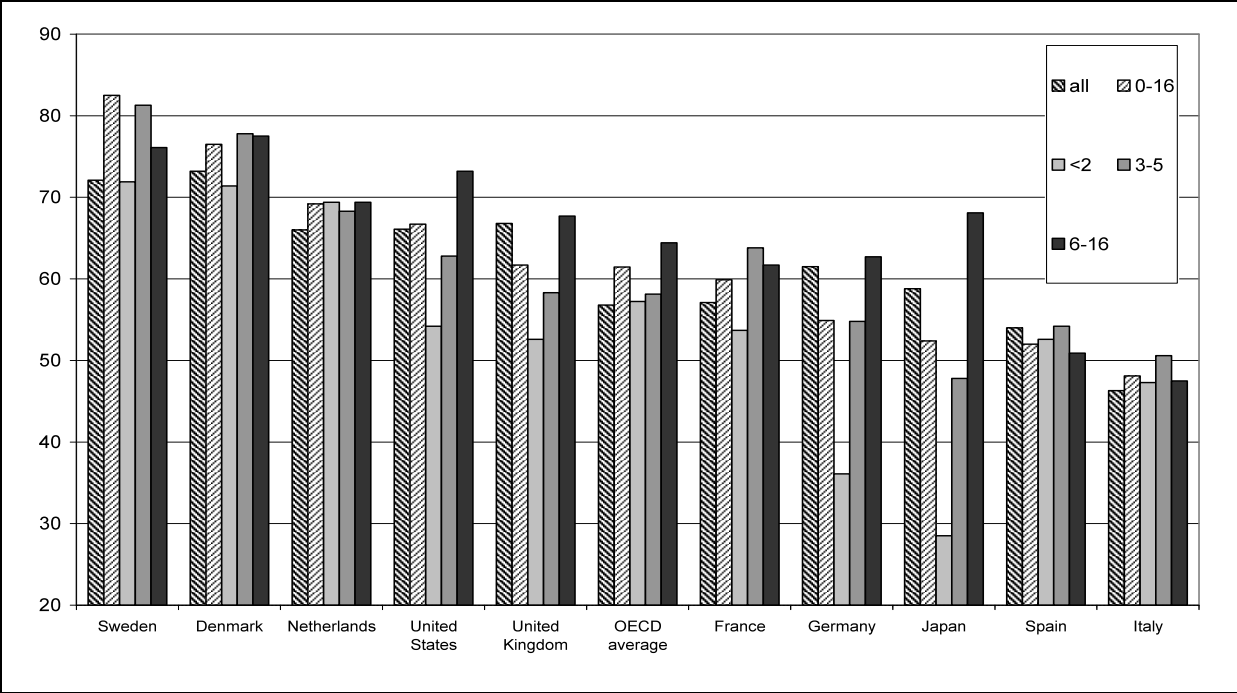


Living with children in a household still represents a major constraint for women's labour supply, at least in 'conservative' welfare states like Germany and Japan or in the still 'fami-list' states like Italy or Spain (see Graph 2). The overall employment rate with the employment rate of women living in a household with children under 16 years old on the OECD average, does obviously not confirm this assumption, as the latter is higher by about five percent points than the former.<sup>1</sup> EU statistics confirm the existence of this children gap for the

<sup>1</sup> But we have to keep in mind that the age structure of both groups differ to a high degree: Whilst the overall employment rate refers to the 15-64 yrs old age group (and therefore includes young and old age groups with lower involvement into paid employment), the mothers group includes mainly women

large majority of the member states which (measured as the difference between employment rates of women with and without children under 12 yrs. of the core age group) was at - 11,5 points for women on the EU-average in 2008, whilst men’s employment showed a positive effect of +6,8 points. The cross-country comparison on the basis of the OECD-data in our graph is however interesting, as – even on the basis of this less clear cut group comparison - we nevertheless find this ‘children gap’ in four countries, above all in Germany and Japan with a difference of more than 6 points and further in the UK (five points), and Spain (two points). As the Graph also shows, these gaps are mainly due to the low employment rates of mothers with children under three years; this is true at least in Germany (36,1%) and Japan (28,5%) whilst the OECD average is at 57,2%. Surprisingly, we find relatively low employment rates also in the two ‘liberal’ states, the US and the UK, but which still exceed the rates in Germany and Japan. In the OECD we find lower employment rates for mothers of young children only in the Eastern European countries, where – given high unemployment rates - child leave is presumably used as functional equivalents to the unemployment status. When children are in school age (6-16 yrs) the Japanese and British women’s employment rate exceeded the OECD average. On the contrary, in Germany and the southern European countries but also – surprisingly – in France, labour market participation in this group is still below the OECD average of 64,4% reflecting a strong familialist character of social policies.

