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● COUNTRY REPORTS

China A Review of China's Urban Gender Wage Gap from 1995 to 2013

Jin SONG, Terry SICULAR, Björn GUSTAFSSON

Korea Gender Wage Gap in Korea in Lifecycle Perspective
Selim CHOI

Malaysia Women Left Behind? Closing the Gender Gap in Malaysia
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Philippines Explaining the Gender Gap in Labor Force Participation in the Philippines
Ma. Christina F. EPETIA

Brunei Policy Implications for Working Women in Brunei
Norainie AHMAD

Japan Women's Employment Status and Family Responsibility in Japan: Focusing on the Breadwinner Role
Shingou IKEDA

Singapore Work-life Experiences, Policies, and Challenges in Singapore
Aliya Hamid RAO

Vietnam The Labour Rights of Women in Vietnam
Trang Thi Kieu TRAN

Taiwan Legal Policies on Gender Equal Pay in Taiwan
Yu-Fan CHIU

Australia The Promotion of Gender Equality at Work in Australia through Law and Policy: A Work in Progress
Adriana ORIFICI

SPECIAL ISSUE

The 3rd JILPT Tokyo Comparative Labor Policy Seminar 2019

"The Future of Women and Work—Policy Responses to Women's Employment"



Japan Labor Issues

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CONTENTS

<i>Preface</i>	3
China	
A Review of China's Urban Gender Wage Gap from 1995 to 2013 Jin SONG, Terry SICULAR, Björn GUSTAFSSON	4
Korea	
Gender Wage Gap in Korea in Lifecycle Perspective Selim CHOI	13
Malaysia	
Women Left Behind? Closing the Gender Gap in Malaysia Beatrice Fui Yee LIM	22
Philippines	
Explaining the Gender Gap in Labor Force Participation in the Philippines Ma. Christina F. EPETIA	30
Brunei	
Policy Implications for Working Women in Brunei Norainie AHMAD	39
Japan	
Women's Employment Status and Family Responsibility in Japan: Focusing on the Breadwinner Role Shingou IKEDA	47

Singapore	
Work-life Experiences, Policies, and Challenges in Singapore	56
Aliya Hamid RAO	
Vietnam	
The Labour Rights of Women in Vietnam	65
Trang Thi Kieu TRAN	
Taiwan	
Legal Policies on Gender Equal Pay in Taiwan	72
Yu-Fan CHIU	
Australia	
The Promotion of Gender Equality at Work in Australia through Law and Policy:	79
A Work in Progress	
Adriana ORIFICI	
<i>Seminar Outline</i>	89

* Entries are arranged based on the seminar program.

* The full text of these reports can be accessed from JILPT website (<https://www.jil.go.jp/english/jli/documents/2019/017-00.pdf>).

* The responsibility for opinions expressed in signed reports rests solely with their authors, and publication does not constitute an endorsement by the Japan Institute for Labour Policy and Training of the opinions expressed in them.

Preface

The 3rd JILPT Tokyo Comparative Labor Policy Seminar 2019

“The Future of Women and Work —Policy Responses to Women’s Employment”

As labor problems become more universal with the advance of globalization in recent years, there is a growing need for international comparative research in the planning and formulation of labor policy. With this in mind, the Japan Institute for Labour Policy and Training (JILPT) started to hold annually the “JILPT Tokyo Comparative Labor Policy Seminar” from 2017 to provide an opportunity for researchers from major countries and regions, particularly Asia, to come together and engage in a comparative examination of their shared challenges. Through these seminars, we aim to build a network among researchers, research institutions, and people in the labor field.

This year marked 40 years since the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979. Over the years, how have policies on equal employment opportunities for men and women been implemented in various countries? To what degree in reality have we built a society where women can thrive in the workplace? What are the future issues and challenges? JILPT held the 3rd seminar on March 4–5, 2019 in order to share a better mutual understanding of these matters among participating countries. At this seminar, we reviewed an overview of the current situation of female employment in each country and discussed the future of women and work to get a picture of the most recent status of policy responses.

This special issue carries 10 reports submitted by promising researchers from Asian countries and regions. They introduce their findings on the latest labor policy issues in each country and region addressing the theme of the seminar.

A Review of China's Urban Gender Wage Gap from 1995 to 2013

Jin SONG
Terry SICULAR
Björn GUSTAFSSON

- I. Introduction
- II. The gender gap in labor market participation
- III. The raw gender wage ratio
- IV. Regression based gender wage gap
- V. Decomposition of gender wage gap
- VI. Conclusions/discussion

I. Introduction

In theory, wage earning in the market economy should be a reflection of labor productivity. Productivity is related to workers' individual characteristics such as education, experience and age, and may be affected by life events such as raising children. In urban China, the gap between men and women's wage earnings progressively widened since the 1980s, and narrowed between 2007 and 2013 (Liu 2011; Li and Song 2013; Chi et al. 2014; Song et al. 2019). It is partly related to productivity variation, but more influenced by significant transformation of Chinese labor market, reforms in labor market institutions, and demographic change in recent years.

Broad shifts in Chinese urban labor market set the fundamental background of gender wage gap. These shifts involve both demand and supply side of the market. On one hand, major changes happen to the economic structure and job matching and wage setting system. During the Maoist era and continuing through the 1980s, labor allocation in urban China was governed by planning and wages were set administratively. The major urban employers were state- or collectively owned units, and the urban economy was heavily based in manufacturing. The gender wage gap was relatively small. China's economic reforms brought changes to labor allocation and wage setting, as well as major shifts in the structure of the urban economy. By the 2000s markets had replaced planning, the state and collective sectors had shrunk, and the private sector had emerged as major employers. Liberalization of wage setting and hiring permitted the emergence of wage differentials, including between men and women. The shifts in the composition of employers and the typical hiring and paying mechanism both contributed to the widening of the average gender wage difference. On another hand, the rural-urban migration since 2000 and dramatic expansion of higher education largely reshaped labor supply of Chinese urban market. The entry of large numbers of relatively unskilled rural workers into urban labor markets is thought to have contributed to a widening gap in pay between unskilled and skilled labor. Higher proportions of women than men in urban China work in unskilled jobs. Increased competition from migrants for these jobs may therefore have influenced the gender wage gap. At the same time, the number of new graduates from regular institutions of higher education rose from 850,000 in 1999 to 4.5 million in 2007 and further to 7.4 million in 2017.¹ Women, who historically were less likely to continue on to post-secondary education, have benefited disproportionately. Education among urban women has been catching up with that of urban men, with positive implications for women's relative earnings.

On the institutional side, the market gradually experienced a process of improvement in labor protection and employment formalization since the middle of 2000s, and a relaxation in birth control policy since 2010s. The reforms have mixed impact on the variation of gender wage gap. In 1993, China's minimum wage regulations

1. National Bureau of Statistics data from the 2015 China Statistical Yearbook, Table 21-9, <http://www.stats.gov.cn/tjsj/ndsj/2015/indexeh.htm>, accessed Aug. 9, 2016.

were initiated. However, the implementation was weak till 2004. Minimum wage levels were increased substantially during 2007 to 2013 period when the central government was emphasizing “people’s livelihood” in policy making (Ye, Li and Gindling 2016). Meanwhile, the Labor Contract Law was established in 2008 and further formalized in 2012, and the Social Security Law was established in 2010.² All of these institutional changes aim to protect low-skilled, low-paid and vulnerable workers. Since women are disproportionately located in these groups, the policies can potentially reduce the gender wage gap. In 2012, the Special Regulation of Female Workers’ Employment Protection was issued. It extended the length of maternity leave, expanded the coverage to more sectors, and regulated the compensation levels during the leave. The Regulation was released accompanying the relaxation of birth control policy adopted in China. From 1980s to 2010, One-Child Policy was applied in China that ordinary couples were allowed to have only one child. Since the end of 2011, a number of provinces gradually released the birth control started with certain groups of couples. In 2013, the practice was specified by central government and the reform was deepened in 2015 by allowing all couples to have the second child. The reform was not accompanied with corresponding settlement of childcare provision. The childcare system was provided by public owned employers as a legacy of planned economy. The rapid development of private sector since 2000s leads to the loss of affordable, convenient childcare (Du and Dong 2013). A combination of these factors leads to employers’ reported reluctance in hiring female workers who have “high risk” of becoming pregnant, taking maternity leave, and influenced productivity for raising children. The impact of these recent policy changes on labor participation, job matching and gender wage gap needs latest data to be examined. One more policy that relates to gender wage gap is statutory retirement age. Since the 1950s the statutory retirement age has remained at 60 for men, 55 for women who are civil servants and employees of state sector, and 50 for all other women. The five to ten years gap between women and men on retirement ages leads to enlargement of gender wage gap among older workers. In 2016 the government announced its intention to gradually increase the retirement age. Some reports hint that the plan may include reducing the difference in the retirement ages of women and men.

II. The gender gap in labor market participation

Variation of labor market status of the working-age adults is summarized in Table 1. It uses weighted urban individual samples from Chinese Household Income Project Survey (CHIPS) in 1995, 2002, 2007 and 2013 and is nationally representative.³ Generally speaking, the majority of working-age adults worked in all years; however, work participation rates were consistently lower for women than men. Work participation was highest in 1995 but dropped significantly in 2002 due to SOE (state-owned enterprise) reforms adopted and workers’ layoffs caused. The work participation rates largely recovered in 2007 for men and kept stable in 2013. But that for women never fully recovered. In 2007 and 2013 women’s work participation rates were 62–63%, only modestly higher than in 2002. The gender gap in work participation has formed.

The shares of women and men with wage employment by age in 2007 and 2013 are shown in Figure 1. For both women and men, wage job participation is low for the youngest age group but increases quickly with age, reaching over 75% for women and over 80% for men by age 25. After age 25 wage employment participation remains fairly stable for women until the late 40s and for men until about age 50, after which it declines. The gender gap in job participation rates for age 35–49 widened from 2007 to 2013 which is mainly attributed to a decline in female job participation. For older ages, the gap in job participation narrowed slightly as men hastened and women delayed their departure from the labor force.

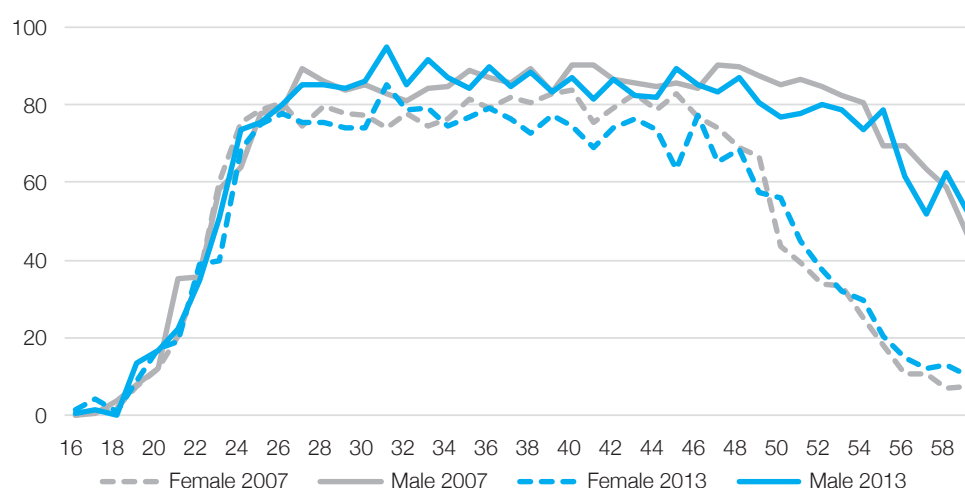
2. For a fuller discussion of minimum wage policies in China, see Ye et al. 2016.

3. The sample provinces span the eastern, central and western regions of China, including Guangdong, Beijing, Shanxi, Liaoning, Jiangsu, Anhui, Henan, Hubei, Chongqing, Sichuan, Yunnan and Gansu. Note that in 1995 Chongqing was part of Sichuan province (and was included in the Sichuan sample of CHIP for that year).

