



Leave policy in the context of the economic crisis.
The effectiveness of Companies Gender Equality Plans in improving leave provisions in Spain

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Objective of the presentation

As in other countries, in Spain there has been a trend to extend parental leave rights to fathers, including the introduction of a paternity leave with the aim of promoting a greater involvement of fathers in childcare (Escobedo and Wall, 2009; Romero-Balsas, 2015). In the context of the economic crisis, this trend was put to an end and the responsibility to improve gender equality in this field was shifted towards the social partners. Actually (end June 2018), however, a Law proposal to acknowledge equal paid leave rights to both parents is under discussion in the Parliament.

This work analyzes the effectiveness of this policy, analyzing the extend and characteristics of improvements in leave provisions introduced by a sample of companies through their Gender Equality Plans and discussing to which extend they contribute to foster men´s use of leave

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1. Discuss the main objectives of the Gender Equality Law, introduced in 2007 at the onset of the economic crisis and the mechanisms introduced to achieve these objectives.
2. Present the hypothesis and methodological approach
3. Discus results, centering the attention in the extent and characteristics of improvements introduced by the Gender Equality Plans of those companies most involved with the goal of Gender Equality
4. Conclusions

2007 Gender Equality Law: Objectives and mechanisms 1

On March 22, 2007 a new and ambitious Gender Equality Law was introduced by, at the time, ruling Socialist Party.

The explicit objective of this Law, which is still in force, is to suppress all forms of discrimination against women. It obliges Public Administrations and big organizations to develop active gender equality policies for this purpose.

To reach this main objective three relevant mechanisms were introduced:

1. A **Paternity leave**, which provided 2 weeks leave after the birth (or adoption) of a child, fully paid up to a (high) ceiling through specific Social Security benefits. This leave should have been improved gradually till 4 weeks in the years to follow, but was postponed due to social spending cuts till 2017.

The explicit objective of this leave is to foster co-responsibility through a greater involvement of men in childcare, and more generally, in unpaid work at home.

2. Obligation for all companies with 250 or more employees to elaborate and implement a **Gender Equality Plan**, which implies an evaluation of Gender Inequality at Company level and the settlement of specific objectives to be reached within a time period and the strategy to achieve them.

2007 Gender Equality Law: Objectives and mechanisms 2

3. To foster ambitious and innovative Gender Equality Plans, the Law introduces a “**Gender Equality Label**” which is a distinction provided by the State to those companies who have approved an ambitious Gender Equality Plan and which can be used for marketing purposes. The law regulating this label sets up several criteria for qualifying for this label, among which is the introduction of mechanisms that **facilitate the Work Life Balance (WLB)**. There is no specific mention to the need to foster men’s use of WLB measures.

Typical provisions to facilitate WLB are flexitime, teleworking and leave provisions

WLB measures doesn’t imply necessarily to promote gender equality nor co-responsibility, it can be rather the contrary: if it is women who use parental leave provisions, this gendered use fosters gender inequality rather than equality because it reinforces traditional gender roles within the family and labour market as well, as it shows that caring children is an women’s issue.

Our objective is to analyze if Companies which have been credited for the “Gender Equality Label” have introduced improvements in parental leave provisions and if these improvements tend to foster men’s use of WLB leaves or if they are rather “neutral”, contributing to reproduce gendered use of leaves and questioning the effectiveness of Gender Equality Plans as a mechanism for promoting greater gender equality.

Hypothesis

Based on a literature review on WLB Company policies in Spain and a content analysis of the criteria for drawing Gender Equality Plans and the criteria for acquiring the “Gender Equality Label” published by State institutions, we have developed following hypothesis:

H1: Improvements on leave provisions will not be very common as it is not established as compulsory but rather as desirable.

H2: When improvements are introduced they will be focused more on improving flexibility in use or rather benefit minority groups rather than being universal, as WLB are mostly seen not as an investment to promote productivity, but rather as a cost.

H3: Companies who have introduced improvements, have done it mostly from a “neutral” point of view, rather than promoting men’s use of leaves.

Methodology

We have made a content analysis of **108 Gender Equality Plans** or equivalent documents out of the 127 Companies which have been credited with the “Gender Equality Label” between **2010 and 2015**. These plans are available at the Ministry’s website which is in charge for Gender Equality policies.