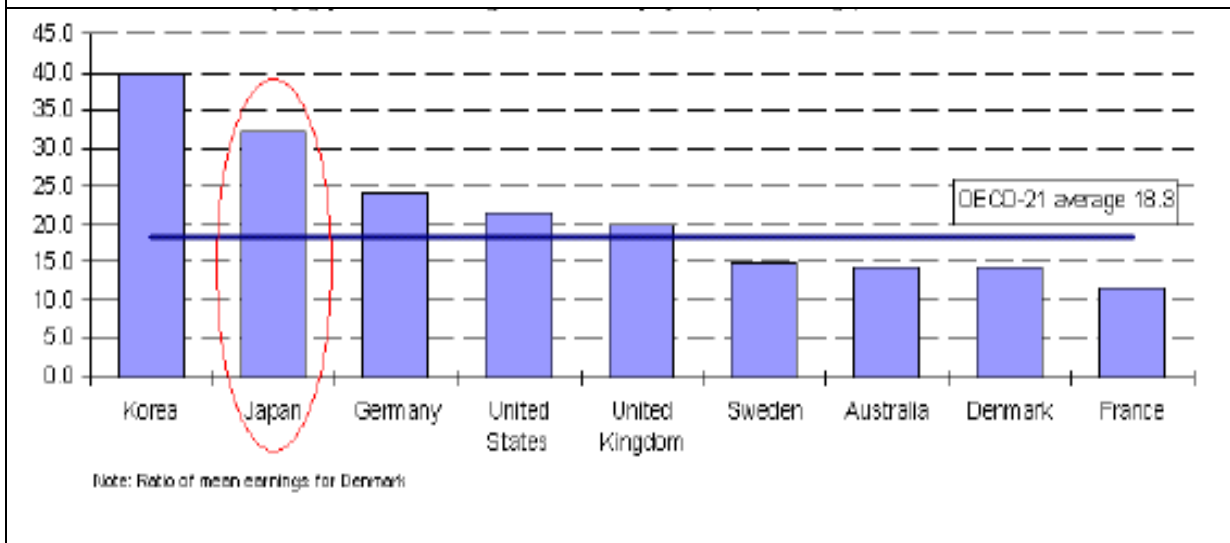
Graph 2: Employment rates of women (15-64yrs) living with children in a household in 2005 (according to children’s age group)



Of course, employment rates do not inform us about the quality of the work women accomplish in comparison with men’s labour in terms of volume, pay or career prospects. But we know from comparative analysis that gendered labour market segregation and pay gaps exist in all industrialised countries.

in the core age group (about 25 to 49) as the average birth rate in the OECD is around 28 years (in 2004 it was at 27,5 yrs.).

