Decent work in Latin America and the Caribbean

Work and Family:
Towards new forms of reconciliation with social co-responsibility

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During the research conducted for the purposes of this report, the following studies were drafted:

Aguilera, Ana
Resultados de los convenios colectivos de la última ronda del consejo de salarios en Uruguay.

Gherardi, Natalia; Giacometti, Claudia; Pautassi, Laura y Zibecchi, Carla
(ELA - Equipo Latinoamericano de Justicia y Género): *Sistemas de protección social y responsabilidades familiares. Articulaciones posibles.*

Girardi, Mara
El impacto de la migración en los países de origen: familia, cuidado y cambios en los roles de género y generacionales.

Herrera, Gioconda
Las cadenas internacionales del cuidado. Migración y trabajo doméstico remunerado. Caso Ecuador.

Innerarity, Faith
Legal and policy framework for protecting maternity and workers with family responsibilities: Jamaica.

Marco, Flavia
Entre la escasez y la ausencia. Políticas para la armonización entre el empleo y la familia en los países andinos.

Monge, Guillermo
Tendencias en el trabajo y cambios en las familias latinoamericanas.

Pargass, Gaietry
Legislative and policy framework for protecting maternity and workers with family responsibilities in selected Caribbean countries: Antigua and Barbuda, Barbados, Grenada and Trinidad and Tobago.

Reca, Inés
Políticas para la conciliación de las responsabilidades laborales y familiares en Argentina, Chile, Paraguay y Uruguay.

Rodríguez Enríquez, Corina; Giosa Zuazúa, Noemí y Nieva, Dora
El costo de las políticas ausentes. Las implicancias económicas y sociales de la carencia de acciones de conciliación en América Latina.

Rosa de Souza, Luciana; Bartholo, Letícia y Vaz, Daniela
Políticas de equilíbrio de trabalho-família-vida pessoal no Brasil: avanços e desafios no início do século XXI.

Salazar, Rebeca e Salazar, Hilda
El marco legal y de políticas sobre protección de la maternidad y trabajadores con responsabilidades familiares y las brechas de ejecución para el logro de los objetivos de trabajo decente. Estudio temático subregional: América Central y México.

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Prologue

This report prepared by the ILO and UNDP seeks to address one of the greatest challenges of our time: the reconciliation between work and family. Focused on Latin America and the Caribbean; the region with the world's highest levels of inequality, the report argues that it is necessary to advance toward reconciliation of these two spheres through social co-responsibility: redistributing care responsibilities between men and women, as well as among the family, the State, the market and society as a whole. This is a fundamental aspect for promoting equality in the world of work and reducing poverty. It is also an essential condition for making progress towards gender equality, particularly for the achievements of the goals of the Decent Work Hemispheric Agenda launched by the ILO in 2006.

The report – which also aims at contributing to new policy proposals – discusses and shows that this transformational agenda is not only socially indispensable for the promotion of decent work and exercise of human rights, but that it will also have positive results in terms of labour, economic and productive issues. This is why the agenda of reconciliation with social co-responsibility not only is necessary, but is also a viable agenda. Moreover, the current global economic crisis, and the demographic changes that the region is experimenting, increment the needs to address this issue. On the other hand, this context increases the opportunities that care be part of nations' response regarding job creation and economic reactivation, contributing, at the same time, to fulfill two of the fundamental rights of the people: to care and be cared for.

Acknowledging the magnitude of the task at hand, the report combines high technical standards in the analysis of the current situation with a value framework that together permit progress towards the desired outcome. What is proposed is a set of concrete public policy measures which, together, may help in moving forward from the present to a different future, hand-in-hand with an active role of the State, but also of employers' and workers' organizations, people and society in general.

The necessary public policies will require action from governments, but also social dialogue and broader citizen participation. The aim of this report is to constitute a useful input for the actions of the various actors involved.

Although there is a lot to de done in the region to achieve reconciliation with social co-responsibility, this does not mean having to start from scratch. There already exists a dense academic and technical work on the matter, without which this report's focus on

reconciliation from the perspective of workers with family responsibilities would not have been possible. The report draws inspiration from the work of dozens of people who have reflected on and documented the problems regarding gender relations and reconciliation between work and family life in the Latin America and the Caribbean.

In the regional context, the pioneering work on this issue by ECLAC, UNFPA and UNIFEM deserves a special mention. Similarly, the ILO and UNDP are grateful to the experts who provided inputs and have contributed to the research conducted for the purposes of this report, on such diverse subjects as legislation and public policy, social security, costs associated with investment on reconciliation, job creation, and others.

We would also like to thank, without compromising them with this report in any way, the outstanding contribution regarding points of view, experiences and recommendations made by representatives of governments, business organizations, unions and civil society of the Southern Cone, Central America and the Andean Region.

This report was coordinated by María Elena Valenzuela, ILO Senior Gender Specialist for Latin America and the Caribbean, and Juliana Martínez Franzoni, UNDP consultant. The drafting of this report was done with the participation of Irma Arriagada, Anna Salmivaara and Marcela Ramos, with the contribution of Laís Abramo, Solange Sanches, Manuela Tomei, Laura Addati, Naomi Cassirer, Daniela Bertino and María José Chamorro from ILO and Marcela Ríos, Neus Bernabeu, Rosalía Camacho, Rosibel Gómez, Alejandra Iervolino, María Rosa Renzí, Olimpia Torres and Virginia Varela from UNDP.

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Finally, this report being a joint effort by the ILO and the UNDP, it reflects a strong conviction: as all major undertaking, it requires that perspectives and capacities are added and synthesized. This report is a contribution in that direction. We hope that it may contribute towards generating further reflection, discussion and action regarding an issue that certainly deserves a relevant position on the regional agenda.

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Introduction

Overcoming all forms of discrimination and promoting the kind of growth necessary to foster human development and decent work are crucial to reducing poverty, improving women's autonomy, strengthening democracy and achieving the Millennium Development Goals (MDG).

As a region, Latin America and the Caribbean face a paradigm change, a result of the growing diversity of family organizations, the transformation of gender roles and the increasing proportion of women joining the labour market. For most of the 20th century, productive and reproductive work were organized according to rigid gender roles that have become inappropriate in today's world. As a result, the interplay between work and family – both central to people's lives – has also changed, radically. This has brought enormous tension, pulled even tauter by how work is presently organised.

This tension entails a high cost not only to women and those to whom they provide care (children, the elderly, and the handicapped), but also in terms of economic growth, the proper functioning of the labour market, and companies' productivity. It reinforces socio-economic and gender inequalities: those with the most have more access to support services and quality care, and, as a result, enjoy better development opportunities. We cannot confront social exclusion, inequality and poverty without at the same time and with the same energy dealing with women's overload of work and their limited employment opportunities.

Prepared jointly by the International Labour Organisation (ILO) and the United Nations Development Programme (UNDP), this report addresses the challenges posed by social inclusion and makes policy recommendations regarding how to advance toward more decent work, from a human rights perspective. The current global economic crisis, combined with demographic changes throughout the region, have broadened the scope of this challenge. However, care activities and work-family reconciliation can become part of governments' response, within the framework of social dialogue and widespread citizen participation.

In Latin America and the Caribbean, the number of women active in the labour market rose from 32% in 1990 to 53% in 2008. Today, more than 100 million women

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throughout the region work, an unprecedented number. This massive influx of women into the labour market has significantly improved countries' ability to generate wealth, enhanced the wellbeing of households, and reduced poverty. It has coincided with profound changes in how work and production are organized. The growing integration of global markets involving trade, finance and information has brought with it opportunities for development, broadened the frontiers for the exchange of goods and services, and improved companies' competitiveness. The effects on human development, however, have been less than satisfactory, and very uneven among and within countries. Social exclusion has worsened and the gap between the formal global economy and informal local economies has widened. The precarious nature of work, labour mobility and a shortage of decent work have marked this process. In this context, women have won access to more, but not better, jobs. This is particularly true among those with lower incomes, who may be the object of double or even triple discrimination: because they are female, poor and of indigenous or African descent.

Changes in the organization of labour and production have increased the tension between work and family life. Men and women feel less confident they will earn enough to support themselves and their families, for many reasons. In the past 20 years, job turnover has risen, along with work-related demands. Social security coverage has fallen and there is less control over working hours. The percentage of the labour force protected by labour laws has also dropped, while seasonal jobs, short-term work, self-employment, underemployment, sub-contracting and informal employment have soared. Indeed, what was once considered "atypical" work, without normal job benefits, has become increasingly typical.

Aside from these changes throughout the region profound socio-demographic transformations have modified the way families are organized and shifted the delicate balance between the supply of and demand for care. Average families are smaller and traditional models have given way to alternatives, particularly dual-earner families and female-headed households. At the same time as the number of children declines, the presence of the elderly is increasing sharply.

There has been no significant shift, however, in the dominant view of social reproduction as a woman's responsibility, rather than a societal need.

Today, women and men both work, but there has been no similar process of change toward a redistribution of domestic workload. Nor have the public services that

support such duties improved significantly and there has been little change in how social life is organized.

Labour and social security legislation together with suitable policies can all contribute to reconciling work and family life. However, the region's existing legal frameworks are deficient in this regard. For one thing, implicitly or explicitly they tend to focus on very specific needs, mostly involving pregnancy and maternity, without considering family responsibilities of both mothers and fathers. Secondly, generally speaking, access to some measures and benefits (such as maternity leave) depends on the employer-employee relationship, thus making these programmes available only to women employed in the formal sector. This leads to widespread exclusion: of men in general, and of women in informal jobs, despite the fact that in many countries this is where most women work. Often these are also the poorest and those most in need of support. Thirdly, both evasion and lack of enforcement mean that existing laws are often not respected.

Altogether, these conditions have plunged traditional mechanisms for reconciling work and family into crises, with women bearing the brunt. This overload in terms of family responsibilities is at the root of much of the discrimination and limitations they experience in labour market, among them:

- More barriers to their entering the labour force, expressed in lower participation rates and higher unemployment rates;
- Fewer opportunities, as a result of segregation: women have access to a limited range of jobs and often face real restrictions on the likelihood of promotion;
- Lower income, the result of wage discrimination and women's work being undervalued;
- Higher levels of informality, expressed in women's disproportionate presence in the informal economy and in jobs offering no social protection.

The unequal distribution of reproductive work and the fact that women are, as a result, overloaded with caregiving responsibilities and domestic work also hurts families, as they find it harder to provide children, the elderly, and the sick with suitable care. Men are deprived of playing an active role in raising their children and caring for family members, thus reducing their emotional bonds and integral development, while children lack male role models as part of their everyday lives, thus hampering their development too.

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The crisis could worsen gender inequality, unless the relevant policies take this situation into account.

Furthermore, this waste of a significant part of the work force also hurts labour markets, business productivity and, ultimate, countries' economic development.

In the context of the current world economic crisis, women may emerge very seriously hurt. Estimates suggest that worldwide, 22 million women may lose their jobs. The crisis thus threatens progress achieved to date and could worsen gender inequality, unless the relevant policies take this situation into account. In other words, if creating a balance between work and family life was already central to decent work, in the context of today's crisis, whose full magnitude remains unknown, this challenge has become even more acute. Not only are tensions between family and work likely to worsen, but also the strategies to resolve these tensions can and must form part of measures applied to overcome the crisis.

The idea of a more proactive State ensuring people's welfare has recently gained strength. This is a good starting point for developing the policies necessary to reconcile work and family life, which, together with legislation, have a common objective: to make both spaces interact more freely.

Linking job creation to an increase in the supply of care offers several benefits. Aside from providing jobs and services needed by the community, this approach proposes a cultural transformation based on the idea that, far from being a family's or a woman's problem, caring for children, adolescents and the elderly is a social responsibility. Thus, the crisis can actually contribute to removing a major barrier to women's access to the labour market, providing more opportunities, capacity and freedom.

What we are proposing is that reconciling work, family and personal life by sharing responsibility for caregiving among men and women, and between States, markets and society, should mainstream government policies and social programs. The State must exercise more leadership in this sense, generating the institutions necessary to ensure that these public policies last. The short-term creation of decent employment should therefore be linked to medium-term effects on human development and gender equality.

Policies to reconcile work and family life, then, can follow traditional formats, in which the family's welfare is considered the domain of women, or can rise to the challenge of encompassing the reality of today's Latin American and Caribbean families, favouring a more seamless interface between work, family and domestic activities. To be more democratic and consistent with the principles of decent

work requires changing current sexual division of labour, which sustains the assignment of rigid gender roles and is based on inequalities between men and women. This sexual division of labour is widespread and, while it may be expressed differently from one country to the next (indeed, one society's "men's work" may be "women's" in another), the basic principle is the same: men's work is worth more than women's.

Achieving equality between men and women in the labour market and sustainable human development requires that both share domestic, as well as production-related work, and that society recognize the equal value of both to the general good. New, shared roles benefit men and women, as well as society overall. State initiatives and how companies' manage labour and working time of both male and female workers are central to policies that promote reconciliation and social co-responsibility for caregiving.

It is important, therefore, to push for more equity and democratization of tasks, when designing and implementing measures to reconcile work and family. Societies must guarantee both men's and women's right to paid employment without having to sacrifice their family life. An agenda in this sense, which seeks to achieve reconciliation with social co-responsibility, must also ensure that men and women have more freedom to choose how their will combine work and family life.

This report is, then, a reference point for reversing one of the major inequalities of our time, the fact that women's contribution to society receives no equivalent retribution. This study from Latin America and the Caribbean analyzes the problem and presents a set of measures that altogether can offer some solutions and radically transform our region's reality in a way that is crucial to individual lives, in the delicate balance between work and family obligations.

The report starts by discussing the idea of decent work. Chapter 1 examines the international framework of guidelines and principles reflected in ILO standards, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Millennium Development Goals. It also discusses the role of the State, employers' and workers' organizations, and civil society organizations in this regard.

In Chapter 2 we analyze the sweeping transformations that have brought a growing imbalance between work and family life. We also look at how women's rising labour

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force participation and changes in the organization of work, family structures and social values have placed new demands on caregiving activities. By examining the time use of men and women and cultural constructions regarding women's paid work, we demonstrate the profound contradictions and tensions that have arisen from these transformations, and how they especially affect women and low-income families. Strategies to reconcile work and family life fall within the private domain: they remain the responsibility of families and, within them, of women. As one example of extreme tension in this regard, we examine the case of the families of migrant workers.

In Chapter 3, we look at how governments in Latin American and the Caribbean are grappling with these tensions. We discuss the legal and policy frameworks governing the interaction between family and work and identify important gaps and institutional weaknesses, whose social and economic costs are high. We also consider how social security systems can address these tensions between work and family.

The last section of this report provides public policy proposals and recommendations for how different social actors can respond to promote a better balance between work and family life, incorporating a gender perspective. As discussed, no single intervention will, on its own, be sufficient. Only by combining a wide range of measures will Latin America and the Caribbean be able to achieve co-responsibility for caregiving and through it, the full exercise of social and economic rights by both men and women, on equal terms.

Decent work and **family** responsibilities
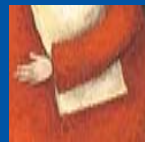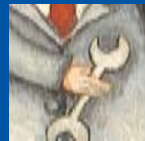
Decent work has become widely recognized as a broad goal that offers a practical approach to achieving economic growth, social progress and environmental protection at the same time as it allows all men and women to participate in production in conditions of freedom, equity, security and dignity. It seeks, therefore, to find a balance between society's democratic aspirations, the State's regulatory role, the market's contribution to innovation and production, and the needs and aspirations of people, families and their communities.

This chapter examines the regulations and certain milestones that have marked the international labour and human development agenda in the last decades. International labour standards reflect the international consensus on how labour disputes should be settled and they arise from the identification of problems associated with the world of work that require regulatory intervention at the international level. These regulations, then, enshrine universally accepted principles and values, establish the accepted minimums and express people's aspirations regarding the quality of both work and life itself.

International labour standards include conventions (international treaties that, once ratified, are legally binding) and recommendations (non-binding guidelines). Some of them deal specifically with the main issue of this report: the relationship between work and family life. Indeed, this chapter refers to ILO Maternity Protection Convention (No. 183) and its complementary Recommendation No. 191, and the Workers with Family Responsibilities Convention, No. 156 and Recommendation No. 165. The other core conventions relevant to gender equality are the Equal Remuneration Convention (No. 100) and the Discrimination (Employment and Occupation) Convention (No. 111).

Progress toward decent work comes not only from within the world of work, but also from value-based and/or regulatory frameworks that recognize and guarantee gender equality. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), drawn up in 1979 and ratified by 32 countries in Latin America and the Caribbean, has been a crucial milestone in this sense.

By accepting these guidelines, States commit themselves to promote certain policies and directions. These guidelines also attempt to create the framework necessary to support efforts by other actors, such as trade unions, employers' and civil society organizations. Ultimately, the main purpose of decent work, improving the quality of life of men and women in any given society depends on everyone.

Decent work and **ILO** conventions

The Decent Work Agenda is organized around four complementary strategic goals: quality employment, social protection, labour rights and better representation of all those who work. The goal of employment is important as a means to obtain an income and earn a decent livelihood. Social security offers those who are employed the peace of mind they need to do their jobs well and gives those who are unemployed or cannot work the protection necessary to maintain a decent life. Labour rights improve working conditions and reduce discrimination, thereby increasing the possibility of achieving work for all. Dialogue is important in its own right and as an instrument for dealing with additional challenges (Box 1).

The ILO considers social justice essential to universal and lasting peace, and it sees economic growth as essential but not sufficient to ensure equity, social progress and the eradication of poverty. It also stresses the need to promote strong social policies that ensure these four basic rights:

   a) freedom of association and the effective recognition of the right to collective bargaining;
   b) the elimination of all forms of forced or compulsory labour;
   c) the effective abolition of child labour; and
   d) the elimination of discrimination in the context of employment, occupation and salary.

Simply by belonging to the ILO, member states are required to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions (whether or not they have ratified the relevant Conventions).[1]

The goal of promoting gender equality and women's autonomy has been expressly included in the ILO's work, and, as stated in the Hemispheric Agenda for Decent Work in the Americas 2006-2015,[2] it constitutes one of the main challenges faced by the region in its efforts to achieve decent work.

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1   ILO Declaration on Fundamental Principles and Rights at Work and its follow-up: http://www.ilo.org/declaration/thedeclaration/textdeclaration/lang--en/index.htm.
2   http://www.oit.org.pe/WDMS/bib/publ/memorias_dg/informe_dg_xvi-2006_eng.pdf.

BOX 1

THE CONCEPT OF DECENT WORK

The International Labor Organization (ILO) introduced the concept of decent work in 1999, to sum up the aspirations of all men and women to enjoy equal access to work that is productive, in conditions of freedom, equality, security and dignity. It comprises both working and non-working spheres and bridges between work and society. Its main goal is to improve the living conditions for everyone in society.

- **Opportunities for work that is productive** refers to people's need to find employment that is productive and delivers a fair income, which ensures they and their families enjoy a decent quality of life.
- **Conditions of freedom** underlines the fact that people should freely choose their work and that participation in union activities is a right.
- **Conditions of equity** refers to the fact that workers should be treated in a fair and equal manner without discrimination, and that they must be able to reconcile work and family responsibilities.
- **Conditions of security** refers to the need to protect workers' health and provide them with pensions and appropriate social protection.
- **Conditions of human dignity** requires that all workers be treated with respect and be allowed to participate in decision-making about their working conditions.

Each of these elements within the concept of decent work has been subject of ILO recommendations and mandates since its foundation nine decades ago. The novelty of this concept lies in how it manages to encapsulate all the different dimensions of work within a single framework. This is, of course, a universal concept applicable to all workers.

Source: ILO (1999).

Since 1919, the International Labour Organization (ILO) has adopted 188 conventions and 199 recommendations covering an extensive list of topics applicable to both men and women. At first, the inclusion of gender issues in international conventions aimed to protect women in terms of their reproductive role and safeguard them from conditions considered inappropriate (e.g. working in mines). The next phase, however, was marked by the concept of "equal opportunities and non-discrimination". Proponents emphasized equality before the law, but also real and equal opportunities, conditions and results. A third stage, which introduced the idea of "men and women workers with family responsibilities" reflected recognition of the need to look at how both productive and reproductive work is organized and distributed throughout society.

Since its founding, then, the ILO has shown ongoing concern for **protecting maternity** and working mothers. At its inaugural session in 1919, the International Labour Conference adopted the Maternity Protection Convention (No. 3). This convention was revised in 1952, and Convention 103 was approved, together with

the Recommendation 95. This Convention provides legal protection to mothers and extends protection to all women working in manufacturing, non-manufacturing and agricultural occupations, as well as women wage earners working at home.

In the late 1990s, the Convention was revised again, to update it in a context of economic globalization, high unemployment and labour agreements not always favourable to workers, with Maternity Protection Convention 183 and Recommendation 191 passed in 2000. This new convention extended rights to all employed women, including those who perform atypical forms of dependent work. The convention has a double objective: to safeguard the health of women and their children during pregnancy and breastfeeding and protect mothers from job discrimination arising from their role as mothers, and thereby guarantee equal opportunities and treatment for male and female workers (Box 2).

The idea of "**family responsibilities**" is present in several ILO documents, but it became a specific concern as women moved into the labour market in the 1960s. In 1965, member states approved Recommendation 123 on the Employment of Women with Family Responsibilities. Although it focused on the problems they faced in attempting to reconcile family and work responsibilities, it did not question their greater workload at home, so focused mainly on supporting mechanisms.

In 1981, ILO members once again took up the issue and, as women had become increasingly active in the labour market, approved Convention No. 156 and Recommendation No. 165 (Box 3). Debate at this stage focused on: i) the multiple roles that women were performing, and ii) the need to address the specific problems of women workers within general efforts to improve working conditions. They also wanted to underline the right to work in a discrimination-free environment.

The debate emphasized that guaranteeing women equality of opportunity and treatment at work required changes in men's traditional roles, so women's growing presence in the workforce had to come with greater participation by men in family life and at home.

Convention 156 reflected the United Nations Decade for Women (1975-1985), encouraging policies that would help men and women achieve a more equal distribution of family responsibilities. Thus, measures for reconciling work and family had to be available to both men and women, thereby guaranteeing them the right to work, without their family responsibilities becoming an obstacle or a source of discrimination.

BOX 2

ILO MATERNITY PROTECTION CONVENTION (NO. 183) AND RECOMMENDATION (NO. 191)

Convention No. 183 includes a set of international provisions to ensure equality of opportunity and treatment for men and women workers. It considers protecting pregnancy a responsibility to be shared responsibility by government and society and includes five main components: maternity leave, employment protection, cash and medical benefits, health protection (from work that could be bad for mother or child's health) and breastfeeding.

The convention establishes that maternity leave should last at least 14 weeks and calls for six weeks of postnatal leave. It also establishes the right to additional leave in the event of illness or complications as a consequence of pregnancy or childbirth. Furthermore, it states that financial benefits during the leave shall not be less than two-thirds of the woman's previous earnings and should be financed through obligatory social security arrangements or through public funds.

The Convention prohibits the dismissal of pregnant women, those on maternity leave or those returning to work, except for reasons unrelated to pregnancy. It further guarantees the right to return to the same position or an equivalent position with the same pay. Furthermore, it prohibits discrimination due to maternity, including any attempt to require pregnancy tests as part of employment. The right to breaks for breastfeeding or a cut to total daily hours of work must be guaranteed.

Recommendation No. 191 proposes extending maternity leave to at least 18 weeks, its extension in the event of multiple childbirths, and access to the same rights and guarantees in cases of adoption. Additionally, in the case of the death of the mother, leave should accrue to the father. Moreover, either the mother or the father should be able to enjoy parental leave once maternity leave has ended.

Source: Convention 182 and Recommendation 191 in www.ilo.org

Attaining this goal is essential to eliminating the barriers that women face in entering and remaining in the labour market, since the burden of domestic work and family responsibilities limits their ability to work and their career path, particularly in the case of women from low-income households.

It is important to note how good intentions in this area can, in practice, reinforce the traditional distribution of family responsibilities and/or the discrimination against women in the labour market. Measures that exclude men from benefits associated with family responsibilities reinforce women's domestic role and the expectation that men will not to take up family responsibilities. Thus, Convention 156 encourages that benefits be available to both.

International regulations are adopted in a tripartite manner (government, employers and workers). The countries that ratify a convention are required to include its provisions in national legislation and practice. Ratification is the first step toward

CONVENTION (NO. 156) ON WORKERS WITH FAMILY RESPONSIBILITIES, 1981, AND RECOMMENDATION (NO. 165)

Convention 156 defines equal opportunities and conditions for men and women workers. It acknowledges the special needs and problems that workers with family responsibilities face, defining these as men and women responsible for dependent children and other family members, who clearly need their care or support "where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity".

This convention establishes each Member State's obligation to include among its national policy aims the goal of enabling people with family responsibilities to exercise their right to work, without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities. Moreover, it requires measures that guarantee free choice of employment and access to training, allowing these workers to enter and remain in the labour force, and to re-enter it after leave taken to assume family responsibilities. It establishes the need for local and regional planning measures that consider the needs of this group of workers, and develop community services, both public and private, to assist infants and their families.

Finally, it clearly states that family responsibilities do not constitute cause for termination of employment. This especially favours women, since they usually face greater work-related difficulties and insecurity due to the burden of domestic work and family responsibilities.

Recommendation 165 specifies support measures to enable workers with family responsibilities to become and remain integrated in the labour force, as well as re-enter after an absence due to those responsibilities. It recommends measures to improve work conditions and quality of life, such as shorter hours of work and more flexible hours. It also suggests more flexible arrangements for working schedules, that take into account the needs of part-time, temporary and homeworkers.

It also recommends expanding child-care and family services, according to statistics and surveys to identify the needs and preferences of workers with family responsibilities. Plans should be developed systematically to facilitate the organization of suitable means and services, available free of charge or at a reasonable cost, in response to the needs of workers and their dependants.

This recommendation assumes that both men and women are responsible for their children and therefore proposes that both have the right to parental leave once post-natal leave ends. It also establishes that either men or women should have leave in the case of the illness of a child or another direct family member.

Source: Convention 183 and Recommendation 191 in www.ilo.org

applying the principles covered by a specific regulation in the daily life of workers and their families. Political actors and social organizations play a central role in this process, both to achieve ratification and to promote its full implementation through complementary strategies, which typically involve:

BOX 4

SOCIAL PARTICIPATION IN RATIFYING CONVENTION NO. 156 IN PARAGUAY

Just eight months after members received the draft law, Paraguay's national parliament approved Convention No.156, thanks to active advocacy from a wide range of social actors. A Tripartite Commission for Equality of Opportunities (*Comisión Tripartita de Igualdad de Oportunidades*) led the process, providing technical assistance while the bill was being drafted and developing a highly effective lobby strategy. The Commission also ran an information and awareness-raising campaign aimed at business and trade union leaders, public opinion and the media, to build support and commitment. Representatives of government, employers and workers, all commission members, worked together, partnering across the whole political spectrum, and closely monitoring parliamentary debate, during the ratification process. The Senate held a public hearing, during which representatives of worker, employer and civil society organizations debated the importance of ratifying the convention to advance gender equality with members of parliament and government authorities. The result was a unanimous vote for ratification, followed by the Vice Minister for Employment starting implementation through several different initiatives.

> Measures that exclude men from benefits associated with family responsibilities reinforce women's domestic role and the expectation that men will not to take up family responsibilities.

- Including the relevant regulations in national legislation, through new laws or amendments to existing ones, or by harmonizing national legislation with the convention's main principles, if these are broad and relevant to multiple aspects of labour legislation;
- Applying these standards in national policy reviews, and the design and implementation of new policies;
- Ensuring that the judicial system and specific institutions involved in resolving labour disputes apply these standards and principles;
- Including these considerations within labour inspection and mediation mechanisms, to promote and monitor application of new legal requirements in the workplace;
- Collective bargaining, which plays an important role in ensuring the law is actively applied, by supporting its provisions, reinforcing implementation, and promoting agreements on issues still to be covered by law, thus opening the way for new legislation;
- Companies' voluntarily apply principles and standards that have yet to be incorporated into national legislation.