Table 1. Employment status of adults aged 15–59, 1995, 2002, 2007 and 2013 (%)

	1995		2002		2007		2013	
	Male	Female	Male	Female	Male	Female	Male	Female
Working, total	85.2	75.3	75.9	59.1	80.4	62.3	81.0	62.8
of which: wage jobs	83.7	74.1	72.0	56.4	74.4	58.4	72.1	54.9
of which: self employed	1.5	1.2	3.9	2.8	6.0	3.9	7.8	5.8
Unemployed	2.8	2.6	7.2	9.3	4.3	6.4	2.8	3.6
Retired	3.6	11.4	5.7	16.9	4.3	17.4	3.3	11.3
Student	7.8	7.5	10.1	9.8	10.3	8.8	9.4	9.3
Home maker	0.1	2.3	0.2	3.7	0.2	3.7	0.8	8.7
Other	0.6	0.9	0.9	1.2	0.5	1.3	2.8	4.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sample size (unweighted)	7,440	7,817	7,417	7,755	7,919	8,370	5,741	5,990

Source: Song et al. (2019).



Source: Song et al. (2019).

Figure 1. Shares of women and men with wage employment, by age (%)

III. The raw gender wage ratio

The raw gender wage ratio (as shown in Table 2) is calculated as the average female wage divided by the average male wage. The ratio declined progressively from 87% in 1995 to 83% in 2002, and further to 71% in 2007. Between 2007 and 2013 the downward trend reversed and the gender wage ratio increased to 74%. The gender wage ratio varies by age. In all years the wage ratio was higher for young workers and lower for older subgroups, especially in 2007. From 2007 to 2013 the gender wage ratio improved for middle-aged and older workers, but changed little for younger age groups. With respect to education, the gender wage ratio has followed a two-step pattern that is lower for education levels up through high school and higher for education levels of vocational secondary school, vocational post-secondary school, college and higher. The gender wage ratio reduced sharply for the least educated from 1995 to 2007 which indicates the result of intensified

Table 2. The raw gender wage ratio in the CHIP estimation sample overall and by subgroup (%)

	1995	2002	2007	2013
Overall average	86.7	82.7	70.6	74.2
Age group				
25–29	98.9	89.5	86.5	86.6
30–34	84.2	84.4	78.8	76.9
35–39	86.9	84.0	68.4	75.0
40–44	87.8	80.8	66.1	69.2
45–49	83.9	82.1	66.1	72.2
Educational attainment				
Primary and less	87.1	77.3	61.1	69.9
Middle school	84.7	74.0	68.0	67.9
High school	84.4	84.8	72.2	72.3
Vocational school	93.0	97.5	77.1	79.4
Polytechnics	96.5	89.8	76.6	76.7
College and beyond	92.9	90.4	75.4	77.9
Marital status				
Single	95.5	98.3	96.5	100.6
Married	85.7	81.4	68.5	72.0
Others	112.5	96.4	119.4	91.4
Number of children under age 16 in household				
0	88.5	85.6	72.4	77.5
1	86.3	80.6	69.5	71.9
2 or more	81.2	73.6	68.2	68.7
Ownership				
Public unit and SOE	89.6	87.6	74.9	78.9
Collective sector	81.5	79.4	76.9	70.9
Private firm, self-employed, and joint-venture or foreign firm	93.3	69.7	70.7	72.7
Other ownership	76.6	76.4	65.6	85.2

Source: Compiled by authors.

competition for the low skilled jobs due to layoffs in late 1990s and increased inflow of rural workers to the urban market. To the opposite, from 2007 to 2013 the ratio for most education subgroups remained unchanged while that for the least educated subgroup improved. The trend is attributed to the shortened supply of low-skilled workers and the effect of a series of public policy targeting labor market protection. The gender wage ratio was close to 100% for single individuals in all years, indicating little or no gender wage gap. For married individuals, however, the wage ratio was lower and declined markedly to 70% in 2007 and remaining basically unchanged at 72% in 2013. The gender wage ratio also varies by number of children. In all years the gender wage ratio is lower for women with children than for women without children. For all child subgroups the gender wage ratio deteriorated between 1995 and 2007. From 2007 to 2013 the increase in the wage ratio was most noticeable for women without children. The gender wage ratio varies by ownership of the work unit and sector of occupation. In most years the gender wage ratio was highest in public and state-owned work units. These subgroups include more highly educated workers, so their higher wages may reflect differences in education.

IV. Regression based gender wage gap

To control the influences of difference in characteristics between male and female, Mincer wage earnings

equations are adopted using ordinary least squares (OLS) with standard errors adjusted to reflect clustering arising from the survey sampling design. To be specific, pooling women and men together using the regression equation:

$$\ln Y_i = \alpha + \beta \text{Female}_i + \sum_j \gamma_j X_{ji} + \mu_i \quad (1)$$

where for each individual i the \ln of wage earnings $\ln Y_i$ is a function of whether or not the individual is female (*Female* equals one if female, zero otherwise), plus j other characteristics X_{ji} and the residual μ_i . The coefficient of interest is $\hat{\beta}$, which indicates the presence of a gender wage gap after controlling for other characteristics. Individual characteristics include dummy variables for marital status, number of children, ethnicity, age group, and education level. Employment characteristics includes dummy variables for ownership of the individual's work unit, occupation, and sector of employment. Provincial fixed effects is also controlled.

Table 3 summarizes the main result of the pooled regression. Estimated $\hat{\beta}$ are uniformly negative and significant, indicating an urban gender wage gap that persists over time. Changes in the magnitude of the $\hat{\beta}$ coefficient over time confirm that the gender wage gap widened from 1995 to 2007, but narrowed from 2007 to 2013. The gap in wage at absolute value increased from 10% in 1995 to 15% in 2002 to 22% in 2007, and then decreased to 19% in 2013.⁴ The coefficient on single marital status is in all cases negative and significant, ranging from $-.17$ to $-.23$ which indicates the presence of a marriage wage premium (married is the omitted reference category), but the trend is not clear over time. The coefficients on the dummy variable for one child are largely insignificant, but the coefficients on the dummy variable for two or more children are mostly negative and significant in 2007. The coefficients on the age variables indicate that in general wages rise with age up through the early 40s and then level out. The estimated coefficients on education are mostly significant and consistent with expectations, with higher levels of education having higher returns. Moreover, the additional returns to higher levels of education compared to lower levels of education increased substantially over time, especially from 1995 to 2007. The steepening education-earnings relationship implies that differences in education increasingly contributed to wage inequality.

The impact of employment characteristics is close to expected. The coefficients of ownership in all years but 1995 are negative and significant, indicating that wages have been highest in the reference category, the state sector. Moreover, the magnitude of the wage difference has been fairly large. In 2013, for example, the log point difference in wages between the state sector and non-state sectors was 0.23–0.24. Since proportionately fewer women than men are employed in the state sector, these wage differentials are relevant to the gender wage gap. With respect to production sector, the reference category is manufacturing. The coefficients for construction and mining have been either positive and significant or not significant, which implies that wages in construction and mining have been similar to or higher than wages in manufacturing. As of 2013, wages in construction and mining were not significantly different than in manufacturing. The coefficients differ among the tertiary sectors and across the years, but as of 2013 none of the tertiary sector industries had a positive, significant coefficient, and four had negative, significant coefficients. As the pattern of employment across sectors is not the same for women and men, these wage differences across production sectors contribute underlie the raw gender wage gap.

4. In a semi-log regression the estimator of the percentage effect p of a dummy variable on the outcome variable is given by $p = (e^{c/e^{0.5*V_0}}) - 1$ (Giles 2011).

Table 3. Results of pooled wage equations

	1995	2002	2007	2013
Female	−0.106***	−0.162***	−0.252***	−0.213***
Single	−0.196***	−0.169***	−0.229***	−0.178***
Other marital status	0.045	−0.065	−0.043	0.100**
1 minor child	0.000	−0.015	−0.029*	0.007
2 and plus minor children	0.001	−0.042	−0.141**	−0.060
Aged 30–34	0.106***	0.092***	0.077**	0.258***
Aged 35–39	0.216***	0.185***	0.115***	0.345***
Aged 40–44	0.250***	0.208***	0.099***	0.388***
Aged 45–49	0.242***	0.230***	0.103***	0.354***
Minority	−0.083***	0.055	−0.019	0.029
Middle school	0.102***	0.105*	0.079	0.075
High school	0.131***	0.248***	0.179**	0.307***
Vocational secondary school	0.213***	0.354***	0.294***	0.325***
Vocational post-secondary school	0.213***	0.422***	0.442***	0.568***
College and higher	0.285***	0.584***	0.641***	0.784***
Collective sector	−0.246***	−0.250***	−0.225***	−0.242***
Private/joint venture/foreign owned	0.142*	−0.241***	−0.162***	−0.229***
Other ownership	−0.107	−0.134***	−0.399***	−0.335***
Commercial or service worker		−0.246***	−0.101***	−0.002
Office worker	0.066***	0.087***	0.075***	0.088**
Official or manager	0.173***	0.229***	0.216***	0.114*
Professional or technician	0.143***	0.140***	0.171***	0.141***
Agricultural and related			−0.071	−0.265*
Others	0.002	−0.384***	−0.044	−0.094
Agriculture	−0.054	0.038	0.016	−0.131
Mining	0.127***	−0.048	0.330***	0.100
Construction	0.084**	−0.024	0.015	−0.008
Public utilities	−0.014	0.006	0.171***	−0.065
Transportation and communication	0.060*	0.124***	0.068***	0.059
Commerce and trade	−0.109***	−0.025	−0.027	−0.149***
Finance and insurance	0.229***	0.121***	−0.066**	−0.200***
Education and culture	−0.003	0.090***	0.048*	−0.230***
Health and social welfare	0.038	0.171***	0.177***	−0.093
Scientific research and technology	0.110***	0.187***	0.200***	0.009
Government and social organizations	0.002	0.068**	0.018	−0.180***
Constant	6.011***	6.529***	7.229***	7.410***
Observations	8,278	7,064	8,019	4,633
R-squared	0.248	0.315	0.379	0.278

Source: Song et al. (2019).

Notes: 1. Standard errors in parentheses, *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

2. These regressions do not include interactions between the female dummy variable and other characteristics.

V. Decomposition of gender wage gap

Oaxaca-Blinder decomposition methodology is explored to diagnose the component of gender wage gap. For each of the female and male samples regression equation (1) is run without the dummy variable *Female*. Then, according to the Oaxaca-Blinder decomposition (Blinder 1973, Oaxaca 1973), the difference between average ln male and average ln female wages can be written as:

$$\begin{aligned}\overline{\ln Y_m} - \overline{\ln Y_f} &= (\hat{\alpha}_m + \sum_j \hat{\gamma}_{j,m} \overline{X_{j,m}}) - (\hat{\alpha}_f + \sum_j \hat{\gamma}_{j,f} \overline{X_{j,f}}) \\ &= [(\hat{\alpha}_m - \hat{\alpha}_f) + \sum_j (\hat{\gamma}_{j,m} - \hat{\gamma}_{j,f}) \overline{X_{j,m}}] + [\sum_j \hat{\gamma}_{j,f} (\overline{X_{j,m}} - \overline{X_{j,f}})]\end{aligned}\quad (2)$$

The first term on the right hand side of equation (2) is that portion of the wage difference that can be attributed to differences between male and female coefficients, including the constant terms (the “unexplained” portion). The second term is that portion of the wage difference that can be attributed to differences between male and female characteristics (the “explained” portion). The “explained” component of the decomposition is the share of the difference in ln wages between men and women that can be attributed to differences in average endowments of women and men, that is, differences in the means of characteristics such as age, education, and so on. The remainder or “unexplained” component of the difference is attributed to differences in the estimated coefficients and constant terms for women and men, and it can reflect discrimination as well as unobserved factors that are not captured by the regressions.