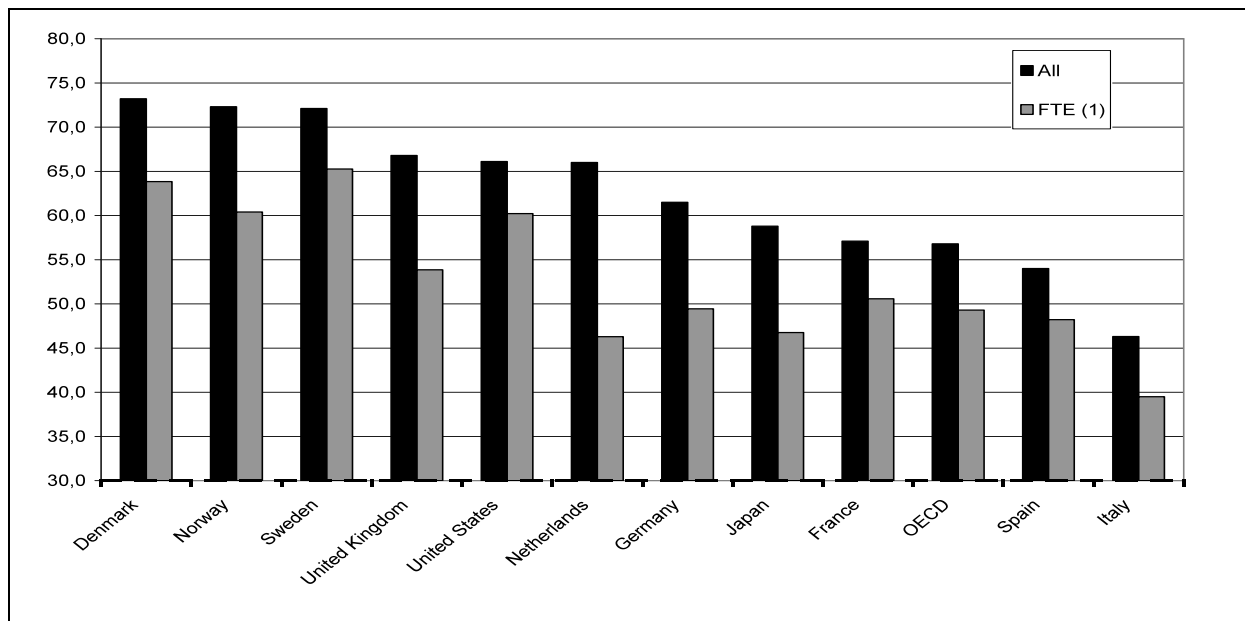
Graph 3 Gender pay gap in median earnings of full-time employees as a percentage, 2003 or most recent data



For example, on the OECD average the gender wage gap, (i.e. the difference of hourly wages in full-time employment of men and women) was at 17,6% in 2008; whilst Denmark and Sweden, France and Belgium had relatively low gaps (less than 15 points), the rates where the highest in Korea and Japan with far more than 30 points. The gender wage gap in Japan is almost twice that of the OECD average, but also Germany was with 23 points at the top of the EU member states (OECD Social Policy Division 2010): 13). And finally, men and women's labour supply differ largely regarding the volume, as women display much shorter average working times than men. The statistical office of the EU has until recently (2007) provided a particular indicator which takes account of the volume of supplied labour by calculating the so-called full-time equivalent employment rate (FTE, see graph 4). Instead of counting persons, this rate expresses the share of full-time employment on the work force such that e.g. two part-timers with a weekly working time of about 20 h are counted as one full-time equivalent (and not two employed persons). Consequently, the rate is lower in such countries where the share of part-timers is high and where the average weekly working hours are low (e.g. the Netherlands). The graph shows, that on this basis, the OECD average does not even attain the 50% benchmark and that especially in the southern and conservative European countries the degree of female employment is extremely low, including the Netherlands. Again, only the Nordic countries as well as the United States perform relatively well by attaining the 60% rate. As law prohibits direct discrimination against part-timers in almost all OECD countries, the high degree of partial employment might at first sight not appear as a problem. But analyses have shown that part-timers accumulate a couple of problems: The wage often does not cover living cost of the household of the part-timer; part-timers' access to higher professional positions (and income) is limited, especially in social insurance states social security coverage is low as benefits are proportional to contributions, despite the formal prohibition, wage discrimination in hourly wages persist.

Graph 4: Regular and full-time equivalent employment rates (FTE) of women 2006 in selected OECD countries (in % of the work force aged 15-64 yrs).<sup>2</sup>

<sup>2</sup> Eurostat calculates the full-time equivalent employment rate (FTE) by dividing the full-time equivalent employment by the total population in the 15-64 age group. Fulltime equivalent employment is



## 2. The re-orientation towards social investment of the Lisbon strategy

The EU Employment strategy, enacted at the Lisbon summit in 2000 represents the core of the EU equal employment strategy. But in order to understand the overall logic of the contribution of the EU to the enhancement of gender equality in the labour market, the related policy fields have to be taken into account.

### *The EU as driving force for the promotion of employment equality*

Regulation on equal opportunity in a narrow sense (i.e. equal pay) has existed in the EU since the treaty of Rome (Art. 119, now Art. 157 Treaty on the functioning of the EU - TFEU). Gender equality in employment is often considered as one pillar of the European social model. Today, the value of gender equality is mentioned in the preamble of the Treaty on European Union (TEU) and the Unions' responsibility to promote gender equality is stated in Art. 3 TEU. Also secondary law concerning gender equality in employment is relatively well developed as the most recent directive of 2006 now establishes a broad approach in the fight against gender discrimination, including e.g. equal treatment in social security and healthcare (Schiek 2010). The incremental development of the body of primary and secondary law regarding equal employment had been driven by the EU case law, clarifying the application of the equality principle in practice since then, discriminating regulation, e.g. the prohibition of night work in Germany, have been removed.