BOX 5

LATIN AMERICA AND THE CARIBBEAN: RATIFICATION STATUS - CONVENTIONS 103, 183 & 156

	Convention 103 on maternity protection, 1952	Convention 183 on maternity protection, 2000	Convention 156 on workers with family responsabilities, 1981
Antigua and Barbuda	No	No	No
Argentina	No	No	Yes (1988)
Bahamas	Yes (2001)	No	No
Barbados	No	No	No
Belize	Yes (2000, denounced)	Yes (2005)	Yes (1999)
Bolivia	Yes (/1973)	No	Yes (1998)
Brazil	Yes (1965)	No	No
Chile	Yes (1994)	No	Yes (1994)
Colombia	No	No	No
Costa Rica	No	No	No
Cuba	Yes (1954, denounced)	Yes (2004)	No
Dominica	No	No	No
Dominican Republic	No	No	No
Ecuador	Yes (1962)	No	No
El Salvador	No	No	Yes (2000)
Grenada	No	No	No
Guatemala	Yes (1989)	No	Yes (1994)
Guyana	No	No	No
Haiti	No	No	No
Honduras	No	No	No
Jamaica	No	No	No
Mexico	No	No	No
Nicaragua	No	No	No
Panama	No	No	No
Paraguay	No	No	Yes (2007)
Peru	No	No	Yes (1986)
St. Kitts and Nevis	No	No	No
St. Lucia	No	No	No
St. Vincent and the Grenadines	No	No	No
Surinam	No	No	No
Trinidad and Tobago	No	No	No
Uruguay	Yes (1954)	No	Yes (1989)
Bolivarian Rep. of Venezuela	Yes (1982, denounced)	No	Yes (1984)

The global agenda for
gender **equality**

Progress toward decent work comes from efforts in the world of work, but also thanks to value and regulatory frameworks that acknowledge and guarantee gender equality.

International commitments on gender equality became binding on national laws in 1979, with the approval of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). Ratified by 32 countries in Latin America and the Caribbean, CEDAW includes specific measures to eliminate employment discrimination. Article 11 describes initiatives to make the right to work an inalienable human right and outlining equal employment opportunities, which include the right to training, equality in selection criteria, and the whole range of rights associated with decent work in general.

CEDAW also considers the concept of "family responsibilities", calling for the provision of social services to help parents combine family obligations with work responsibilities and participation in public life. This notion is spelt out later in ILO Convention 156. Furthermore, it underlines the importance of preventing discrimination against women over marriage or maternity, and guarantees their right to work. As a result, it requires measures that prevent dismissal for reasons deriving from pregnancy, maternity leave or marital status. The Convention also requires paid maternity leave and special protection for pregnant workers in jobs that may be hazardous to them or their babies. Moreover, it proposes that service networks should ensure that childcare is provided.

CEDAW kicked off a series of international conferences on women's rights. On the global scale, three landmark events of particular relevance to reaching the goal of gender equality included:

1) The World Conference on Women, held in Copenhagen in 1980, during the United Nations Decade for Women, underlined the importance of women's role in both production and reproduction.
2) The World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held in Nairobi in 1985, approved concrete recommendations on how

to advance toward greater equity between men and women, amidst widespread recognition that women's equality, far from an isolated issue, touches on all spheres of human activity.

3) The Beijing Declaration and Platform for Action, passed by the Fourth World Conference on Women (1995) highlighted the importance of tackling the unequal distribution of paid and unpaid work between men and women, as an essential step toward achieving gender equality (see Box 6).

As early as 1995, the UNDP Human Development Report, "The Revolution for Gender Equality," addressed the importance of women's work as an economic contribution to their families and communities. The Report noted the fact that women bear a greater total workload (paid or unpaid), but this has not brought equivalent remuneration or social recognition (UNDP, 1995). Four years later, the 1999 Human Development Report examined the role of care and caring labour within the global economy, noting that ensuring the supply of care – and assistance – oriented services to families, the community, the State and the market is an essential task within human development, and one that requires an equitable and egalitarian distribution among men and women, to understand the workload and expenses associated with caregiving (UNDP, 1999). This report called for society as a whole to create alternatives able to meet needs for care, capable of balancing individual rights and the social responsibilities inherent in care and nurturing.

The Millennium Declaration signed by 189 countries in September of 2000, also examines the issue of gender equality. It defines eight Millennium Development Goals (MDG) within a global development program that calls for a major, qualitative change in the living conditions of millions of people through genuine commitment, by 2015. Gender equality is not only an objective in its own right, but also essential to achieving the other seven MDGs. Thus, paragraph 20 explicitly states countries' commitment before the United Nations to "To promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable."

The way this goal is enunciated recognizes that only inasmuch as the special needs and realities of men and women are taken into account, will progress toward reducing alarming levels of inequality become possible, making this an essential condition for policy effectiveness. Without effective policies for infrastructure and caregiving support that involve men, the State and private companies with equal responsibilities, women's autonomy will remain purely theoretical.

Only inasmuch as the special needs and realities of men and women are taken into account, will progress toward reducing alarming levels of inequality become possible.

BOX 6

THE BEIJING PLATFORM FOR ACTION ON HOW TO RECONCILE WORK AND FAMILY RESPONSIBILITIES

Strategic objective F.6 in the Beijing Platform for Action calls on governments to promote harmonization of work and family responsibilities for women and men. For this purpose, governments should:

a) Adopt policies to ensure the appropriate protection of labour laws and social security benefits for part-time, temporary, seasonal and home-based workers; promote career development based on work conditions that harmonize work and family responsibilities;

b) Ensure that women and men can freely choose between full- and part-time work on an equal basis, and consider appropriate protection for atypical workers in terms of access to employment, working conditions, and social security;

c) Ensure, through legislation, incentives and/or encouragement, opportunities for women and men to take job-protected parental leave and to have parental benefits. Promote the equal sharing of responsibilities for the family by men and women, including, through appropriate legislation, incentives and/or encouragement, the facilitation of breastfeeding for working mothers;

d) Develop policies, inter alia, in education to change attitudes that reinforce the division of labour based on gender in order to promote the concept of shared family responsibility for work in the home, particularly in relation to children and elder care;

e) Improve the development of, and access to, technologies that facilitate occupational as well as domestic work, encourage self-support, generate income, transform gender-prescribed roles within the productive process and enable women to move out of low-paying jobs;

f) Examine a range of policies and programmes, including social security legislation and taxation systems, in accordance with national priorities and policies, to determine how to promote gender equality and flexibility in the way people divide their time between and derive benefits from education and training, paid employment, family responsibilities, volunteer and other activities and to promote the benefits from these activities.

Likewise, the action platform calls for the private sector, non-governmental organizations and unions to apply measures regarding temporary leave, changes in hours of work, educational and informational campaigns, and the provision of services such as child care at the workplace and flexible working hours.

Source: http://www.un.org/womenwatch/daw/beijing/platform/economy.htm#object6

The Ministerial Declaration on the creation of employment and decent jobs, approved by the Economic and Social Council (ECOSOC) in 2006, also notes the importance of gender equality to the achievement of all of the Millennium Development Goals. Since ILO standards already included non-discrimination among principles and fundamental rights, this statement reinforced the importance of gender equality in the workplace, particularly as it relates to coordinating productive and reproductive obligations, under Convention 156.

On the regional level, the Tenth Regional Conference on Latin American and Caribbean Women (Quito, 2007) was a landmark event. There, delegates addressed issues fundamental to gender equality, particularly women's contribution to the economy and social protection, and especially their unpaid work. In the Quito Consensus, governments committed to adopt measures of co-responsibility for work and family life, applying equally to women and men, and to recognize the value of unpaid work and its contribution to the family welfare and countries' economic development. They acknowledged the need for States to assume responsibility for social reproduction, care giving and the population's welfare as an economic goal and an inalienable public duty (ECLAC, 2007a).

In the Quito Consensus, governments committed to adopt measures of co-responsibility for work and family life and to recognize the value of unpaid work.

Responsibility of the State and **society**

Progress toward decent work has been based on social dialogue. The greater the tensions faced, the more important dialogue becomes. In the world of work, this directly involves the State, employers organizations and trade unions. Furthermore, under certain conditions and for specific goals, it can also involve other civil society organizations such as women's groups.

WORK- AND FAMILY-ORIENTED PUBLIC POLICIES

States are responsible for protecting and promoting the rights of all citizens. In the region, the list of problems that cry out for solutions includes the need to overcome the hurdles women face in the labour market, to improve the quality of jobs for those working in the informal economy, and to successfully resolve the crisis apparent in social protection systems. Central to all this is making the necessary infrastructure for care available to all, regardless of the kind of work they do, as part of making social policies truly universal. State intervention cannot be limited to implementing specific policies for reconciling these different needs. Success requires a broader approach that works through the social protection system, the tax structure and the way public agencies structure their services to citizens.

The need to safeguard citizens' right to daily interaction with their families, which must not be sacrificed due to an excessive work schedule, has become increasingly obvious. Similarly, the right of mothers to enter and remain in the labour force, of father's to participate in family life and care giving, of children to receive care and education, and of adults and other dependents to remain within the family if they so desire, all require protection and guarantees. The private sector alone cannot resolve these issues. The new interface between productive and reproductive work includes needs for which the State should provide a solution, either through the direct provision of services, or through systems to guarantee their provision by the private sector.

The State is responsible for ensuring that society functions as it should and that citizens can fully exercise their rights. It plays a significant role when it comes to

THE HUMAN RIGHTS APPROACH

The "human rights approach" uses human rights as its conceptual framework, applying it to development policies in terms of defining the State's obligations, specifically what it must do to achieve the full realization of civil, political, economic, social and cultural rights (often abbreviated to DESC in Spanish). In this approach, human rights are defined and applied to guide and inform state-level public policies.

The human rights approach starts by recognizing that to empower the excluded, society must recognize they have rights that the State must uphold. This shifts the focus of policy creation processes away from "the needy", toward recognition of people as subjects with the right to demand specific services and conduct. Actions, then, become more than the mere fulfilment of moral or political obligations, but rather essential to full compliance with human rights treaties, in their legal, moral and obligatory dimensions.

Source: Abramovich (2006), Abramovich and Pautassi (2006)

distributing tasks throughout society, since public policies, institutions and the State's symbolic production reproduce specific ways of distributing productive and reproductive work among men and women. Initiatives to evaluate the undesirable effects of State intervention on the distribution of reproductive work and to support the reconciliation of work and family help women participate more fully in the work force, improve their performance in paid jobs, and contribute to productive development.

What the exact role of the State should be when it comes to work and family is often the subject of debate. Opinions range widely, from those who believe it is the main entity responsible for regulating and providing support services, through those who consider this a private affair to be handled solely by families, with some support from the market and minimal State intervention.

Those who argue the State's role should be minimal speak of the burden of high costs associated with such services. They also fear that this would reduce competition, because it would involve additional expenses for private firms. They also assume that supportive family networks can best resolve issues associated with the care of children and others in need. This view, however, is unsustainable, as non-intervention on the part of governments involves high costs to society and tends to perpetuate inequalities (Hein, 2005). Moreover, the minimalist approach assumes the State is neutral, another belief that has proven erroneous. It is therefore essential for economic, social and anti-poverty policies to change

Non-intervention on the part of governments involves high costs to society and tends to perpetuate inequalities.

to encourage co-responsibility in reconciling family and work, and promoting women's autonomy.

Policy design for this purpose faces a double challenge: it questions traditional social views on how reproductive tasks and caring activities should be distributed across the labour force and families, the market and the State, and at the same time it challenges the traditional distribution of family responsibilities and domestic work among men and women. This means that for policies in this area to last, they must be based on co-responsibility.

NEW PERSPECTIVES FROM PRIVATE SECTOR

Internationally, employer organizations have made a solid contribution to improving gender equality in the workplace. In a context of growing commitment to gender equality, employers can make major contributions and obtain substantial benefits, especially if they adopt a proactive focus (ILO, 2008b). Voluntary adoption of principles and measures (for example, codes of best practices) has become widespread, with good results. When employers also act through their organizations, they often influence reforms in ways beneficial to themselves and society at large.

In this sense, the ILO Bureau for Employers' Activities (ACT/EMP) has developed several initiatives in response to members' needs, to provide information on their legal obligations and assist in compliance. As described in the report, "Equality at work: Tackling the Challenges" (ILO, 2007a), a growing number of employers has developed guidelines and toolkits to help member companies develop plans for ensuring equal opportunities. The International Organisation of Employers (IOE), in turn, stresses the importance of supporting the inclusion of women in the workplace through "family friendly" policies (IOE, 2008).

Measures applied in the workplace can be critical for workers to reconcile work and family responsibilities. Worldwide, people are watching how companies may outperform basic legal requirements to improve attitudes to work and thus boost productivity. These kinds of measures help to retain talented employees, improving continuity and motivation. In Latin America, companies are just starting to pay attention, and several multinationals have pioneered the use of measures that go beyond current laws. While all production levels face these challenges, large enterprises have outperformed the small and medium-sized businesses most common throughout the region.

Business organizations' attitudes vary widely. While in some countries they are deeply committed, in others they are just getting started. Many difficulties persist, particularly the generalized view that these measures involve costly new benefits. Because there is little awareness of the benefits accruing to companies themselves, these are not perceived as investments. Nor has this been a priority within the demands from workers to date, so even if the policies exist to handle problems associated with harmonizing work and family responsibilities, workers themselves may not be aware that these can be resolved at the company level.

Despite the diverse opinions on reconciling work and family, there is some common ground in terms of: i) awareness of the importance of human resources to the solid functioning of companies; ii) awareness of the importance of family in itself, without linking it to productivity, although more in terms of its value when it supports the company; iii) the perception that these measures provide good results, based not on specific studies of production impacts, but more as the logical outcome of these sorts of measures.

Currently, however, the measures that companies are applying in this region do not follow a unique model of reconciling work and family life. Rather they reflect practices based on different origins and characteristics, including the drive to make scheduling and vacations more flexible, or to provide family leave for emergencies. Where childcare is not required by law, for example, it remains uncommon.

In any event, more and more companies believe these issues cannot be left solely to the private domain (between men and women), but require some collective responsibility and that companies can play a role that in the long run will benefit them.

UNIONS, RIGHTS AND WORK-FAMILY RECONCILIATION

The purpose of labour organizations is to protect and improve workers' economic and social conditions, through collective action. They must ensure that equal opportunities and conditions are both respected and promoted. As with employers' organizations, unions are responsible for identifying discriminatory practices and dealing with them, starting with their own organizations (ILO, 2008a).

As women's participation in paid employment has grown, women and gender equality agendas have become more present in unions. Therefore, the issues

In a context of growing commitment to gender equality, employers can make major contributions and obtain substantial benefits, especially if they adopt a proactive focus .

Despite the challenges to collective bargaining processes in several countries, more concern for women workers and the promotion of gender equality has been the overall trend.

involved in reconciling work and family life are relevant to unions not only on their own, but also because of the rise in the number of families with two working parents (Hein 2005).

ILO Bureau for Workers' Activities (ACTRAV) has supported the region's union organizations to include gender equality in their ongoing strategies and actions. Despite the challenges to collective bargaining processes in several countries, more concern for women workers and the promotion of gender equality has been the overall trend. For unions, ILO conventions have become a key reference, since they are based on instruments that reaffirm the legitimacy of collective bargaining.

There has been significant progress: Working women's units have become part of many union structures and the movement has created training opportunities, hosted debates and run programs and projects with a gender focus. Unions have also reformed their own statutes, to create quotas to ensure women's participation in decision-making and union representation, and they have set up women's commissions and committees that appoint representatives to the executives and boards of unions themselves (Rodriguez, 2006)

Workers organizations play an active role in reconciling work and family life, which also reinforces these kinds of policies and their support among working people.

THE CONTRIBUTION FROM COLLECTIVE BARGAINING

Collective bargaining has proven itself a crucial tool for reinforcing legal rights, advancing toward gender equality and reconciling work and family life. Although gender issues are relatively new, they are highly relevant to working life, a six-country ILO report for the region (Abramo and Rangel, 2005) reveals. Indeed, collective bargaining process is a tool for moving beyond the rights and benefits already guaranteed by law.

At present, the legal frameworks in most Latin American countries comply with core standards in ILO conventions for maternity protection, and collective bargaining has been a powerful instrument in achieving these gains. As the Abramo and Rangel report shows, almost 91% of gender specific clauses deal with protecting maternity and/or family responsibilities. Just over half (55%) go beyond minimum legal requirements, while the remaining 45% simply specify rights already covered by law.

UNIONS' ROLE IN RECONCILING WORK AND FAMILY LIFE IN THE CARIBBEAN

Unions in the Caribbean have reached agreements that go beyond legal requirements, in terms of lengthening maternity leave. In Trinidad and Tobago, for instance, the Banking, Insurance and General Worker's Union (BIGWU), which represents primarily women workers from over 60 companies, has negotiated a 14-week leave in about 75% of collective agreements (one week more than required by law); and in the case of one insurance company, 16 weeks.

In the English-speaking Caribbean, there are no laws regarding paternity leave, but several unions have nonetheless achieved leaves of this kind, ranging from two days to two weeks, in some companies in both Antigua and Barbuda. In Barbados, collective agreements have achieved five-day paternity leaves in about 15 cases. Again, Trinidad and Tobago's BIGWU has won a three-day paternity leave in 75% of its collective agreements, five days in 25% of cases. Among BIGWU's other achievements is the provision for one day off per child per year, for school visits, available to men and women workers.

This progress reflects unions' concern about the difficulties men and women workers endure every day, due to the conflict between the work and family life. They use ILO conventions 156 and 183 as key negotiating tools.

Source: Gaietry Pargass Study made for this report.

Several factors have hindered further progress. They include the general weakening of collective bargaining in the region during the 1990s, problems in applying and enforcing labour laws, women's underrepresentation in negotiations, and the low proportion of women among union leaders and on other negotiating bodies.[3] In other words, women still have to deal with what is called "the glass ceiling", referring to, mechanisms that hinder their presence and participation on equal terms with men.

One remaining challenge is to ensure that the solutions developed are available to both men and women, since these are often still considered the sole responsibility of women.

SOCIETY'S ESSENTIAL ROLE

Civil society and its many organizations, especially women's organizations, have played an important role in eliminating discrimination and moving toward full

> Collective bargaining has proven itself a crucial tool for reinforcing legal rights, advancing toward gender equality and reconciling work and family life.

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3   For example, during the last round of collective bargaining in Uruguay, women participated in just eight of 21 groups, with 13 (15.6%) of a total 84 delegates.

COLLECTIVE BARGAINING PROGRESS IN MATERNITY PROTECTIONAND FAMILY RESPONSIBILITIES (1996-2001)

a. Pregnancy
- Extension of the period during which pregnant women cannot be dismissed (Brazil)
- Shorter working hours for pregnant women (Brazil)
- Prenatal leave (Brazil)
- Leave and protection from dismissal in the event of spontaneous abortion (Brazil).

b. Maternity leave
- Payment of a complementary wage (Paraguay) and guaranteed full wages during maternity leave (Uruguay)
- Maternity leave extended for up to 36 days beyond the legal minimum (Paraguay)
- Maternity leave in case of still-born child (Argentina)
- Longer maternity leave in the event of multiple births or children born with disabilities (Argentina).

c. Breastfeeding
- Longer hours for breastfeeding during the working day (Argentina, Paraguay, Uruguay)
- Longer hours for breastfeeding (Brazil, Uruguay).

d. Childcare
- Leave to be with children due to health or educational issues (Brazil)
- Leave of up to four hours per day in the event of illness of an infant (less than 12 months old, Chile)
- Duration of child care services extended (Brazil and Paraguay).

e. Paternity
- Paternity leave legally recognized (Uruguay, Venezuela)
- Paternity leave lengthened (Brazil, Chile, Paraguay)
- Fathers protected from dismissal related to a child's birth (Brazil)
- Fathers have the right to child care (Brazil).

f. Adoption
- Rights extended to cover adopting parents (Brazil, Paraguay)

g. Family responsibilities
- Leave provided in the event of serious illness of a close relative (Chile, Paraguay)

Source: Abramo and Rangel, 2005.

citizenship for women. Increasingly, they also lead efforts to ensure that the issues involved in work-family reconciliation and social co-responsibility is present in public debate. This was evident in the role that civil society organizations played during the Tenth Regional Women's Conference (Quito, 2007).

Several factors have stimulated concern for these issues. Many organizations have contributed both analysis and recommendations on how to reconcile work and family life, at the same time as several pioneering studies have been published in the region, by the United Nations Population Fund (UNFPA), the UN Development Fund for Women (UNIFEM) and the Spanish agency for international cooperation (AECI).

It is women's organizations however, that must lead efforts to take reconciling work and family life through social co-responsibility off the agenda and into the real world, as a crucial goal of public policy. They can bring it into the public eye, by placing it high on their own and others' agendas, putting forth proposals that support gender equality. They also have a role to play in finding solutions that are more collective in nature and not only private. Their involvement in this process will help to connect actions and interests and build alliances with government, private firms and unions.
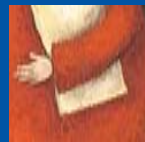
Aside from women's organizations, Latin America and the Caribbean have solid social networks that care for infants, the elderly, and the disabled, and in general, promote human development for different groups within society. One challenge is to connect the efforts of different agents and organizations to both underline the importance of this issue in the public agenda and demand and monitor compliance with policies and conventions. Above all, government-sponsored agreements on decent work and gender equality offer tools that society as a whole can use. Ultimately, every one depends on employment directly or indirectly, and suffers the consequences of living with enormous inequalities.

Women's organizations must lead efforts to take reconciling work and family life through social co-responsibility a crucial goal of public policy.

Tension and **change**: Work and family in the 21st century

For most of the 20th century, work and family life were organized around a traditional family model, in which men headed the household, working for a family wage to support the whole family group, while women ran the household and cared for children, receiving no pay.

This structure was founded on a series of assumptions: that men would work full-time throughout their lives and that women would spend most of their time in the home, focusing on family care. When women worked outside the home, their labour was considered secondary and their income a mere supplement to the husband's wages.

This kind of household also assumed a two-parent family with a lasting marriage, for which women gave up any idea of financial independence. To a large degree, their sustenance and social protection depended on the rights accruing to their husbands.

This model no longer holds for family or social life in Latin America and the Caribbean. In recent decades, both have undergone profound social and economic changes, which have also reshaped both families and work.

So what happened? Family structures changed. The extended family, in which numerous members including parents and grandparents lived together, began to fade, while the number of single-parent families rose, leaving many households with no one available to work fulltime on caring and other reproductive duties. Demographic changes have also become evident as the population ages, placing new demands on care. The labour market changed too, offering less job security and becoming more informal, leaving workers with less control over the intensity and duration of their working hours. Finally, society itself and the forces that drive it also changed: women now have more education and value their independence, while young men's expectations are different from those of their fathers and grandfathers, particularly when it comes to their role in the family.

The pressures on all workers from the collision between these two worlds are already enormous, but for women they are particularly complex, as women do most of the housework and at the same time, for a variety of reasons, are poorly paid and employed in precarious jobs.

As mentioned, both families and their source of income have changed, but another significant process is missing: cultural transformation. Time management surveys

report that despite the fact that more women have paid jobs, they still do most of the housework. This reveals that men have not picked up the slack.

This cultural problem is not solely about men. How society works in general, with its unwritten rules, institutions and schedules, continues to assume that someone is still working fulltime on family care. This affects women in particular – they see limited work possibilities and face extenuating working hours, while it is women from the lowest income segments who spend the most time on housework. Thus, how people use their time reproduces the socio-economic and gender inequalities typical of this region.

The last section of this chapter discusses women's migration. This issue provides what is probably the most eloquent example of the enormous challenges facing the region's governments when they try to support efforts by families and workers to deal with multiple demands, such as the need to earn more, obtain more education for their children and care for the elderly.

Migration flows from Latin America and the Caribbean are in an increasing proportion constituted by women. Their migration brings into being endless chains of caring activities handled by mothers, sisters and grandmothers who remain in the country of origin. These women fill huge vacuums both in the countries to which they move to and in their home countries, subsidizing the economy through their work, at an enormous cost to themselves and their families.

Women's participation, autonomy and **welfare** in Latin America and the Caribbean

More than one hundred million women are active in the labour market.

The increase in women's economic participation was one of the most significant changes in the 20th century. Aside from the importance of the right to work as a source of self-sufficiency and personal fulfilment, one of the main reasons for this shift was the growing significance of women's income to family sustenance. Their contribution has become essential to covering basic needs and reducing or avoiding poverty.

MORE WOMEN IN THE LABOUR MARKET

In Latin America and the Caribbean, more than one hundred million women are active in the labour market (ECLAC, 2008). On average, this comes to five out of every ten women of working age. For women from 20 to 40 years of age, that is, those of childbearing age, this rises to seven out of ten (70%, Figure 1).

FIGURE 1
LATIN AMERICA AND THE CARIBBEAN: EMPLOYMENT RATE BY SEX, 2007

Source: ECLAC (2008a).   ■ Men   ■ Women   — Average, women (Latin America)
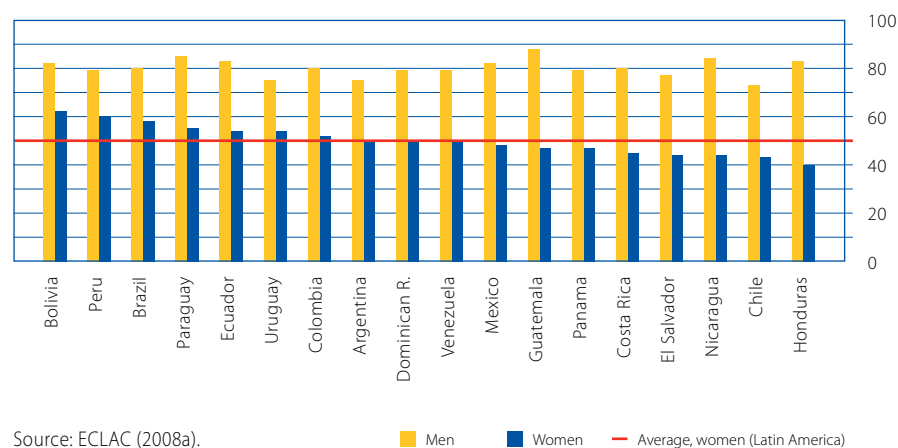
FIGURE 2
LATIN AMERICA AND THE CARIBBEAN: EVOLUTION OF EMPLOYMENT RATES BY SEX, 1990-2006

Source: ECLAC, and ILO based on special tabulations of household surveys in each country.
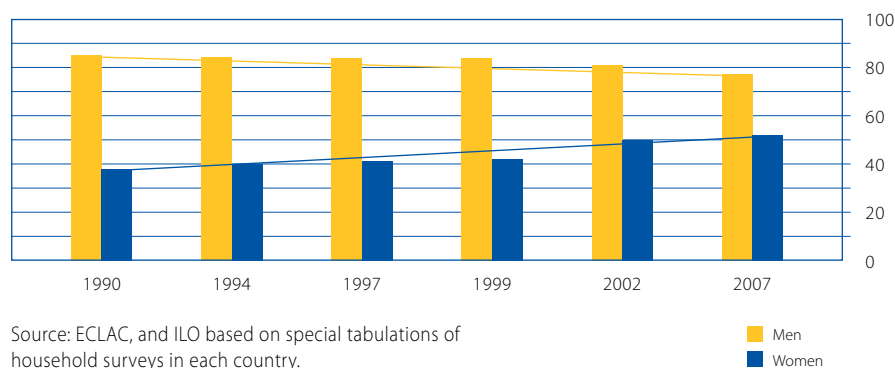
Women have steadily joined the labour market over the past 20 years. As women's participation in economic life rose, men's fell slightly, pushing down the gap between the two sexes. Nonetheless, although women today have more education than men, fewer women than men work, with the average gap for the region standing at 25 percentage points (see Figure 2).

One reason for this is that once the education cycle has been completed, men enter labour market and remain active until retirement, whereas women's employment depends on other factors. The presence of children or elderly persons in the household as well as marriage are factors that tend to keep women out of the labour force. Indeed, fewer married women work compared to those single, divorced or widowed. Several studies have shown that although getting married and starting a family pushes men's participation in the labour force up, the reverse holds true for women (CONAMU, 2006; Uribe-Echeverría, 2008). In short, for women, family responsibilities hamper or even block their participation in the labour force.

THE IMPORTANCE OF WOMEN'S WORK TO THEM AND THEIR FAMILIES

Today, income from both partners (and, in the case of the poorest groups, their children) is essential to guarantee families' welfare. Insufficient income reflects several factors: higher unemployment among men, more informal and vulnerable employment, and the resulting loss in purchasing power. Sometimes employment of both partners reflects changing patterns of consumption and lifestyles that create new needs.