The decomposition result is shown in Table 4. The contribution of endowments accounts for 25.0% to 27.6% of total gender wage gap in all years, and the overwhelming majority of the gender wage gap is unexplained. Differences between women and men in observed characteristics were not the major source of the gender wage gap. Rather, the wage gap was largely unexplained. Here ownership of work unit, occupation and sector of employment are treated as endowments, so that the fact that women tend to work in lower-wage sectors and occupations increases the explained component of the gender gap. To what extent are changes over time in the gender wage gap the result of changes in the contributions of endowments versus coefficients. From 1995 to 2007 the total differential between men and women in the ln wage (*T*) increased; from 2007 to 2013 it declined. The decomposition results reveal that the increase in the differential from 1995 to 2007 was associated with increases in both the difference due to endowments (*E*) and to the difference due to the coefficients including constant terms (*C*). Similarly, the decline from 2007 to 2013 was associated with declines in both these components. In all years, however, the contribution of endowments was relatively small. In other words, changes over time in the gender wage gap, including the decline in the gap from 2007 to 2013, have reflected changes in both the explained and unexplained components of the gap, but especially changes in the unexplained component.

Table 4. Decomposition of the ln gender wage gap

	1995	2002	2007	2013
Total differential (T=E+C)	15.2	23.6	35.4	27.0
Amount attributable to:				
endowments (E)	4.2	5.9	9.4	7.0
coefficients + constant term (C)	11.0	17.7	26.0	20.0
Percentage of total explained by endowments (E/T)	27.6%	25.0%	26.6%	25.9%
Percentage of total unexplained (C/T)	72.4%	75.0%	73.4%	74.1%

Source: Song et al. (2019).

VI. Conclusions/discussion

This paper provides consistent estimates of the gender wage gap in urban China from 1995 to 2013 and investigate factors contributing to that gap. From 1995 to 2007 a substantial, progressive widening of the gap is found, while from 2007 to 2013 the gender wage gap took a new direction and narrowed. Changes in China's gender wage gap are related to changes in the urban economy. Employment of both women and men has been shifting from the state-owned sector to the non-state sector and from the secondary sector to the tertiary sector. Women continue to be disproportionately employed in the non-state sector with less institutional protections and lower-paid sectors. These sectoral patterns have contributed to the persistent gender wage differential.

Recent narrowing is to some extent due to the convergence of characteristics between women and men, that is, a reduction in the “explained” component of the gap. Notably, the education difference between women and men shrank; higher share of individuals are single, especially for women; and the number of children declines. It is also attributed by reduction in the “unexplained” component of the gap. For instance, reduction in the differences in returns to being young (ages 25–39), having less education (middle school and less), being unmarried, and being married without children between genders. The changes could reflect the effect of policies adopted such as expansion of higher education, strengthened minimum wage regulation, improvements in parental leave and maternity insurance. Besides, as older ages continue to experience a larger gender wage gap, if proposed reduction in the retirement age differential between women and men is to be implemented, perhaps the gender wage gap for older age groups will in the future shrink. Yet, some recent developments could offset these trends, in particular, the recent relaxation of the one-child policy. It could exacerbate negative incentives for employers, with consequences for the gender wage gap in the future.

References

- Chi, Wei and Bo Li. 2014. “Trends in China's Gender Employment and Pay Gap: Estimating Gender Pay Gaps with Employment Selection.” *Journal of Comparative Economics* 42(3): 708–725.
- Du, Fenglian and Xiao-Yuan Dong. 2013. “Women's Employment and Child Care Choices in Urban China during the Economic Transition.” *Economic Development and Cultural Change* 62(1): 131–155.
- Giles, David E. 2011. “Interpreting Dummy Variables in Semi-logarithmic Regression Models: Exact Distributional Results.” *Econometrics Working Paper EWP1101*, Department of Economics, University of Victoria.
- Jia, Nan and Xiao-Yuan Dong. 2013. “Economic Transition and the Motherhood Wage Penalty in Urban China: Investigation Using Panel Data.” *Cambridge Journal of Economics* 37(4): 819–843.
- Li, Shi and Jin Song. 2013. “Changes in the Gender-Wage Gap in Urban China, 1995–2007,” in *Rising Inequality in China: Challenges to a Harmonious Society*, edited by Li, Shi, Hiroshi Sato and Terry Sicular, 384–413. New York: Cambridge University Press.
- Liu, Haoming. 2011. “Economic Reforms and Gender Inequality in Urban China.” *Economic Development and Cultural Change* 59(4): 839–876.
- Qi, Liangshu and Xiao-Yuan Dong. 2013. “Housework Burdens, Quality of Market Work Time, and Men's and Women's Earnings in China.” *Department of Economics Working Papers 2013-01*, The University of Winnipeg.
- Qi, Liangshu and Xiao-Yuan Dong. 2016. “Unpaid Care Work's Interference with Paid Work and the Gender Earnings Gap in China.” *Feminist Economics* 22(2): 143–167.
- Ruhm, Christopher J. 1998. “The Economic Consequences of Parental Leave Mandates: Lessons from Europe.” *Quarterly Journal of Economics* 113(1): 285–317.
- Song, Jin, Terry Sicular and Björn Gustafsson. 2019. “China's Urban Gender Wage Gap: New Directions?” in *Changing Trends in China's Inequality: Evidence, Analysis and Prospects*, edited by Li, Shi, Terry Sicular and Ximing Yue, New York: Oxford University Press (forthcoming).
- Xiu, L. and M. Gunderson. 2013. “Gender Earnings Differences in China: Base Pay, Performance Pay, and Total Pay.” *Contemporary Economic Policy* 31(1): 235–254.
- Ye, Linxiang, T. H. Gindling and Shi Li. 2016. “Compliance with Legal Minimum Wages and Overtime Pay Regulations in China.” *IZA Journal of Labor and Development* 4(1): 1–35.



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Gender Wage Gap in Korea in Lifecycle Perspective

Selim CHOI

- I. Introduction
- II. Pattern of gender wage gap over lifecycle in Korea
- III. Contributors of lifecycle gender wage gap in Korea
- IV. Summary

I. Introduction

Korea's gender wage gap has been largest among OECD countries since it first become the member state in 1992. As of 2017, the gender wage gap of full-time workers in Korea has marked 34.6 percentage points and ranked number one, followed by Estonia (28.3) and Japan (24.5) (OECD 2019). Also, as shown in Figure 1, Korea's gender wage gap is among the slowest in convergence and almost unchanging since 2010, even though the gender gap in education attainment has completely closed in mid-2000s.

Korea's astounding level of gender wage gap is due to the interplay of multiple factors, including the factors commonly considered, such as occupational sorting, education gap—both level (for older cohorts) and major choices, career breaks of women during pregnancy and child-raising periods. In addition to these, some unique features of Korean labor market have to do with the country's above-the-average gender wage gap.

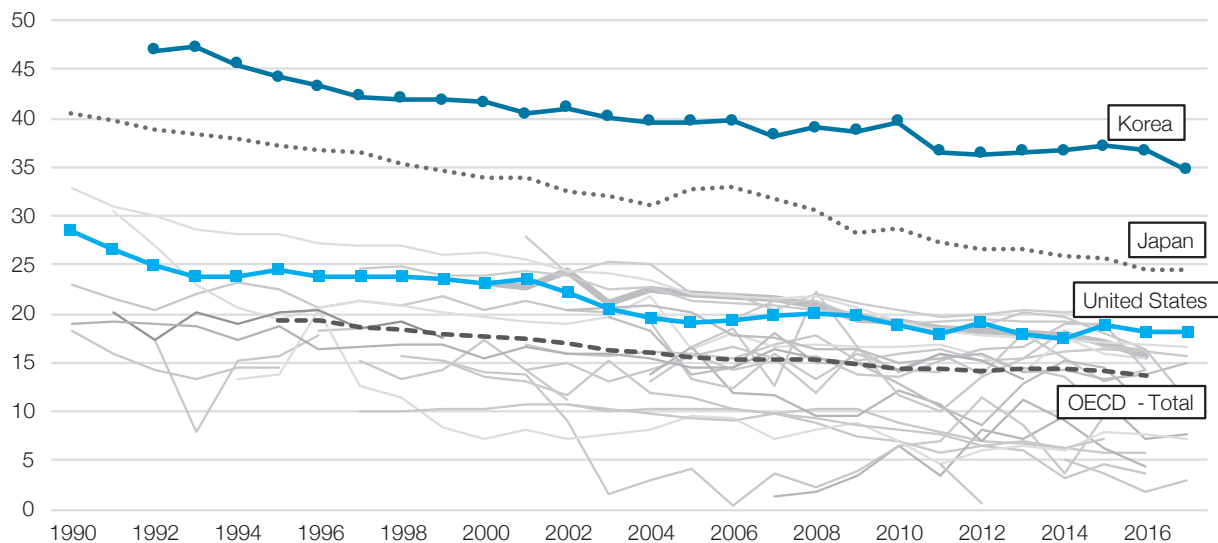
First, Korean employers, both in private and public sector, commonly reward men who served military duty with higher salary by accepting the military service period (now 18 months) as tenure with firm. (Korean firms typically have the tenure-based pay system). For example, based on the government standard pay scale, the two year tenure difference at the time of first entry to government 9th class job induces about 10% gender wage gap. Since the annual raise (to adjust for inflation or growth of the firm) is usually calculated by taking the percentage proportion of previous year's salary, this initial wage gap widens as the tenure with the same employer accumulates.

Another feature of Korea's labor market that contributes to the gender wage gap is the culture of long working hour and the emphasis on the dedication to employer. Since first reporting in 2008, OECD working hour report puts Korea in third place, after Mexico and Costa Rica (OECD 2019). In 2017, Korean workers on average worked 2,024 hours annually, whereas the OECD average is 1,759 hours and Japan, 1,710 hours.

Long working hours can contribute to the gender wage gap if the working hour is above the level that can balance out the work in the labor market and at home (ex. homemaking and childcare). If the working hour is too high, married couple with children will be forced to specialize fully or partially in household work and work in the labor market. In the case of Korea, historically, within-family specialization have been sex-biased in the sense that men most always specializes in work in the labor market and women specializes on the household work. Long work hour above a certain level can enforce this kind of sex-biased within-family specialization to married couples;¹ as a result, it generates the gender gap of on-the-job human capital.

The sex-biased within-family specialization in Korea can contribute to the gender wage gap in the channel

1. Acknowledging this, Korean government has put much effort on reducing working hour and assist married couple's work-life balance. In 2019, the 52 working hour limit per week will be covered in almost all sectors of Korea's labor market and government-backed parental leave policy will be expanded in both length and coverage. This kind of parental leave program and working hour reduction approach had been the government's important initiative in recent years, but gender pay gap hasn't narrowed, not to mention rapidly falling fertility rates.



Source: OECD Gender Wage Gap, 2019.