Beside the legal regulation, the EU is provided with a bundle of 'procedural instruments' that allow for policy intervention in the field of equal employment policies. In 1997 the principle of gender mainstreaming was integrated into the treaty of Amsterdam and today, the TFEU includes the gender mainstreaming principle in Art. 10 TFEU. The commitment to this prin-

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defined as total hours worked on both main and second job divided by the average annual number of hours worked in fulltime jobs (Source: spring LFS); as this graph is based on OECD data which does not provide FTER, we have made the assumption the part-timers worked on the average 20 h per week and have subtracted the according share from the employment rate.

principle requires the political actors to reconsider their planned activities, for example the design of employment policies, regarding their potential effects on gender equality.

The need to observe the development of gender equality and to produce knowledge on discrimination is reflected in the development of a substantial reporting system, embracing the annual statistical report on "Equality of men and women in the European union", the Commission's annual report to the European Parliament as well as in the establishment of independent networks of experts (on equal opportunity law, on employment, on social cohesion) which regularly publish reports on selected issues. Finally, the Gender Institute in Lithuania has been established in 2010 and will provide additional expertise and counselling. The problem is, however, that these policy instruments may well contribute to provide information or help to formulate benchmarks but do not provide binding regulation.

The Treaty of Lisbon, enacted in the end of 2009, does not bring about far-reaching change as the EU competences have not been extended in terms of gender equality (EGLER 2010). However, the EU Parliament has been attributed the right to take decisions in this field (Ellis 2010).

#### *The European Employment Strategy : A landmark for gender equality in the EU*

The Treaty of Amsterdam and the European employment strategy with the Council's agreement on employment objectives have been the crucial landmarks in European equal employment policies. For the first time, precise indicators were determined in order to measure the political progress in the support of women's employment: Women's employment rates should attain a level of 60% by the year 2010. Annual national action plans (and from 2005 three-annual National Reform plans) were required to monitor the member states' activities in this field (among others). The promotion of gender equality in the labour market constituted one out of four pillars (together with employability, entrepreneurship and adaptability) in the original strategy set up in 1998, but after the first four years period however the EES was changed, and the equality objective was removed as such. In 2005 the EES fundamentally changed its character: In the light of weak economic growth, the employment policy objectives were combined with macro and micro economic objectives. Gender issues are solely indirectly addressed in terms of a high level of women's employment, the quality of employment (guideline 17), the 'life cycle approach' to employment policies (guideline 18) or the general reduction of labour market segmentation (guideline 20). Overall, the most recent guidelines address supply-side oriented measures like education or training or the support of re-integration into the labour market whilst the visibility of gender equality has continued to decline over the years (EGGSIE 2008; Jenson 2008). The employment benchmarks have turned out as an important leverage to promote female employment all over the EU; but as it completely neglected to address the quality of employment, the problem is now that the gendered structure of the labour market has rather be reinforced than reduced.

#### *EU Employment Regulation...dragging behind*

In principle, employment regulation also contributes to stimulate or hamper **women's employment but it represents the most important factor for the employment quality**. The concept of flexicurity according to which the combination of labour market flexibility by deregulation with the enhancement of social protection has become the normative reference for EU policies since the beginning of the last decade (Wilthagen 1998). In fact, it has not been implemented in a way that good employment conditions have been supported for men and women in equal terms. The EU directives on part-time work or working hours guarantee a decent level of regulation, including non-discrimination rules for atypical workers, but they

do lack adequate social security provisions for atypical workers. More generally, a protective approach to the regulation of flexibility has not been achieved, as compensatory rules or rules prescribing social protection of atypical worker are largely left out. In the same way the working-time directive states maximum limits of hours but does not address minimum standards for the coverage of marginal workers by social insurance. In general, European Labour law is oriented at the regulation of the typically male, full-time “standard” worker, and ignores the spread of “atypical” forms of employment. Of course, this is due to the character of EU policy making and the principle of subsidiarity which prohibits the EU to intervene into national social policy regimes. At least the European Parliament is aware of this deficit and has published very recently (as of October 2010) a report on women in precarious employment and the need to enhance their social protection (European Parliament 2010). The maternity and parental leave directives are at the boundaries between social and labour law as they include dismissal protection as well as regulations about the maintenance of social protection during leave periods (Council of the European Union 2010). They therefore represent examples for the development of a more integrating flexicurity strategy.