Family responsibilities hamper or even block women's participation in the labour force.

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Around one-third of the region's households depend on a woman's income to survive, without help from a partner.

In Latin America and the Caribbean, income from working women clearly reduces poverty, as statistics show: in households where spouses do not have their own income, poverty is higher (Figure 3). According to estimates from the United Nations Economic Commission for Latin America and the Caribbean (ECLAC),[1] wives' contribution to household income significantly reduced poverty. Without their contribution, urban poverty would rise by ten and rural poverty by seven percentage points.

FIGURE 3
LATIN AMERICA AND THE CARIBBEAN (14 COUNTRIES): POVERTY IN TWO-PARENT FAMILIES WITH AND WITHOUT WIVES' CONTRIBUTION TO HOUSEHOLD INCOME. URBAN AND RURAL AREAS C. 2005 (PERCENTAGE OF POOR HOUSEHOLDS)
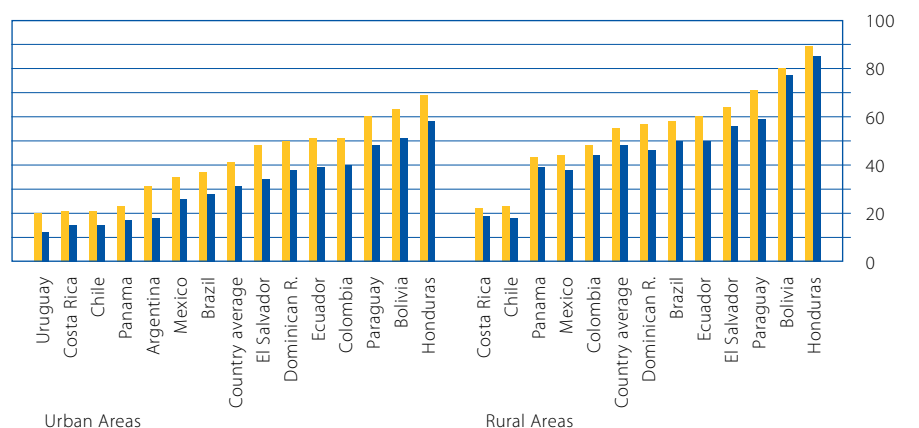
Source: ECLAC, Gender Affairs Department, using special tables from countries' household surveys.

Without wives' income
With wives' income

One factor that has increased this rise in women's participation rates has been the growing number of families headed by women. Around one-third of the region's households depend on a woman's income to survive, without help from a partner. Woman's paid employment is even more important after separation, if the man neglects his family responsibilities.

Economic growth and globalisation have also influenced women's participation rates. In recent decades, opportunities in the sectors where women typically predominate, such as sales and services, have risen.

1   Data from national household surveys, processed by the ECLAC Gender Affairs Department.

FIGURE 4

LATIN AMERICA AND THE CARIBBEAN: PARTICIPATION IN THE LABOUR FORCE OF WOMEN AGED 25-34 YEARS
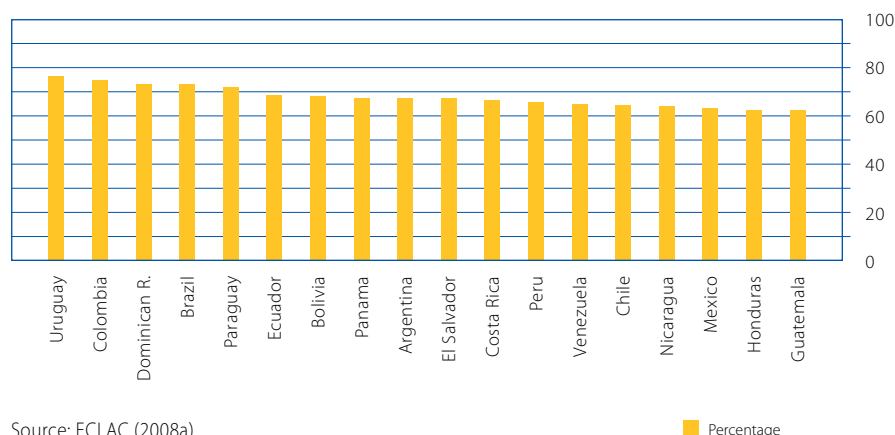
Source: ECLAC (2008a).

■ Percentage

FIGURE 5

LATIN AMERICA AND THE CARIBBEAN: PROJECTIONS MEN'S AND WOMEN'S PARTICIPATION IN THE LABOUR FORCE, 2010-2030 (PERCENTAGE)
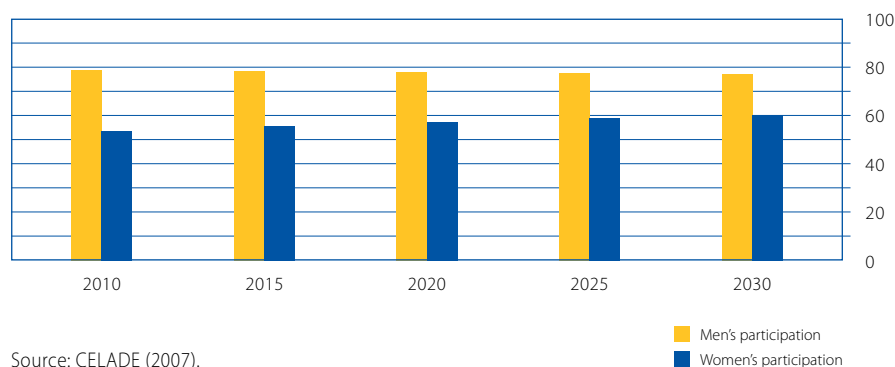
Source: CELADE (2007).

■ Men's participation
■ Women's participation

Work is not just a financial issue; it also provides an opportunity to meet social needs, develop self-esteem, and create personal space. Thus, the rise in women's labour force participation and the resulting personal income also benefit women directly, making them more independent, more satisfied with their lives, and better able to negotiate their interests within the family. Cultural elements, such as more widespread recognition of women's rights and stronger presence of women in public life, their higher level of education and expectations in terms of personal development, also fuel this rise. Indeed, more younger women than older women participate in the labour force: in the 24-34 year age group, 60% of the region's women work (figure 4). Along with having more education, their identity patterns give professional careers a more central role.

The massive groundswell of women in the labour force is irreversible.

For all these reasons, this massive groundswell of women in the labour force is considered irreversible. In fact, it is expected to go on rising, with conservative estimates suggesting that by the end of this decade, women's participation in the labour force should reach 53.5%, and rise to 60% over the next 20 years (Figure 5).

The new **employment** scenario

The rising integration of global markets in trade, finance and information has significantly changed the region, opening up opportunities, expanding international markets and, at the same time, improving competitiveness.

Social outcomes, however, have not been as positive. A report by the World Commission on the Social Dimension of Globalization, created by the ILO in 2001, concluded that the current process of globalisation has produced very mixed results both among and inside countries and that "These global imbalances are morally unacceptable and politically unsustainable" (ILO, 2004). The report lists the negative consequences of globalization, including increased social exclusion and widening of the gap between the informal local economy and the formal global one.

In Latin America and the Caribbean these changes have reinforced a productive structure that is highly informal, small in scale and with low productivity. The precariousness of jobs, high turnover, and the lack of decent work are typical of this process. In this context, women have more jobs, but earn low wages, and lack social protection, job security and full recognition of their labour rights.

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JOBS INCREASINGLY ATYPICAL

The issue of precarious employment affects both men and women. Today, both are unsure they will be able to provide for their families, given the following changes in the nature of employment (Standing, 1999):

- Higher turnover and less job security;
- Employment is less regular and so is control over hours of work;
- Payment systems have changed, increasing the pace of work;
- Social security coverage has fallen;
- New kinds of jobs have appeared, among them seasonal, fixed term, self-employment, underemployment and subcontracting.

In short, atypical work, which does not provide the benefits of a regular job, such as vacation, maternity or sick leave, and retirement, has become increasingly typical.

The percentage of the labour force protected by labour laws has fallen, hurting men and women alike.

Hours of work have also changed. The once routine organization of the working day, with its predictable start and finish times, has given way to new kinds of shifts, split shifts, flexi-time and new ways of organizing days off (Díaz, 2004).

Moreover, hours of work now typically include work on weekends and holidays. A faster pace of work closely matches changes in wage structure, which currently include a strong variable component, often linked to meeting specific targets. This requires longer working hours at a faster pace, to earn often minimal wages.

These changes leave workers more tired, with fewer hours for rest, family, social and personal life, all of which ultimately increases the tensions between paid work and family responsibilities.

Yáñez (2004) notes that more "typical" jobs and continuous career paths have become a male domain while all too often "inactivity" or employment in "atypical" conditions are all that's available to women. If "typical" employment already meant paying little attention to family responsibilities, atypical jobs aggravate the tensions between work and family life even more, for the reasons discussed above.

This tendency to make women's work more flexible reflects the sexual division of labour. To balance family and working life, which is seen as a women's issue, working hours and salaries tend to be more flexible, and women's work is treated as if it were complementary, rather than central to their activities.

Changes in several predominantly female occupations reflect this phenomenon. In commerce and large retail, for example, shift systems mean that work and rest days are constantly changing, and start and finish times cannot be predicted. In telecommunications, operators work moving shifts that respond to company and customers' needs. Among smaller retailers and supermarkets, employees typically work a split shift, taking a long, unpaid lunch break and then returning to cover their posts during evening peak hours, with no overtime paid. This makes the work day much longer, as travel times still make it impossible to go home between shifts.

These kinds of jobs have proliferated, causing the number of women working extremely long (over 48) or extremely short (under 20) hours per week to soar. Figures suggest that one of every five women in the informal sector works very

short hours, while one of four works extremely long hours. Under these conditions it is hard for anyone to assume family responsibilities.

New technologies have also contributed relevant changes, allowing people to work out of the office. More women than men are employed in own-account or subcontracted, homebased work, often by choice, because this makes it easier for them to balance their paid work with their family responsibilities. In these setups, however, payment is often by the piece, causing workers to stretch the working day to earn more.

INFORMALITY AND LACK OF PROTECTION

The informal economy has always been very important in Latin America and the Caribbean. In the 1990s, most new jobs created were in the informal sector and in 2006, 44.9% of the urban employed held this type of job (ECLAC, 2008b).

Recently, new groups have entered this sector, among them more educated workers and those providing inputs for formal sector companies (Tokman, 2004). Before the current economic crisis, some countries had begun to stop or reverse this trend, but current conditions could bring more growth in informal jobs. This is a complex issue. More precarious jobs and lack of decent work are concentrated in the informal economy.

Moreover, another characteristic of the informal sector is the high prevalence of women. More than half of this region's women workers are employed in this sector. In 2006, 50.7% of working women were employed in the informal sector, versus 40.5% of working men (ECLAC 2008b). For women of indigenous or African ancestry, these rates were even higher. In Brazil, for example, 71% of black women work in informal jobs, compared to 65% of black men, 61% of white women, and 48% of white men (Abramo, 2007). In Guatemala, the situation is similar: only 11% of indigenous people had formal jobs (2000), compared to 31% of non-indigenous workers[2] (Sauma, 2004).

Even in the informal economy, the quality of women's jobs is worse than men's: their incomes are lower, they have less social security coverage, and they are the majority in the most precarious segments, such as domestic labour and unpaid family jobs. In 2006, in the urban areas of Latin America and the Caribbean, 36% of women were

There is a high prevalence of women in the informal sector.

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2   Moreover, the indigenous population also suffers more from extreme poverty (20.1%), four times higher than that of the non-indigenous population.

Even in the informal economy, the quality of women's jobs is worse than men's.

self-employed or working as unpaid relatives, compared to 32% of men. In Bolivia, Ecuador, Guatemala, Honduras and Peru this figure rises to over 50% (ECLAC, 2008b).

This presence of women in the informal sector reflects barriers to accessing formal employment, but also its adaptability to accommodate their family responsibilities. The lack of fixed hours and places of work allows women to work for money and continue to look after family responsibilities and domestic chores. The result of this choice, however, is far from optimal. The responsibilities that force women into the informal economy leave them at a dead end, in low-quality jobs with no social protection.

Indeed, this booming informal sector has depressed the percentage of workers protected by social security. Thus, fewer are eligible for pensions, health care, sick leave or maternity benefits. At present, in Latin America and the Caribbean, 44% of the working urban population and 37% of the total employed population are affiliated and contributing to the different social security system, a figure that has not changed since 2002. These averages hide enormous differences among countries. When we look at coverage of total working-age-population, moreover, results are even more disappointing: a mere 15% of women and 25% of men aged 15-65 are affiliated to a social security system (ECLAC, 2008b).

This means that there is not only insufficient coverage but also a significant gender gap. Figure 6 shows, for example, that the percentage of employed women covered by welfare is very low, only rising above 50% in Costa Rica, Chile and Uruguay, and

FIGURE 6
LATIN AMERICA AND THE CARIBBEAN: ECONOMICALLY ACTIVE FEMALE POPULATION COVERED BY PENSION PLANS, 2004-2006
(PERCENTAGE)
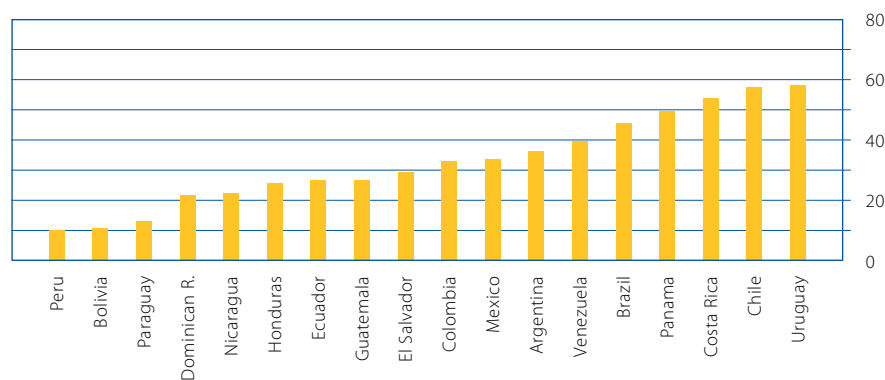
Source: Rofman, Lucchetti and Ourens (2008).

50

barely 10% in Peru and Bolivia. This clearly reflects the barriers to accessing the benefits and guarantees afforded by social security.

This lack of coverage exacerbates the problems of poverty and inequality when workers reach retirement age and need to replace their work income with social security. Most women over 65 years have no pension whatsoever, because they have worked their whole lives on household and family chores. In the case of working women, their work history tends to have experienced more interruptions and involved lower wages than men, which also affects the size of their pension.

THE ECONOMIC CRISIS WORSENS TENSIONS

The worldwide economic crisis is seriously hurting employment. Although it is not possible to fully gauge its magnitude, estimates have become increasingly pessimistic. In October 2008, the ILO's Global Employment Trends report warned that 20 million jobs would be lost because of the crisis and in January 2009 this was corrected upward to 50 million, some 22 million of which are women.

Changes in the labour market that were observed during previous crises have already become evident. Data for the region from the last quarter of 2008 shows that women's participation in the labour force has continued to rise, but more slowly than during the previous period.

Men's unemployment rose faster than women's in the last quarter of 2008. Extensive job loss in male-dominated sectors, such as construction and some branches of manufacturing, was the main cause. In the service sector and particularly the wholesale and retail trade, where women hold most jobs, changes were expected to become more evident in 2009.

The effects of the crisis on women are heavily influenced by cultural factors and gender bias. A global economic downturn may also unravel the gains made in terms of gender equity, worsening inequality, unless the policies designed to address the crisis explicitly address this challenge. In this sense, three hazards have been identified:

   i)   That the crisis hurts women's employment opportunities, with prejudices about women being a "secondary" labour force making them targets for early lay off, or governments designing job creation programs for traditional, male-dominated sectors, on the assumption that men need the income more;

A mere 15% of women and 25% of men aged 15-65 are affiliated to a social security system.

BOX 10

A CRISES RESPONSE THAT INCORPORATES GENDER

Brazil's Special Secretariat for Women's Policies (SPM), which reports directly to the Presidency, created a technical group to monitor the impact of the international crisis on women (*Crise Internacional e os Impactos sobre as Mulheres*) as an ad hoc team working under the Brazilian Observatory for gender equality, coordinated by the SPM. The group is composed of the ILO, Brazil's national statistics bureau (IBGE, *Instituto Brasileiro de Geografia e Estatística*), its applied economics institute (IPEA, *Instituto de Pesquisa Econômica Aplicada*), the Ministry of Labour and Employment, and an inter-union body for statistics and socio-economic studies (DIEESE, *Departamento Intersindical de Estatística e Estudos Sócio Econômicos*), along with visiting professors and specialists. Its purpose is to monitor the impact of the international economic crisis on women's lives, through studies, distributing information from a gender perspective to improve decision making and policy development to revert and offset the crisis' effects.

In Chile, employment policies applied in response to the crisis have included some measures to promote women's employment. As part of the government's general stimulus plan (*Plan de Estímulo Fiscal*), a youth employment subsidy was created, set at 30% of the monthly wage. Women from 18 to 24 can extend this subsidy for every child born alive, by a period equal to the pre and post-natal leave.

In every region, employment committees (*Comités Regionales de Empleo*) are working to mitigate the impacts from the international economic crisis. In the lakes district (*Región de los Lagos*), for example, the collapse of the salmon industry could push women's unemployment as high as 60%. In response, several programs are underway, including a 10-billion peso local investment in the work force. Through a technical agency, Sercotec, and a program called "Capital Semilla", the authorities are trying to create some 1,000 jobs for women in small businesses. Moreover, child care centres are being set up, which could generate another 900 jobs. This would also help mothers to enter the labour force.

Source: http://www.prensapresidencia.cl

A global economic downturn may also unravel the gains made in gender equality, in the world of work.

ii) That unpaid duties in the home increase and with them the tensions women experience between work and family life. Based on past crises, any decline in household income boosts women's domestic chores, as families replace purchased goods and services with their home-produced equivalents. Similarly, any cut to social benefits, such as health and education, will also overload women;

iii) That the gender income gap increases, due to three factors: first, because the earnings of those working in informal employment (over half of working women), are more likely to fall because of the weakness of the labour institutions that protect their rights; second, cultural bias assuming women are less important to the family's financial sustenance, compounded by their reduced presence in union organizations and in sectors involved in collective bargaining, will push down real wages, making them suffer disproportionately from the costs of the crisis; third, faced with the need to tackle rising unemployment, mechanisms for controlling wage discrimination may lose priority.

The new **families**

In recent decades, profound socio-demographic transformations have changed Latin American and Caribbean families and their ties with the economy and labour markets. This has also created a new balance between supply and demand of care within the home.

THE IMPORTANCE OF WOMAN HOUSEHOLD HEADS IN THE REGION

The first major shift is away from the traditional family and toward a diversity of family forms (Figure 7). Thirty years ago, the classic nuclear, male-breadwinner family predominated around the region. This model has faded along with the extended family, in which grandparents typically belonged to the household too. Two-income families are much more common today, as are one-person and single-parent households, in which only one adult works to sustain the family.

The second major change is that average family size has decreased, for three main reasons: partners formalize their union later in life, the number of children has fallen, and the wait between each child has increased, particularly among urban women in middle and high-income sectors (Arriagada, 2004a).

FIGURE 7
LATIN AMERICA (18 COUNTRIES): URBAN HOUSEHOLD AND FAMILY STRUCTURES, 2005
(PERCENTAGE OF HOUSEHOLDS)
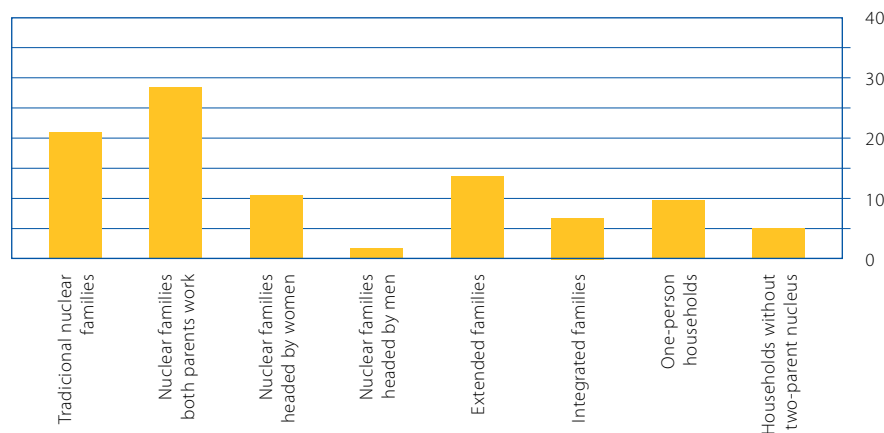
Source: Arriagada (2007).

FIGURE 8
LATIN AMERICA (18 COUNTRIES): URBAN HOUSEHOLDS HEADED BY WOMEN, 1990-2006/2007
(PERCENTAGE OF HOUSEHOLDS)

1990
2006/2007
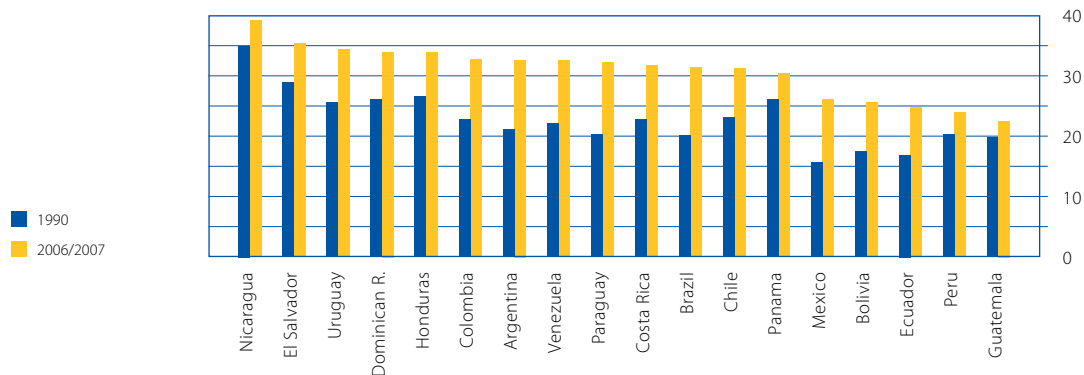
Source: ECLAC (2008a).

FIGURE 9
LATIN AMERICA (11 COUNTRIES): EMPLOYMENT OF URBAN FEMALE HEADS OF HOUSEHOLDS, WITH CHILDREN UNDER SIX YEARS OF AGE, 2006-2007

Work
Homemakers
Others
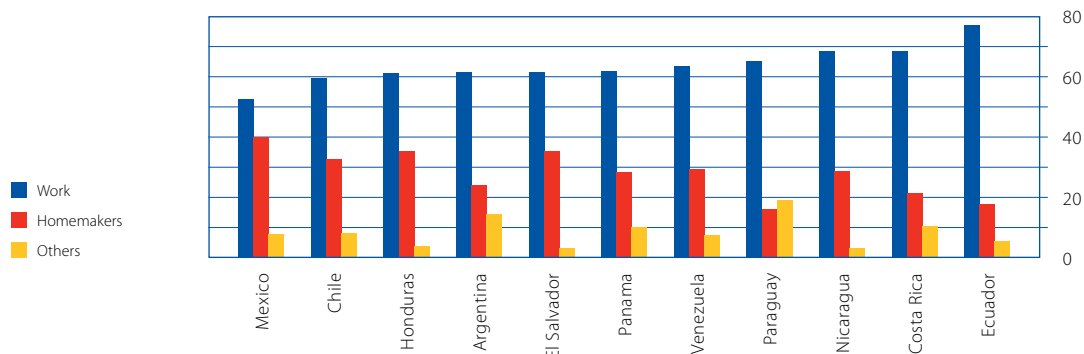
Source: ILO, based on respective country surveys.

FIGURE 10
LATIN AMERICA AND THE CARIBBEAN: ELDERLY POPULATION PROJECTIONS (60 YEARS AND OVER), FOR 2010, 2030, 2050

60 years and over
75 years and over
Lineal
(60 years and over)
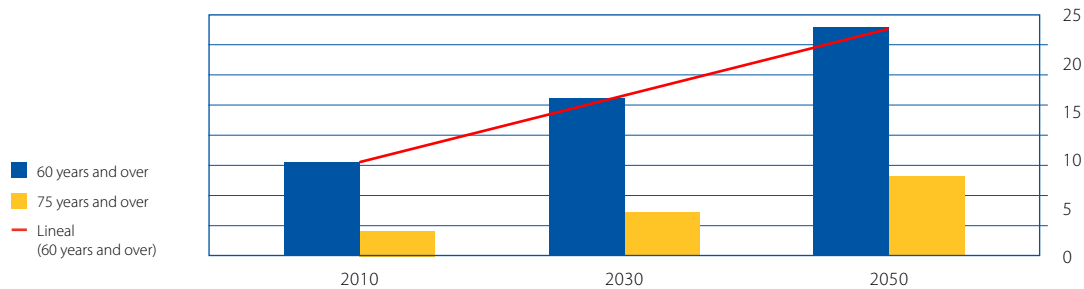
Source: CELADE (2007).

A third important shift has been the substantial increase in households headed by one adult only, almost always a woman. Indeed, approximately 30% of households in the region are currently headed by women, and in countries such as Nicaragua, this rises to almost 40%[3] (Figure 8).

Single-parent households headed by women face enormous difficulties in combining domestic and caring activities with paid work. This is apparent in two seemingly contradictory sets of data. The first is that most (from 52 to 77%) female household heads work (Figure 9). However, these households tend to be poor: in 11 out of 18 countries, extreme poverty is higher for these families than for other family structures (ECLAC, 2008b). This is mainly associated with these women's lower wages, due to pay discrimination, and the difficulties inherent in reconciling paid work and family responsibilities without the help of other adults. Faced with insufficient supply and coverage of preschool services, these women have to make choices that jeopardize either their children's care or the quality of job they can obtain.

NEW CARE REQUIREMENTS DUE TO AN AGEING POPULATION

The major demographic shift in Latin America and the Caribbean has been a decline in population growth rates and a rapid ageing of the population.

Although population ageing is happening all over the world, its' rate in this region nonetheless stands out. As early as 2002, 20.8% of urban households included at least one elderly member, and 5.1% more than two (Arriagada, 2004b). Today, an estimated 9% of the population is elderly and within five years this figure will rise to 13%, bringing with it a significant rise in demand for specialized care. In 2050, senior citizens (60 years or more), will make up 23.4% of the total population, that is, almost one in four people (Figure 10).

The second significant demographic shift is the decline of fertility, from an estimated rate of 2.4 for the region (2005-2010) to 2.1 (2015-2020). By 2020, demand for child care should be down, while demand for elderly care will have risen. There are significant differences, however, between countries, which are at various stages of demographic transition.

30% of households in the region are currently headed by women.

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3   Recently, there has been a slight increase in single-parent households headed by men, that is, fathers living with their children. In some countries, this reflects women's migration and implies specific needs for care.

BOX 11

ADOLESCENT PREGNANCY: BY 2010 LATIN AMERICA WILL HAVE THE SECOND HIGHEST RATE IN THE WORLD

Despite the region's declining fertility rate, early pregnancies have risen. Today, almost one-quarter of young women in Latin American have children before they turn 20. This rate is expected to reach 76.2 per 1000 for young women 15-19 years old some time between 2005 and 2010, a rate second only to Africa.

Becoming a teenage parent seriously affects young women's employment possibilities, reinforcing gender inequality, as it limits their prospects for continuing their education and job training, limiting their preparation for the labour market. Most live with their parents and devote themselves to domestic activities: caring for their children and younger siblings. Those active in the labour force generally gain access to very precarious forms of employment.

Early pregnancy is most common among adolescents from low-income families and is a factor in reproducing poverty from one generation to the next. Among higher income groups in Latin America and the Caribbean, less than 5% of adolescent girls have children before the age of 17, compared to 20-35% in low-income families (the percentage varies by country).

Source: ILO (2007a); Valenzuela (2007).

Geographic area, socio-economic sector and education are all decisive factors when it comes to family size and composition.