Figure 1. Trend of gender wage gap (unit: % difference in wage)

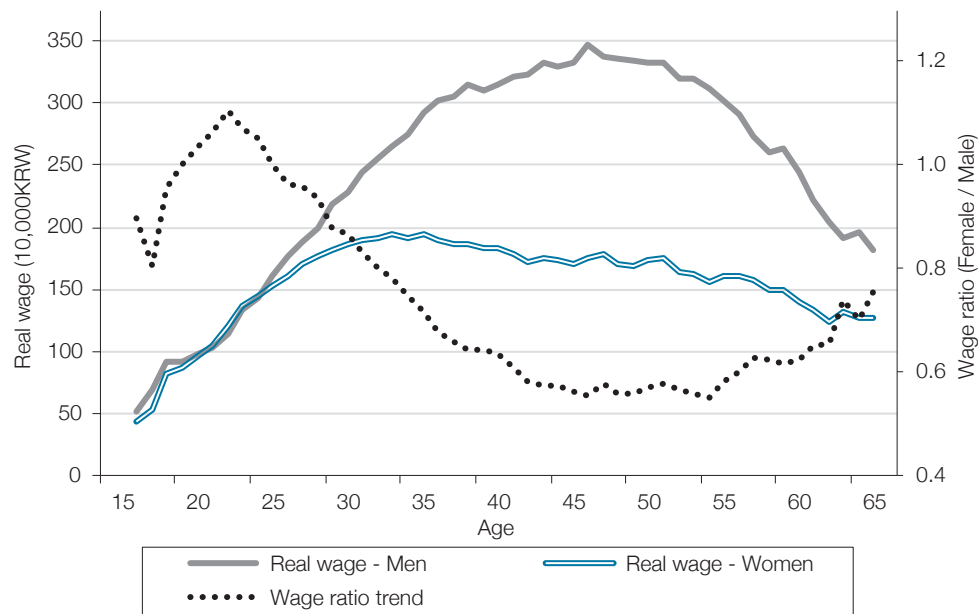
other than through affecting human capital. The sex-biased specialization induces high observable turn-over rate or reduced productivity and work intensity of female workers after marriage and childbirth and this in turn can bias the employer and lead them to discriminate female workers. According to the theory of statistical discrimination (Phelps 1972), if employer has limited information about the job candidate or employees, they use the reference of the group ‘statistics’ identified by the observable characteristics (ex. sex and race) to evaluate individual workers. That is, firms may discriminate women at the hiring process or promotion because of the high uncertainty about the productivity change or quitting after marriage and childbirth.

In any case, very high gender pay gap that doesn’t narrow over time, even with significant increase in female education attainment, can be problematic to Korea. Mainly, it can discourage labor market participation and human capital investment of women. Considering a rapidly declining fertility rates and conservative domestic political atmosphere against immigration, the problem of high gender wage gap will become more serious in the future as it is a key to increasing female labor participation.

In this report, I focus on the lifecycle perspective of the gender wage gap in Korea. In specific, I provide a brief overview of Korea’s lifecycle gender wage gap and then discuss evidence of the within-family specialization and its relation to gender wage gap and the labor market discrimination against women. The issue of Korean pay system that rewards military service will not be discussed in this report, as it is generally accepted in Korea as a fair institution to show social gratitude to the military veterans.

II. Pattern of gender wage gap over lifecycle in Korea

It is important to investigate how the gender wage gap evolves over the lifecycle because it may be influenced by the lifecycle events either endogenously (individual’s choice about wage in relation to their lifecycle decisions) or exogenously (individuals put in to certain level of pay by outside force). Figure 2 presents the real wage by gender and wage gap in Korea over lifecycle using observations in Korea Labor and Income Panel Study (KLIPS) 1st–20th wave. According to the figure, gender wage ratio (female real wage / male real wage) peaks before mid 20s and then rapidly drops until it reaches the lowest point in mid 40s to 50s. It only slowly recovers after age 55. The growth of wage gap after 25 is attributed to rapid growth of men’s wage after 25 as opposed to the slowed growth of women’s wage after 25. Then women’s wage actually falls after 35. As the drastic changes of wage gap are observed during the age periods when important lifecycle



Source: Korea Labor and Income Panel Study (KLIPS).

Note: The graph is produced by the author using KLIPS 1st–20th observations.

Figure 2. Real wage by gender and gender wage ratio over lifecycle in KLIPS

events such as marriage and childbirth occurs most frequently, it is reasonable to suspect that such events have important impact on the gender wage gap.

Choi (2018a) studies this particular aspect by extracting two cohorts from KLIPS and tracing their wages over time. The first cohort is composed of those who completed the final level of education (and don't return to school) within two years of the 1st–3rd (1998–2000) waves of KLIPS (Cohort 1) and the second cohort is extracted in the same way from the 6th–8th (2003–2005) waves of KLIPS (Cohort 2).²

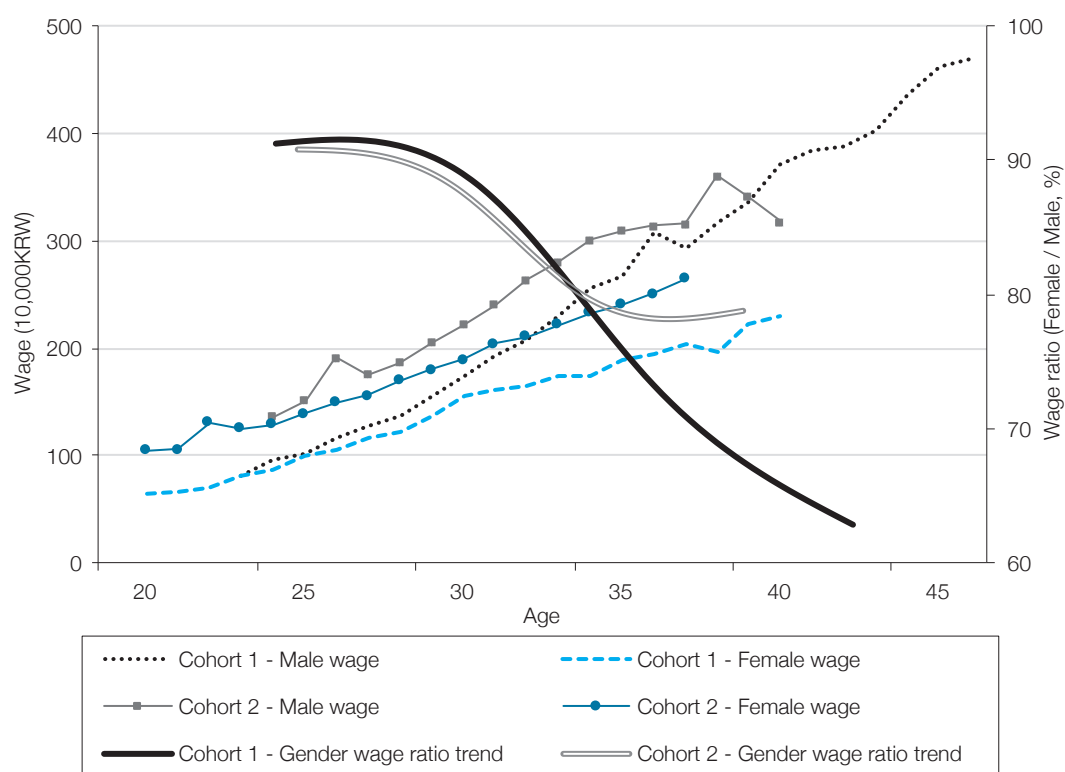
The author finds the following stylized patterns about the evolution of gender wage gap over lifecycle in Korea. First, gender wage gap is found from the entry point of the labor market (during age 20s). Even after controlling for the higher starting wage for the military veterans,³ women on average earn 90% of men's salary. Also, as shown in Figure 3, female-to-male wage ratio starts to fall rapidly from mid-later 20s. This means that gender wage gap in Korea exists and exacerbates even before early 30s where marriage and childbearing occur mostly. Other causes of gender wage gap in the beginning of career may include college major, occupation and industry sorting.

Second, career breaks of women with family care duties don't seem to explain much of gender wage gap in Korea. In KLIPS data, groups with career breaks⁴ have slightly lower age-earnings profile for both sexes, but for women, the pattern of gender wage gap is identical in both groups with or without career break. Referring to the Figure 4, regardless of career break experience, the gender wage ratio (ratio of female pay to male pay) peaks at the beginning of career in early-mid 20s and then gradually falls as age increases. Then, the fall

2. The sample includes three education level groups—high school graduates, 2 year college or some college education group, and those with 4 year university diploma or higher degree. In these cohorts, the gender education gap was almost closed (female college enrollment rate has been in par with male's since 2005), but the first cohort enters the labor market during financial crisis and the second cohort in the end of recovery period. Nevertheless, as the analysis required longest possible panel data, this choice was inevitable. Also the two cohorts don't seem to be very different from age groups that are unaffected by the financial crisis.

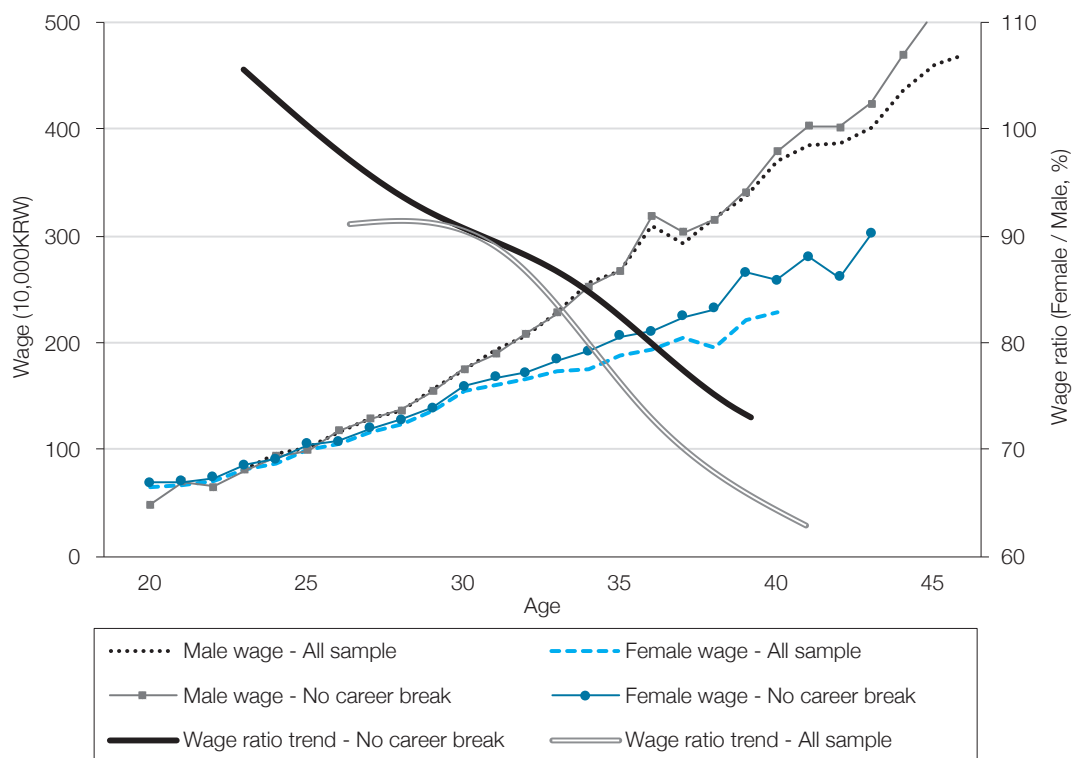
3. Since men usually serve military duty before finishing their final degree, except for the high school graduates, men's average age at the point of labor market entry is about two years older than women's.

4. In Choi (2018a) analysis, the career breaks are defined by period of not being employed shorter than 2 years. The average career break period of the group without career break was almost close to 0.5 years and there was no significant sex difference.



Source: Choi (2018a).

Figure 3. Wage by sex and gender wage ratio trend of KLIPS data



Source: Choi (2018a).

Figure 4. Wage by sex and gender wage ratio trend by groups with and without career breaks for Cohort 1

accelerates during early and mid 30s, when marriage and childbearing often occurs. In the later cohort (Cohort 2), the same pattern is found except that the drop of gender wage gap slows down at around early 30s and those without career breaks slowly recovers.⁵ This implies that the impact of career breaks on women's pay is limited and marriage and childbearing per se may be related with men's rapid pay increase and women's stagnant pay in the early and mid 30s. Indeed, as will be discussed later, even for women who don't experience career breaks, after marriage and childbearing, their working hour falls (probably to accommodate family care duties and household work), while husband increasing the working hour. This, then affects the male-female on-the-job human capital investment gap.

