

Labour standards and equality between women and men

Inequality between women and men in labour markets

Women are a major presence in the paid labour force in all regions of the world. However, they are generally concentrated in a narrow range of industries and occupations and in all countries there is a significant gap between the average wages of women and men. These employment patterns and the wage gap, in combination with other factors, tend to reinforce each other.

- **Women and men tend to do different jobs.** Women and men are differently distributed by industry (e.g., more men in heavy industry and more women in light manufacturing) and within the same industry (with women at the low end of the responsibility and pay ladder). This “occupational segregation” reflects both supply and demand factors, including women’s education and employer recruitment and promotion practices.
- **“Women’s work” and “women’s jobs” are undervalued in comparison to that done by men.** There is evidence that compensation for a particular type of job is more closely related to the sex of the workers generally performing that job than to factors such as education, experience or unionization, which suggests that lower wages for women’s jobs reflects discriminatory attitudes.
- **Lower rates of unionization among women.** Women are less likely than men to work in unionized sectors and occupations and to benefit from union support to upgrade wages and working conditions.
- **Lower levels of education and training among women.** Average levels of education and training of women are lower than men’s in most countries. This reflects gender biases in society, educational and vocational training systems and access to on-the-job training.
- **Unequal allocation of family responsibilities and the lack of support services.** The compromises required to fulfill both labour force and family responsibilities are mostly made by women, who are more likely to have employment breaks to care for family members, or to seek work that is located closer to home in order to accommodate family responsibilities.

Selected trends and issues

- **Increased labour market inequality in central and eastern Europe.** Women have been disproportionately affected by the sharp fall in production and employment in the transition to market economies. Certain female-dominated sectors have been particularly affected by government cutbacks or the decline in trade. Women have also been affected by the collapse in child care and leave provisions. In addition, men have been favoured through discriminatory layoff and recruitment practices — in clear violation of international labour standards to which most of these countries are signatories.
- **Growth of trade-related employment in manufacturing and services.** The growth of export-oriented industries (e.g., garments, electronic assembly and data-processing) has expanded employment opportunities for women in many regions. Wages and working conditions in the sector reflect women’s disadvantaged position in the labour market (a pool of low-wage labour for whom this employment is attractive). In some countries industries in export processing zones are also exempted from labour standards provisions.
- **Homework.** Increasing numbers of women undertake piecework or subcontracts at home. Although such workers are particularly vulnerable to exploitation, the sector is often excluded from labour legislation, either explicitly or through the way in which “work” or “workplaces” are defined.

“Labour standards empower working women”

In *Women and Work* (Zed Books, 1994), Susan Bullock suggests ways that labour standards empower women by outlining women’s rights:

- they legitimize women’s concerns and recognise their place in the labour force;
- they provide a guide and a focus for action by women workers and their organisations;
- monitoring processes for international conventions provide useful information and a means of pressuring governments;
- even for those outside the formal sector who may not be covered, the standards provide a declaration of the rights of women workers.

LABOUR STANDARDS LEGISLATION AND EQUALITY CONCERNS

Minimum wages	Minimum wages are of particular importance to women because women predominate in lower-paid work where minimum wages are most relevant and because women are less likely to be in unionized sectors where wages are set through collective bargaining.
Equal pay	Continued disparities between the wages of women and men underline the importance of equal pay provisions in legislation. Experience has shown that "equal pay for the same work" provides only limited protection as men and women generally do different types of work and female-dominated work is generally undervalued. Current efforts (and international agreements) thus focus on <i>equal pay for work of equal value</i> .
Leave	Leave provisions of particular importance from an equality perspective are maternity leave (adequate leave for child-bearing) and parental/family leave (provisions available to <i>men as well as women</i> to enable them to fulfill family responsibilities).
Protective legislation	Protective legislation has often banned work by women in particular areas (e.g., underground mining) or required certain working conditions for women but not for men (e.g., levels of exposure to toxic substances, limits on working hours and night work). Such legislation is now under review in many countries for its impact in restricting women's job opportunities. Reviews can consider which standards are justified and should be extended to protect both men and women, which should be limited to specific circumstances (e.g., protection during pregnancy) and which should be abolished.
Non-standard work	Part-time and temporary workers, homeworkers, and domestic workers—categories in which women predominate — are particularly vulnerable in the labour market. It is important to review labour standards legislation in light of the protection given to these workers (e.g., in relation to minimum wages, hours of work, rights to unionize, etc.).
Non-discrimination	Specification of the right not to be discriminated against on the basis of sex in employment (including recruitment, contracts, training, promotion, conditions of work and remuneration) is important in promoting the principle of equality in employment and providing a means of recourse.
Implementation & enforcement	Even where labour standards exist, implementation may be uneven. Increased knowledge among workers and unions of labour standards and workers' rights is a means to support enforcement. An emphasis on women's employment rights and equality provisions in awareness activities is a means of enabling women to organize to claim their rights in relation to employers and to gain the attention and support of unions on these issues.

INTERNATIONAL AGREEMENT ON EQUALITY IN EMPLOYMENT AND THE LABOUR MARKET

Beijing Platform for Action, Fourth World Conference on Women (1995)	Paras. 165, 178, 179 particularly concerned with employment. Endorsed by 189 countries.
UN Convention on the Elimination of All Forms of Discrimination Against Women	Article 11 addresses equality in employment. Convention has 97 signatories.
ILO Convention No. 111, Discrimination (employment and occupation) (1958)	Concerns equality of treatment and opportunity, including access to employment and conditions of work. Ratified by 130 countries.
ILO Convention No. 100, Equal remuneration (1951)	Convention establishes the principles of equal pay for women and men workers for work of equal value. Ratified by 137 countries.
ILO Convention No. 156, Workers with family responsibilities (1981)	Concerned with the ability of both men and women to reconcile work and family responsibilities. Ratified by 27 countries.

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Sida Equality Prompt #3: Labour standards and equality between women and men