Like Europe, declining fertility and the delay in families' having their first child may reflect hardships women face in reconciling maternity with paid work, due to lack of child care. In Latin America and the Caribbean, however, general trends mask remarkable differences. Geographic area, socio-economic sector and education are all decisive factors when it comes to family size and composition, and therefore how work is reconciled with personal life.

Fertility rates have fallen more in urban than rural areas. More educated women tend to have fewer children and to have them later in life than less educated women. Fertility rates are higher for indigenous than non-indigenous women in both urban and rural areas. In Panama, for example, indigenous women average 6.6 children, compared to 2.9 for non-indigenous women (ECLAC, 2007c).

Reconciling the two spheres is particularly complex at the lowest income levels, where families must provide care for a larger number of children. For example, if we compare the 20% of urban households with the lowest income to the 20% with the highest, we find that the poorest households in Argentina, Bolivia, Mexico, Nicaragua, Paraguay and Uruguay include two additional members (ECLAC, 2008a).

The **tensions** between work and family

When the predominant model for the family in Latin American and the Caribbean was based on the man-breadwinner and the woman-housewife, there was a clear division of tasks between parents.

Today, women share the role of provider with men, marking a major change from the traditional family. Men, however, have not taken on an equivalent share of responsibility for domestic tasks. Despite the fact that they spend more time on paid work, women still work long hours in the home.

Society, moreover, still operates based on the assumption that someone at home works full time on family care. Indeed, school and public service hours are not compatible with those of a family where all adults work. In addition, there has not been a sufficient increase in infrastructure or support services to meet the need of children and other dependants.

Thus, tension is on the rise. Women's increased participation in the labour market is happening amidst greater insecurity and less social protection, in highly informal sectors, in a context of weak social response and enormous inertia inside families themselves. Thus, they have to work twice as hard, racing from one space to the other, trying to deal with overlapping and increasingly demanding paid and unpaid work schedules.

WHY DO WOMEN HAVE LONGER WORKDAYS?

If we add up the work women do for the market and time spent providing care for their families, we find they work longer hours than men.

Moreover, both men and women spend more and more time on work. As a result, they have less time for family, social life, rest and recreation. This is worse for women, especially those in the poorest families. In other words, the use of time reflects socio-economic and gender inequalities typical of this region.

Contrary to the common perception that women engage in domestic work because they are not in the labour market, surveys reveal they always assume responsibility for

Men have not taken on an equivalent share of responsibility for domestic tasks.

FIGURE 11

SELECTED COUNTRIES: AVERAGE HOURS PER WEEK DEDICATED TO HOUSEHOLD CHORES BY SEX, C. 2002.

■ Men
■ Women

Ecuador 2004, Chile 2007, Uruguay 2007, Bolivia 2001, Nicaragua 1998, Guatemala 2000, Mexico 2002
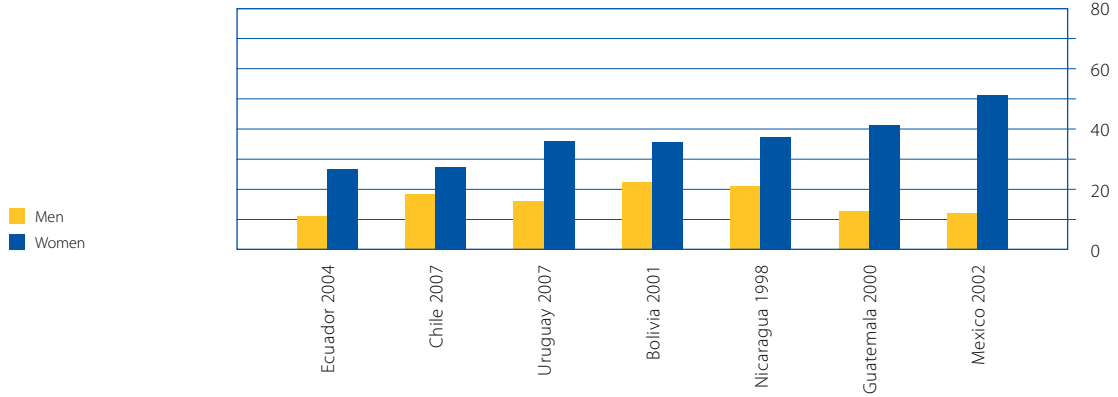
Source: Based on Milosavljevic and Tacla (2007), INE (2008) and Aguirre (2009).

FIGURE 12

SELECTED COUNTRIES: AVERAGE HOURS PER WEEK SPENT ON HOUSEHOLD CHORES, BY SEX AND PRESENCE OF CHILDREN, C. 2000

■ Men without children
■ Women without children
■ Men with children
■ Women with children

Ecuador 2004, Bolivia 2001, Nicaragua 1998, Guatemala 2000, Mexico 2002
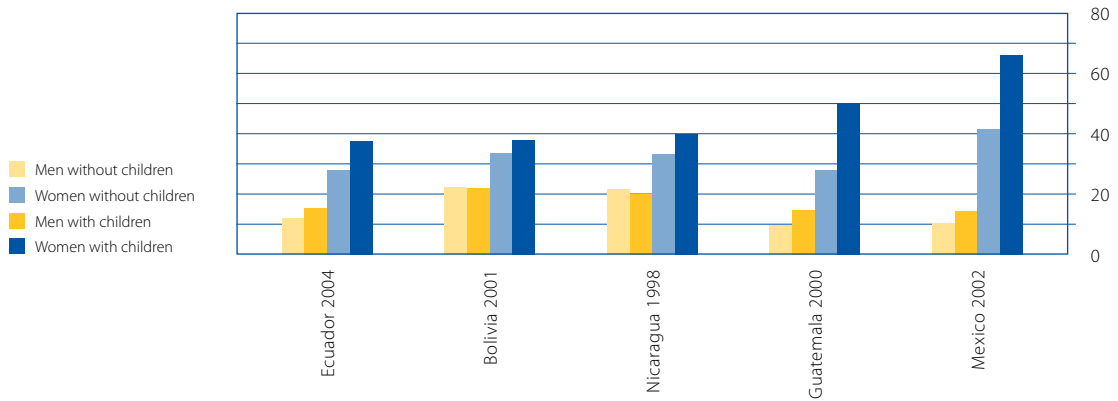
Source: Prepared using data from Milosavljevic and Tacla (2007).

FIGURE 13

ECUADOR: OVERALL WORKLOAD, BY ETHNIC
(HOURS OF WORK PER WEEK)

■ Men
■ Women

Indigenous, Mestizo, Afro-Ecuatorian
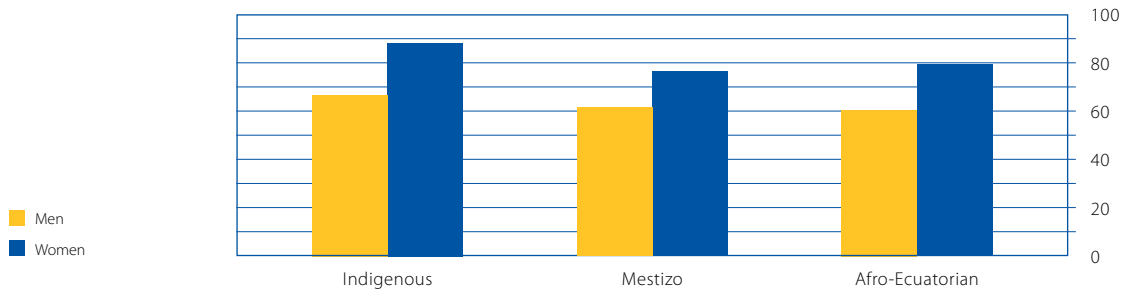
Source: CONAMU (2007)

SURVEYS TO MEASURE WOMEN'S AND MEN'S TOTAL HOURS OF WORK

Making women's contribution to social welfare and the economy, through family care, visible is essential to achieving gender equality. Time use surveys measure how time is used in general and how much time goes to unpaid activities in particular. They also help to determine the need for caring labour amongst different populations at specific times during the family and life cycle. This tool reveals the significance of unpaid work performed outside the labour market and its contribution to household consumption and well being.

Since 2000, 14 Latin American countries have applied time use surveys: Argentina (2005); Bolivia (2001); Brazil (2001 and 2005); Chile (2007); Colombia (2006 and 2008); Costa Rica (2004); Cuba (2001); Ecuador (2007); El Salvador (2005); Guatemala (2000); Mexico (2002); Panama 2005); Uruguay (2003 and 2007); and Venezuela (2008).

These measures are a great step forward. The challenge now is to standardize them further, for comparison's sake, in terms of survey type, reference period, and questions. It would also be useful to repeat them, despite the fact that they deal with social behaviours that change relatively slowly, because this would help to evaluate policies in this field, underlining those most effective.

The United Nations Development Fund for Women (UNIFEM) has actively promoted and supported the time use surveys in the region. Uruguay will apply one every two years, as part of a regular household survey.

these tasks, regardless of whether they are full time housewives or also hold jobs. Figures for several Latin American countries[4] show that women's total workload (domestic and non-domestic) averages one hour per day more than men's (ECLAC, 2007).

Figure 11 shows that women devote from 1.5 (Chile) to 4 (Mexico) times longer than men to domestic chores and family caregiving. Where household members include children, the elderly or sick, women dedicate more time to these tasks. For men, time does not vary with household composition, and in some countries (for example Nicaragua), it may even decline with presence of children (Figure 12).

In terms of the kind of caring activities, tasks also vary significantly between men and women, as data from Uruguay (2007) illustrates: men tend to carry out less routine tasks, such as playing with their children, while women are responsible for everyday tasks regarding food and cleanliness.

Social and economic factors can reinforce the gender gap, for example, if we compare the total time worked by men and women with their ethnic origin. In the case of Ecuador, indigenous women bear the heaviest burden. (Figure 13)

> Women always assume responsibility for domestic tasks, regardless of whether they are full time housewives or also hold jobs.

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4   Bolivia, 2001; Guatemala, 2000; and Nicaragua 2008.

WOMEN WORK LONGER HOURS THAN MEN

Although time use surveys are not comparable, the following trends are apparent:

Men participate less and spend less time on domestic chores and care-giving activities. For example, in Mexico (2002), women accounted for 85% of the total time spent on domestic chores, versus just 15% for men. Women, on average, spend 14 hours a week caring for children and other household members, while men spend only half that amount: 7.6 hours.

Women of childbearing age spend significantly more time on caring activities. For men, the time spent is practically constant throughout their lives.

Women's paid work day is shorter than men's, due to their domestic and family responsibilities. A Chilean survey (2007) found that, of the total time spent caring for people in the home, women accounted for 78.2% and men for 22.8%. Women did 66.4% of domestic chores, versus 33.6% done by men. For paid work, these percentages were reversed, with women doing 38% and men 69%.

Even when women have paid jobs, domestic chores and family care are distributed unequally. In Mexico, in families where both partners have paid jobs, men devote more time to work, while women more to the family. Men spend 52 hours a week on paid work and women 37; men spend 4 hours on house-cleaning, women 15; men spend 7 hours on cooking and women 15.5 hours; men spend almost 8 hours on childcare, women 12; men spend 1.5 hours on laundry and women a little over 8 (INEGI, 2004).

Source: Prepared using data from Milosavljevic and Tacla (2007), ECLAC (2007b).0

The gender gap in time use is widest for lowest income groups: poor women spend the most time on housework. The data from Mexico speaks for itself: in two-income families, poor women spend ten hours a week more on domestic chores than non-poor women, whereas poor men spend two hours less than their non-poor counterparts. This information confirms the greater rigidity in gender roles among low-income families, precisely those who would benefit the most from a second income to relieve their socio-economic deprivation. This is particularly serious, given that lack of time and difficulties reconciling paid and unpaid work are a major factor in women not actively seeking employment.

Given that women spend more time on house work, their working days are shorter than those of men. Although the divide has narrowed, less than half of female workers (45%) in Latin America and the Caribbean work full-time (41 hours or more per week), compared to 63% of working men. This keeps women's wages down and affects their pensions.

MYTHS AND PREJUDICES ABOUT WORKING WOMEN

Many people still see these conflicts between work and family as a women's problem, reflecting traditional views on each sex's role within society. In the past, people did housework along with other activities directly related to production. With industrialization, domestic work and production became separated and a more rigid, gender-based division of labour prevailed. Thus, women mainly took charge of reproductive duties in the home, while men moved on to fulfil productive work outside the home, for which they began to receive payment.

Cultural constructs transformed this rigid sexual division of labour into a "natural" specialization. Moreover, women's role as wife and mother was mystified and their ability to work full time in the home became a status symbol, generating a cult to domesticity in which the family and the home became the preserves for affection and childraising, under women's supervision. This rationalized two beliefs: first, that unpaid work in the home was women's work and second, that it wasn't really work at all (Barrer and Feiner, 2004).

Nonetheless, women's importance to the economy never ceased, thanks not only to their daily contribution in terms of reproduction in the home (cooking, washing, health care and nutrition of family members), but also their productive work (whether paid or unpaid) and its importance to family survival strategies and welfare.

This construct of female domesticity has been more cultural than real, but it is so well established that it has inspired public policies, labour legislation among them, social practices, and family negotiations. Two myths persist in the region, as powerful perceptions that are at the base of the tensions between work and family: the first requires that women take care of family and children as their first priority, while the second considers them a secondary labour force, whose income complements that of men.

MYTH A: Women's fundamental role is to care for children and other family members

Despite the fact that today women participate more in public life, thanks to their massive presence in education and the work place, the idea that their rightful place is in the home and their main task childcare remain powerful images.

Some groups' resistance to women's independence clearly illustrates this. García and de Oliveira (2003) have studied the hardships women face in leaving the home, especially in working class sectors. Many must ask for their partner's permission to

This construct of female domesticity has been more cultural than real, but it is so well established that it has inspired public policies

visit relatives, health centres or go to work. Failing to do so can lead to violence towards them.

Several surveys show that women's traditional role remains highly valued (Inglehart et al., 2004; Sunkel, 2004). Their image, then, as the only person responsible for the physical, social and psychological well-being of their children remain strong. Some even try to associate women's remunerated work and their entry into the wider world with a rise in juvenile delinquency and other types of social disintegration.

Since more than half of working-age women currently do productive work, they feel guilty about the tensions between both spheres and experience enormous dissatisfaction.

MYTH B: Women constitute a secondary labour force and their wages merely supplement the family budget

The notion that women's work is secondary is based on the assumption that both their income and their output in the labour market depend on their role in the domestic environment and is less important than the work performed by the head of the household (Abramo 2007). This idea contributes to the undervaluation of women's work, which has significant consequences for public policies and private behaviour. One is that their income is considered to complement earnings by the household head, and is therefore less essential. As a result, women are the first to be laid off in times of economic hardship and their high unemployment rates do not elicit the same response as a rise in male unemployment.

Aside from the concept of a "secondary labour force", both business people and society generally continue to have stereotypical ideas about men's and women's different abilities, productivity and commitment to work. These contaminate recruitment practices and wage systems, at women's expense (Abramo, Godoy and Todaro, 1998).

The image of the full-time (male) worker responsible for his family reinforces the idea that men have of themselves as breadwinners rather than caregivers. Thus, their obligations involve mainly providing for the family (financial resources and social security), while rights relating to care – maternity leave, infant care services –are directed to women workers. This division between the productive and reproductive spheres forms the basis of prevailing masculine and feminine identities. Several studies show that most men believe their job as provider exempts them from most domestic chores, childraising or care for the elderly. Studies in Argentina, Brazil,

Chile, Colombia, Mexico and Peru have shown that men's views nonetheless vary, as do their ideas about women's paid work.[5]

According to Faur (2006), one group, of young men, with more education, recognizes women's right to work, and that it opens up possibilities of greater gender equality. Faced with critical situations, however, such as a sick parent or child, they are convinced women should take charge.

A second group is pragmatic about women's work, recognizing the family's need for extra income. These men, however, are uncomfortable with the idea of reconciling work and family and any potential for them to take on family care, since they consider certain tasks the sole responsibility of women. A recent study on the logic behind staff recruiting for management positions in large companies found that male executives expect women to set aside their own professional careers in favour of men's (Olavarria, 2008).

A third group consists of men who flatly oppose the notion of women working outside the home, as incompatible with raising children and family care. They see women's paid work as a threat to the male role as a provider and bad for the family. The woman's 'absence' or whatever they no longer offer the family, is more important than what they can provide.

It is worth noting that none of these men saw the necessity to reconcile their own productive work with care and domestic tasks, as they expected from women.

In conclusion, as long as these cultural assumptions persist, people will assume that it is women who must reconcile their roles as homemakers, mothers and caregivers with their roles as paid workers. Thus, it is forgotten that the care of dependents and the fate of future generations is a responsibility shared by society as a whole: governments, social organizations; men and women.

HOW FAMILY RESPONSIBILITIES LIMIT WOMEN'S PARTICIPATION IN THE LABOUR MARKET

Although not all women whose main activity is taking care of the household would like to enter the labour market, many do want a job and their own income. They

Men do not see the necessity to reconcile their own productive work with care and domestic tasks, as they expect from women.

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5   See Faur (2006), Bruschini (2008), Olavarría and Parrini (2000) and Fuller (1998).

The underlying problem is that the labour market is not designed for people with family responsibilities

cannot, however, because their domestic and family responsibilities do not let them. A recent survey in Santiago (Chile), found that about 70% of women currently occupied as housewives would like to have a paid job, but are unable do so for problems regarding childcare (ComunidadMujer, Datavoz and ILO, 2009).

The division of activities into productive (market-related) and reproductive (care-related) influences women's employment patterns and the low value assigned to them in the labour market. Recognizing the profound connection between paid and unpaid work reveals the negative consequences that domestic obligations have for women: interrupted careers, lower wages, and low quality jobs.

In the world of work, family means something different, depending on whether we are referring to men or women. Women (especially young ones) are treated as risks, because they are or could soon become mothers. It is assumed that children will always be their first priority (unlike for fathers), and that family responsibilities will reduce their productivity, availability, and dedication to work. This hurts their involvement in processes of hiring, promotion, wage negotiation and termination (Heymann, 2004). When applying for a position, for example, women are routinely asked about their family, and if they have young children, they risk being passed over for hiring or promotion, because their employers assume they will often miss work due to their children's illnesses or other unforeseen events in family life.

When these tasks are not shared with a partner, they do fall to working women, who have to take time off work (and, as a result, earn less) to attend their family responsibilities.

The underlying problem is that the labour market is not designed for people with family responsibilities, but rather for those who have someone available to take care of them. This is where the idea of a "male employment model", according to which the cost of hiring women is higher than that of hiring men, comes from, and with it the conclusion that it is preferable to hire men. This assumption, however, is false, as an ILO study carried out in five Latin American countries demonstrates (Box 14).

Occupational segregation: women are concentrated in care jobs
An analysis of sectors, subsectors and kinds of employment where women predominate shows they tend to concentrate in specific areas, among them commerce and social, personal and community services. They are also the majority

BOX 14

ILO STUDY DESTROYS THE MYTH THAT WORKING WOMEN ARE MORE COSTLY

A study on wage and non-wage costs of hiring men and women in Argentina, Brazil, Chile, Mexico and Uruguay found that the monetary costs assumed by employers hiring women are very low: less than 2% of gross monthly wages, ranging from a low of 0.2% in Mexico to a ceiling of 1.8% in Chile. In terms of maternity costs, in the first place, the study reveals a low incidence of pregnancy per year, and therefore a low total number of maternity leaves and associated benefits. Moreover, legislation in these countires establishes that public funds, social security systems or welfare contributions paid by the workers into private systems, and not employers, pay the wages of women on maternity leave and their health care before and during delivery. Thus, employers never have to assume maternity costs.

In Argentina and Chile, expenses associated with the right to child care account for virtually all of the direct costs involved in employing women. These are very low, however, about 1% of gross income, similar to the costs associated with the right to breastfeed. The direct monetary costs of substitute employees who replace those on leave are even lower and amount to less than 0.1% of gross income.

The findings of this study clearly demonstrate that:
 • Employers do not assume maternity costs, and
 • Women's lower wages cannot be justified by the higher costs to employers that they are incorrectly assumed to generate.

Source: Abramo and Todaro (2002).

working in teaching, nursing and domestic fields; and they are over-represented in categories involving self-employment, unpaid family work and domestic service. Thus, we can conclude that women's domestic and caregiving tasks in the home are projected onto the labour market. Men's work, in contrast, is distributed more evenly across the different branches of the economy.

Aside from horizontal segregation, vertical segregation persists within the workplace. The higher the position, the fewer the women holding the job. Thus, the percentage of women in management is less than 20%, falling to 3% for highly strategic posts, reflecting several factors:

 • women are less connected to the professional networks (mostly male) essential to promotion;
 • employers still assume that a married woman poses a risk to the company because of her family responsibilities.
 • difficulties in reconciling work and household responsibilities, particularly given that management positions often require longer hours and ability to travel.

Prejudices associated with the sexual division of labour and women's traditional role within the family help explain pay inequality.

Wage discrimination: another consequence of the sexual division of labour
In Latin America, women's wages on average amount to just 70% of men's income (Figure 14). This is largely explained by the discrimination they face in labour markets and holds even when men and women have the same level of education.

FIGURE 14
LATIN AMERICA AND THE CARIBBEAN: WOMEN'S MONTHLY INCOME AS A PERCENTAGE OF MEN'S, 2005-2007
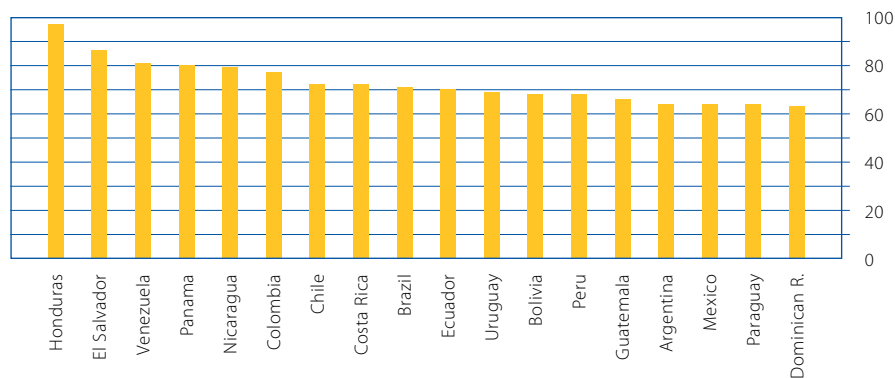
Source: ECLAC (2008a)

Wage discrimination reflects both unequal treatment in the workplace and also the value historically assigned to men and women's activities, clear sign that the labour market is far from neutral when defining wages.

Different prejudices associated with the sexual division of labour and women's traditional role within the family help explain pay inequality among men and women. Rubery (2003) mentions the following:

a) *"Women are economically dependent"*
   The underlying assumption here is that women need less income than men, because the latter must provide for family. This notion influences both the price of the labour supply and the value assigned to their work. It is also assumed that women are willing to work part time, even if the income is too low for survival, and that they will be more willing to accept lower salaries.

b) *"Caregiving jobs are valued less"*
   The low value associated with caring sectors within the economy, which is where there is a high concentration of women, reflects both the way

society values these activities and actual wages. The skills required remain almost invisible, since most are acquired in a non-formal manner, in the domestic sphere. Some authors even talk about women's "natural" aptitudes for these tasks. In combination with how women's work in general is under-valued, these attitudes explain lower wages in these sectors.

c) *"Women are subordinate to men"*
The social construct of women as secondary workers, with lesser status, cannot be understood without addressing the issue of inequality between men and women. This is exemplified by the common belief that men's work is more important and, therefore, should receive better remuneration than women's.

Strategies for **reconciling** work and family

Faced with the need to combine paid work with domestic responsibilities, families resort to different strategies. The alternatives depend mainly on the resources available to the family group and existing services.

Reproductive work is carried out in various forms:

1. *In the domestic arena:*
   - **Unpaid domestic work** is mostly performed by wives or females heads of households, who are the ones that dedicate more time to domestic and caring activities; and, secondly, by other women in the family group, such as grandmothers, aunts, sisters and daughters.
   - **Paid caregivers** include domestic workers, nannies and nurses, in different arrangements: full-time, part-time, in-house or external.
   - **Home-based medical and nursing services** involve service provision to the elderly and people with disabilities or chronic illnesses outside hospitals or clinics. Generally this is very expensive, with few services subsidized or offered free of cost.

2. *Outside the domestic arena:*
   - **Market**: This includes private services offering childcare - nurseries/day care centres, preschool care in kindergartens and primary education-, and homes for the elderly, hospitals and clinics. Costs tend to be very high.
   - **Businesses/Workplace**: These include nurseries or kindergarten services provided by employers, at no cost to employees, which are required by national labour laws.
   - **State**: Includes public services and those provided by the non-governmental organizations (NGOs) for the care of children and the elderly: nurseries, kindergartens, day facilities for adults, hospitals and other health services. Often they are insufficient to cover demand.
   - **Community**: This category includes services provided by community organizations, often with support from State or international agencies. They are also insufficient to cover existing demand.

TYPES OF RECONCILIATION STRATEGIES

With or without the support of public policies, people resort to many kinds of strategies to reconcile work and family. One way of categorizing these identifies sequential (alternating) and derivative strategies and those that redefine roles.

Sequential measures imply alternating the time going to work and family life to reduce tension and conflicts between the two. These include different kinds of leave from work, the promotion of part-time work, and a flexible approach to hours or place of work. The second approach is "**derivative**" in that it shifts reproductive tasks originally performed in the family sphere into the market and public services. This typically involves subsidies to pay for private care services, state-subsidized care services, expanding school hours and subsidies for school transportation, among others. The third strategy involves **redistributing** productive and reproductive roles between women and men, and implies fostering cultural change during primary education or within the family, along with changes in the labour market in order to support alternatives to the "male provider" model, such as paternity leave.

Source: Duran (2004); Camacho and Martinez (2006).

In all these categories, whether or not they are paid, those who actually perform the domestic and caring work are women. As discussed above, boosting women's participation in the labour force by 10% and achieving decent work with pay equity, as stated in the Hemispheric Agenda for Decent Work in the Americas, requires taking into account that women workers are also caregivers.

STRATEGIES FOR RECONCILING WORK AND FAMILY

Given the weakness or lack of public policies and services to help people reconcile work and family life, most families resort to essentially private, family and women-centred strategies. These typically imply exhausting efforts to articulate the demands from one world or the other. Bridging between the two, means crossing large distances to connect places of residence, work, and caregiving, and consumes much time and resources.

These strategies are highly stratified: high-income families with the means acquire domestic help and other private care services in the market. This gives higher income women more control over their time and allows them to participate more fully in the labour force. Support from a domestic worker to some degree buffers the tensions between work and family (see Box 16).

BOX 16

DOMESTIC WORK IN LATIN AMERICA

In the region, some 12 million female workers (close to 14% of employed women) engage in paid domestic work. Although most countries have introduced legal modifications to improve their working conditions, bringing their working rights into line with that of other employees and increasing compliance with the requirements for legal protection, there is still a long way to go.

In most countries, the minimum wage for domestic workers is less than the general minimum wage, and working hours are longer. While there has been growing recognition of the importance of their work, in most of the region these workers earn the lowest incomes of all occupational categories and have very little social security coverage. Uruguay has been the exception since 2006 when it passed a domestic service law that brought the rights of these workers into line with all other employees.

It is estimated that around 10% of the households in the region have paid domestic service. However, while domestic workers are part of families' efforts to reconcile work and family, they lack the support necessary to address their own needs in this regard. Thus, like other workers in precarious jobs, they too must shift these responsibilities to other women or make do, leaving children, young people and the elderly to fend for themselves.

How domestic work is carried out has changed in recent years. The traditional model, whereby women workers lived in their employers' homes, has given way to more clearly defined working hours, allowing for a clearer separation between work and personal life. In addition, organization of domestic workers has grown stronger and the Latin American Confederation of Household Workers (CONLACTRAHO), which brings together representatives from 11 countries has played a major role in producing a joint declaration with trade unions calling for decent work. In the first joint statement, in 2005, they requested the ILO to pass an international convention to enshrine their rights. In 2008, the ILO Administrative Council discussed this idea and is now having reports prepared for the International Labour Conference scheduled for 2011 to discuss the possibility of adopting an international instrument on domestic workers.

Source: Martínez Franzoni *et al.* (in press), Valenzuela and Mora (in press).