Third, marriage and childbirth affect the lifecycle gender wage gap trend by shifting the gender wage ratio down as shown in Figures 5 and Figure 6. Comparing the impact of marriage and childbirth, childbirth induces a larger shift. However, even before marriage or childbirth occurs, the pattern of falling gender wage gap is found. Also, comparing the groups that gets married and/or have children and that don't, the author finds the same trend of gender wage ratio. Whether women were to get married or not, they commonly experience falling gender wage ratio over lifecycle. They also commonly experience an accelerated fall during early and mid 30s. This implies that marriage and childbirth alone cannot fully explain the falling gender pay ratio over lifecycle. Possible forces behind this common trend may include the within-family specialization for those that gets married and the statistical discrimination against those who have the possibility of getting married or have children (i.e. single or childless women) as briefly mentioned in the introduction.⁶

Lastly, rapidly rising gender wage ratio during the early and mid 30s is attributed to the accelerated men's wage growth and slowed growth of women's wage during 30s. That is, men seem to experience career development during 30s while women's career development seem to slow down in 30s. As discussed earlier, one contributing factor can be the sex-biased within-family specialization which increases men's working hour and reduce women's working hour and hence increase gender human capital gap. In the case of those that don't get married or have children, the wage gap also worsens during 30s. This may have to do with the possibility of the discrimination of employers based on the statistical bias formed by the expectation that women's human capital investment will fall after marriage or due to women adjusting the level of investment by the same expectation about the labor market outcome after marriage.

III. Contributors of lifecycle gender wage gap in Korea

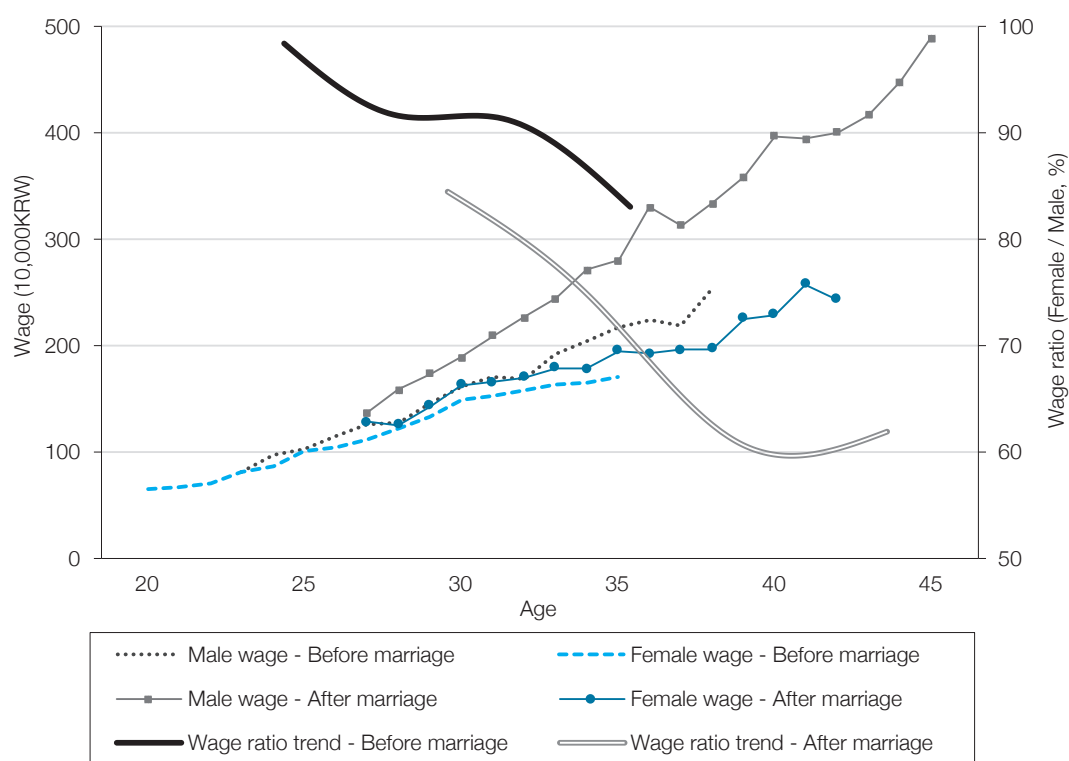
1. Long working hour and uneven within-family specialization by sex

Korea's long history of male-dominated labor market and society, where women serving as secondary earner in the family having been the dominating form of family and labor market, may be the force behind women's stagnant career development during their 30s. Combined with long working hour in Korea, marriage and childbirth put couples in a position where at least one person of the couple has to elastically change working hour to accommodate the family care and homemaking duties. With observable gender wage gap over lifecycle, usually it would be optimal for wife to withdraw fully or partly from the labor market in such situation.

In Bang (2018), this hypothesis has been explored. In specific, the study evaluates the impact of marriage and childbirth on wage by sex. Using 82,609 observations (12,982 individuals) extracted from KLIPS 1st–20th wave, the author first estimates the impact of marriage and childbirth on wage by sex. Using mainly individual fixed effect model, the result shows that marriage increases men's wage by about 9% and decreases women's wage 3–4%. Childbirth is associated with about 2% wage premium of men and 9% wage penalty of women, controlling for the marriage effect. The results are robust to different sets of control variables, including experience, tenure level, working hour, job change experiences, industry and occupation. That is, even within

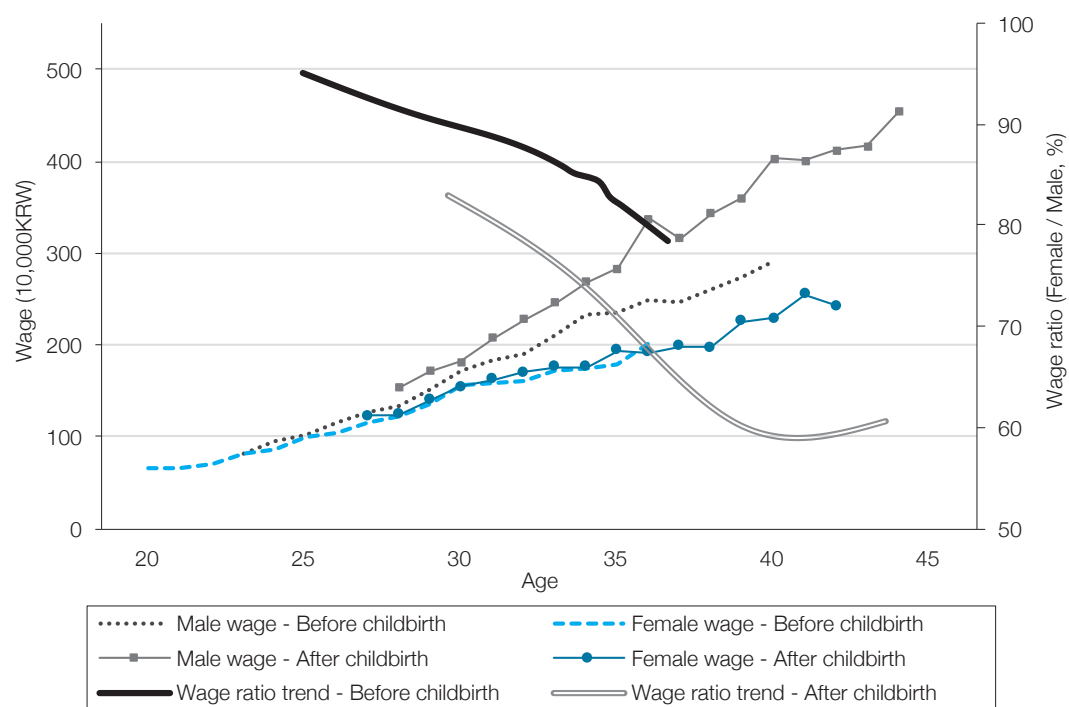
5. For the figure, contact the author or refer to the "References."

6. This may be a similar pattern as found in the study by Gallen (2018), where the author finds that among single men, single women, married men and women, only unmarried women experience wage discount in Denmark. The cause of this pattern may be diverse, but as will be discussed later, to some extent it may be attributed to labor market discrimination against women.



Source: Choi (2018a).

Figure 5. Wage and gender wage ratio before and after marriage for Cohort 1



Source: Choi (2018a).

Figure 6. Wage and gender wage ratio before and after childbirth

the same industry-occupation and with same level of tenure and experience, marriage and child affect men and women's pay in the opposite direction in Korea. The author also look at the timing of wage change in relation to marriage and childbirth and find that men's wage increase and women's wage decrease starts from 1–2 years prior to the event of marriage and childbirth. This might be the result of individuals adjusting their behavior in the expectation of their career path after marriage and childbirth or firm's adjustment in expectation of worker's behavior after marriage and childbirth.

In the analysis of working hour of full-timers by Choi (2018b), Korean women are working relatively fewer hours than men but the average both exceed 45 hours a week, as summarized in Table 1. The estimation of effect of marriage and childbirth on working hour done by Choi (2018b) shows that having a child increases men's working hour by about 0.8–1 hour per week while it decreases women's working hour by 1–1.2 hour per week. This effect is weak for marriage. By the number and age of children, group of men and women with two or more children and those with child younger than 6 change working hour more drastically than those with one child or older children. The author also conducted the analysis using the sample of married couple where both husband and wife work full-time. When the couples are matched and restricted to dual-earner group, the husband-wife working hour gap is smaller than the full sample. The result show that, even for them, childbirth induce the couple's working hour gap to increase (in the direction of increasing men's working hour and decreasing women's). This serves as an evidence that the marriage and children induces within-family labor market work and household work specialization where women focuses more on in-house work than men.

2. Labor market sex discrimination

Labor market discrimination may be an important factor of gender wage gap in Korea. As discussed earlier, two patterns of lifecycle gender pay gap in Korea leads to such speculation. First is that gender pay gap exists even at the starting points of career and controlling for the special pay rewards for men who served military duty. Second is that women experience the growth of wage gap during 30s regardless of marriage and childbirth experience or career breaks.

As the observable equilibrium of Korean labor market has been such that women reducing work intensity or hour for family duties, if not dropping out completely from the labor market, while men working more intensely during 30s as wife takes care of other duties at home, employers that 'statistically discriminate' women may use this information when evaluating female candidates in recruitment.⁷

Choi (2018c) directly assesses whether there is labor market discrimination against women in Korea at the recruitment stage and provides an evidence that women are being discriminated. Specifically, she studies the 2 year and 4 year college graduates and their early labor market experiences using 2011–2014 GOMS (Graduates Occupational Mobility Survey) data of Korea. The study first evaluates the sex difference in the pre-labor market human capital investment and job preferences. The result shows that in both 2 year college graduate and 4 year college graduate groups, women invested more on the human capital and there was no significant sex difference in job preferences. Both male and female workers prefer jobs that are commonly regarded as 'high quality' jobs—higher pay, stable employment, providing environment for career and individual development, which is different from common speculation that female students will most prefer stable jobs. The only observable difference by sex is the college major distribution; in engineering majors, men are dominant and in social science and humanities major, women are dominant.

The study also looks at the sex difference in job quality within about a year after graduation.⁸ Since women

7. Wage discrimination is against the law to pay different salary for the same or same value job. Also, Korean labor laws are very rigid about layoffs and firms cannot flexibly adjust employees; therefore, if statistical discrimination against female worker exists, then it must be strongest at the recruitment process. In the case of sex discrimination in promotion, firms have more information about the individual workers as they have observed the employee while they have worked for firms, so the asymmetry in information is not as serious as at the recruitment stage.

8. By survey design, the job quality questions are asked within at most 1.5 years after graduation.

Table 1. Weekly working hours by sex from KLIPS 1st–20th wave data

Weekly working hour	Female			Male		
	N	Mean	SD	N	Mean	SD
Full sample	28,325	45.46	12.68	45,721	51.34	14.05
Single	9,300	45.54	11.59	0,939	50.77	13.47
Married	19,025	45.42	13.18	34,782	51.52	14.23
Have child	17,314	45.44	13.37	20,791	52.40	14.72

Source: Choi (2018b).

