

EMPLOYMENT, LABOUR, SOCIAL AFFAIRS

a) Social insurance & equality between women and men

What issues of equality between women and men are raised by social insurance schemes?

Social insurance schemes have been given considerable attention by policy analysts and activists concerned with equality between women and men. Social insurance schemes raise equality concerns because they are often based on *assumptions* about family structures and the roles of women and men that do not reflect reality and undermine equality commitments. For example:

- The **assumption that households are headed by a male breadwinner** is reflected in schemes that target men and treat women as secondary earners. This assumption is precarious, given the proportion of families that require female incomes for survival due to low male earnings or the absence of men in the household.
- The use of family status or family income to determine benefit eligibility or benefit levels (e.g., for unemployment benefit) **assumes equal access by spouses to household income and resources**. This assumption is also contradicted by evidence. The use of family income to determine eligibility generally means that women lose entitlement to benefits in their own right (as their incomes are generally lower than those of their husbands), and thus results in increased dependency by women on men.
- The assumption of **female responsibility for children and care of dependents** is reflected in provisions that solely target women for paid parental leave or leave for care of sick family members. This limits men's rights in relation to their children and serves to reinforce the "double burden" of women. It also contributes to labour market discrimination by reinforcing the perception that women are more costly workers.

Where the design of social insurance schemes incorporates such assumptions, the result can be a reinforcement of patterns of gender inequality. However, the approach of treating women and men in the same way – of assuming no differences between them – can also have inequitable results. It is important that social insurance schemes are designed to recognise *actual differences* between women and men in

patterns of work and incomes. Several broad patterns are evident in most parts of the world.

In particular, **women are more likely than men:**

- **to be employed in “non-standard” work** – (part-time, temporary, home-based and domestic work) which is often not covered by social insurance schemes, leaving many women without the ability to qualify for benefits in their own right;
- **to have low paid work** – women in the paid labour force are clustered in lower paid industries and occupations, and thus even where they are covered benefit entitlements (for paid leave, unemployment benefit and pensions) are accordingly low;
- **to have an interrupted work history** – the demands of child-bearing, child care and other family responsibilities result in breaks in employment for many women, who may therefore be excluded from benefits if continuous contributions over an extended period are required.

Such factors must be taken into account to achieve equitable outcomes from contributory earnings-based social insurance schemes. Examples of responses to existing inequalities include provisions for rights related to spousal coverage, such as access to health care through a spouse's insurance and pension benefits for the survivor or widow of an insured person.

Social security schemes by themselves cannot remedy patterns of discrimination in the labour market and society more generally. Rather, the challenge in the design or reform of social insurance schemes is to **reflect actual patterns of employment and income** rather than assumptions about family structures and gender roles, and to do so **in ways that do not reinforce women's disadvantage in the family and the labour force**.

Government commitments to equality between women and men in social insurance:

Beijing *Platform for Action (PFA)*:
Paragraphs 58(o), 165 (f), 179(a), 179(c).

UN *Convention on the Elimination of All Forms of Discrimination Against Women*:
Article 11(1)(e); 11(2)(b); 13(a).

SELECTED SOCIAL INSURANCE ISSUES	RELATED ISSUES OF EQUALITY BETWEEN WOMEN AND MEN
<p>Who is eligible to join? Or, who is required to join?</p> <p>Are all workers covered or only full-time workers? Are all types of work covered or are there exclusions (such as domestic workers, or workers in family businesses or family farms)? Is participation obligatory for workers in the covered categories or are there opt-out provisions for certain categories (such as married women)?</p>	<p>⇒ Extending coverage to those with part-time, temporary or seasonal work is important to economic security for women, who are the majority of workers in these categories in most countries.</p> <p>⇒ Excluding domestic workers generally means excluding women and thus reducing their economic security; similarly, excluding workers in family businesses often means excluding women who work with their spouses in small family firms and on farms, thus increasing their dependence on spouses despite the actual productive work done.</p> <p>⇒ Opt-out provisions for married women assume that their earnings are secondary to family income and that their social insurance needs (and those of their dependents) will be met by their spouse or their spouse's social insurance. A major problem with this approach is that it can result in depriving women of benefits in their own right and of building up longer-term security entitlements (and thus protection in the case of divorce or death of the spouse). While opting out of social insurance may be attractive in the short-term, particularly where family resources are tight, it undermines economic equality between women and men and poses risks for women's long-term economic security.</p>
<p>What benefits are included?</p> <p>Does the insurance extend to maternity leave and leave for parental responsibilities?</p>	<p>⇒ Benefits covering maternity leave are clearly an important aspect of economic security for women. Benefits allowing leave for parental and dependent care responsibilities is important for both women and men, but particularly for women as they tend to carry most of these responsibilities.</p>
<p>Who is entitled to benefits?</p> <p>Are benefits paid on an individual or family basis? Are both parents eligible for benefits such as paid leave for child care?</p>	<p>⇒ Paying benefits on the basis of family income generally disadvantages women. For example, if eligibility for unemployment benefit is based on family income, an unemployed husband would likely qualify for benefits but an unemployed wife would not, given that women's incomes are generally lower than those of men. At the same time, she may have no claim on his income.</p> <p>⇒ However, some uses of family status can compensate for women's weaker economic position. For example, providing for a pension "survivors benefit" (in which the widow of a pensioner has a right to a portion of the pension earned by her husband) recognises the contribution made by the survivor to joint welfare and is a means of protecting women from poverty in old age.</p> <p>⇒ Limiting eligibility for benefits related to care of children and dependents to women also disadvantages women. It reinforces the idea that this is "women's work" as well as the perception that women are more costly and less reliable workers and thus reinforces the labour market discrimination.</p>
<p>Who pays how much?</p> <p>Are contributions at flat rates or graduated by income? Is there a maximum?</p>	<p>⇒ Graduating contributions by income seems equitable, but where there is a maximum contribution, lower paid workers (predominantly women) pay larger proportion of their income for the same level of benefits than higher paid workers (predominantly men).</p>
<p>Who gets how much?</p> <p>What is the basis for payment calculations? Should this differ for different types of benefits (e.g., unemployment, parental leave, pensions, etc.)?</p>	<p>⇒ Regarding pensions, the argument has been made that since women live longer, their monthly benefit entitlements should be less (spreading payments of the same "capital amount" over a longer period for women than men). This has inequitable results. As women have lower incomes (due to occupational segregation, lower wages, and the effect of undertaking most of the household labour including care of children and men) – and thus lower savings – this approach would increase the risk of poverty for elderly women.</p>
<p>Who makes the decisions?</p> <p>What are staff attitudes about claimants? Is there a review mechanism for decisions?</p>	<p>⇒ Assumptions and biases of staff about women's rights and family roles can influence the information provided to women and the assessment of claims and entitlements by staff; these are issues that can be addressed in staff training programmes and through a complaints/arbitration mechanism.</p>