These solutions, however, are only available to a small minority of households. The vast majority do not have access to quality support services, thus reproducing the unequal social structures typical of this region. Thus, many low-income households rely on the help and volunteer work by female relatives. This strategy is not sustainable, however. This is because, first, there are fewer and fewer care-giving grandmothers and aunts, and other support networks of this nature, as a result of the decline of extended families, women's increased labour force participation, migration and the weakening of the social fabric (Gonzalez de la Rocha, 2006). Secondly, family networks cannot effectively replace the specialized care required by children and elderly people.

For lack of sufficient public supply and support from relatives, families, and women in particular, "adjust" their jobs, that is, the kind of work they do and their hours of

work, seeking occupations that will allow them to combine paid work with the time required by caregiving. For millions of women this has meant they must accept precarious, informal, badly paid jobs.

These costs are paid almost completely by women. Moreover, faced with these choices, many women sacrifice their careers or stop working outside the home and thus stop earning an income. Putting off starting a family or having fewer children can also be understood as indirect or sometimes unconscious strategies to balance working life with motherhood (Tobío, 2005). In the lowest income groups, it is primarily children and the elderly who pay the costs, fending for themselves, even when they are in no condition to do so.

WOMEN MIGRANT WORKERS: TENSION BETWEEN FAMILY AND WORK AT ITS HIGHEST

The structural conditions of the global labour market are the main reason for migration in the context of globalization. Migration reflects factors in countries of origin (lack of paid work, for example) and destination (the need for labour), and the interaction between the two. Demographic changes, socio-economic and political crises, and increased salary differences, both within and among countries, also contribute.

A significant percentage of the people of Latin American and the Caribbean live outside their native countries. The region tops rankings worldwide for the receipt of remittances, 20% of the total or around US$57 billion (2006). Mexico ranks highest (US$25 billion annually). In countries with high migration rates, remittances account for a significant portion of GDP: in Honduras, 26%; Guyana, 24%; Haiti, 22%; and Jamaica, 19% (World Bank, 2008).

In recent years, migratory flows out of Latin America and the Caribbean have involved more and more women. Today, women migrate alone, constituting over half of those who migrate for work-related reasons. Most female migrants emigrate in response to the demand for caring services in high-income countries. In fact, they currently count for a high percentage of care work in both North America and Europe. Within the region, similar migrations have become common, from Nicaragua to Costa Rica, for example, or from Peru to Chile, and from Paraguay to Argentina.

Migrant workers fill the unmet need of care services in their destination countries. They do this, however, at the expense of caring for their own children and/or

Many low-income households rely on the help and volunteer work by female relatives.

Migrant workers fill the unmet need of care services in their destination countries at the expense of caring for their own children and/or parents, who stay in their countries of origin.

parents, who stay in their countries of origin. This has given rise to the creation of international care chains, typically involving lack of protection and enormous inequalities in terms of class, gender, and ethnicity. This is a major issue, since if countries already rely on the sexual division of labour in which women subsidize economies through their reproductive work, then global care chains have become an expression of those same processes, but on a transnational scale.

Generally, women's migration is motivated by the desire to ensure their families' financial well-being. However, both national and transnational "care chains" involve significant social costs to the migrant domestic workers' family.

Data reveals that most women migrants leave their children in their countries of origin. For example, only 12% of Nicaraguan women working in Costa Rica have their children with them. In 2007, 40% of Ecuadorian woman migrant workers in Spain and the United States had left at least one child[6] behind in their home country. The number of children of Ecuadorian migrant workers who remained in their country without their parents has risen from 17,000 in 1991 to 150,000 in 2000.

Migrant women experience excruciating tension between work and family responsibilities due to distance. Family members that remain at home must devise new strategies for reorganizing tasks and care responsibilities in the absence of the mother. Women's emigration generally does not prompt changes in the sexual division of labour (that is, men do not generally take on new duties), so the most common strategy involves delegating these responsibilities to other women within the group; grandmothers, aunts, older sisters, with the support of remittances from the mother. The people who make up the care chains, from the first to the last link, are almost exclusively female, and all these strategies fall within the private domain.

The vulnerability of those dependent on care, who remain in the country of origin, varies according to how regular are communications and remittances. Women migrant workers are generally reliable and their resources cover basic family needs: food, education and health. On occasions the "guardians" or women who take care of the children/elderly of the migrant, receive compensation for the duties they perform, which may indicate a change in the value assigned to a traditionally unremunerated job. In Ecuador, the sons and daughters of migrant workers had

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6   All this in spite of the fact that in Spain, the regularization of 130,000 Ecuadorians in 2005 allowed families to reunite.

more education thanks to these remittances. This news, however, should be evaluated in light of the fact that Ecuadorian migration is mainly transatlantic, meaning that that those who can afford it do not belong to the lowest income groups.

While not all elderly people with migrant family members receive remittances, these represent an important relief for those who do, especially in regard to their health. Remittances, then, have become one of the main mechanisms for social protection for this population segment. The current economic crisis, however, has affected family strategies, and the informal social protection system based on remittances, revealing the precariousness of this type of private solution.

The redistribution of tasks and care activities among the women of the family implies that those who take on new responsibilities must devote more time to these duties and face additional responsibilities relating to education, money management, and the protection of those in their care. In some cases, grandmothers stop working in order to take care of their grandchildren. Sometimes the caregiver role becomes circular: officially, grandmothers are in charge of caring for grandchildren, but in everyday life, many granddaughters assume the duties of caregiver and companion, giving rise to subordinate gender/generational relationships. In other cases, the girls and young women themselves (basically older sisters, from 10 or 11 years of age) must assume responsibility for siblings or domestic tasks, often sacrificing their own education and leisure activities. With boys, however, this rarely occurs, since families are committed to their advancement through education.

Migrant mothers complement this delegation of duties with communication, made easier now through new technology such as cell phones and the internet. However, they experience feelings of guilt, anxiety and fear for their children's well being. Gender stereotypes also operate through the discourse lamenting the disintegration of the family and the lack of care, which lays the blame on women migrant workers.

The most common strtegy involves delegating responsibilities to grandmothers, aunts and older sisters.

BOX 17

BEARING WITNESS: MIGRATION AND FEMALE CARE NETWORKS

Auxiliadora	Teodora	Gris
Lacks a social/family network, both in her country of origin and in her destination country	Has a basically nuclear social/family network	Has an extensive social/family network. She takes care of herself and others
She is a seasonal migrant. She lacks a support network both in Nicaragua and in Costa Rica. In Nicaragua, she is fearful of leaving her daughters with her sisters-in-law for fear of rape. In Costa Rica she doesn't know anyone. She regrets not having an older daughter to support her. Her young daughters are "helping" the families that are caring for them by doing domestic chores and other tasks around the house.	When she first emigrated, her oldest daughter, Patricia, was 17 years old. Patricia became a very efficient and affectionate substitute mother to her younger sisters. When Patricia moved out, a sister, two years younger, took on the other children, and household management. As they go on to make their own lives, Teodora plans to return in order to take care of her youngest daughter, who is disabled.	When her mother first emigrated, Gris was left in charge of her paternal grandmother. Since she was 14 or 15 years old, Gris has lived alone, caring for herself and her brother, cooking for him, doing his laundry, taking him to school and managing the money sent by her mother. In her family, the sexual division of labour is very clear: whenever one of the women leaves, those who remain are left in charge, cooking, and caring for younger children.

Legal framework and **public** policies in Latin America and the Caribbean
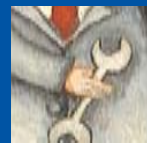
The idea of workers "with family responsibilities" does not appear in legislation.

The objective behind regulations and policies to reconcile work and family is to arbitrate the interaction between these two spaces. Social protection and labour legislation define rights and obligations for protecting maternity and assisting workers with family responsibilities.

Most countries in Latin America and the Caribbean have regulations that adapt to requirements in Maternity Protection Convention No. 183. However, a high proportion of women workers are not entitled to receive these benefits because they are employed in the informal sector. There are far fewer regulations to protect men and women workers with family responsibilities and help them to reconcile work and family life, as stipulated in Convention No. 156. Generally speaking, the idea of workers "with family responsibilities" does not appear in legislation, although most countries do include the obligation to facilitate breastfeeding and, in many cases, child care for female employees' children.

An evaluation of legal frameworks and policies in the region, therefore, reveals shortcomings that must be addressed, among them a tendency to focus on very specific concerns, arising from pregnancy and maternity, without considering the family responsibilities accruing to both men and women. These frameworks also assume formal employment patterns that have little to do with the reality facing most of the working population, excluding many from coverage. Another shortcoming has to do with the high levels of non-compliance.

Aside from provisions established by labour laws, several policies and programs are present in the region that contribute to reconciling work and family, although this may not be their main objective (for example, programs to expand pre-school services to improve the quality of education). However, these services are often poorly coordinated, insufficient and of uneven quality.

All this means that creating policies to reconcile work and family from a gender perspective is a complex challenge. To date, policies and programs focus on women workers on the assumption that they are the main caregivers, and men have not been involved. The current scenario may offer an invaluable opportunity to correct unequal structures, among them the uneven distribution of family care-giving and the quality of services available to households, which varies according to socioeconomic level. The development of this new policy approach requires far-ranging consensus and strengthening of State capacity and labour institutions.

The **State's** response to demand for care

LEGISLATION ON MATERNITY AND FAMILY RESPONSIBILITIES

Early in the 20th century, in most of the region's countries incipient forms of regulation came into place to govern labour relations. Thus, the State recognized specific rights to workers in order to balance their position with regard to their employers. The first right enshrined in labour law was the right to work: to choose an occupation in any branch of the economy and in a place determined by each individual.

Under labour legislation, then, the State guarantees workers' basic rights. An early measure was to create the institutions necessary to fulfil this role, including the social security system to protect them from a set of risks that could destroy their income-generating ability. As a result, the social security network was developed focusing on the contingencies faced by those in formal salaried employment, and providing secondary protection for wives and children.

This is the framework in which legislation to protect maternity and support workers with family responsibilities operates: its purpose is to prevent discrimination and guarantee the right to paid work, without depriving family members in need of care.

Maternity Protection in the Different National Laws
Measures to protect maternity were developed to safeguard the health of mothers and their children, prior to birth and during the first weeks of life, and to protect them from discrimination. Although not expressly created to help reconciling work and family life, these laws have been very effective in this sense. In fact, they represent the only helpful measure of this nature present in labour legislation in virtually all of the region's countries. Typically, maternity protection consists of paid leave, immunity from dismissal, and provisions that facilitate breastfeeding.

One of the ILO's first conventions dealt with maternity protection. Similarly, maternal leaves are often among the first regulations incorporated into national legislation related to working women's rights. Although maternity leave is shorter than the

Although not expressly created to help reconciling work and family life, maternity protection is the only measure of this nature present in labour legislation in all of the region's countries.

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14-week minimum established in Convention No. 183 in most countries in Latin America and the Caribbean, almost all stipulate at least 12 weeks, in accordance with the previous Convention, No. 103 (except Antigua and Barbuda with six and Honduras with 10 weeks). Most countries also provide for a minimum of six weeks postnatal leave, as instructed. The longest maternity leaves are provided in Chile, Cuba, Venezuela (18 weeks) and Brazil (120/180 days).

Usually mothers have access to extended maternity leave in case of illness. Some countries, moreover, offer longer maternity leave to civil servants. Since 2008, Brazil allows public employees to increase their leave to six months (180 days), whereas private firms can voluntarily allow the additional two months, with costs being tax deductible.

Elsewhere, conditions are more precarious. In several Caribbean and Latin American countries, exercising the right to maternity leave and benefits requires a certain period working for the same employer (18 months in Grenada, for example). How often maternity leave is granted can also be restricted: in the Bahamas, women can only take maternity leave once every three years, while in Trinidad and Tobago, this is once every two years.

Some countries also offer maternity leave to adoptive mothers. Its duration ranges from 30 days (Peru), to a period equal to the postnatal leave (Guatemala, Uruguay, Colombia). Brazil[1] and Costa Rica offer full maternity leave to adoptive mothers.

Convention No. 183 also mentions that the costs of maternity leave must be covered by the State and not by employers, unless otherwise stated by law.[2] This is to prevent discrimination against women in the labour market. Although social security covers maternity leave in most countries, often the employer must shoulder some costs of the subsidy, or all of it when workers' contributions to social security fall behind.

The protection against dismissal relating to maternity is included in the legislation of most of the region's countries, except for Antigua and Barbuda, Guyana and Mexico (the latter guarantees the right to return to the same job after maternity, but dismissal is not expressly forbidden). This immunity lasts throughout maternity leave and, in most countries, pregnancy and nursing. In Bolivia and Venezuela, it

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1   When adopting children under one year of age.
2   This is different from Convention No. 103, which stipulated that the State had to bear all costs.

lasts for one year after the birth of the child; in Chile and Panama, for 12 months beyond maternity leave. Notwithstanding, many laws allow dismissal for justified reasons unrelated to the pregnancy and by judicial authorization. In other cases, a stricter view has prevailed. For example, in Argentina, the law presumes, unless employers can demonstrate otherwise, that dismissal of a woman seven and a half months before or after birth is due to her pregnancy and this receives more severe punishment than an unjustified dismissal.[3]

Other measures to protect workers from maternity-related discrimination in most countries include a guarantee that workers will be able to return to the same or an equivalent job once maternity leave ends. Several countries also provide that a pregnant or breastfeeding woman is not obliged to perform tasks harmful to her condition, with no effect on their wages. The requirement that women undergo a pregnancy test at recruitment (except for high-risk activities) is expressly forbidden by laws in Brazil, Chile, El Salvador, Honduras and Venezuela. Elsewhere, in Colombia, Guatemala, Haiti, Jamaica and Uruguay, the law bans discrimination because of pregnancy, thus indirectly restricting pregnancy test requirements.

Legislation generally protects breastfeeding, except in some Caribbean countries: women are guaranteed the right to at least one break or a reduction of working hours, which may add up to one hour a day in most cases. This break is treated as working time and thus remunerated. It typically lasts for six months after the child's birth, although in Argentina, Cuba and Ecuador, this period can be extended for up to one year. In Chile, working mothers have the right to two breaks per day to feed their children under two years of age (one hour, plus travel time to and from work). In Uruguay, civil servants can request a shorter workday for as long as the baby requires it.

In about half of the countries, employers have to provide breastfeeding facilities in the workplace. Typically this depends on the number of women workers.

Legal Measures Relevant to Reconciling Work and Family
Ten of the region's countries have ratified Convention No. 156 on workers with family responsibilities. However, legal provisions adopting the notion of men and women workers with family responsibilities are not common. Most focus solely on women.

Costs of maternity leave should not be covered by employers.

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3   Compensation is usually equivalent to a full year's salary, plus any compensation awarded for length of service or due to unfair dismissal.

NEW LAW ESTABLISHES PATERNITY LEAVE IN ECUADOR

Paternity leave for private and public sector workers was approved in January 2009 in Ecuador. The new law defines the right to a ten-day paid leave after a child's birth, which can be extended another five days in the event of a multiple birth or caesarean, or eight more days in the case of a premature birth or other serious situations.

Fathers can exercise their right to paid leave by submitting a certificate from a doctor to Ecuador's social security institute (IESS). If the mother dies while giving birth or while on maternity leave, the father can make full use of her maternity benefits. Adoptive fathers have the right to paid leave of 15 days beginning on the day they receive the child.

Source: *Diario Hoy*, 31 January 2009.

Legislating paternity leave is very significant, on both symbolic and practical grounds.

This has made the current trend toward including paternity leave very significant, on both symbolic and practical grounds. For over a decade, several countries have begun to acknowledge fathers' right to participate in caring for their newborn children. Thus, fathers in Argentina, Brazil, Chile, Uruguay, Ecuador, Colombia, Guatemala, Dominican Republic and Venezuela have the right to paid paternity leave after a child is born, typically lasting from two to five days. In Ecuador, paternity leave lasts ten and in Venezuela 14 days. In the Bahamas, the worker has the right to a non-paid leave of seven days a year, usable for a birth or family emergencies.

Fathers, however, are not rushing to use this benefit and, on the contrary, sometimes feel fear or pressured to ignore it. This shows how important it is to promote cultural changes along with new regulations.

Some countries also allow paternity leave for adoptive fathers (in Uruguay it is six weeks, longer than for biological fathers, but only for one parent). Other countries permit leave in child custody cases. In line with ILO Recommendation 165, Cuba and Chile extend maternity rights to the father in the event of the mother's death during labour.

Recommendation No. 165 emphasises the importance of workers having leave in the event of the illness of a child or a close family member. Only a few countries in the region have actually put this into their regulations, however. In Chile, one

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4   Other countries authorize leaves when parents receive custody of a child (100 days in Argentina 100 days, 12 weeks in Chile).

parent has the right to paid leave in the event of the illness of a child under one year old (the mother decides which). Both parents also have access to ten days per year of leave in the event of a serious accident or terminal illness in a child under 18 years old. In Uruguay, public employees can ask for special leave (although this does not specify family responsibilities).

Leave to attend to grave family problems are more general in nature and are usually associated with the death of a child, spouse or parent. In the Caribbean, this is much less frequent, except in Grenada and the Bahamas, where workers have the right to leave to attend to family situations, also other than the birth or death of some member.

The only country in the region to guarantee parental leave immediately after maternity leave is Cuba. Parents can decide who will stay at home and look after their child until he or she is one year old. They get 60% of maternity leave benefits. This provision is increasingly adopted by the European countries.

Cuba also guarantees one day a month of paid leave to take a child to a medical check-up, a right legislated also in Venezuela. Additionally, Argentina and Cuba offer an alternative of unpaid leave, which consists of women choosing to stay home and care for their children under one year of age, once maternity leave has ended.[4] However, this involves neither remuneration nor contributions to social security. Nor does it count for seniority, but women do keep their jobs. Moreover, several countries' regulations specify that women can take their holidays immediately after maternity leave.

Child care centres for infants and children are crucial for workers to reconcile work and family. Labour standards in several countries require that employers provide these facilities (in the work place or by paying for an external service). The problem, however, is that these facilities depend on the number of women workers, except in Bolivia, Ecuador, Paraguay and Venezuela, which discourages the hiring of women.

According to Convention No. 156, the State must either provide or promote the organization of care services. Beyond the scope of labour regulations, many of the region's countries have developed public initiatives associated with care services

> Child care centres for infants and children are crucial for workers to reconcile work and family.

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4   Argentina allows for three to six months; in Cuba, for children under one year, permission covers nine months; and for children under 16, six months. This is for the father/mother.

BOX 19

LATIN AMERICA AND THE CARIBBEAN: MATERNITY PROTECTION LAWS

Selected measures	Maternity leave (weeks)	Cash benefits during leave (% of wage)	Funding for benefits (SS=social security)	
Antigua and Barbuda	6	40% / 60% / 100%	Employer 40% for 6 weeks and SS 60% for 13 weeks for workers who have paid contributions	
Argentina	13 (90 days)	100%	SS	
Bahamas	12	100%	SS and employer (33.3% of the salary; 100% if worker has not paid contributions)	
Barbados	12	100%	SS	
Belize	14	80%	SS	
Bolivia	13 (90 days)	100%	SS and employer (10%)	
Brazil	17 (120 days, extendable for 60 days)	100%	SS	
Chile	18	100%	SS	
Colombia	12	100%	SS	
Costa Rica	16 (4 months)	100%	SS and employer (50%; 100% if worker has not paid contributions)	
Cuba	18	100%	SS	
Dominica	12	60%	SS and employer	
Ecuador	12	100%	SS; employer if worker has not paid contributions	
El Salvador	12	75%	Employer	
Grenada	12 (3 months)	65%	SS	
Guatemala	12 (84 days)	100%	SS and employer (1/3; 100% if worker has not paid contributions)	
Guyana	13	70%	SS	
Haiti	12	100% (for 6 weeks)	SS	
Honduras	10	100% (6 months on average)	SS and employer (subsidy-wage difference; 100% if worker has not paid contributions)	
Jamaica	12	100% (for 8 weeks)	Employer; SS for domestic workers (minimum wage)	
Mexico	12	100%	SS and employer (1/3; 100% if worker has not paid contributions)	
Nicaragua	12	100%	SS	
Panama	14	100%	SS and employer (subsidy-wage difference; 100% if worker has not paid contributions)	
Paraguay	12	50% (enough benefits)	SS; employer if worker has not paid contributions	
Peru	13	100%	SS	
Dominican Republic	12	100%	SS and employer 50%	
Saint Lucia	13	65%	SS or employer	
Trinidad and Tobago	13	100%	Employer: 1 month 100%, 2 months 50% SS: percentage depending on salary	
Uruguay	12	100%	SS	
Venezuela	18	100%	SS	

	Immunity from dismissal	Breastfeeding breaks (hours)
	-	-
	Pregnancy and leave	Two 30 min breaks, for 1 year after birth
	Pregnancy and leave	-
	Pregnancy and leave	-
	Leave	-
	Pregnancy and 1 year after birth	1 hour breaks during breastfeeding
	Pregnancy and 5 months after birth	Two 30 min breaks; for 6 months after birth
	Pregnancy and up to 1 year alter returning to work	Breaks of at least 1 hour; 2 years after birth
	Pregnancy and 3 months after birth	Two 30-minute breaks; 6 months after birth
	Pregnancy and 3 months after birth	Breaks of 1 hour total
	Leave	1 hour a day; 1 year from birth
	N/I	N/I
	2 weeks before and 10 weeks after birth	2 hours a day; 1 year from birth
	Pregnancy and leave	Breaks of 1 hour total
	Pregnancy	-
	Pregnancy and nursing	Two 30 min breaks or 1 hour reduction; 10 months after maternity leave
	-	N/I
	Pregnancy and nursing	N/I
	Pregnancy and nursing (3 months)	2 30-minute breaks, 6 months after birth.
	Pregnancy and nursing	N/I
	(Right to return to same job post)	2 30 min breaks
	Pregnancy and nursing	15 min. every 3 hrs.
	Pregnancy	15 min. every 3 hrs or 2 30 min breaks
	Pregnancy and nursing	2 30 min breaks
	Pregnancy and 90 days	1 h a day; 6 months
	Pregnancy and 6 months	-
	N/I	N/I
	Yes	-
	Period unspecified by the law (jurisprudence: pregnancy and 6 months from return)	2 30 min breaks or reduction to half the time (public sector)
	Pregnancy and 1 year after birth	2 30-minute breaks; 9 months

Source: NATLEX and LEXADIN country databases and the national reports on the implementation of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

BOX 20

LATIN AMERICA AND THE CARIBBEAN: LAWS RELEVANT TO RECONCILING WORK AND FAMILY LIFE

Selected measures	Paternity leave	Leave to attend family needs	Care services provided in the work place
Antigua and Barbuda	-	-	-
Argentina	5 days	3-day leave in case of death of son/spouse/parents; Right to absence in case of child illness; 6-month absence for child with Down syndrome.	Companies with 50 or more female employees
Bahamas	7 days (unpaid)	7-day family leave (without payment) in case of birth or illness of a child or death of child/spouse/parents	-
Barbados	-	-	N/I
Belize	-	-	N/I
Bolivia	-	-	Companies with more than 50 employees
Brazil	5 days	9-day leave in the case death of child/spouse/father	Employers must offer services to all female employees with children under 6 months old, independently of the number of female employees.
Chile	5 days	Leave in case of illness of child under 1 year old requiring attention at home for mother or father; 10-day annual leave for mother or father in case of serious accident or terminal illness of a minor; up to 12 weeks' leave on receiving custody of a child under 6 months as protection measure; 7-day leave in case of death of child/spouse, 3 days in case of death of parents.	Companies with more than 20 female employees
Colombia	4 days (8 if both spouses have contributions)	6-week leave for adopting father without spouse: leave in case of family emergency; 5-day leave for death of child/spouse or parents.	-
Costa Rica	-	N/I	-
Cuba	-	Paid family leave for father/mother of a child under one year old; unpaid leave for father/mother (9 months when under one year, 6 months when under 16); 1 day per month for father/mother to take children under 1 year to medical control.	N/I
Ecuador	-	8-day leave for civil servants in case of family emergency (serious illness of a spouse, partner or second degree relative)	Companies with 50 or more employees

Selected measures	Paternity leave	Leave to attend family needs	Care services provided in the work place
El Salvador	-	Leave in case of illness or death of children/spouse/parents and other dependents (2 paid days per month, and rest without pay)	-
Grenada		Leave in case of illness or death of children/spouse/dependent and other family responsibilities	
Guatemala	2 days	3-day leave in case of death of child/spouse/parents	Companies with more than 30 female employees (within the economic possibilities of the employer)
Guyana	-	N/I	-
Haiti	-	N/I	N/I
Honduras	-	-	Companies with more than 20 female employees (within the economic possibilities of the employer)
Jamaica	-	N/I	N/I
Mexico	-	N/I	-
Nicaragua	-	N/I	-
Panama	-	N/I	(Responsibility of the State)
Paraguay	2 days	3-day leave in case of marriage and 4 days in case of death of spouse/children/parents/grandparents/siblings.	Companies (industrial and commercial) with 50 or more employees
Peru	-	30-day leave for adoptive father without spouse	-
Dominican Republic	-	3-day leave in case of death of child/partner/parents/grandparents	-
Trinidad y Tobago	-	-	-
Uruguay	3 days	Special leave of 6 weeks for adoption (mother or father); Special paid leave of up to 30 days for civil servants in duly justified cases.	-
Venezuela	14 days	10-week leave for female employee adopting a child under 3 years old; 28-day leave in case of illness of the child or mother at birth; 1 day per month for father/mother to take the child under 1 year to a medical control; paternity leave also in case of adoption	Companies with more than 20 employees

Source: NATLEX and LEXADIN country databases and the national reports on the implementation of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

More than half of Latin America and the Caribbean's women workers are employed in the informal sector and have no legal right to maternity protection.

(mainly childcare) but none guarantee universal coverage. Thus, governments implement care programs not only within the framework of social security, but also as part of educational policy. These measures, however, do not always provide for the needs of working parents. Often, schedules, costs or the quality of pre-school and school programs fail to help families to reconcile work and family responsibilities.

RIGHTS GUARANTEED TO A FEW

As this overview of countries' legislation reveals, labour legislation typically assumes that after the initial period, caregiving is basically a private, family concern. Measures tend to focus on protecting maternity, without addressing other family responsibilities.

Demands for reconciling work and family do not end with breastfeeding, however, nor are they restricted to childcare. Most workers also have responsibilities toward other adults and the elderly. These requirements are rising steadily, since the region's populations are ageing.

An even more fundamental problem is that there is no guarantee of universal coverage. Quite the contrary: multiple forms of exclusion have created an "implementation gap". This means that a significant percentage of workers fall outside legal protection and are therefore unable to exercise these rights.

The first level of exclusion arises from the law itself, which covers only wage workers in the formal economy, excluding informal workers by definition. This is particularly acute in the case of women, as more than half of Latin America and the Caribbean's women workers are employed in the informal sector. As a result, they have no legal right to maternity protection, that is, no right to return to their jobs after giving birth, no access to pre- or post-natal leave, no paid time for breastfeeding.

This reveals how traditional approaches to contingencies, such as the family allowances that normally offset the costs of family growth, have reached their limits, since they typically form part of wages, at a time when the lowest income women work mainly through informal arrangements.

In some countries, moreover, domestic workers are also excluded from maternity protection and other social security benefits. Another group of women with no access to these measures are employers, mostly in informal micro-enterprises.

Moreover, male workers with family responsibilities have virtually no protection, since measures such as child care services are provided only for women.

There is another level of exclusion, which arises from non-compliance with the law and the registration of workers. This underlines the urgency of improving the efficiency of institutions that safeguard workers' rights. For example, labour inspection departments in Ministries of Labour and / or Social Security generally have limited technical and financial resources to monitor compliance. Moreover, all too often the judicial rulings essential to enforce labour laws, for example the right to protection against dismissal relating to maternity, take too long to be effective. Non-compliance leads to unfair competition and reflects the mistaken perception that labour and social rights are costs. Nonetheless, studies show that companies that respect this legislation flourish, obtaining greater economic benefits.

Countries, therefore, face a double challenge: to improve their ability to ensure compliance with social and labour laws, and to ensure that compliance brings real returns. Costa Rica has taken an important step in this direction. There, companies providing goods and services to the State must be up to date with their workers' social security payments.