*A new dynamic: The promotion of reconciliation policies by the EU*

Reconciliation of family and paid employment represent the most recent core issue in the field of equal employment policies. Its institutionalisation as a policy sector is driven by the insight, that child-care services were needed to de-familialise women’s labour in order to ‘modernise’ Western industrialised states and to render social protection systems more sustainable (Esping-Andersen 2002; Esping-Andersen 2009). In the EU, the reconciliation issue was addressed in the beginning of the in 1999 (EGGSIE 2008). The EU ministers’ formal agreement on the Barcelona targets in 2002 required that member states developed child-care services in order to attain a coverage rate of 33% for children younger than three years and 90% for children of pre-school age by 2010. And still today, the access to affordable child care as well as a stronger involvement of fathers is recognised as a major determinant for women’s employment (European Commission 2010). The activities of the EU in this sector have activated the member states significantly to develop services, which has set Germany in particular under strong pressure with regard to expanding public child care for infants, and can be considered as relatively successful (Jacquot/Ledoux et al. 2010). Nevertheless, the reconciliation strategy prioritises *parallel* patterns of reconciliation which includes short break and a quick return to (full-time) employment. It abstains from developing alternative options by e.g. regulating periods of reduced employment (Leon 2009) or providing substantial guidelines for more comprehensive social protection of carers.

Without any doubt, EU activities have definitely supported feminists’ concerns regarding women’s paid employment and have contributed to the gradual change of the conservative gender regime, especially in Germany (MacRae 2006). And, drawing the balance of the implementation of the Lisbon objectives, the strategy has obviously been successful in terms of enhancing women’s access to employment over the last decade and accelerating the development of child care facilities (EU-Kommission 2009). Nevertheless, this strategy does not fully respond to the fight against inequalities or the needs of persons who care for their children or elderly parents. The principle of gender mainstreaming is not effective, as its application depends on political voluntarism. This appears to be incoherent, as gender equality is still considered as one of the pillars of the EU social model (European Commission 2010).

#### **4. The German gender regime under reconstruction?**

In Germany women's employment has remained underdeveloped until the mid-eighties. According to international comparative welfare state research, the German gender model has been considered as a 'modified bread-winner model' as women's employment has mainly taken the form of part-time work. Since the end of the nineties, and driven also by the impulse of the EU, policies supporting women's employment have seen a new dynamic development coming along with policy reforms in many policy sectors. But to what extent has an "equal employment model" been realised in Germany so far? And to what extent does it compare to the European policy regime?

##### *(1) Equal opportunity policies: no encompassing regulation for the private economy*

Substantial legislation concerning equal opportunities is very recent. In order to adjust the legal framework according to European requirements, an encompassing "General Equal Opportunity Act" has been introduced as late as in 2006. This act now provides a substantial legal basis which allows individual citizens to claim against gender, ethnic or religious discrimination in all fields of social and economic life. This Act has aborted a long lasting political conflict about the extension of equal opportunity legislation to the private sector, as substantial regulation and affirmative action rules did only exist for employment in the public sector (where it has demonstrated considerable effects).<sup>3</sup> So, until 2006, claims against wage or other discrimination (e.g. hiring or promotion) had to rely on the very basic regulation stipulated in the Civil Code, which has not least been extended by repeated judgements of the European court of justice. The new act now provides a more appropriate tool to sue gender discrimination. It explicitly stipulates the subject matters of discrimination and enjoins the accused (e.g. the employer) the burden to proof. But from a critical perspective, major deficits are not addressed. The law remains a relatively weak mechanism for the advancement of equality:

(a) The law does not provide a collective right of action, such that each person has to claim against discrimination individually. Consequently, structural discrimination, e.g. in wage setting systems cannot be fought against effectively.

(b) The right to claim against discrimination cannot be delegated to a collective actor like a trade union or association. So, it depends very much on an individual's personality if she or he takes a case to court. An encompassing public organism like in Sweden or the U.S. which would council and support victims of discrimination does not exist.