Note: The table is restructured for this report.

invest more than men before labor market and have identical job preference, if there is noticeable gap in the first job quality, then this can imply the presence of the labor market discrimination. The evaluation of GOMS data showed that in all spectrums of job quality (employment type—regular/temporary, employer type, firm size, benefit levels, etc.) men's job were higher quality than women's. Also, wage gap is significant even in this very recent cohort (2011–14 graduates). There is about 20% monthly salary gap and about 11.3% hourly wage gap, and most of the pay gap disappears only after the job quality and employer type variables are controlled for. Pre-labor market investment level and characteristics don't explain the wage gap. This implies that women being placed in relatively inferior jobs and this is a possible reason for women earning less from the starting point of career and their wage growth rate lag behind the men's over lifecycle.

Finally, the author directly tests whether there is sex discrimination at the recruitment of large corporations using GOMS data and Blinder-Oaxaca decomposition method. Specifically, the author decomposed the probability of passing the open-recruitment by large corporations in South Korea of male and female 4 year college graduates who indicated to have prepared for large corporations' open-recruitment. The unobserved heterogeneity such as sex difference in the distribution of ability and career ambition is controlled by restricting the sample to only those who have chosen their career paths in the large corporation.⁹ The result showed that even after controlling for the college major, men had higher return (coefficient) to college GPA, TOEIC score (a standardized English test) and the performance in the college entrance exam, a proxy of ability and college ranking. Out of 11.7 percentage points of observable male-female gap of probability of passing a large corporation open recruitment, 17.2 percentage points (147%), is the unexplained gap.¹⁰ Considering that large corporation recruitment are monitored more closely by the government and goes through regular audits, sex discrimination is likely to be more serious in the mid and small sized firms in the private sector.

IV. Summary

To summarize the features of Korea's gender wage gap, first, the gender wage gap changes over lifecycle. Gender wage gap is smallest in the beginning of career (in 20s) and then increases at an accelerated pace during 30s. Other than much studied factors of gender pay gap such as occupation and industry sorting, human capital investment difference, career breaks, working hour, etc., sex-biased within-family specialization—husband focusing on labor market and wife specializing on family caring role—induced by long working hour seem to be the cause of rapidly increasing gender pay gap during 30s in Korea. Specialization within household and the

9. Even so, the unobservable variables may not have been fully controlled; nevertheless, if college students are making rational expectations about labor market discrimination and the type of worker large corporations want, it is actually likely that the female students who chose private sector as opposed to the known discrimination—free public sector, could be the 'high ability' and 'high career ambition' type. So, estimation result could be only the lower bound of the sex discrimination in the recruitment in Korea.

10. Note that the size of unexplained gap is larger than the raw difference because in all aspects, average observable human capital investment level was higher for female applicants.

resultant gender working hour gap during 30s affect the gender wage gap by inducing gender gap in on-the-job human capital accumulation.

Probably related with this pattern, firms may be systematically discriminating against female workers in Korea. Based on the GOMS data analysis by Choi (2018c) in the recruitment, female candidates are judged by higher standard than male candidates and have lower chances of passing. According to the statistical discrimination theory, if a firm observes that female workers tend to have a higher turnover rate or reduce work intensity after marriage or childbirth, then they may use such statistical observation to evaluate the workers at the recruitment process. Hence, the sex-biased within-family specialization after marriage and childbirth can reinforce the existing statistical discrimination against women and sustain gender wage gap by updating the employer's bias about the female workers. The existence of labor market sex discrimination and high observable gender wage gap over lifecycle can also promote such uneven within-family specialization. After all, expected lifetime income of husband and wife should be one of the most important considerations in the couple's specialization decision.

In any case, high gender pay gap is expected to become more important social issue in Korea. Korea is already expecting the downsizing of population in very close future with a very low fertility rate. To maintain the economic competitiveness and sustain the society, increasing female labor participation will become a more important policy agenda. However, a sustained high gender pay gap seriously undermines women's human capital investment motivation and labor participation. Korean government has been passive in taking policy actions about the gender pay gap, but maybe it is about time to take more action and adopt effective policies.

References

- Bang, Hyungjoon. 2018. "The Effect of Marriage and Childbirth on Wage by Sex," in *Lifecycle Gender Wage Gap: Focusing on the Effect of Marriage and Childbirth*. Seoul: Korea Labor Institute (in Korean).
- Choi, Selim. 2018a. "Labor Market Gender Wage Gap and Lifecycle," in *Lifecycle Gender Wage Gap: Focusing on the Effect of Marriage and Childbirth*. Seoul: Korea Labor Institute (in Korean).
- . 2018b. "The Effect of Marriage and Childbirth on Working Hour by Sex," in *Lifecycle Gender Wage Gap: Focusing on the Effect of Marriage and Childbirth*. Seoul: Korea Labor Institute (in Korean).
- . 2018c. "The Gender Difference and Discrimination in the First Job Transition after College," in *A Study for Facilitating First Labor Market Transitions of Youth*. Seoul: Korea Labor Institute (in Korean).
- Gallen, Yana. 2018. "Motherhood and the Gender Productivity Gap." *Working Paper No. 2018-41*, Becker Friedman Institute for Economics, University of Chicago.
- OECD. 2019. *Gender wage gap (indicator)*. doi: 10.1787/7cee77aa-en (accessed 21 January 2019)
- . 2019. *Hours worked (indicator)*. doi: 10.1787/47be1c78-en (accessed 02 February 2019)
- Phelps, E. S. 1972. "The Statistical Theory of Racism and Sexism." *American Economic Review* 62(4): 659–661.



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Women Left Behind? Closing the Gender Gap in Malaysia

Beatrice Fui Yee LIM

- I. Introduction
- II. The women's involvement in Malaysian economy
- III. Characteristics of female labor force in Malaysia
- IV. Factors affecting gender pay gap
- V. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- VI. Policies to close gender gap
- VII. Conclusion

I. Introduction

The involvement of Malaysian women in all spheres of life has become more visible over the years. This is primarily contributed by the advancement of women in education. In Malaysia, female educational attainment has increased substantially in the post-independence era. Female adult literacy increased from 61.3% in 1980 to 90.8% in 2010 (UNESCO 2016). In Malaysia, both boys and girls enjoy equal opportunity and access to education. Affordable education bridged gender disparities in primary and secondary education (UNICEF 2019).

Several important reforms took place in the Malaysian educational system which led to increased equality and equity in education opportunities. In 1970, a significant reform took place in the education system where the Malay language was introduced as the official medium of instruction in all government schools. The change was implemented at the tertiary level in the mid-1980s.¹ This reform was an important tool to integrate the multiracial society as well as to eradicate the poverty addressed in the New Economic Policy (NEP). The reform increased access to education especially for rural Malays whose native tongue was the Malay language (Ismail 2007). In the 1990s, the mounting demand for local tertiary education in the 1990s eventually led to a reform of the tertiary education system in Malaysia which included the privatisation of tertiary education institutions. The higher education reform saw the establishment of many new higher education institutions which increased the opportunities for tertiary education.

The gross enrolment in tertiary education increased from 7.0% in 1990 to 40.0% in 2009. By 2010, females in Malaysia made up 60.1% of the undergraduates in public universities (Ministry of Women, Family and Community Development 2011). Nevertheless, “until the 1960s, there was a common belief in the society in general that women are ideally better off as housewives and when educated should be channelled into teaching, nursing or other feminine occupations” (Ariffin 1992, 55). The gender segregation as a result of gender stereotyping, which affected the student’s choice of courses, is still prevalent even at the tertiary education level where female students are more concentrated in the Arts stream than the Science streams (Karim 2009). Women in Malaysia tend to display a higher inclination than males for arts, science and technology subjects, rather than for technical and vocational training (UNICEF 2019).

In general, more education often reflects the changing tastes and preferences of females for labor market work. This is reflected in the gradual increment of the female labour force participation rate in Malaysia. Female labor force participation rate increased from 44.5% in 1982 to 49.5% in 2012 (Department of Statistics

1. Due to the internationalisation in higher education from the 1990s, English is commonly used as the medium of instruction at present.

2019). In 2013, the female labor force participation rate surpassed the 50.0% mark for the first time and the rate is 54.7% in 2017. On the other hand, the male labor force participation rate was 85.3% in 1982 and this has decreased over the decades to 79.7% in 2011. The male labor force participation rate then increased slightly to 80.5% in 2012 and remains at 80.1% in 2017. The gender gap in labor force participation has narrowed significantly between 1982 and 2017 from 40.8% to 25.4%. The closing of the gender gap is due to both a slight decline in male labor force participation rate and an increase in female labor force participation.

A report from ILO (2011) however indicates that female labors remain an underutilised resource in many Asian economics, with low participation rates. In the context of the ASEAN region, the female labor force participation rate in Malaysia has been one of the lowest. In the year 2008, female labor participation rate in Malaysia at 45.7% is relatively lower as compared to neighbouring Singapore (60.2%), Thailand (70.0%) and Indonesia (51.8%) (Economic Planning Unit 2010).

This is of concern given the country's immediate policy targeting. In the Eleventh Malaysia Plan (2016–2020) the government has targeted an increase in the female labor force participation rate to 57.0% by the year 2020 (Economic Planning Unit 2015). The effort to increase female labor force participation in Malaysia therefore continues to be one of the key focus areas for the country.

II. The women's involvement in Malaysian economy

Malaysia has undergone a remarkable economic transformation and structural change in the 50 years since independence, moving from a low income, agriculture-based rural economy to a middle-income, manufacturing and service-based urban economy and now to an upper-middle-income, knowledge-based service economy (Leete 2007). The transformation of the Malaysian economic structure consequently affects the pattern of female labor force participation in the country.

In the period post-independence, Malaysia shifted from an agriculture-based to a manufacturing-based country in the 1970s with the introduction of export-oriented industrialisation policies. The industrial development in this sector saw a surge in the demand for young female workers, described by Ariffin (1992, 423) as an “exodus of female labor migration from rural areas to the urban-based factories.” The country experienced major growth in industries such as electronics, food processing, plastics, textiles and garments (Ariffin 1992, 25). When Malaysia was badly hit by the world recession in the 1980s, the country shifted its focus to resource-based higher technology which is more capital intensive (Ariffin 1992, 26). At the same time, the service sector expanded rapidly in the 1980s, especially in education and public administration (Ariffin 1992, 27; Athukorala 2001).

Employment by industry and sex

In terms of industry, most female workers are employed in the wholesale and retail trade, followed by manufacturing, education and accommodation and food service activities (Table 1). While male workers are also mostly employed in the manufacturing and wholesale and retail trade; repair of motor vehicles and motorcycles, they are also more dominant in the agriculture, forestry and fishing and construction sector. This trend of employment especially for female workers are expected to continue into the near future.

In Malaysia, there is virtually no barrier for females to enter any industry or occupations. However, the differences between the number of males and females in any industry or occupations might reflect the choices and aspirations of the Malaysian females. Career occupations or field of study can be affected by an individual's family, interest, past experiences, stereotyping or to some extent salary.

Employment by occupation and sex

In 2015, approximately 46.0% of the 5.38 million female workers are employed as service and sales workers, as well as clerical support workers whereas 18.4% male workers are employed as service and sales workers (Table 2). However, most male workers are involved in elementary occupations, craft and related trade work, and plant and machine operation and assembling.

Table 1. Number of employed persons by industry and sex, 2015

Industry	Male		Female	
	('000)	(%)	('000)	(%)
Agriculture, forestry and fishing	1,328.2	15.3	425.7	7.9
Mining and quarrying	87.1	1.0	17.3	0.3
Manufacturing	1,438.3	16.5	884.3	16.4
Electricity, gas, steam and air conditioning supply	51.5	0.6	10.3	0.2
Water supply, sewerage, waste management and remediation activities	61.2	0.7	10.9	0.2
Construction	1,195.6	13.8	114.3	2.1
Wholesale and retail trade; repair of motor vehicles and motorcycles	1,400.5	16.1	961.0	17.9
Transportation and storage	532.9	6.1	82.2	1.5
Accommodation and food service activities	583.0	6.7	567.9	10.6
Information and communication	141.7	1.6	72.5	1.3
Financial and insurance / takaful activities	162.0	1.9	192.4	3.6
Real estate activities	40.9	0.5	30.4	0.6
Professional, scientific and technical activities	186.9	2.2	172.4	3.2
Administrative and support service activities	407.9	4.7	226.9	4.2
Public administration and defence; compulsory social security	517.2	6.0	233.8	4.3
Education	286.2	3.3	612.8	11.4
Human health and social work activities	110.0	1.3	463.0	8.6
Arts, entertainment and recreation	52.2	0.6	29.5	0.5
Other service activities	100.0	1.2	133.1	2.5
Activities of households as employers	6.6	0.1	135.7	2.5
Total	8,691.1	100.0	5,376.7	100.0

Source: Statistics on Women, Family and Community 2016.