INSUFFICIENT CARE SERVICES

Convention No. 156 requires that the State develop or promote public or private community services, to assist children and other members of the family. Given the enormous levels of inequality that characterize Latin American and Caribbean societies, in this region the State has a crucial role to play in developing services that do not depend on the purchasing power or the job (formal or informal) held by men and women workers.

This requires allocating public resources. Social investment levels, however, vary greatly, ranging from under US $100 per capita (Ecuador and Nicaragua) to US$1,500 (Argentina), as Figure 15 illustrates. Compared to Europe, the main difference is not the percentage of GDP that Latin American countries make available for social spending, but its destination.[6] In the region, little is earmarked for childcare, either

> Non-compliance leads to unfair competition and reflects the mistaken perception that labour and social rights are costs.

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6   In Europe, spending on children ranges from 0.5-1.2% (in Italy, Spain, Portugal and the Netherlands) to 4% of GDP (in the Nordic countries). For example, in Argentina total social spending on children has fluctuated between 1.3% and 2% of GDP in the past decade. Half goes to primary education, one-quarter to health care, and almost 15% to family allowances and other benefits.

State has a crucial role to play in developing care services that do not depend on purchasing power.

FIGURE 15

LATIN AMERICA (16 COUNTRIES): SOCIAL EXPENDITURE PER CAPITA AND AS PERCENTAGE OF GDP, C. 2006

Source: ECLAC (2008b).

■ % of the GDP

◆ Per capita (US$, year 2000)
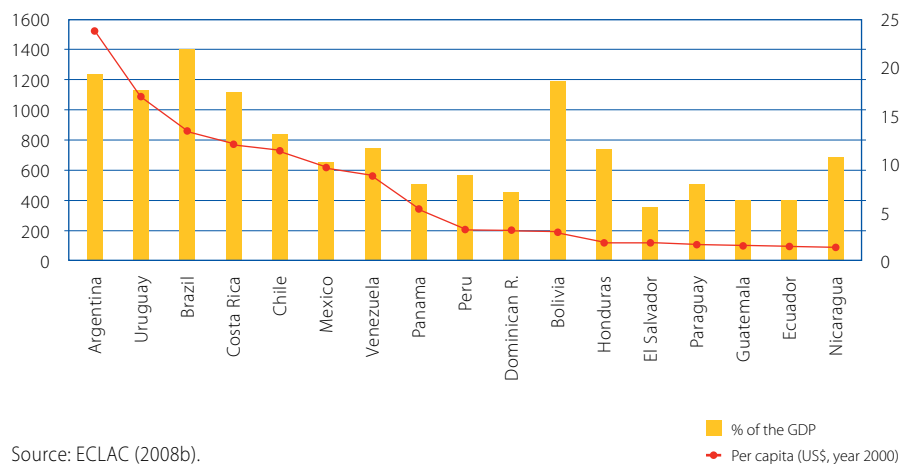
through services (nurseries) or benefit payments (so that mothers and fathers may access private services).

The childcare services available in the region have a scattered distribution and limited coverage. The vast majority of Latin American and Caribbean children do not attend childcare centres or kindergarten. For example, in Colombia, 52% of children under five stay at home under adult supervision; 8.5% receive care from an elderly relative and 1.7% accompany their mothers to work. In Mexico, 84% of small children are in their mothers' care; 9% are with another family member. Only 2% attend public or private childcare centres, despite the fact that this is one of the benefits offered by the social security system (Salvador, 2007).

According to figures from UNESCO (2008) however, pre-primary education has developed quickly in the region over the past decade. From 1999 to 2006, the number of children enrolled in preschool education programs (aged from three and four years to starting primary education) rose from 16 to 20 million and the gross enrolment ratio went from 56% to 65%. However, generally speaking these care services are only available to children over three years old. The coverage of preschool education gradually increases with age, as compulsory schooling comes into effect. Thus, only by five years of age, attendance becomes widespread in most countries, as Table 1 illustrates.

In the Caribbean, the private sector provides most preschool education (80% of enrolled children). Elsewhere in Latin America, pre-school education is mainly public.

TABLE 1

SELECTED COUNTRIES: CHILDCARE AND EDUCATION COVERAGE IN EARLY CHILDHOOD
(PERCENTAGE)

Country	Starting Age for Education			
	0-2 years	3 years	4 years	5 years
Argentina	0	0	28.8	57.3
Brazil	0	4.8	26.1	54.3
Bolivia	0	0.6	18.8	60.9
Colombia	0	13.8	28.3	58.3
Costa Rica	0	3.1	32.4	77.8
Cuba	11	99.1	99.7	100
Ecuador	0	0	11.9	n/a
Guatemala	0	6.5	11.3	34.3
Haiti*	1.5 / 1.5	13.4 / 13.9	20.9 / 21.4	26.1/25.3
Jamaica	0	60.4	95.9	98.5
Nicaragua	12.2	21.3	40	58.7
Panama	0	3.8	26.2	78.1
Paraguay	0	2	18	83
Peru	0	39.7	60.3	73.7
Saint Lucia	9.4	70.3	67.2	8.7
Uruguay	0.9	8.5	39.7	87.4

Source: Based on country profiles prepared for the UNESCO Report: *EFA Global Monitoring Report, 2007. Solid Foundations: Early Childhood Care and Education (2006)*.
* The two figures refer to boys and girls, in that order.

Aside from preschool education, several countries have started programs to lengthen the school day. These have obvious effects to reconciling work and family spheres, along with fulfilling educational goals. Chile has been a pioneer in this field; as of 2006, there were more than 7,000 schools with complete or extended school-day. In Costa Rica, the pilot program, "*Segunda Casa*" (second home) has started up, using a similar format and with very favourable results. In both cases, support from existing infrastructure offered an enormous advantage. In the English-speaking Caribbean, for example Grenada, there are similar plans for extending school hours.

In most countries, the quality care services with extended hours are supplied mainly by the private sector and subject to market conditions, and therefore accessible only to the families with highest income. Attendance at both childcare

The quality care services with extended hours are supplied mainly by the private sector and subject to market conditions.

and preschool programs is higher in urban areas and among more well-to-do families. This reproduces inequality, since, as international studies demonstrate, children from poor households are the ones who need and benefit the most from early education programs. Nonetheless, under the current system they are precisely the group least likely to access these initiatives.

The lack of sufficient care services is a major barrier to low-income women trying to gain entry into the labour market. Another factor of exclusion is given by ethnic and racial origins. In countries with a high proportion of indigenous peoples, such as Bolivia, Ecuador and Guatemala, measures to facilitate reconciling work and family tend to focus on urban areas, to the detriment of rural and indigenous populations.

In Brazil, the data speaks for itself. In homes surviving on less than one-quarter of the minimum wage, just 8.4% of children attend childcare centres, whereas among families whose income is more than two minimum wages, this jumps to 30.9%. In Argentina, too, there is a wide socio-economic gap between those with access to early preschool education, which will only be mended when it becomes compulsory (Figure 16).

In a significant number of countries, the State steps in to reinforce early childcare through agreements with non-governmental and community organizations, in order to provide care to poor children. These programs are implemented in the framework of poverty eradication policies and therefore make no attempt at universal coverage.

FIGURE 16

ARGENTINA: SCHOOL ATTENDANCE RATES OF CHILDREN AGED 3 TO 5 YEARS, BY INCOME QUINTILE, 2006 (TOTAL URBAN AREA)
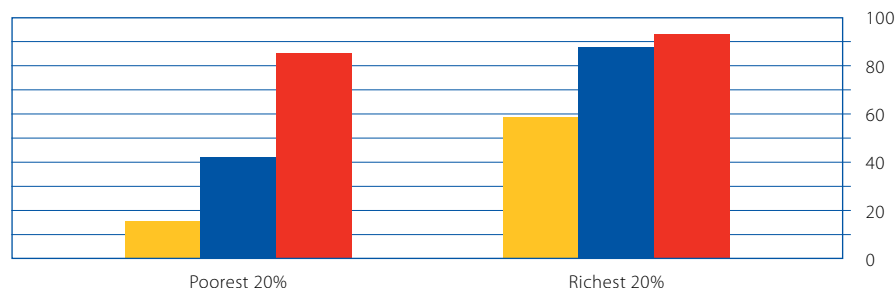
Source: Elaborated for this report by Rodríguez, based on data from national household surveys (EPH) and the national statistics bureau (INDEC).

3 years   4 years   5 years

BOX 21

A GOOD EXAMPLE: "CHILE GROWS UP WITH YOU"

The Chilean Government created a comprehensive protection system for early childhood, (*Sistema de Protección Integral a la Primera Infancia Chile Crece Contigo*), known as "Chile grows up with you" in 2006. It is based on the conviction that children's care and education is a social responsibility and a matter for public policy. One of its core missions is to create childcare centres to support the cognitive and emotional development of children, and make it easier for mothers to enter the labour market. The program focuses on the most vulnerable 40% of the population, which generally does not have access to this type of service when offered by the market.

Alongside benefits such as a prenatal family subsidy and preferential access to childhood development services, the system guarantees free, quality childcare for all children under the age of two, whose mothers are either working or seeking employment. Another target group consists of mothers who are studying, especially teenage mothers, to retain them in the school system.

Through this program approximately 900 new centres have been built every year, and by the end of 2009, 3,500 free, public child care centres will care for 70,000 infants, up 500% increase over the public sector supply in 2005. In January 2009, Chile's Minister of Planning presented a draft law to the Chamber of Deputies to institutionalize this program and turn it into an intersectoral system for social protection.

Source: MIDEPLAN (2008), www.junji.cl

This government initiative has institutionalized community childcare programs, in community facilities or family homes. Some offer countrywide services and hence constitute a major pillar in child care, providing low-income women workers with a place to leave their children. They also serve as a new source of employment for poor women who assume caregiving tasks, although generally the pay is low and provides no social security.

In Colombia, the government institutionalised services originally provided by women through community initiatives, making them national policy. Its public childcare programmes, run by the family welfare institute (*Instituto Colombiano de Bienestar Familiar, ICBF*), which offer the broadest coverage, arose from initiatives by women in poor neighbourhoods who cared for their neighbours' children while the mothers went out to work.

In Peru, the Wawa Wasi Program, managed by the Ministry of Social Development, provides childcare for working mothers, as well as generating jobs for women in childcare. Currently it cares for 53,000 children under four years throughout the country, from 8am to 5pm. It offers three possibilities for care: in the home of the caregiver; in a facility provided by the community; or in a public or private institution, which adopts and finances the program's methodology. Under any of

BOX 22

RECONCILIATION AND CONDITIONAL CASH TRANSFER PROGRAMS: NEW CHALLENGES FOR PUBLIC POLICYMAKERS

In the past decade, programs known as "conditional cash transfers" developed in Latin America, aiming to stop the cycle of intergenerational poverty. While these vary significantly from one country to the next, they share the same principle: the subsidies paid out are conditional on measures taken to promote children's human capital, in particular school attendance and health and nutrition controls. Around 20 million families in the region receive this type of cash benefit and, in 2008, 15 of the 18 countries in Latin America had some version of this kind of program.

These measures have been very effective in reaching women for two reasons: first, because they form the majority of the poor and secondly because they are seen as better at managing family resources and complying with program conditions. The fact that women receive these benefits has had a positive impact as it has meant that many have their own money for the first time.

One advantage of this kind of program is that it explicitly recognizes women's central role within the home economy. However, it also reproduces the traditional gender division of work, reinforcing the idea of women as the main family caregiver. In fact, one of the main criticisms of these initiatives is that they do not allow for reconciling work and family life, and assume that care, especially of children, is an individual (not social) responsibility, of mothers (and not fathers). Another much criticized aspect is the lack of initiatives to help women enter the labour market and integration into employment policy generally. In this sense, an opportunity to promote women's independence and achieve sustainable results in terms of poverty alleviation is getting lost.

From the point of view of reconciling work and family, these programs have enormous potential: i) to incorporate female employment as a priority; ii) to incorporate caring activities as part of total responsibilities (which must cease to be solely private matters); and iii) link the two, both promoting female employment and creating more and better social services.

In terms of early childcare, best practices focus on both caring for children and ensuring their mothers can access the labour market.

these alternatives, the government provides technical support (MIMDES, 2008). Other similar programs include *Programas de Guarderias y Estancias* in Mexico, *Hogares Comunitarios* in Costa Rica and *Empresas Maternales* in Honduras.

In terms of early childcare, best practices focus on both caring for children and ensuring their mothers can access the labour market. The goal is to avoid initiatives that don't take this need to reconcile work and family into account, and/or those that reinforce the idea that childcare is the mother's sole responsibility.

The care services available to the disabled or elderly population in the region are very precarious. In no country does social security provide universal cash benefits these groups. Only a small part of the population can access the market to receive the care they require after retirement: the vast majority will depend on family, usually women, to meet their needs.

In most countries, the government provides basic health services for senior citizens. Comprehensive care, such as residential homes or recreation centres, are still very new and reserved for the highest income sectors. In Uruguay, which has a significant elderly population, just 2.4% live in nursing homes or public residential homes. Day care coverage is even less, while in-home care is not a priority and families are expected to take responsibility for caring for the elderly (Salvador, 2007).

This situation has given rise to an interesting debate in the region: considering the change in the demographic pyramid and the rapidly aging population, how overloaded women are with work, and the limited coverage offered by social protection systems, shouldn't governments guarantee universal access to basic care services? This would stop transferring responsibility to the home and the market, a process that arose in the context of structural adjustment programs.

This has become a topic of debate, particularly given the growing tendency to implement the payment of conditional versus unconditional benefits, in response to the idea that poverty is largely the result of individual behaviour and lack of human capital. Ensuring a fully autonomous life – in emotional, physical, cultural and economic terms -- requires the design of policies that guarantee equality and universality.

The **cost** of not having policies to reconcile work and family

One argument stymieing the design and implementation of policies to reconcile work and family is the myth that they are expensive. This is not so, especially if we compare the medium-term benefits to the cost of having no policies at all.

The contribution these kinds of policies can make to business productivity is clear, as they improve the maintenance and broadening of productive capacity of the population. Moreover, when these mechanisms become formalised, they generate a significant potential of job creation, especially for women.

The negative consequences (both for the medium and long term) of not having this kind of initiative goes far beyond individual losses. Their lack generates costs to society and threatens the economic output of the countries in question. This is apparent in three ways:

- At the macroeconomic level: because the labour force's (especially women's) potential is not used efficiently, thus hurting productivity and competition, and hampering growth;
- At the company level: because the effort made by individuals to reconcile their work and family life creates enormous tension, which affects their performance, reducing productivity;
- In the quality of individual and family life: this shows up in health problems and loss of income among women; a lack of educational opportunities for children and adolescents; and the risk of child labour. Inequality and social conflict also rises and is apparent in disruptive behaviour.

Another potential cost is the risk to the survival of society itself. One reason behind low birth rates in several European countries is the range of problems that women face when trying to reconcile paid work with family responsibilities. This in turn reflects the indirect opportunity cost of being a mother and the direct costs associated with childcare. This tendency reinforces population ageing and contributes to the care crisis apparent on that continent (Esping-Andersen, 2000). Latin America and the Caribbean risk a similar trend, particularly among women with higher education, compounded among the middle classes by the lack of accessible childcare services.

Finally, there is a cost to democracy and the exercising of citizens' rights, since the lack of concrete ways to reconcile work and family limit women's participation in public life.

COSTS TO COUNTRIES' ECONOMIES

The labour markets in Latin America and the Caribbean are not making good use of their labour force. The difficulty women face in finding employment, their over-qualification for the jobs they have, and their over-representation in precarious and badly paid jobs all express this reality. In Argentina, for example, 67% of women who have completed post-secondary education are concentrated in manual or low level technical jobs (compared to 54% of men in the same situation).

Wasting labour's potential leads to low long-term growth, since the labour force is important not only as a productive factor but also in generating demand. Furthermore, a labour force that is ready and able to work, but then left inactive, unemployed or underemployed, represents an inefficient use of resources and a loss of human capital. Thus, the economy doesn't reach its full potential and growth suffers as a result.

Another negative consequence is the advent of poverty or difficulties in reducing it. This is because this pattern generates low income levels and exclusion from employment for a large part of poor women. This has costs, at an individual level, leaving people with fewer and fewer opportunities to access quality employment, as their knowledge and training go out of date. Governments must then bear the social costs, assigning more resources to relieve poverty. Moreover, as is well known, the transmission of poverty and social exclusion from one generation to the next also hurt countries' macroeconomic performance.

THE COST TO BUSINESS PRODUCTIVITY

Increasing tension between work and family life may reduce production at work, increasing dissatisfaction and job turnover.

Although some businesses acknowledge that addressing this existing tension has a positive effect on productivity, most are still not building this into their strategic priorities. Moreover, heterogeneity of companies (in size, sector, level of workforce

Wasting labour's potential leads to low long-term growth, since the labour force is important not only as a productive factor but also in generating demand.

Increasing tension between work and family life may reduce production at work, increasing dissatisfaction and job turnover.

skills and specialization) affects the perception of the problem and of the costs of missing the point of these kinds of measures.

Where businesses do have policies for reconciling work and family in place, they often go beyond legal requirements, usually as a result of an organizational strategy or a collective bargaining process. Measures vary widely, ranging from the simple definition of working hours to the creation of specific care services.

The unresolved tension between work and family life leads to a higher staff turnover and difficulties in hiring and retaining staff, especially in the case of highly specialized workers, who are particularly important to company operations. This also increases costs, not only for recruitment but also for induction and training. Even if workers come with some qualifications, depending on their level of education, other knowledge is specific to the job and can only be learned at work. These costs are higher in companies that invest in training policies, either by offering training within their own productive unit or by encouraging (and often financing) external training for their staff.

When businesses compete to employ the most skilled workers in their fields, the presence of family-friendly institutional policies can tip the balance. A worldwide survey of university graduates found that when it came to choosing an employer, measures making it easier to reconcile work and family life were the most important factor for most, more so than salary (Earle in Hein, 2005).

The positive effects from introducing policies of this nature are higher in industries and sectors requiring more qualifications, where the cost of losing and replacing workers is higher. In these cases, it is also easier to quantify benefits associated with these policies. Furthermore, the cost of replacing employees will be greater where labour supply is lower, meaning that this argument is stronger in labour markets which have a low unemployment or underemployment rates. In sectors involving more technological innovation, for example, more companies have implemented these kinds of policies. In contrast, among the broad sectors with lower productivity, the responsibility for bearing these costs seems to shift from the company to workers themselves, leading to precarious conditions and unstable jobs.

Meanwhile, there are many costs that arise from not having measures of this nature within businesses. First, the tension between work obligations and family needs may affect people's performance as parents, generating tension, irritation and stress at work (SERNAM, 2003). Absences, delays, less work satisfaction and less commitment to the organization typically result from the unexpected situations and hardships

TABLE 2

CHILE: MEASURES TO RECONCILE WORK AND FAMILY IN 43 COMPANIES AND THEIR RESULTS

Type of measure and number of implementing companies	Positive or very positive results obtained in:
Flexible hours (11 companies)	Productive management, job satisfaction, organizational climate and quality of life
Hours of work at home and in the office (2 companies)	
Training during working hours (23 companies)	Productive management and quality of life
Agreements with or payments for child care beyond legal requirements (14 companies)	Productive management, job satisfaction, quality of life and organizational climate
Bonuses due to birth, death, school period, other family benefits (17 companies)	Job satisfaction and quality of life
Work leave for taking care of family needs (25 companies)	Productive management, job satisfaction, organizational climate and quality of life
Scholarships for children (5 companies)	Quality of life, and to a lesser extent, organizational climate and productive management
Loans for family needs or emergencies (16 companies)	Job satisfaction; some impact on quality of life, organizational climate and productive management
Family recreation and sports programs (6 companies)	Quality of life, work environment and satisfaction; some productive management

Source: SERNAM (2003).

arising from employees' attempts to respond to their care responsibilities. Research in Spain found clear links between the stress caused by work-family tensions and occupational accidents. (Martin-Fernandez et al., 2007).

In Colombia, evidence on 80 firms with over 250 employees corroborated the higher costs associated with not having these measures (Idrovo Carlier, 2006). In general, the managers of the firms surveyed said that policies to improve the relationship between employee's family and working lives were good for the company. Lack of measures caused the following problems: lack of commitment (62%); difficulties in recruiting key staff (60%); stress (50%); and absenteeism (48%). Notwithstanding, 60% of the companies had no such measures in place.

In 2002, a survey of 43 companies in Chile explored CEO's perception of these measures and their effects, presented in Table 2 (SERNAM, 2002).

In a later study, surveys of three Chilean firms that had implemented measures of this nature found that workers who felt supported by their company were

When businesses compete to employ the most skilled workers in their fields, the presence of family-friendly institutional policies can tip the balance.

BOX 23

A SUCCESSFUL CASE OF CORPORATE COMMITMENT

In Brazil, a study by a multinational IT company uncovered their employees' preferences for different working arrangements. 48% of workers wanted flexible hours during the day, 45% during the week, 42% wanted to be able to work from home and 34% needed personal leaves of absence from time to time. The next year, the company implemented some of these flexible work options, in response, to demonstrate company leadership and improve its ability to attract and retain the best talent in Latin America. In Mexico, the same company identified similar employee requirements and results.

Source: Lobel (2000).

Implementing work-family-friendly actions can benefit both workers and businesses.

more relaxed, resolved needs related to quality of life and achieved better stress management (SERNAM, 2003). These factors boosted productivity by from 11% to 16%, well above implementation costs.

Another study, on the effects of measures implemented as part of a comprehensive program to promote gender equality in a private clinic, yielded excellent results, especially in terms of staff turnover. The measures brought savings in staff recruitment amounting to US$500 per employee per year. They included: leave twice yearly to attend school events, flexible hours during the six months following post-natal leave, an extra day for birth and a half day monthly payable to fathers during the first six months of their child's life, among others. As a result, staff turnover fell18% and productivity rose (from 5% to 22% depending on service). Moreover, among those who had used at least two of these benefits, 91% evaluated them positively and perceived themselves as more productive (Bocaz, 2003).

These examples show how implementing work-family-friendly actions can benefit both workers and businesses. The evidence also shows that the different measures have varying effects on variables associated with productivity. The final reduction in costs reflects the specific combination of initiatives, which in turn depends on the labour market, the business sector and the level of employee qualifications and wages, among other factors.

SOCIAL COSTS

Women's massive entry into the labour market has occurred amidst weak policies for reconciling work and family. This has brought an array of negative consequences,

which in turn have created additional pressure on social investment, especially where this is a low priority.

For women workers, this has brought exhaustion, physical and mental health problems. In the case of girls and young women, the caring activities that they must take on while their mothers are engaged in paid work may hurt their education and encourage them to drop out. The precarious conditions in which children, the disabled and the elderly, particularly from low-income families, receive care increases the risks to their health, and their physical, emotional and mental integrity. Moreover, the lack of early education hampers subsequent school performance.

Each of these effects goes beyond the people who suffer them directly. For example, while conditional cash transfer programs allocate resources to promote young people staying in school, the lack of public care services pressures girls and young women to stay home to look after their younger siblings. While these same programs try to improve human capital, the children that go to school in the morning are either on the streets in the afternoon, in front of the television or in the care of older children, with the hazards this involves.

Similarly, while health system reforms promote greater investment in prevention, the stress associated with having to generate income and neglecting family responsibilities increases the demand for costly curative services. A study in Canada, for example, estimated the healthcare costs associated with stress, depression and collapse arising from work-family tensions. It calculated that, in 1997, 19.8 million work days were lost, worth around US$2.7 billion (calculated on the basis of the average salary), while the costs of medical consultations were estimated at US$425 million (Duxbury, Higgins and Johnson, 1999).

Another result is that the threat to social integration rises, as does demand for public investment in social areas. Faced with these conditions, it is reasonable to ask: which is more expensive, to invest before or after?

The answer is particularly clear if one thinks of low-income families. For many women in these groups, lack of care services is the main reason why they are not working or are employed in informal and poorly paid jobs. A telling example: 40% of mothers working in the informal sector in Guatemala City cited the "lack of child care services" as the main reason for not working in the formal economy (Cassirer and Addati, 2007). The presence of reconciliation measures, then, is an important tool to improve the employability of poor women and therefore increase their

Most working mothers who use the *Chile Crece Contigo* daycare system mention that without this support, they would have to quit their jobs or studies.

The income gap between families can polarize society further: while a small group of households enjoy two high-level incomes, others barely survive on one that is much lower.

household income and the educational system's ability to retain children and youth. Most working mothers who use the *Chile Crece Contigo* daycare system (described above) mention that without this support, they would have to quit their jobs or studies (MIDEPLAN, 2008).

Taking care of children is particularly difficult for poor women workers. Often, their only choice is to leave their children at home alone, rely on an older sibling (usually sister) or take them along to work. Mothers forced to take their children to work usually must remain in the informal economy or agricultural employment. But this "solution" leads to long-term problems. Employment in the informal economy generally means low wages and long hours to earn barely enough for their subsistence. The presence of children in the workplace may contribute to child labour. It can seriously hurt children's physical health and pose a hazard to their safety, particularly because this strategy tends to be used the most by people in precarious jobs, where labour and environmental conditions don't respect minimum standards for safety and hygiene. An example of this is the street vendors selling goods on public roads or seasonal agricultural occupations that require handling of agrochemicals (Cassirer and Addati, op. cit.).

The income gap between families can polarize society further: while a small group of households enjoy two high-level incomes, others barely survive on one that is much lower. This situation is made more evident as female labour force participation becomes more concentrated in the upper and upper-middle classes (Esping-Andersen, 2000).

International evidence shows that reconciliation strategies depending on families alone are far from optimal for those household members who require care services. When family's strategies in this sense interrupt education and training, their implications stretch beyond the present into the medium and long terms. This is another way of conspiring against these groups acquiring the skills they need to improve the social and economic prospects.

Several international studies have shown that child care and early education programs help to improve attendance and learning outcomes in primary school. In Argentina, for instance, children aged 3 to 5 years who attended pre-school perform better in grade three language and mathematics, twice as well as other students among children from disadvantaged backgrounds (UNESCO, 2008).

The early childhood programs that manage to provide both better care for children and employment for their mothers offer benefits that go beyond the individual and household level, transforming future employment opportunities and bringing real improvements to earnings and productive capacity, reducing the gaps between social strata, improving relations of equality, and influencing fiscal policy.

But costs are not limited to the younger population; they also affect the elderly. The rapid aging of the population together with the absence of specific policies for caring will bring many new problems in the long term. This is particularly relevant when we consider that caring activities for the elderly and sick are those most poorly distributed among men and women. These are, moreover, complex and demanding tasks in terms of the knowledge required, require physical exertion and are particularly difficult to combine with other activities. The lack of options for care for this population segment also translates into lack of social security and labour protection for the women that engage in these activities.

Deficient care for the elderly can speed the deterioration in their physical and mental health, which implies greater and growing demands for public health services and, therefore, on national budgets. It is also necessary to consider the costs involved in caring for people with disabilities and chronic illnesses, as they require a different type of dedication.

The social implications of not addressing this need for policies to reconcile work and family become more compelling when they are viewed in the long term. Neglecting this area could well lead to a future labour force riddled with segments suffering from poor health, with less education and fewer skills, and multiple barriers to social inclusion. This will have national consequences in terms of an impoverished population, with limited tax-paying capacity and heavy demands on public policies and, thus public budgets.

Proposals for work-family **reconciliation** policies through social co-responsibility

Co-responsibility must be developed between households, the market and the State; and between men and women.

As this report demonstrates, women's growing participation in the labour force and the transformations experienced by families, demographic trends and labour models have decisively changed the relationship between work and family life. Today, workers, particularly women workers, face enormous tensions when trying to reconcile both worlds.

These tensions impose a huge cost on individuals and society as a whole. They therefore urgently demand a response from governments and other social actors. This requires an integrated approach to public policies for work-family reconciliation, based on social co-responsibility, that is the idea that responsibility should be shared across society as a whole. These policies address the needs of both men and women workers, and seek to: i) create decent work; ii) reduce socioeconomic inequality, and iii) promote gender equality.

Work-family reconciliation policies based on the idea of social co-responsibility focus on optimizing people's wellbeing and improving the labour force's productive capacity. As with every social investment policy, they maximize results and reduce future costs. To do so, they must be deeply embedded in social policies, but also employment policies and countries' strategies to boost productivity. Reconciling work and family life is not a women's issue, but rather a fundamental concern for society as a whole. Progress in this area will benefit everyone and efforts in this sense must take into consideration the needs and interests of individuals, families, workers, businesses and the State and they must also foster cultural change in every sphere.