(c) The act provides no instruments to gather information in order to control for wage discrimination like in Switzerland, nor does it oblige firms to report or take action about gender equality, like the Swedish or French legislation. The law thus rather provides passive-hierarchical regulation but no effective instruments to address pay equity actively.

Nevertheless, the law does respond to the requirements of the EU legal framework. It provides a decent legal basis to fight against individual discrimination, but it is not an appropriate leverage to decrease gender inequality on a mid-term perspective.

##### *(2) Employment policies in Germany: one step forth, two steps back*

Like the EU, in Germany public action, i.e. legislation is (since 2001) formally committed to the principle of gender mainstreaming. So, public policies, reform programmes and new ac-

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<sup>3</sup> For example the last very concrete attempt by the responsible federal minister to introduce an equal opportunity law for the private sector had failed in 2001, because at that time the chancellor considered an encompassing law as illegitimate intrusion into the economy.



tions should be ex ante revised with regard to possible gender specific effects. As in the EU, this instrument is hardly applied in practice.<sup>4</sup> Nevertheless, since a couple of years now, women's concerns in labour market policies in Germany have become more visible as e.g. a gender quota for the attribution of labour promotion programmes to female and male unemployed or the requirement to denominate equal opportunity commissioners within the local employment agencies have been introduced.

Nevertheless, the present employment policies still contribute too little to close the gender gap in the employment system. The path-breaking labour market reforms at the beginning of the decade (i.e. the 'Hartz-Reforms' between 2002 and 2005), underlined the 'activation character' of labour market policies in Germany. On the one hand, the main objective of these reforms was – according to the requirement of the European Employment strategy – to raise labour market participation and reduce (long-term) unemployment. On the other hand, more than earlier labour market reforms the new policies were oriented at neoclassical, i.e. supplied side oriented labour market theory and aimed at reducing labour costs, increasing work incentives and ameliorating the public services in order support a quick re-integration into paid work. The development of a low wage sector was mentioned explicitly as the main objective of these reforms by chancellor Schröder, the main driver of the reforms in these days. The reforms embrace four policy sectors: de-regulation of the employment contract, restructuring of the benefit scheme, the introduction of new labour promotion instruments, and the reorganisation of the employment agency. From a gender perspective, the promotion of atypical work is mainly the most important aspect.

The main instruments to promote atypical employment were the new provisions for marginal employment (2003), the deregulation of temporary work, the facilitation of part-time employment and fixed-term contracts, as well as the re-definition of more constraining rules regarding 'suitable' employment for benefit recipients. As a consequence the number of 'atypical employed' has increased considerably. For women more than for men, the resulting increase of part-time work is problematic for two reasons: A specificity of women's employment is the form of 'marginal employment' a work contract which is exempted from social security contributions if the monthly pay does not exceed 400€. The additional limit of 15 hours working time per week had been removed such that these small employments are now particularly exposed to pressure on hourly wages. Some workers accumulate this kind of employment with other work contracts, but a considerable number of workers do not dispose of any other employment income. Between 2003 and 2007 the number of workers who exclusively work on these jobs' has risen to a total of 4.88 million (June 2007). That makes this group bigger than the number of people in 'regular' part-time employment (4.77 million) (Statistik der Bundesagentur für Arbeit 2008). The vast majority of these marginal employed is female such that about a fifth of employed women work in this kind of employment. But not only marginal, also 'regular' part-time has continued to spread over the years. Part-time employment is gradually becoming the rule for working women in Germany; overall 45.4% of women worked part-time in 2008 (2003: 40.8%). The expansion of part-time and marginal employment is problematic for several reasons. In many cases, a part-time

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<sup>4</sup> It might serve however to legitimate special supplementary action addressing women's concerns: This has been the case for example in the huge evaluation programme which was started in order to measure the effects of the most recent labour market reforms where the government commissioned with a certain delay a specific evaluation project with the focus on the treatment of female unemployed. So, gender specific effects of the latest reform of the tax financed unemployment allowance scheme could be identified, such as e.g. the subjection of benefit reception to the household income situation or the coupling of benefit reception with the provision of active promotion. At the moment we do not expect further changes to the present scheme, the more, as necessary reforms would be expensive.