Table 2. Number of employed persons by occupation and sex, 2015

Occupation	Male		Female	
	('000)	(%)	('000)	(%)
Managers	556.7	6.4	161.9	3.0
Professionals	640.6	7.4	821.5	15.3
Technicians and associate professionals	926.1	10.7	480.8	8.9
Clerical support workers	351.1	4.0	890.0	16.6
Service and sales workers	1,601.5	18.4	1,587.4	29.5
Skilled agricultural, forestry and fishery workers	713.2	8.2	227.1	4.2
Craft and related trade workers	1,275.7	14.7	303.1	5.6
Plant and machine operators and assemblers	1,278.4	14.7	306.8	5.7
Elementary occupations	1,347.8	15.5	598.1	11.1
Total	8,691.1	100.0	5,376.7	100.0

Source: Statistics on Women, Family and Community 2016.

Number of registered professionals by sex

The number of registered female professionals in 2015 is slightly more than male professionals (Table 3). A total of 66.2% of all dentists is females. Other professionals with females making up slightly more than half of the total professionals registered include accountants and lawyers. This is followed by medical doctors, quantity surveyors, veterinary surgeons and psychiatrist.

In 2018, the percentage of women professional and technical workers is 44.7%, almost equal to men. However, the percentage of women legislators, senior officials and managers is only 22.2%. Out of 37 minister positions in 2017, only 8.6% was women. The government's target of 30.0% women in corporate decision-making positions have yet to be fulfilled. Additionally, Malaysian females still face a glass ceiling at the top levels of the workplace which inhibits career development and promotion opportunities (Dimovski, Skerlavaj and Mok 2010).

Table 3. Number of registered professionals by sex, 2015

Profession	Total (‘000)	Male (‘000)	Female (‘000) (% of total)	
Accountants	31,395	15,252	16,143	51.4
Professional architects	1,891	1,549	342	18.1
Architects	1,923	1,245	678	35.3
Professional engineers	16,746	15,869	877	5.2
Graduate engineers	85,417	64,905	20,512	24
Dentists	6,054	2,044	4,010	66.2
Medical doctors	36,042	18,574	17,468	48.5
Veterinary surgeons	2,083	1,163	920	44.2
Land surveyors	453	446	7	1.5
Quantity surveyors	2,508	1,394	1,114	44.4
Lawyers	16,537	7,986	8,551	51.7
Obstetricians and gynaecologists	643	396	247	38.4
Psychiatrist	158	91	67	42.4

Source: Statistics on Women, Family and Community 2016.

III. Characteristics of female labor force in Malaysia

Labor force participation by educational attainment

The labor force participation rates by highest certificate in Table 4 shows that most females in the labor force have at least a certificate. The participation level of females with secondary school or lower is low (less than 55.0%). Females with higher education is more likely to be in the labor force. This is consistent with the human capital theory that predicts positive returns for investment in education.

Labor force participation by marital status

The labor force participation for males and females by marital status is shown in Table 5. In terms of percentage, the proportion of married males and females in the labor market is very similar at 62.0 and 61.6%. There are more widowed and divorce or separated females than males in the labor force. This is consistent with the increasing number of female heads of household in the country.

The number of female heads of household has increased over the decades (Table 6). This implies the needs for women to be involved in labor market activities as women are expected to provide for their family. Dual earners family is becoming a trend in Malaysian households to the rise in cost of living. Women who are divorced, permanently separated or widowed are also more likely to work.

Table 4. Labor force participation rates by highest certificate obtained and sex, 2015

(Unit: %)

Highest certificate obtained	Total	Male	Female
Total	67.9	80.6	54.1
UPSR/UPSRA or equivalent (primary school)	64.2	81.1	42.0
PMR/SRP/LCE/SRA or equivalent (lower secondary)	53.3	67.2	35.6
SPM or equivalent (O-level)	69.0	82.5	54.5
STPM or equivalent (A-level)	53.8	63.4	47.3
Certificate	88.2	93.2	78.0
Diploma	81.7	86.9	76.8
Degree	90.3	93.6	87.4
No certificate	68.4	88.7	47.4
Not applicable (no formal education)	56.8	79.2	38.4

Source: Statistics on Women, Family and Community 2016.

Table 5. Labor force by marital status and sex, 2015

Marital status	Total	Male	Female
Total ('000)	14,518.0 100.0%	8,952.8 100.0%	5,565.1 100.0%
Never married	4,974.5 34.3%	3,224.3 36.0%	1,750.2 31.4%
Married	8,976.9 61.8%	5,550.8 62.0%	3,426.1 61.6%
Widowed	303.8 2.1%	87.5 1.0%	216.4 3.9%
Divorced/permanently separated	262.7 1.8%	90.2 1.0%	172.5 3.1%

Source: Statistics on Women, Family and Community 2016.

Table 6. Number of heads of household by sex, 1970–2010

(Unit: '000 persons)

Year	Male	Female
1970	1,721.6	423.2
1980	2,059.9	444.0
1991	2,884.1	653.5
2000	4,114.3	663.3
2010	5,350.5	990.8

Source: Statistics on Women, Family and Community 2016.

Average salary in Malaysia

According to the Wage and Salary Survey 2017, 6 out of 10 salaried workers are males (Department of Statistics 2018). In 2017, the average monthly salary for male worker is RM2,954² while the average monthly salary for female worker is RM2,772, with men earning 6.6% higher than women. The salaries for both male and female have increased from RM2,741 and RM2,532 in 2016, respectively. The compounded annual growth rate of the female salary is 9.1% and for male is 7.5%. The average monthly salary for workers with tertiary education is RM4,320 while for individuals without certificate is RM1,410. In general, the civil service in Malaysia does not practise salary discrimination. However, the discrepancy of male and female salary indicates that gender pay gap does exist in the private sector. If the differential in salary or wage affects a girl's choice of occupation, then the elimination of gender pay gap will see more equal participation of both male and female in all industry and occupation in the future.

IV. Factors affecting gender pay gap

The existence of gender pay gap cannot be adequately explained by education. In Malaysia, the number of girls outnumbered boys at the tertiary level. Vaghefi (2018) proposed several reasons that result in gender pay gap in Malaysia. First, girls tend to choose social sciences, education and arts major where jobs are low-paying on average and female dominated. At the same time, they are less likely to be promoted to top management positions. Second, women are more likely than men to be working part-time. Women intending to balance the responsibilities at work and at home find themselves spending fewer hours in the labor market. Women may also opt for jobs that are more flexible and closer to home which are lower in wages and job security as well as lesser training and promotion opportunities. Women may also experience interruption in career that affects their wages in the long term. Third, women are less likely to negotiate their salary compared to men. As a result, they often receive lower wages or salary.

The level of women's involvement in the Malaysian economy has changed gradually according to the country's economic structure. Greater participation of women in the labor market can be a source of inclusive economic growth which spills over to the well-being of Malaysian society. While women in Malaysia enjoys equal opportunity and access to education, they lack behind their male counterpart in economic opportunity.

In May 2018, the ruling party of 61 years in Malaysia suffered a loss to the opposition alliance led by the former Malaysian Prime Minister, Tun Mahathir Mohamad. The formation of the new government saw Malaysia welcoming the first woman deputy prime minister, Datuk Seri Dr Wan Azizah Wan Ismail. Under her leadership, the Malaysian government is committed to ensuring that women enjoy their basic rights and freedom. The expectation is high on the formulation of the gender equality bill which has been proposed for close to one decade. In the meantime, Malaysia shows increasing commitment in eliminating discrimination against women especially at the workplace.

V. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

The debate on gender equality continues to spark interest across the world including Malaysia. On 5 July 1995, Malaysia acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life, including the right to vote and to stand for election, as well as education, health and employment (United Nations 2019).

The CEDAW provides for equal opportunity at work for females with their male counterparts. In a related development, in the year 2008, the Malaysian government instructed all ministries and government agencies to collect and analyse data according to gender distribution in various sectors inclusive of economics, politics,

2. On 14 January 2019, 1.0 USD is equivalent to 4.10 Malaysian Ringgit (MYR).

public sector, education, health and family. This is important as the country strives to achieve gender parity as well as to ensure that the society in general will benefit from the nation's development (Ministry of Women, Family and Community Development 2011).

Malaysia successfully presented its Combined Third to Fifth Periodic Reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) during the 69th Session of the CEDAW Committee on 20 February 2018 in Geneva (Ministry of Women, Family and Community Development 2018). The Periodic Reports provided an update on policies, initiatives and concrete measures that are being undertaken by the government of Malaysia to eliminate discrimination against women and to provide space and opportunities for them to thrive with greater achievements in line with the obligations under the CEDAW.

During the constructive dialogue with the Committee in Geneva, Malaysia provided clarifications on the many issues of interest to the Committee members. These include the issues relating to the dual-legal system practices in Malaysia which they viewed as constituting discrimination against women, particularly the rights of Muslim women under the Syariah laws, specific timeframe to lift the remaining reservations to certain articles of the CEDAW, and timeframe to enact the Gender Equality Bill. Some Committee members were also keen to learn of a timeframe to change the patriarchal norms, as well as gender stereotyping, measures to increase number of women in politics and in decision-making positions, alleged cases of discrimination against LGBTI, and accession to relevant international treaties.

The effort to close the gender gap in Malaysia has not advanced at the desired level. Based on the Global Gender Gap Report 2018 published by the World Economic Forum (WEF), Malaysia stands at 101 place out of 149 countries with the index score of 0.676. Within East Asia and the Pacific, Malaysia ranks 13 out of 18 countries. Within the sub-index average, Malaysia has closed the gap between males and females in terms of educational attainment. The health and survival sub-index is 0.974, followed by economic participation and opportunity (0.656), and political empowerment (0.072) (World Economic Forum 2018).

VI. Policies to close gender gap

The Malaysian government made continuous efforts to increase labor participation of women. This includes effort to increase the representation of women in decision-making positions in the private sector, such as the establishment of a target of 30.0% and the launching of an initiative in July 2017 to publish the names of publicly-listed companies without women on their board of directors. This move is important considering the low representation of women in decision-making positions in the private sector despite their high educational and professional achievements and qualifications, as well as the persistent wage gap in most occupational categories (CEDAW 2018).

The National Women's Policy and Action Plan (2009–2015) of Malaysia outlined efforts to encourage the private sector to implement flexible working arrangements to provide wider opportunities for women to participate in the labor force. A special window is allocated under the Human Resource Development Fund (HRDF) to provide training for women. Career counselling is given at school level to encourage participation of females in non-traditional occupation for females (Ministry of Women, Family and Community Development 2009).

In order to strengthen and maintain women's involvement at work, several initiatives have been taken. This includes campaigns to increase awareness of women's right at work as well as educational program and training for women to address sexual harassment at the workplace. The government established and implemented mechanisms to address discrimination and exploitation cases based on gender at the workplace including reproduction rights, maternity and paternity leaves, equal pay for equal work, and equal retirement age and benefit between males and females (Ministry of Women, Family and Community Development 2009).

In general, various policies and legislations to encourage women to enter the labor market such as parental leave, provision of childcare, tax system reform, flexible work arrangement and part-time work regulations (Lim 2018) is aimed to further increase female labor force participation as set out in the Eleventh Malaysia Plan (2016–2020).