Given the enormous scale of the changes needed, no single public policy measure on its own will be enough. Quite the contrary: we must maximize the work-family benefits of current and future policies and the cultural changes essential to successful implementation.

To this end, society must recognize and make visible the value of women's unpaid work, especially their role in caring for children, the disabled and the elderly, and it must value their social and economic contributions.

The idea that care-giving is a private domestic responsibility unique to women must change. A greater sense of social co-responsibility must be developed, in two senses. The first requires a redistribution of responsibilities between households, the market and the State, that is a shift toward society as a whole assuming responsibility for the process of reproducing the labour force. The second requires

redistributing reproductive work between men and women, in line with the change that has already taken place regarding productive (paid) work.

To leave behind the assumption that women alone must balance productive work with family responsibilities, we must foster alternative models of maternity, paternity and masculinity, as part of ensuring the success of work-family reconciliation policies. This means giving new meaning to fathers' role within the family, as affectionate people interested in and able to assume family responsibilities, such as raising children, caring for the elderly and the sick, and dealing with domestic tasks. Changing ideas about motherhood is equally necessary: if it continues to be synonymous with sacrifice and fulltime child care, redistributing caring activities or relieving the burden that overloads working mothers will remain difficult, if not impossible, to achieve.

In the world of world itself, instead of seeking equity simply by promoting women's participation in a labour market defined by gender, there is need to de-construct the stereotypical "ideal worker", who tends to be a man with no domestic responsibilities in his family or personal life. This would alter the relationship between market and household work to ensure that all adults, men or women, can achieve their ideals for both their work and their family lives. To do so, then, society must re-value women's work and modify the perception that women are a secondary workforce.

Aside from designing and implementing specific policies, the way public policies indirectly influence existing tensions between work and home must be considered. To this end, all public policy actions should be considered as tools that can contribute to modify traditional gender roles and taking into account caregiving issues. The inclusion of different policies with reconciliatory effects can enhance the results of sector policies and offset the undesirable effects of isolated initiatives.

This makes it necessary to combine very focused and very broad strategies: promoting some that respond to groups with special needs, and others involving universal approaches to caregiving, offering extensive coverage based on broad social and political covenants.

Some measures worth considering include:
- Adapting civil service hours to the needs of workers with family responsibilities and ensuring they are widely available through decentralization, to reduce the time spent on red tape (and improve access, especially in the poorest areas).

Foster alternative models of maternity, paternity and masculinity should be fostered, as part of ensuring the success of work-family reconciliation policies.

New models of maternity,

paternity and masculinity

should be promoted.

- Evaluating the impact of extending school and pre-school hours, and the school year, together with providing suitable transport, and health care in schools.
- To ease the burden of domestic tasks, guaranteeing running water and electricity to all households and increasing access to appliances that make chores easier. Implement programs of building functional homes that also facilitate family life.
- Promoting policies that help people with disabilities and chronic illnesses integrate both socially and in the work world. This requires improving infrastructure, transport, education, health and jobs.

Countries must design policies appropriate to their own contexts, teasing out margins for action to foster life-work reconciliation and the socialization of care. This may involve reinforcing the potential of existing policies in specific sectors, among them programs centring on the poorest people.

Bringing legal **frameworks** into line with international standards

International labour regulations define minimum standards at a global level. Countries implement them by first ratifying then suitably adapting national legislation. Aside from helping to shape relevant legislation, conventions such as those referring to workers with family responsibilities can: i) guide policy formulation on work-family reconciliation; ii) serve as a source of inspiration for sound labour relations; and iii) stand as models for collective bargaining agreements. They also indicate countries' interest in improving their citizens' quality of life.

Thus, governments that have not yet ratified international conventions regarding reconciliation and social co-responsibility, such as ILO Maternity Protection Convention No. 183 (2000) and Convention No. 156 on workers with family responsibilities (1981), should start by taking the necessary measures.

Those States that have ratified these conventions must follow through by incorporating their provisions within the relevant national legislation. They should also adapt their legal framework in line with the respective Recommendations, 191 and 165.

They should also make an effort to bring themselves up to date in ratifying and implementing conventions already ratified by 32 of the region's countries, specifically the ILO's Equal Remuneration Convention 100 (1951) and Convention 111 on Discrimination (Employment and Occupation, 1958).

BOX 24

URUGUAY'S DOMESTIC SERVICE LAW

Uruguay's domestic labour law, approved in November 2006, offers an outstanding example of the combined effort of social actors to ensure the application of Convention 111 and the principle of non-discrimination. This initiative, led by a tripartite commission for equal opportunities (Comisión Tripartita de Igualdad de Oportunidades), marks a landmark effort to place labour standards regarding domestic service on an equal footing with those for the rest of the workforce.

These new regulations establish maximum hours of work, and the right to severance pay, unemployment benefits, minimum wage, holidays, maternity and other benefits, all covered by general regulations.

Thanks to this law, domestic workers can now access essential social security benefits, a significant step forward in this region.

Source: Espino and Amarante (2008).

Organization of work to favour reconciliation and social **co-responsibility**

People's welfare is deeply linked to the quality of their integration into the labour market. This in turn depends on the jobs available and their stability. Today, professional requirements and demands made of men and women in the workplace hamper their families' lives and feed inequality faced by women.

This means that to reconcile work and family life, labour market conditions must evolve in terms of improving employment conditions for women and, in general, promoting a new distribution of opportunities for everyone.

Societies must create the conditions necessary to allow men and women to choose different combinations of paid work and family life at different points in the life cycle. For this to happen, the labour market must stop discriminating on the basis of family responsibilities and care must become a recognized, State-guaranteed right.

People's welfare is deeply linked to the quality of their integration into the labour market.

PROTECTING MATERNITY, PATERNITY AND PARENTING

In general, rules and policies on maternity and family responsibilities have inspired a model that makes women responsible for combining productive and reproductive work. This reinforces women's image as the sole caregiver and their role as a secondary workforce, thereby becoming a source of discrimination and accentuating the disadvantages women face in the labour market.

We need to change this view to encompass the idea of parenting, that is, care that both partners provide for their children (and later their elderly parents).

This makes it necessary to extend to both men and women the measures and benefits not solely arising from women's biological role in reproduction (pregnancy, birth, post-natal recovery and breastfeeding), and including men in caring for both children and the elderly.

Maternity and paternity
  - All countries must guarantee all working women maternity leave lasting at least 14 weeks, as defined in Convention 183, including women in

BOX 25

CUBA: PATERNAL LEAVE TO ENCOURAGE BOTH PARENTS TO SHARE RESPONSIBILITIES

In 2003, Cuba updated its Decree Law 234 to extend parental leave to fathers during their child's first year of life. One reason for the amendment was to promote shared responsibility in child care. Moreover, the law applies equally to adoptive mothers and fathers in all measures to protect children.

Once maternity leave has concluded, the mother and father can decide who will look after the child, how they will share that responsibility until the child's first birthday, and who will receive benefits equal to 60% of maternity leave. For the purposes of social security, time spent receiving benefits for looking after the child is considered service.

When fathers take on child care, working mothers are entitled to one hour per day for breastfeeding, until the child is one year old.

Changes in the 1975 Family Code complemented this new initiative by establishing parents' shared responsibility for assisting, educating, protecting and caring for their children and preparing them for life, as a shared right and duty.

Source: www.mtss.cu and www.cimacnoticias.com

atypical jobs, to protect the health of them and their children. Maternity and paternity leave should be extended for multiple births and must apply in the event of adoption.

- Countries currently without laws must legislate for paid paternity leave of an adequate duration upon birth to ensure that fathers can be present during the early days of their children's development.
- Countries with paternity leave, should evaluate how well it is being used, to identify factors encouraging or limiting its use, lessons and conditions to optimize its use.

Parenting

- The ILO recommends including in regulations the idea of paid parental leave of suitable duration, that can be used after maternity leave ends by both spouses sequentially, without loss of employment and retaining all job-related rights. This would help men to take on greater responsibility in raising their children.
- Legislation should guarantee paid family leave to either working partner to deal with family responsibilities (such as the illness of a child or other dependent person). This could also take the form of shorter or more flexible hours of work, to deal with a variety of situations.

- Unpaid or "extra" leaves should also be contemplated, to facilitate child raising or caring tasks, at no risk to job-related rights.

NON-DISCRIMINATION DUE TO FAMILY RESPONSIBILITIES

People with family responsibilities have the right to freely choose their jobs and to enjoy the same opportunities for training and access to employment, promotions and job security as other workers, without facing discrimination because of their family responsibilities.

This requires that the general budgets associated with social security cover the costs of maternity, paternity and parental leave. In countries where employers are required to contribute to these costs, their contribution should be defined in terms of the total number of employees, regardless of gender.

ILO Convention No. 156 and Recommendation No. 165 establish that the State is responsible for providing care services, although it can encourage other entities, including private companies, to contribute to meeting this demand. Societies must avoid exclusion and debate funding mechanisms. And governments must review legislation that links services such as child care to the number of workers and requirements that companies fund these services. The right of workers' children to care should be extensive to all employees with family responsibilities, and services and funding should be provided in ways that are not detrimental to any sector.

To guarantee equal opportunities for men and women workers with family responsibilities, governments should:

- Create legal frameworks that penalize discrimination associated with family responsibilities: neither parental leave nor any other temporary absences related to family should be obstacles to holding a job or career development.
- Explicitly ban discriminatory practices in recruitment, promotion, wages or severance. Among other measures this requires outlawing pregnancy tests and questions about marital status or number of children during hiring, and ensuring that motherhood does not remain a barrier to women's advancement into managerial posts.
- Identify and distribute information about good practices in terms of

Societies must create the conditions necessary to allow men and women to choose different combinations of paid work and family life at different points in the life cycle.

111

For women to exercise their rights and enjoy the same opportunities as men, society must recognize their contribution to family and society.

reconciling work and family life and their positive impact in the workplace and on business productivity.

- Promote measures to improve conditions and quality of life at work, including those approved through collective bargaining, to steadily reduce hours of work and overtime, and adjust working times, rest periods and holidays for workers who are fathers or mothers, as Recommendation 165 suggests, as well as reducing work requirements on weekends and holidays.

Implementing these work-family reconciliation measures cannot depend solely on each company or production unit, but rather should reflect public policies to improve productivity, at the individual, company and systemic level. These initiatives should also strive to overcome the effect that labour market segmentation has on employment opportunities for women with different educational levels and socioeconomic status. This means that a single measure should benefit women across different educational levels and socio-economic backgrounds.

ENCOURAGE WOMEN TO ENTER AND REMAIN IN THE LABOUR MARKET

Traditional gender roles make it harder for women than men to enter and remain in the labour market. As a result, their participation rates are lower and they find it harder to get good jobs and progress up the occupational ladder.

For women to exercise their rights and enjoy the same opportunities as men, society must recognize their contribution to family and society. Moreover, both active and passive labour policies must incorporate the gender dimension:

- Women's participation in the labour force should be supported through information and counselling that take into account the specific needs of women.
- Training and education should focus on improving women's employability and their ability to find quality jobs and employment beyond traditional women-dominated sectors, to reduce gender segregation and salary gaps between men and women.
- Women should have access to guidance services and professional training to help them re-enter the labour force after absence due to maternity leave or family responsibilities.

BOX 26

COSTA RICA: SIGNIFICANT PROGRESS TOWARD GENDER EQUALITY

Costa Rica's national policy for gender equality and equity (*Política Nacional para la Igualdad y Equidad de Género, PIEG*) put forward by the national women's institute (*Instituto Nacional de las Mujeres, INAMU*) in 2007 has brought substantial progress in recognizing that reconciling work and family life is an issue of public interest.

PIEG's work is based on six main pillars: (1) care as a social responsibility; (2) women's right to quality paid work and job creation specifically for women; (3) the right to quality education and health care; (4) real respect for women's rights and protection from all forms of violence; (5) women's political participation to build democratic parity; and (6) strengthening the institutions responsible for achieving gender equality and equity.

On caregiving as a social, rather than an individual, responsibility, PIEG's goal is that by 2017 all women requiring child care to access paid work have at least one quality public, private or mixed alternative, thus taking concrete steps toward social responsibility for care, and valuing domestic work. This goal is a breakthrough in that it recognizes that lack of caring alternatives can prevent women from entering or staying in the labour force. Moreover, it contributes to broader recognition of caring as a social responsibility. PIEG has an action plan for each pillar.

Source: INAMU (2007).

- Specific programs should address the caring and other needs of groups most at risk from poverty, such as women household heads.
- Young girls' options should be expanded to include jobs in non-traditional sectors, through vocational guidance services, in both secondary and post-secondary education.
- Specific programs should combat the consequences of teenage motherhood on young women's educational choices and career opportunities, allowing them to complete their studies, acquire on-the-job training and employment opportunitites, and to combine their work and family life. Moreover, policies to promote decent work for young people should be linked to those associated with sexual and reproductive health.
- Free care services should be expanded to prevent teenage girls from dropping out of school to assume reproductive tasks (such as caring for younger siblings).

The most efficient way to overcome poverty is to ensure people's participation in the labour market. This makes it essential for anti-poverty programs, including conditional cash transfers, to promote women's employment on both the supply (more skills and formal education) and demand (creating quality paid employment) sides.

BOX 27

TRINIDAD AND TOBAGO: TRAINING FOR WOMEN

In Trinidad and Tobago, the Gender Affairs Division in the Ministry for Gender Affairs, Cultural and Community Development offers training courses to help women become financially independent and improve their employment prospects.

Since 2000, their training program to help women acquire untraditional skills provides technical training to low-income women in construction (carpentry, bricklaying, plumbing, electrical installation, etc.), furniture making, car mechanics, industrial and domestic appliance repair and maintenance, and other non-traditional areas. The six-month training period includes entrepreneurial skills, literacy, numeracy, personal development and gender, and trainees receive financial support through grants.

The Women in Harmony program, created in 2002, aims to increase employment opportunities for low-income women, mainly household heads, with few or no qualifications. The program aims to respond to market demand for skills and thus broaden women's employability and economic opportunities, in the fields of agriculture, landscaping and caring for the elderly. Participants receive grants and childcare support during training.

Source: Study by Gaietry Pargass, prepared for this report.

Moreover, many unemployed women report they are not actively seeking a job because they have nowhere to leave their children or other dependents. This underlines the importance of ensuring child care is available to those currently in the labour market (employed or otherwise) but also those interested in paid work. Thus, employment support programs should consider child care.

FINDING NEW ANSWERS FOR TIMES OF CRISIS

The economic crisis can worsen tensions experienced by women workers with family responsibilities, affecting their employment possibilities and job security, and increasing the amount of unpaid work in the home.

Governments have access to a wide range of tools to deal with the effects of the current global economic crisis, not only from a broader employment policy perspective, but also from the perspective of specific labour market policies. Either way, careful analysis of potential impacts on men and women is essential, particularly in the case of those groups most affected by poverty, such as households headed by women. Some recommendations include:

- Implementing countercyclical fiscal and monetary policies that give priority to spending and investment in areas with the most impact on

employment, seeking to expand opportunities for women, as well as men, and favouring employment initiatives that will enhance equal opportunities and involve work-family reconciliation measures.

- Given the relatively high presence of women in micro-enterprises, help should specifically target this sector, through credit and mitigation policies for those most hurt by the current economic downturn. This requires getting the most out of new opportunities in care-related employment niches, and developing these markets for micro- and small businesses.

- Social protection measures should be strengthened and conditions for accessing unemployment benefits reviewed, to maximize coverage and close the gender gap associated with the fewer employment opportunities available to women due to their family responsibilities.

- Similarly, it is important to identify mechanisms, such as non-contributory schemes, to protect the unemployed in the informal economy, where working women with dependent children are typically concentrated.

- Introducing emergency employment programs to slow rising unemployment and help the neediest households, particularly those headed by women, is vital. Conditions on participating in minimum income programs must not exclude women.

- Maintaining the buying power of current wages and continuing to bridge the gender gap requires policies that guarantee and monitor compliance with a constant minimum wage. This is particularly crucial to women, as a higher percentage receives minimum wage. Monitoring gender gaps in wages is also recommended.

EXTENDING MEASURES INTO THE INFORMAL ECONOMY

Women workers in the informal sector face the highest potential conflict between work and family life, since they are not covered by current welfare initiatives or labour legislation regarding maternity and workers with family responsibilities.

For this reason, policies to reconcile work and family must deal with the issue of informal and precarious employment. Both businesses and employees active in this sector suffer from the insecurities that arise from the lack of fair, applicable regulations. Progress on several fronts is needed to:

Encourage the regularization of informal activities by:

> The economic crisis can worsen tensions experienced by women workers with family responsibilities, affecting their employment possibilities and job security, and increasing the amount of unpaid work in the home.

IN GUATEMALA: CHILDCARE CENTRE HELPS INFORMAL SECTOR WORKERS

The Guatemala municipal government supports a childcare and early childhood program serving vulnerable families from marginalized urban areas in the city. Created after studies found child care was a major need among the city's working mothers, the five municipal centres in this program care for over 1,000 children under six years old.

The city's Santa Clara childcare centre, started in 1990, is for children of workers in the informal economy who collect, classify and sell recycled material from the municipal rubbish dump in zone 3 of Guatemala City. Most of these impoverished families, some of them extremely poor, live in precarious conditions, often in highly unsanitary accommodations in the dump itself. Many are single-parent families headed up by women.

The centre looks after over 300 children, providing nutritious foods, care, early stimulation, pre-school education, regular health checks and vaccinations, hygiene and psychological help. It also offers support and training to both parents.

Parents contribute 15 quetzals (about US$2.20) monthly for this service. The municipality finances, manages, supervises and hires personnel through its social assistance office (*Secretaría de Asuntos Sociales*). Funds come from other sources too, particularly voluntary donations from local employers, and co-operation agreements with other State institutions, local health centres, national and international non-governmental organizations.

Prior to the centre's creation, parents had to take their small children with them to work in the dump. Today, the centre has helped to prevent child labour, since children no longer work with their parents, and improved their social and physical development. Women can work longer hours for remuneration and have fewer problems resolving conflicts between their children's care and work. Big sisters no longer have to care for younger siblings and mothers have noted that the centre's proximity to their workplace is an important advantage.

Source: Cassirer and Addati (2007).

- Providing the mechanisms necessary to create formal employment and reinforce those that provide employees with access to social security and benefits.
- Reviewing policies and legislation to reduce costs associated with micro- and small businesses complying with laws, including incentives in subsidy packages for the development of work-family reconciliation measures. This would help to shift activities into the formal economy and boost production.

Expanding the reach of benefits, rather than restricting them to workers covered by social security, thus making the right to work-family reconciliation more universal since:

- Making parental benefits universal benefits the most vulnerable groups. Thus, maternity and parental leave should be extended to unregistered wage workers and own-account workers in the informal

sector, including the care services for children, the elderly, the sick and the disabled.

- The rights of domestic workers should be placed on an equal footing with those of salaried workers, including maternity rights.

REINFORCING LABOUR-RELATED INSTITUTIONS

Central to reconciling work and family is genuine implementation of existing guidelines, so that workers can exercise their legal rights effectively. Labour administration plays a vital role in this sense.

Improving the exercise of rights to care through greater compliance with the law

Labour inspections must fight non-compliance with legislation in two ways: through prevention and enforcement.

Breaches of the law often arise when people are unfamiliar with regulations. Labour inspectors must promote and provide information about legal rights and obligations under labour laws. We recommend the following actions, among others:

- Training programs on issues involved in maternity protection and family responsibilities for both employers and employees, especially in micro- and small businesses, where a high percentage of those employed are women and where labour inspections are less effective.
- More user-friendly legislation, to improve compliance and enforcement of existing laws. This involves streamlining procedures and speeding up reporting, investigation and sanctions.
- Evaluating compliance and the effectiveness of existing laws, using studies to detect factors that hamper complaints and compliance with regulations.

Monitoring and enforcement of maternity protection and other rights for workers with family responsibilities must be significantly improved, moreover, by reinforcing the role of labour inspections:

- To make enforcement effective, governments must ensure that labour inspection units have the necessary trained human resources in cities large and small, with the necessary material to fulfil their role.

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URUGUAY: TRIPARTITE AGREEMENT FOR INCLUDING GENDER EQUALITY CLAUSES IN COLLECTIVE BARGAINING

In preparation for the latest round of collective bargaining (Uruguay, 2008), the tripartite commission for equal treatment and opportunities (*Comisión Tripartita para la Igualdad de Trato y Oportunidades*) was created, made up of government representatives (Ministry of Labour and Social Security, National Women's Institute), workers' (PIT-CNT) and employers' (manufacturers' association and the chamber of commerce) organizations, committed to promoting gender equality clauses during negotiations by wage councils (*Consejos de Salarios*). Negotiators' proposals recommended including certain basic conditions for equality in agreements: i) The principle of equal pay for work of equal value; ii) Equal access to better and more skilled jobs; iii) Removal of certain discriminatory elements from hiring and promotion processes; iv) Legal protection and guarantees for maternity rights and other measures to better balance maternity and paternity, and v) Prevention of moral and sexual harassment.

As a result, several negotiating groups agreed on a series of measures regarding work-family reconciliation, among them facilities for breastfeeding; a 50% cut to daily hours of work during breastfeeding for up to six months; the option of taking longer leave, at reduced wages, but without losing attendance bonuses; and, finally, measures to reduce discrimination due to pregnancy, including maintaining the jobs of substitute workers who become pregnant.

This instance also made progress in terms of infant care, which is not covered by the law, although there are union- and company-financed child care centres. In this round, one outstanding agreement in the private health care sector will increase companies' contribution to the child care fund. Amongst supermarkets, meanwhile, a bipartite commission will study creating child care centres. Moreover, this sector agreed on training activities to be offered during working hours, expressly to ensure more participation from employees with family responsibilities.

The process also put issues traditionally absent from collective bargaining on the agenda, among them paternity leave and parental leave for parents of disabled children. To reflect and reinforce a new law (Law 18,345) to bring private sector workers' special leaves up to par with those in the public sector, several negotiating teams added paternity leave clauses (three days with pay) and special leave (96 hours) for the parents of disabled children.

Source: Study by Ana Aguilera, prepared for this report.

- Furthermore, analyzing violations of maternity leave and other relevant legislation would make it possible to develop programs suited to each country's own unique conditions.
- Close cooperation between labour inspection units and teams responsible for social security could help to guarantee their coverage during maternity, paternity and other types of leave more efficiently and effectively.

Improving the way the law is applied and the underlying principles in labour courts

Reinforcing the institutions and proceedings of labour justice is fundamental to

ensuring real compliance with the law and guaranteeing all working people have access to justice.

- Countries without labour courts and specific defenders, should promote the creation of these institutions as well as the specialization of legal staff, and include maternity protection and work-family reconciliation among the priorities.
- Where these systems already exist, modernization to reinforce their effectiveness and efficiency, through training and provision of sufficient resources is very important.
- Promoting technical training and raising the awareness of legal staff and others involved in maternity protection and the rights of workers with family responsibilities is also important, in terms of both the letter of the law, but also its spirit and principles.

Strengthening labour institutions and bringing up to par the capacity for workers with family responsibilities to bargain effectively.

Work-family reconciliation is important not only to women but to all those involved in work processes. Including clauses specific to family responsibilities in collective bargaining is fundamental, to expand coverage to all those who require it, increase their ability to exercise these legal rights and benefits, and to define new rights.

This issue must be included in bargaining and social dialogue processes, because this is how the idea of reconciling work and family gets translated into specific actions. Specific agreements between workers and employers are enormously helpful in meeting the aims and implementing each sector's strategies.

The State must foster tripartite social dialogue and opportunities for debate and consensus-building that help to integrate work-family reconciliation concerns into national policies, as per Convention 156, Article 11. To this end, we recommend:

- Reinforcing collective bargaining processes to bring the negotiating capacity of workers with family responsibilities up to par with those of their peers, through legislation and training.
- Promoting the view that family responsibilities are an area of strategic concern to men and women workers and employers in general, and not just benefits focusing solely on women.

BOX 30

CHILE: A CODE FOR GOOD LABOUR PRACTICE IN THE PUBLIC SECTOR

Following instructions formally issued by the president of the republic, Chile implemented a code identifying good labour practices (*Código de Buenas Prácticas Laborales*) to prevent discrimination in the administration of the national government. With technical assistance from the ILO, the new code contains guidelines on accessing jobs and managerial positions, promotion and career development, professional training, working conditions, maternity protection, work-family reconciliation, and preventing sexual and other harassment on the job.

The code's application has taken the form of an evaluation diagnosis of 170 different government agencies and a resulting three-year plan. As the official guarantor of compliance with equality opportunity polices, the National Women's Service (*Servicio Nacional de Mujeres, SERNAM*), cooperates by distributing information, providing training and designing monitoring methods. These measures also include a plan for ongoing assistance to public sector institutions implementing the code.

Source: www.serviciocivil.cl/

- Improving trade unions' ability to analyse and prepare proposals from a gender perspective and within the realm of work-family reconciliation, through awareness-building and training.
- Creating awareness among employers on this issue aiming, to counteract negative and groundless perceptions, by providing information on the benefits of reconciliation measures, among them improved productivity and worker motivation.
- Governments should reinforce the role of tripartite instances to achieve shared criteria that contribute to reconciling work and family life. To this end, working through tripartite commissions on equal employment opportunities, is recommended as these can also monitor implementation of national policies, agreements and other measures, and look into new issues as they arise.

As an employer, the State should set an example and promote positive practices among civil servants. Creating a seal of approval for institutions that go beyond compliance with legal requirements could be one positive incentive.

Making the most of the care sector's potential for creating **decent work**

Care services provided by the State and the market are just beginning to respond to the needs of families trying to reconcile work and family responsibilities. They form, however, a significant opportunity for creating new jobs.

By transferring some domestic tasks and caregiving to the market and public services, countries can increase and formalize already existing employment niches and create new jobs. This not only offers a new source of jobs and progress toward equality, but also offers the potential for creating decent work, all of which help combat poverty in the region.

This is also an effective strategy for meeting several of the challenges posed by the region's demographic trends, involving a significant rise in the elderly population and an increase in female employment (Infante, 2006) at the same time as it addresses the lack of services necessary to reconcile work and family life.

To do so, governments can play an active role by:

Identifying demand and the potential for creating decent work
- Developing studies to identify current unmet demand for care that could be met by quality services provided based on the criteria of shared social responsibility; and estimating the potential for decent jobs in either the public or private sectors, associated with expanding services available to people at different stages in the life cycle.
- Promoting studies to estimate the rate of return on social investment in care services, for both society in general and public budgets in particular.

Job creation and promotion
- Developing public, private and mixed systems to provide specialized care that is accessible and responds to the needs and preferences of workers with family responsibilities and individuals requiring care, and encouraging the creation of community services and family assistance that provide clean-up, washing and other forms of home care.
- Encouraging social investment in new service sectors in response to the

> By transferring some domestic tasks and caregiving to the market and public services, countries can create new jobs.

needs of groups living in extreme poverty. Giving priority to services where there is large unsatisfied demand: particularly comprehensive child care, computer literacy and school support; assistance to the elderly. All this, combined with improving the quality and reducing the costs of these kinds of services.

- Embedding these initiatives in specific territories to incorporate contributions from local governments, civil society and community organizations.

- Through investment in production chains associated with caring, governments can generate more and better jobs, especially for smaller (micro-, small and medium-sized) businesses.

Reinforcing the quality of employment

- As part of efforts to assign more value to caregiving, governments must much more actively protect and promote better working conditions for those working in a wide range of care services.

- Promoting the involvement of both men and women in these services to break with past stereotypes that assign care functions solely to women.

- Implementing campaigns to increase the value assigned to jobs in the care secto. Promoting better pay in this area is essential to reduce current segregation and the low value assigned to this work, performed almost entirely by women.

- Making efforts to professionalize and certify care services. This would improve service quality but also the social and economic value associated with this type of work. This requires creating training programs that specialize in care for the elderly and the disabled, along with care and education for infants and pre-school children.

- One significant challenge to achieving decent work in the care sector is promoting better working conditions and equal rights for domestic workers.

- Reinforcing programs to eliminate domestic labour performed by girls from poor households, particularly from rural areas or from Afro-descendent or indigenous families.

- In the case of women working through community organizations and providing assistance to people in extremely vulnerable conditions (children, the elderly, etc.), developing strategies to bring their labour rights, working conditions and level of formality up to par with other kinds of labour.