income is not even sufficient for a single household to make ends meet. Part-time workers, especially when they have children, depend on a partner's income. Secondly, social security provision in Germany is employment-related, i.e. low contributions would lead to low benefits in the case of needs (unemployment, old age). This is especially problematic for pension entitlements, which are still very low for women and hardly exceed the minimum income threshold; the continued increase of atypical employment will result in a growing share of (female) pensioners who will have to rely on (tax-financed) basic allowance. Thirdly, working part-time hampers perspectives of professional promotion, as employees are considered as career-oriented and motivated only when they work at least full-time or even overtime. Although it might be technically possible to have a leading position also on a part-time basis, this rarely occurs in practice. Additionally, part-time employment is mainly available in women dominated economic sectors, like retail, education, social services and less in typical male sectors like engineering, construction and others. Finally, despite formal prohibition, part-timers are sometimes offered lower hourly wages than full-timers, although they may execute the same activities. This is especially true for marginal workers, who may not earn more than 400 h/month without losing their status.<sup>5</sup> This is the more problematic as recent longitudinal studies reveal that the bridging function of low-wage jobs (not only in marginal employment) into 'regular' employment mostly does not hold true: 80% of male and 90% of female low-waged workers remain in this segment also six years later (Schank/Schnabel et al. 2008): 5).

Although part-time work might be preferred by many women as it allows to reconcile family duties with paid employment, it is regulated in a way that it results into heavy short and long term disadvantages. To use the employment rate as the only indicator is therefore problematic when it comes to gender equality: As has been argued in the first section, indicators which do not account for the volume of delivered work, underestimate the increasing occurrence of under- or unprotected employment.

### *(3) Reconciliation policies : Towards a new labour division?*

The main strategy to combine paid work with family duties in Germany has been since then the part-time strategy: Usually women take one year parental leave when they have a baby and the majority then returns into part-time employment in order to fulfil family responsibilities. The share of women who work on a full-time basis when the child is one year old is very low (less than 15%). Unlike women in other countries German women remain in part-time work for a long time of their employment career, such that the overall part-time rate is relatively high- also in a comparative perspective.

These female employment patterns are largely due to the fact, that public childcare facilities have been underdeveloped since very recently. A formal right to child care was introduced in 1994 but it entitled parents of children of at least three years of age to a place of only 4 hours a day. No legal entitlement exists for the under-3 years old children so far. Since five years now, the development of child care services for the young children has become very dynamic. The fact that public child care provision is promoted on the European level as one crucial instrument to enable women to become employed is reflected in the German Act on

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<sup>5</sup> The low-wage threshold is defined according to the OECD standard as two thirds of the median hourly wage; 2006 in West Germany this amounted to 9.61 euros, in the eastern part to 6.81 euros (Kalina and Weinkopf 2008: 451). In 2006 more than one fifth (22.2%) or over 6.5 million employees were working for below-average wages, with (relatively) little difference between east and west. Of these, more than two thirds (68,1%) were women. The so-called marginal or 'mini-jobs' fall almost totally (91.7%; Kalina/Weinkopf 2008: 456) under the low-wage threshold.

the creation of child care services of 2006 and the announcement that a legal entitlement to child care for the under-3 is planned for 2013, if the coverage rate has not increased to 33% by then. Public authorities on the local and regional level have also committed themselves to expand child care to a full-time formula and to guarantee a full-time school day such that children can stay at school and are cared for also in the afternoon. The political will to support working women was also reflected in the introduction of the wage-replacing parental leave allowance in 2007 which supports employed women and sets incentives to shorten employment breaks to no more than 12 months. Instead of promoting the family carer model, German policy is now also oriented at supporting women's employment although incentives for women to restrain their labour supply is still supported by the income tax-system (tax-splitting) and the social security law which provides derived rights for non-employed spouses (health insurances, pension system). There are, however two main reasons which support the maintenance of the 'one-and-a-half-earner-model', i.e. the fact that women work part-time when they have care for children. On the one hand, the practical option to find good quality full-time care is still not given, as child care facilities, although they are formally obliged to provide full-time care (e.g. until 5 or 6 p.m.), afternoon care is not really fully accepted nor are good quality care and educational programmes offered in the afternoon. Unlike in France, where care for young children is considered to be a matter of education, in Germany, full-time care is rather perceived as pure and provisory assistance. So, parents feel the pressure to take their children from the kindergarten already early in the afternoon as very few children remain until the evening. On the other hand, women have often internalised the duty and responsibility to care for their children rather than men, although there is a growing share of men who like to spend time with their children. So, even though the state offers the opportunity to 'de-familialise' care work, parents may feel uncomfortable with the quality of the services offered and prefer to maintain a gendered labour division instead of leaving their children to public child care facilities for too many hours. Research has pointed to the fact that the transfer of care work from the family to public services is not solely a matter of costs and service provision but also of intra-family commitments. This means, that getting fathers involved into care work still represents a core issue to enhance women's labour market participation and gender equality in employment. The EU nowadays acknowledges this issue and therefore pleads for the expansion of the share of parental leave which should be reserved to each parent – but as it is typical for the EU - the policy recommendations are very basic and not far-reaching enough to initiate verifiable change.