Leaves that have been analysed are:

- Maternity Leave (16 weeks fully paid till a ceiling)
- Paternity Leave (2 weeks fully paid till a ceiling during the period under review)
- Breastfeeding leave (two ½ hours paid break a day till the 9th month)
- Full-time Parental leave (unpaid till year 3 of the youngest child, can be taken on a monthly base)
- Part-time Parental leave (unpaid working time reduction till 50% of the working day till year 12 of the youngest child)

The dimensions which have been analyzed are:

- Duration
- Payment
- Flexibility in use
- Incentives to use any leave

- If improvements benefit mainly women, men or are gender neutral

Results

Table 1: Number of companies with “Gender Equality Label” that have introduced improvements in parental leave provisions

| Any improvement in: | Number of companies | % |
|---|---------------------|----|
| Maternity leave | 26 | 24 |
| Breastfeeding leave | 35 | 33 |
| Paternity leave | 30 | 28 |
| Full-time leave | 21 | 20 |
| Part-time leave | 24 | 22 |
| Companies that have implemented at least one improvement in any leave | 50 | 47 |

Source: own calculations

H1: Improvements on leave provisions will not be very common as it is not established as compulsory but rather as desirable is **partially confirmed: only 47% of Gender Equal Companies improve leave provisions, ie, 52% do not.**

Results: What kind of improvements have been introduced?

Table 2. Number of companies that have introduced improvements by type of improvement

| Improvements in leave provisions | Duration of the leave | | Payment | | Flexibility in use | | Incentives to use leave | |
|--|-----------------------|----|---------|----|--------------------|----|-------------------------|---|
| | Abs | % | Abs | % | Abs | % | Abs | % |
| Maternity leave (paid) | 14 | 13 | 11 | 10 | 9 | 8 | 3 | 3 |
| Breastfeeding leave (paid) | 6 | 6 | 2 | 2 | 35 | 33 | 0 | 0 |
| Paternity leave (paid) | 17 | 16 | 13 | 12 | 7 | 7 | 2 | 2 |
| Full-time parental leave (unpaid) | 19 | 18 | 4 | 4 | 13 | 12 | 0 | 0 |
| Part-time parental leave (unpaid) | 4 | 4 | 8 | 7 | 2 | 2 | 0 | 0 |

Interpretation: the % refers to the whole number of companies under review, ie, 13% have extended maternity leave

Examples of improvements in:

Duration: maternity leave 12 additional days; Breastfeeding 3,8 additional days; paternity leave 6,8 additional days (5% only for specific groups, 11% for all eligible employees); Full-time unpaid parental leave increase from 3 to 4 or 5 years and Part-time parental leave increase till the age 10 or 12 of the child or around 4 weeks paid working time reduction

Payment: companies cover the difference between the ceiling and real earnings. Some companies acknowledge a short period of time (usually before delivery) fully paid as a parental leave.

Flexibility: In breastfeeding mostly the possibility to sum up the time reduction into fully weeks added to maternity (or paternity) leave, which implies about 2 weeks more. In full-time parental leave mostly extension of the right to return to the same job place from 1 year to 1.5 years or the whole period of leave.

Incentives: Increase of duration if any leave (mostly maternity) is shared among parents

Results

H2: When improvements are introduced they will be focused more on improving flexibility in use or rather benefit minority groups rather than being universal is **partially confirmed:**

Only a small number of companies have increased duration of paid leaves for all eligible parents (only 11% of companies have extended fully paid paternity leave by one week as mean)

and other improvements either affect only minority circumstances (adoption, large families, families with disabled children), refer to flexibility in use or affect only very small number of potential beneficiaries because leave is unpaid.

Results: Who is most benefited by improvements in leave provisions?

Table 3. Number of companies that have introduced improvements by whom it benefits

| | Number of companies | % |
|-------------------------------------|---------------------|------------|
| Without improvements | 57 | 53 |
| Improvements benefit mainly mothers | 17 | 16 |
| Improvements are “gender neutral” | 19 | 18 |
| Improvements benefit mainly fathers | 15 | 14 |
| Total | 108 | 100 |

H3: Companies who have introduced improvements, have done it from a “neutral” point of view, rather than promoting men’s use of leaves is also **partially confirmed**:

Only a small number of companies (14%) tend to promote directly or indirectly men’s leave use. Those who introduce improvements tend to benefit more mothers or are “gender neutral”.

As a consequence, companies with ambitious Gender Equality Plans, awarded with the logo Gender Equal Companies, aren’t engaged in promoting the defeminization of leave use and fostering co-responsibility among parents.

Conclusions

Gender Equality Plans, and by extension Collective Agreements, **doesn't appear to be an effective framework to reach substantial improvements in leave policy** in general, and improvements that fosters men's use of leaves, in particular.

Only 16% of the most gender sensitive Companies have identified paternity leave as an instrument to promote greater gender equality, although in the political arena the request for “equal leave rights for mothers and fathers” has emerged as a policy issue.

The great majority of these companies doesn't identify Leave policy as a mechanism to foster gender equality and those which improve leave provisions either aren't aware that neutral measures reinforce inequality or directly try to facilitate women taking longer leave.

Substantial advancements in this field can be expected only from general legislation, which in turns benefits most of the working parents.

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This presentation is based on a paper under evaluation to be included in the forthcoming special issue “Company Support and European Fathers' Use of State Policies Promoting Shared Childcare”, of the journal Community, Work and Family



Thanks for your attention