CHILDCARE JOBS IN COLOMBIA'S CAUCA VALLEY

As part of an innovative search for new sources of employment (*Nuevos Yacimientos de Empleo, NYE*), Colombia's Cauca valley authorities looked at childcare jobs. Unlike traditional employment programs, the NYE sought to create jobs that would respond to the unsatisfied needs of citizens in terms of their welfare and quality of life.

Based on calculations of the number of children under four years of age not involved in care or early education programs (and whose parents attributed this primarily to economic barriers and/or lack of service), the region estimated that some 23,356 new jobs could be created for working at home or in childcare institutions, including 4,057 jobs as teachers in child care and pre-school programs. This would serve a total population of 4.4 million.

This significant potential reflects the fact that 32.6% of the children under five years (375,881 infants) live with their mothers and without their fathers. Moreover, just 31.6% of these children currently receive care in a community, day care or other preschool centre.

Source: Aguado (2007).

Improving **social security's** ability to meet the need for care

To improve people's wellbeing and respond to their needs for care, a social welfare system that combines both contributory and non-contributory mechanisms is essential, as part of a comprehensive approach built on solidarity between the different socioeconomic groups and generations. This system must offer extensive coverage to everyone, whether or not they are in the paid labour force, and improve the quality and services available to people throughout the life and family cycles.

PROMOTING UNIVERSAL ACCESS TO SOCIAL SERVICES

Governments must advance toward policies that guarantee universal access to quality social services, through an extensive social security network, not restricted to those who are formally employed. This can be achieved by:

- Creating universal pension systems, to guarantee a basic minimum income to all citizens. The purpose here is to ensure that the elderly have the right to a basic minimum income and thereby exercise their right to care. This requires that non-contributory systems complement contributory ones, thus making the pension system more independent of the labour market
- Eliminating any negative effects that maternity and family responsibilities may have on women's wages and pensions. Introducing mechanisms to ensure that interruptions in people's participation in the labour force due to parenthood or family care do not reduce their access to benefits.
- Making early childhood education universal. This would provide access to childcare regardless of employment (or lack thereof), thus reinforcing women's sense of citizenship, and creating more opportunities for children, especially those from poor households. Compulsory preschool education starting at four, rather than five, years of age (as currently in effect in most countries) would be a useful measure in this sense.
- Making the right to paid maternity, paternity and parental leave universal.

MAKING INVESTMENT IN CHILD CARE SERVICES A HIGH PRIORITY FOR SOCIAL SPENDING

Public care programs must consider the needs of families from different socioeconomic backgrounds and guarantee that those most in need have access to quality services. There must be no stigmatization, i.e. "poor services for the poor", but rather quality service that does not discriminate against poor families.

In terms of government investments, these should give priority to:

- Making sufficient public care available for children under six to reduce the present deficit and unequal provision of this kind of care and early education. This additional supply of nurseries and kindergartens must have sufficient funding and supervision to guarantee its continuity and the quality of services, and be located near the target population's homes or work places.
- Designing campaigns to foster confidence in these centres, based on the supervision of their security, and quality of education.
- Complementing the supply of public child care services with subsidies to access private services.
- Ensuring genuine access to compulsory primary education, including starting levels, and extending the supply of institutions offering a full school day, through both curricular and extra-curricular activities, so they match hours of work.
- Guaranteeing all labour rights to women working in community childcare programs, whether or not they are state-supported.

DESIGNING MEASURES TO MATCH LIFE CYCLES

Latin American and Caribbean countries are at different stages in the demographic transition, and thus have different kinds of demand for care. This requires policies able to respond to this new reality and adapt to demographic changes.

- Countries still in the early stages of this demographic transition, in which the population is just starting to age, should reinforce policies on child care and access to health and preschool education services.
- Countries with a moderate aging index should focus on health systems capable of responding to new epidemiological patterns; strategies for

THE ELDERLY IN URUGUAY

Uruguay is one of the region's countries with the highest percentage of senior citizens. In 2004, it passed Law 17,796 on comprehensive care for older adults (*Promoción Integral de los Adultos Mayores*), covering four main issues: health care, social integration and living conditions, legal counsel and protection, and social security.

This created the legal framework for a national program for the elderly (*Programa Nacional de los Adultos Mayores, PRONAM*) with regulations applying at different levels of the State and to civil society. The purpose of this program is to improve the quality of life of those over 65 in different ways, among them: made-to-measure services, staff training, disease prevention, and family support systems. A special identification card (*Carné Gratuito de Asistencia Vitalicio*) gives access to all public sector services.

Source: www.msp.gub.uy

preschool childcare; and social security policies that will ensure an adequate quality of life for the elderly.

- Countries further along in this transition, with a higher percentage of elderly people, face the challenge of responding to them, for which they are ill-prepared. They must also ensure that the growing number of elderly women without retirement benefits can still look forward to a dignified old age.

Regardless of their stage in this demographic transition, all of the region's countries must with some degree of urgency respond to the challenge of generating care policies for their senior citizens. This can involve different forms of assistance:

- Long-term services and lodging, especially for those illnesses not covered by regular health care (Alzheimer's, senile dementia, etc.).
- Community/municipal services that offer hourly, half-day or around-the-clock home care.
- Subsidies for hiring help in the home; or municipally employed care-givers responsible for home visits to the elderly in response to specific needs.

INCLUDING WORK-FAMILY RECONCILIATION AND SOCIAL CO-RESPONSIBILITY IN CONDITIONAL TRANSFERS

Conditional cash transfer programs have acknowledged the importance of allotting public resources to children's health and education. To maximize their impact on women and their financial independence, these programs should:

- Increase the number and quality of social services, thus reducing the time constraints that these conditions impose on women. These programs should not increase women's domestic workload, as that hurts their position in the labour market or their search for employment.
- Linking their application with initiatives to create jobs and provide more spaces in public child care services. Coordinating income transfers and active job policies to improve women's individual skills through literacy, training in the trades, and preparation for the first job, along with fostering job creation.
- Remove conditions applying only to mothers and use these mechanisms to change how domestic responsibilities are distributed among men and women.
- Where time contribution is required, evaluate the costs involved and their justification with an eye to relieving current demands on families in general, and women's time in particular.

Policies for **migrant** workers and their families

Migration can benefit both source and destination countries and migrant workers themselves in multiple ways. They can also generate disadvantages and discrimination, however, and produce undesirable side effects on family members who remain in the country of origin (OIT, 2007b).

One major source of tension for women migrant workers is reconciling their work and family responsibilities. This reflects both their own vulnerability in their destination country and the distance separating them from their families, which makes it hard for them to respond to the need for care of their children and other dependants.

PROTECTING MIGRANTS AT HOME AND ABROAD

The economy and the balance of trade in countries of origin benefit from remittances. Destination countries, meanwhile, benefit from labour active in jobs essential to their wellbeing. For countries of origin, however, migration involves a loss of skills, and in the case of women, a loss of care, which governments should address by:

- Creating sufficient opportunities for decent work for men and women, so that people can earn enough income in their own countries to guarantee their families' financial wellbeing, without having to set out in search of more highly paid jobs, often of inferior quality, elsewhere, which usually require the family to separate.
- Facilitating the return of those who migrate, helping family reunification through reintegration and training programs.

Countries of destination benefit from the availability of migrant labour, especially in the context of a crisis in care. They should pay special attention to the many disadvantages and the discrimination against men and women who migrate, by:

- Guaranteeing the coherence of labour migration and employment policies, and taking into account the social and economic repercussions.

Encouraging more channels and preventing and eliminating abusive migration conditions.
- Establishing regulations that make it easier for the families of migrant workers to reunite.
- Guaranteeing that migrant workers have the same labour rights as others, and ensuring they have access to childcare. Developing information campaigns on their rights in this regard.
- Involving the employing sector as co-responsible for obeying the law and making it easier for working parents, for example, in terms of legislation regarding social protection.
- Promoting the unionization of migrant workers.

Many issues arising from workers' movement across boarders cannot be effectively addressed by countries acting alone. As a result, international cooperation to manage labour migration can be a useful instrument for safeguarding national interests.

According to the ILO framework, policy makers should foster intergovernmental dialogue and cooperation regarding labour migration policies, in consultation with social actors, civil society and migrant workers' organizations. Countries should sign bilateral agreements on migration that include specific measures focusing on transnational families, and provide for family reunification in both origin and destination countries.

Countries should also promote social dialogue and create tripartite mechanisms for dealing with these issues. Similarly, it is necessary to generate information and knowledge about how best to deal with these issues, to get the policies right.

DESIGNING MEASURES TO SUPPORT MIGRANTS' FAMILIES

Although families that stay behind in the country of origin often benefit financially from migration, the absence of the father, and particularly the mother, traditionally the mainstay in family care, can lead to new tensions. These bring high social costs to those dependent on care and to the women in the family who must take on heavier workloads. Given this situation, which is increasingly common in Latin American and the Caribbean, a series of measures is sorely needed:

- Help to legitimize transnational families as another kind of family, to

BOX 33

MEXICO: PROGRAM TO GUARANTEE EDUCATION TO MIGRANT DAY-LABOURERS' CHILDREN

In Mexico, the importance and sheer size of migration, combined with concern for human rights, has given rise to programs and policies to aid both internal and cross-border migrants.

The sons and daughters who accompany agricultural day-labourers face serious problems, as they travel far from home, following demand for labour and the seasonal patterns of agricultural work, all of which are very different from school periods.

In response, a special program (*Programa de Educación Preescolar y Primaria para Niños y Niñas de Familias Jornaleras Agrícolas Migrantes, PRONIM*) started up in 1997, to improve these children's quality of life through educational activities at preschool and primary levels. The program seeks to guarantee their access to education, keep them in school and boost their performance, despite their mobility and their families' difficult living conditions.

Through coordination with the authorities in Mexico's different states, the program encourages ongoing intercultural education, guaranteeing equal coverage and quality to girls and boys from three to 14 years of age, from the families of indigenous, mestizo, migrant and settled, agricultural day-workers. Public schools are expected to receive these travelling students and ensure that their studies are not interrupted.

PRONIM offers educational services in 21 of the 32 states of the country, covering 17,268 children or 4.4% of potential demand. The program is planning to extend the age limit to cover children from three to 16 years of age, and thus cover a greater portion of the estimated demand: 400,000 children.

Sources: http://www.sedesol.gob.mx/; http://www.sep.gob.mx/ Loyo and Camarena (2008).

prevent discrimination. This requires awareness programs in schools and in the media.

- Offer care services to meet the needs of families whose parents reside abroad. The role of guardians, that is, those left in charge of the children of migrant workers, should be formalized to ensure both they and the children they care for can access care-related benefits.

- Create support services to prevent older children who have been left in charge of younger siblings from dropping out of school.

- Involve local governments in developing and managing programs to meet the requirements specific to transnational families. Thanks to their extensive knowledge and familiarity with the territory, local governments can be more efficient in establishing priority areas where certain measures, such as longer school hours, are most needed.

- Make an institutional effort to collect statistics on families remaining in the country of origin, to complete information, which to date has focused primarily on the migrants themselves.

- Involve organizations of migrants, so they can help to set priorities and design measures, based on their experience.
- In both countries of origin and destination, apply measures to improve communication and reduce the costs to parents and their children through better access to information technologies, such as the Internet.

Social actors' role in finding new **answers**

THE EMPLOYER SECTOR

Company-level measures dealing with work-family reconciliation, which complement legal requirements, benefit not only working men and women, but also the company itself, as described in this report.

The benefits include the development of human resources, since people are the main resource in modern companies and wages are no longer considered the sole attraction for remaining with a given firm. Indeed, internationally, measures to reconcile work and family are widely used to attract and retain talent and reduce turnover (Lagos, 2007).

Even companies in sectors characterized by low productivity and unskilled jobs, where the marginal costs of turnover and training are comparatively low, benefit from improvements in productivity, both on the micro and systemic levels. The fact that employees can harmonize work and family life can reduce absenteeism and generate greater satisfaction with and commitment to the company. Lower stress, associated with better work environments, also helps to improve productivity.

Moreover, a reputation as an up-to-date company that supports equal opportunities is crucial to achieving a favourable public image. These factors are part of the tendency to promote corporate social responsibility, a seal of approval that attracts new customers, potential workers and, moreover, improves relations with other companies and government.

It is important that employer organizations play an active role in national debates about work-family reconciliation, to make their voices heard and show their commitment to the issue.

Employer's organizations must inform their members of the importance of creating conditions for reconciling work and family through social responsibility, as well as applying concrete measures and mechanisms for evaluating results, among them:

CHILE: SHOPPING CENTRE EMPLOYEES' CHILDREN SHARE RIGHTS TO CARE

In 1995, Chile's law on child care centres changed to include shopping centres run by a single company or legal entity. Until then, only women working in department stores or companies with over 20 women workers had access to this benefit.

In one important chain of shopping centres, the system works through agreements between the shopping centre and private nurseries located nearby, open during similar hours. All women workers have access to this service, but the ones who use it the most are those working for smaller companies (stores, security and services). Identifying internal demand and choosing the day care centre is the responsibility of the administrative staff at each shopping centre. Mothers have to fill out the required forms and choose the closest nursery from among those included in the shopping centre's agreement.

All the stores in each shopping centre pay into a shared account, which covers basic services for common areas and child care, regardless of whether their own women workers use this facility. As legally required, working women who using this benefit pay no fees.

In an interview, a company spokesperson recognized the importance of this childcare policy, which favours women's participation in the workforce and offers them greater peace of mind. The company sees this as part of the its' social responsibility (SR), improving the company's image and its ranking.

Source: Kremerman (2008).

- Conducting studies, distributing information and providing advice on the costs and benefits of measures to reconcile work and family responsibilities, on both short and long term.
- Encouraging commissions within employer organizations that can recommend measures to improve work-family reconciliation in the organization itself and companies.
- Encouraging an increase in business women's participation in employer organization management committees and highlighting current gender demands, including reconciliation strategies and social co-responsibility, within their sector agenda.
- Encouraging a broader understanding of social responsibility (SR) within companies, by including care as a central theme and talking about the need for new synergies between work and family life. Promoting the notion that social responsibility should be extended to the employees and cease to be treated as merely corporate philanthropy.
- Developing codes of good practices and other forms of voluntary commitment to reconciling work and family through social co-responsibility.

BOX 35

BRAZIL: WORKERS ARE REIMBURSED FOR CHILDCARE EXPENSES

In Brazil, most companies comply with labour legislation by reimbursing their employees' spending on child care. Any company not offering child care facilities has to create a system for caring for their employees' children during the period they are breastfeeding. Collective bargaining establishes the duration and extent of this benefit and in some cases, this can go far beyond legal requirements.

One state-owned corporation, for example, has adopted a system that goes beyond legal requirements, reimbursing child care expenses up to the age of seven. The reimbursement system involves accreditation of private childcare centres by the human resources department, which evaluates the quality of services and selects those located near the workplace. If there is no nursery nearby, the workers can request reimbursement for a childcare worker who comes to their home.

The accreditation system helps mothers to choose the centre most suited to their needs and creates a network involving the company, the private sector, child care centres and employees, thereby ensuring the quality of the services offered. Because the company's reimbursement is set at market prices, private child care centres are anxious to obtain certification and thus access to significant revenues.

The cost to the company represents 0.01% of its net income and the positive results are evident in studies of the work environment: women workers report high satisfaction with this benefit.

The company also has an agreement with another firm (*Servicio Social da Industria, SESI*), which offers activities outside school hours, such as summer camps, for workers' children. These services are fully covered by company payments to SESI.

Source: Hein and Cassirer (2008).

- Encouraging emulation by other companies, through the distribution of information about success stories involving social responsibility, particularly in terms of work-family reconciliation.
- Encouraging studies to measure the effects of reconciliation initiatives on productivity and corporate image. This kind of research requires debate about possible methodologies.

Companies' human resource departments should apply strategies to reconcile work, family and personal life. Measures should explicitly address the needs of both men and women employees and take into consideration the different kinds of family organization that exist today. Examples of these kinds of measures include the following:

Family Services:
- Offering childcare on company premises, when justified by the number of employees, or reimbursement to facilitate working parents' access to privately offered childcare services.

BOX 36

CHILE: AN INNOVATIVE FIRM RESPONDS TO LARGE COMPANIES' NEED FOR CHILD CARE

Since 2005, an innovative company in Santiago has specialized in meeting the educational and child care needs of the employees in their client companies. Currently it has 20 centres functioning and plans to expand to other locations where there is unmet demand.

Its services are geared mainly towards the needs of large corporations, a segment that accounts for over 60% of its revenues.

The company offers high quality services adapted to the needs of each company and its employees. It starts out by assessing needs and goals for the potential client company and then sets up a "sponsored centre" (with or without an initial investment from the company), tailored to specific schedules and needs. Sometimes it develops a "corporate centre" servicing two or more companies in the same area, with insufficient demand to make full use of a centre on their own. It also creates "open centres" where it perceives high potential demand, for example near offices or homes with a substantial number of women employees able to afford these services.

Aside from handling the design, construction and operation of the centre, this company offers its clients an on-going evaluation of service impact on child development and employee quality of life, and company productivity and profitability.

Source: www.vitamina.cl

BOX 37

EL SALVADOR: CORPORATE SOCIAL RESPONSIBILITY AND CARING IN THE 2009 ELECTION

In El Salvador, the issue of work-family reconciliation and specifically childcare, became a major campaign issue during the last Presidential election. The two main political coalitions, recognized the fact that hundreds of thousands of women both need and want to enter the labour market and the barriers they face, given the few choices available in terms of private and public childcare.

Among its proposals, one coalition emphasized the importance that corporate social responsibility should place on caregiving and proposed creating childcare centres, financed jointly by employers, the State and employees.

The fact that work-family reconciliation strategies became a campaign issue reveals its importance in generating electoral support.

Source: Salvadorian press (2008).

- Encouraging innovation and cooperation among companies to develop childcare services.
- Extending the range of choices and including care for the elderly, the disabled and the ill within reconciliation policies.

Organizing hours of work:
- Encouraging, within a framework of social dialogue and collective bargaining, the reorganization of working hours to make it easier to reconcile work and family life. These initiatives should consider five interrelated criteria: preserving workers' health and safety; being family-friendly; promoting gender equality; increasing productivity; and facilitating employee control over hours of works.
- Planning shift work and schedules in advance to avoid interfering with important family events.

Organizing the work place:
- Agreeing, as part of collective bargaining, on mechanisms that take a more flexible approach to both the organization and the place of work.
- Developing mechanisms that make it easier to assign employees to locations close to their homes (if the company has branches). Where duties permit, allowing employees to work some days in the office and others from home.
- Regulating and supervising the conditions in which employees carry out part-time, temporary, or at-home work, bringing these up to par with those of full-time, permanent staff (including social security coverage).

THE UNION SECTOR

Unions also strengthen their own mandates when they include work-family reconciliation on their own agendas. Their ability to attract new members depends on whether workers feel their interests are being defended. Including the promotion of gender equality on the union's agenda is one way of improving representation and legitimacy. Promoting work-family reconciliation is another way the union demonstrates its sensitivity to members' social and economic realities. This is also one area in which unions can visibly improve workers' quality of life (Hein, 2005).

TABLE 3

SOME MEASURES FOR ORGANIZING HOURS OF WORK

Initiatives	Implementation
1. Duration of the workday	Increase the choices regarding hours of work available to men and women employees.
2. Deferred workday	Make hours of work flexible, for example by offering: • 1 day off for every three workdays • One Friday off every month or early closing every Friday in exchange for working late other days of the week • Earlier start and therefore earlier finish to the work day • Later start or early finishing time in exchange for lunch breaks.
3. Agreed Time-off	• Establish a certain number of hours in the month or days in the year for personal use • Schedule shifts well in advance
4. Work from home and office	Make it possible to work partly from home or elsewhere, other than the workplace (telework)
5. Unpaid absence from work	Months or years of unpaid leave for personal reasons
6. Vacation time spread over the year	Flexible use of vacations
7. Additional vacations apart from legally established ones	Establish extra vacation days as rewards or incentives

BOX 38

COMPANIES IN LATIN AMERICAN AND THE CARIBBEAN: GOOD PRACTICES

Some companies in the region have implemented initiatives that favour reconciling work and family, among them:
- Flexible time policies at work: flexible hours, part-time, distance employment.
- Special maternity and paternity leave, which makes it possible to work out of the office after the birth or adoption of a child.
- Special paid and unpaid leaves.
- Leaves to look after emergencies involving employees' children.
- Centres where employees' children can do their homework.
- Summer programs so employees can work with their children nearby.
- Child care for employees' children during school holidays.
- Services for employees and their families on company premises, such as laundries, opticians, or clothes stores.
- Benefits: insurance to cover employees' minor and major medical expenses, life insurance, health campaigns, and campaigns to prevent illnesses in both men and women.
- Nurseries where new mothers may breastfeed their children.
- Discussion groups to identify work-family reconciliation needs and proposing suitable measures to the company.

Including the promotion of gender equality on the union's agenda is one way of improving representation and legitimacy.

Proposals for unions include:

- Encouraging the inclusion of work-family reconciliation on union agendas, along with clauses on reconciliation and gender equality within collective bargaining.
- Creating reconciliation policies and encouraging companies to voluntarily adopt the necessary measures.
- Encouraging and strengthen women's participation in union structures and at every stage of collective bargaining. Providing conditions so that women union officials can more easily balance work, union and family responsibilities.
- Strengthening union ability in this area, by concentrating on national, sectoral and company-level negotiators.
- Disseminating information about the rights of workers with family responsibilities and support those suffering from discrimination. Cooperating to enforce relevant laws, especially those on work-family reconciliation and non-discrimination.
- Encouraging unions to award seals of approval to companies that go beyond complying with current regulations to offer solutions in the area of work-family reconciliation.

CIVIL SOCIETY

Other actors can help societies to reconcile work and family through social co-responsibility. Civil society organizations, especially women's groups allied with other sectors, have an important role to play. To identify relevant actors, it is useful to note how different interests converge in the case of these issues: particularly competitiveness and productivity, gender equality, and the rights of children and the elderly, among others. Positioning reconciliation policies on the national agenda depends on getting other actors, not necessarily attuned to these issues, involved, by showing them the tangible gains possible from these kinds of policies.

COSTA RICA: A UNION ORGANIZES DAY CARE FOR SELF-EMPLOYED AFFILIATES

Costa Rica's national union confederation (*Central del Movimiento de Trabajadores Costarricenses, CMTC*) created the *Guardería Solidaridad* in 2002, in partnership with its branch of informally employed workers (*Federación Costarricense de Trabajadores Autónomos, FECOTRA*), as part of efforts to meet the needs of workers in the informal economy.

The centre, with places for 68 children under ten years old, was located near San Jose's Central Market, near parents' workplace. It offered preschool education, nutritious meals, care, and regular health checks and vaccinations.

Most women using the centre were young, single mothers, many of them Nicaraguan immigrants. They worked seven days a week, ten to twelve hours daily, as street vendors in the city centre. They had no social security and prior to the centre's existence would have to take their children with them to work or leave them at home, alone, if they were sick.

With care available for their children, mothers could maintain or increase the time spent on paid work. Families improved their standard of living and their savings rose, thanks to the savings on food and health care for their children. Mothers' mental health also improved, as stress fell, thanks to the knowledge that their children were well cared for. The children's physical (nutrition) and educational (school marks) development also improved. The children had been removed from dangerous environments (contamination, traffic, sexual abuse) and protected from the risk of child labour. The Centre supported parents by transforming inequitable gender practices at home.

The Centre closed in 2005, when support from national and international organizations ceased. The CMTC has emphasized the importance of receiving ongoing assistance from the State and other national institutions to turn this into a permanent service.

Source: Cassirer and Addati (2007).

NICARAGUA AND ECUADOR: ORGANIZATIONS OF MIGRANTS' FAMILIES DEMAND PUBLIC POLICIES

The election agenda for Nicaraguans abroad, drawn up by a network of migrants (*Red de Migrantes*) in 2006, included demands for developing social care programs for migrants' families, particularly children and adolescents who stay behind in the home country. This point on the agenda proposes a collective approach, with participation from the mayor and other local actors, to mitigate the high social costs of migration to those who stay behind. Until then, families alone had born the brunt of these problems.

In Ecuador, several local governments have responded to the demands of associations of migrants, by including care for family members who stay in the home country in their action plans. Quito, for example, offers psychological support to grandparents engaged in caregiving, and provides children with care and recreational activities.

The foundations necessary for reconciling work and family through policies based on social **co-responsibility**

Governments must ensure that research is done on the different aspects of employing men and women with family responsibilities.

Tackling the relationship between work and family life requires addressing domestic and productive work, labour force and family issues as a whole. Reconciliation policies can take a traditional approach, identifying family welfare as women's domain, or they can take a modern approach that helps both men and women make family and domestic activities fit better with the demands of paid work.

Modern reconciliation requires changing a gender-based division of labour, based on rigid roles for men and women, that is sustained by a gender hierarchy. To achieve equal opportunities for men and women at work requires that both are able to share their workloads – in the workplace and at home – and re-valuing the importance of each to social welfare.

CREATING NEW IDEAS AND INDICATORS

Labour legislation and social welfare institutions reflect traditional views about men's and women's roles, producing weak public policies unable to meet current needs for care. To change this situation, and to develop and implement integrated policies that foster reconciliation and social co-responsibility, in line with Convention 156 (Article 6), governments must ensure that research is done on the different aspects of employing men and women with family responsibilities. The goal is to have the information necessary to create more effective measures and policies.

Studies are needed to weigh the benefits of reconciliation policies against the costs attributable to their absence, and thus justify them as an investment. Similarly, more precise breakdowns of current data are necessary to establish how care is currently organized and labour distributed by gender, socioeconomic level, and race or ethnicity.

To a large degree, conflicts between domestic and work-related activities are mainly time-related. The concept of "time use", then, can guide policy and strategy design, to make both more favourable to work-family reconciliation policies. Among its many advantages, a time use analysis helps to pinpoint the degree of responsibility for productive and reproductive work of certain social actors. This helps to identify and overcome bottlenecks that tend to perpetuate a traditional division of labour.

To this end, national level data with periodical coverage is essential. We therefore recommend time use surveys, the inclusion of questions about how care is organized in general labour force surveys, and the application of surveys on costs and wages at the workplace level, to permit a gender breakdown. Information must be collected on current availability of care (from both public and private sources), working conditions for those employed, and the opportunities available to them to adequately reconcile work and family responsibilities.

There is a need to assess the impact of public policies in this area. This requires indicators to monitor changes in the quality of life of both employees and their dependants in need of care, and their impact on gender equality.

Above all, and in terms of economic policies, the caring dimension in macroeconomic modernization exercises should be included. This is essential to evaluate, using practical tools, the impact of different economic policy approaches to the different dimensions of care.

BUILDING AWARENESS AND CULTURAL CHANGE

To promote these changes and in line with ILO Convention1 No. 56 (Article 6), the State must implement a serious campaign to raise awareness and change attitudes. This long-term effort requires many different components, among them:

- **Information campaigns.** To promote better understanding of what equality of opportunity and treatment between men and women entails, and the problems workers with family responsibilities face, and promote public views favourable to their resolution.
- **Awareness-building among social actors.** To identify other actors able to promote policies favouring reconciliation and incorporating gender equality, and the rights of children and the elderly. Placing reconciliation

policies on the government's agenda depends upon building alliances with others not directly involved in them, by informing them of how these policies benefit other agendas too. To do this, both unions and employers need support for ongoing awareness-building, so they can provide information, education and training on the different factors that negatively affect the lives of workers and their families.

- **Schools.** The educational system plays a fundamental role in socializing gender roles and a duty to teach children and young people major values. This makes schools crucial to fostering models of democracy and gender equality, by modifying curricula and teaching practices. Discussions on working life should become part of educational programs. This requires giving specific training to those who teach in educational and vocational programs.

- **The media.** The media have an important contribution to make to eliminate gender stereotypes, by highlighting inequalities and encouraging public debate on how productive work and care responsibilities are distributed in society and at home. In this sense, campaigners must make an ongoing effort to raise awareness among journalists and other communicators, particularly those in television and radio, who typically exercise the most influence over the population. Special attention should also go to building the awareness of people in institutions that are highly influential in terms of value formation, particularly those involved in religious and educational activities. Finally, institutions associated with the world of work should become a high priority for this kind of consciousness raising.

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