## **5. Conclusion**

Gender differences are still pertinent in Europe, especially in 'conservative' Welfare States like Germany and Japan. The EU has proved an important leverage to initiate policy change on the domestic level: The introduction of the antidiscrimination act and of affirmative action elements into employment policies, the incremental reform of the German parental leave act, the development of childcare facilities also for the under-3 years old children would not have occurred and become so dynamic without the political impulses from the EU. Although, the EU's promotion of child care services do not include binding rules, but rely on recommendations only, it proves to be a strong impulse for its member states, at least for Germany. Without any doubt, the EU has decisively contributed to modernise the German equal employment regime.

But our brief discussion has also demonstrated that important gaps remain in the German gender equality regime: Gender discrimination in the labour market cannot really effectively

been treated and the problems stemming from the German part-time strategy remain un-addressed. But, above all, the deregulation of employment, the increase of atypical employment, which is mainly due to the EU's model of employment policies, is realised at women's expense. As any provision to maintain or develop 'quality employment' lacks in the EU's definition of employment promotion, countries like Germany have undergone fundamental change concerning labour market segmentation. The rise of atypical (and often precarious) employment is fully compatible with the objective to raise employment.

To restart a new dynamic and revitalise the political objective of promoting equality between men and women but also between other kinds of social groups, the EU needs an anew commitment to a (political) employment strategy which identifies decent labour standards as one of its core elements. The fact that social regulation is subordinated to economic objectives and purely considered as a means to acquire higher productivity and economic performance will rather deteriorate than ameliorate problems like segmentation and inequality'. But to redefine a 'fine balance' between social and economic objectives is, of course a political question – which will be certainly become increasingly important in the upcoming decade.

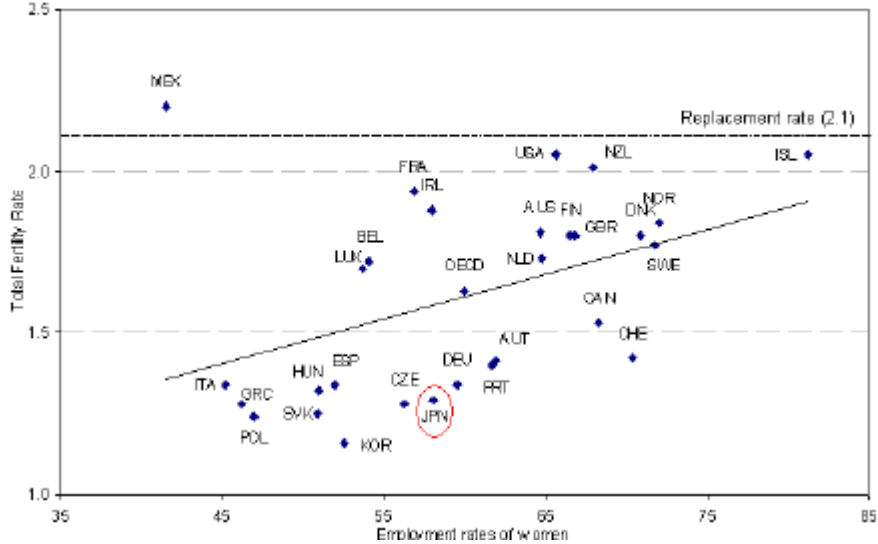
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Table A1: Employment rates and fertility

**Figure 1: Countries with high female employment rates also have relatively high fertility rates**  
*Total fertility rate and female employment rate, 2005*



Source: OECD, Babies and Bosses.