VII. Conclusion

Over the years, the government has continued to increase women's access to the labor market, eradicate poverty amongst female-headed households, provide childcare facilities and support for working mothers, and address work and family conflicts as well as sexual harassment in the workplace. In recent decades, the government has aimed to increase the representation of women in politics and decision-making positions (Ministry of Women, Family and Community Development 2003, 15). Various agencies and units were established to spearhead the implementation of various policies and agendas to improve the status of women in social, economic and political realms. This ensures that women's voice can be heard, and gender equality will empower women to achieve social, economic and political development.

References

- Ariffin, J. 1992. *Women and Development in Malaysia*. Petaling Jaya: Pelanduk Publications.
- Athukorala, P. 2001. *Crisis and Recovery in Malaysia: The Role of Capital Controls*. Cheltenham: Edward Elgar.
- CEDAW. 2018. *Concluding observations on the combined third to fifth periodic reports of Malaysia*, CEDAW Committee at its 69th Session (19 February to 9 March 2018), accessed 20 March 2019, https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MYS/CEDAW_C_MYS_CO_3-5_28435_E.docx.
- Department of Statistics Malaysia. 2018.
- . 2019. *Principal statistics of the labour force by sex, Malaysia/states, 1982–2017*, accessed 20 January 2019, https://www.dosm.gov.my/v1/uploads/files/3_Time%20Series/LFS_1982-2017/02_TABLE%202.pdf.
- Dimovski, V, M. Skerlavaj and M. M. K. Mok. 2010. “Comparative Analysis of Mid-level Women Managers’ Perception of the Existence of Glass Ceiling in Singaporean and Malaysian Organizations.” *International Business & Economics Research Journal* (IBER) 9(8): 61–78.
- Economic Planning Unit. 2010. *Economic Transformation Programme*, Economic Planning Unit, Prime Minister’s Department, Putrajaya.
- . 2015. *Eleventh Malaysia Plan 2016–2020*, Economic Planning Unit, Prime Minister’s Department, Putrajaya.
- International Labour Organization (ILO). 2011. *Asia-Pacific Labour Market Update*, ILO Regional Office for Asia and the Pacific, Thailand.
- Ismail, R. 2007. “The Impact of Schooling Reform on Returns to Education in Malaysia.” *MPRA Paper No. 15021*, accessed 25 August 2012, <http://econpapers.repec.org/paper/pramprapa/15021.htm>.
- Karim, F. 2009. “Women in education in Malaysia,” in *Readings on Women and Development in Malaysia: A sequel: Tracing four decades of change*, edited by J Ariffin, 159–178. Selangor: MPH Publishing.
- Leete, R. 2007. *Malaysia: From Kampung to Twin Towers: 50 years of Economic and Social Development*, Kuala Lumpur: Oxford Fajar.
- Lim, B. F. Y. 2018. “Changes in Employment Structure in Malaysia: The Way Forward.” *Japan Labor Issues* 2(8): 77–84.
- Ministry of Education Malaysia. 2015. *Executive Summary: Malaysia Education Blueprint 2015–2025 (Higher Education)*.
- Ministry of Women, Family and Community Development. 2011. *Statistics on Women, Family and Community 2011*.
- . 2016. *Statistics on Women, Family and Community 2016*.
- Pelan Tindakan Pembangunan Wanita 2009* [National Action Plan for Women 2009], accessed 20 March 2019, <https://www.kpwkm.gov.my/kpwkm/uploads/files/Dokumen/Dasar/PELAN%20TINDAKAN%20PEMBANGUNAN%20WANITA%202009.pdf>.
- UNICEF. 2019, *UNICEF Malaysia*, accessed 15 January 2019, https://www.unicef.org/malaysia/gift_6069.html.
- United Nations Educational, Scientific, and Cultural Organization Institute for Statistics. 2016. *UIS.Stat Education*, Quebec, accessed 12 January 2016, <http://data.uis.unesco.org/Index.aspx#>.
- United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, accessed 20 January 2019, <http://www.un.org/womenwatch/daw/cedaw/>.
- Vaghefi, N. 2018. “What Widens the Gender Pay Gap?” Penang Institute, accessed 20 January 2019, <https://penanginstitute.org/publications/issues/what-widens-the-gender-pay-gap/>.
- World Economic Forum. 2018. *The Global Gender Gap Report 2018*, accessed 30 March 2019, http://www3.weforum.org/docs/WEF_GGGR_2018.pdf.



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Explaining the Gender Gap in Labor Force Participation in the Philippines

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- I. Introduction
- II. Background: Employment dynamics of men and women
- III. Differences in the life-cycle labor force participation rates by gender
- IV. Determinants of the labor force participation of men and women
- V. Summary and policy implications

I. Introduction

The World Economic Forum (WEF) has consistently reported that the Philippines is one of the top-performing countries in closing the gender gap. The Philippines ranked sixth among 115 countries in 2006 and eighth among 149 countries in 2018 in the WEF's Global Gender Report. The country's high ranking is mainly driven by the gender parity in education and the partial closing of the gap in health by 97.9%. However, the WEF also noted that the country still needs to address the gender gap in economic opportunities and political empowerment. While the gender gap in wage equality for similar work and in estimated earned income apparently narrowed, the difference in the labor force participation between men and women has remained fairly the same between 2006 and 2018.

Official labor statistics confirm the significant gender gap in labor force participation. The difference in the labor force participation rate (LFPR) between men and women changed little in the past decade. The lowest gap in the past decade was recorded in 2015 at 27.2% but the gap increased again in the more recent years, reaching 30 percentage points in 2017. This gap is much higher than what is observed in the country's neighboring countries, like Lao People's Democratic Republic, Cambodia, and Vietnam. In response to the persistently low LFPR of women, the government aims to increase the female LFPR to 51.3%, a two-percentage point increase from the baseline of 49.3% in 2016. However, meeting this target could be challenging for the government, since differences in gender roles are still considered the major restriction for many women from actively participating in the labor market. Moreover, working women appear to be at a disadvantageous position as they are more prone to vulnerable employment and receive lower wages compared to men. This could possibly further discourage women from doing paid work.

This paper examines the factors behind the gender gap in labor force participation in the Philippines. We start with a short discussion about the difference in the employment dynamics between men and women in the country. We provide evidence on the significant differences in the life-cycle labor force participation between men and women, as well as the determinants of labor force participation by gender. We conclude the paper with the policy implications of the empirical results.

II. Background: Employment dynamics of men and women

We review the working conditions of Filipino men and women in the past decade by looking at selected labor market indicators in 2007 and 2017. Women, on the average, are better educated than men, but they appear to be less likely to become employed and, if employed, more prone to poorer working conditions (Table 1). The employment to working-age population ratio of women is considerably lower even in more recent years. Their labor force participation rate is around 30 percentage points lower than that of men in the past decade. It seems that despite being more educated, women still find household or non-market activities more valuable than doing paid work. On one hand, the lower unemployment rate of women may suggest that if women do decide to

join the labor market, they would likely find a job more quickly. Also, time-related underemployment remains a huge concern in the country, but the underemployment rate of women has been constantly lower than that of men in the past decade. This implies that a larger share of women obtains jobs with adequate working hours.

On the other hand, merely looking at unemployment and underemployment statistics may undermine the difference in the welfare of working men and women in the country. We should also consider the type of work that women get in the labor market. For instance, around 41.9% and 46.1% of employed men and women, respectively, work in vulnerable employment in 2007.¹ The share of vulnerably employed workers fell in 2017 for both groups, but the share of women is still higher than that of men. The same thing can be observed with the share of low-paid employees: female wage- and salary-workers appear to be more prone to receiving low wages.²

We further disaggregated employment by occupation and look at the share of female workers and the gender wage gap (Table 2).³ There is no gender gap in the top occupations (“managers” and “technicians

Table 1. Selected labor market indicators by gender (%)

Indicator	Male		Female	
	2007	2017	2007	2017
Share of college graduates in the working-age population	9.5	10.2	13.9	14.8
Labor force participation rate	78.8	76.2	49.3	46.2
Employment to working-age population ratio	72.9	71.6	45.9	43.8
Unemployment rate	7.5	6.0	7.0	5.2
Underemployment rate	24.2	19.7	16.6	14.7
Share of part-time workers	37.4	35.0	38.6	35.0
Share of workers in vulnerable employment	41.9	31.4	46.1	38.1
Share of low-paid employees	21.3	18.3	34.7	28.6

Source: Author's calculations using the Philippine Labor Force Survey public use data files for all indicators except the share of low-paid employees, which is obtained from the Decent Work Statistics-Philippines database.

Table 2. Female share in total employment and gender wage gap (2017, %)

Occupation	Female share in total employment	Gender wage gap
Managers	51.5	4.7
Professionals	65.2	9.3
Technicians and associate professionals	48.4	6.3
Clerical support workers	59.0	3.5
Service and sales workers	51.4	24.4
Skilled agricultural, forestry and fishery workers	17.0	-33.6
Craft and related trades workers	14.6	25.5
Plant and machine operators and assemblers	12.7	9.9
Elementary occupations	34.1	23.5
Armed forces occupations and special occupations	3.2	-55.8
Total	37.9	-5.3

Source: Decent Work Statistics-Philippines.

1. The self-employed and unpaid family workers are considered in vulnerable employment.

2. The Philippine Statistics Authority defines wage- and salary-workers as those who are employed in private households, private establishments, government and government corporations, and family-owned business with pay. The Decent Work Statistics-Philippines defines the low-paid employees as the wage- and salary-workers with hourly basic pay that is below two-thirds of the median hourly basic pay.

3. The gender wage gap is equal to the male wage less the female wage, then divided by the female wage.

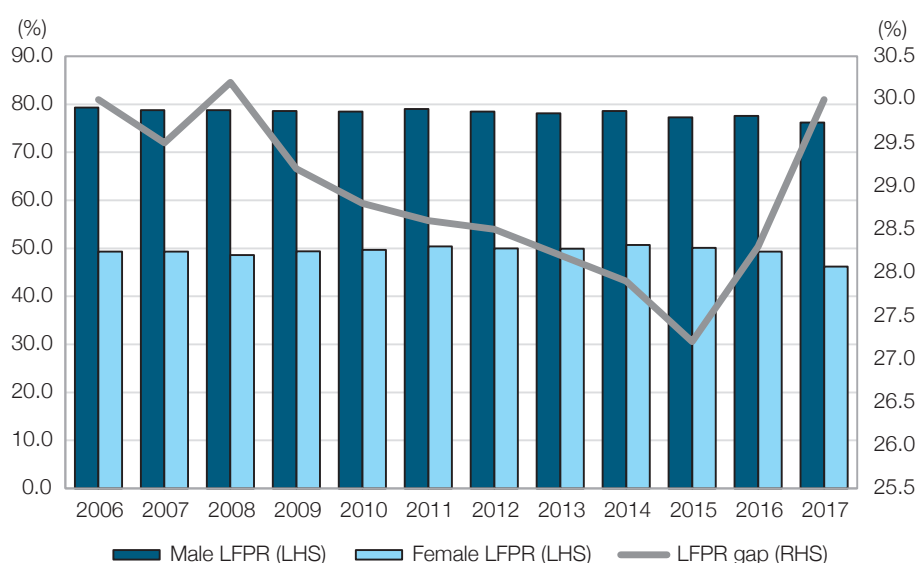
and associate professionals”) and women even dominated the occupation of professionals. These are the jobs that mostly require a college education, so this is consistent with the fact that the female population is better educated. The men, on the other hand, mostly work in the medium- and low-skill jobs. On the average, there seems to be a negative wage gap of 5.3%, indicating that women earn higher wages than men. However, the average overshadows the wage disadvantage faced by women. Significant gender wage gaps can be observed in almost all occupations and strikingly even in female-dominated occupations. For instance, the gender wage gap is almost 10.0% and almost 25.0% among the professionals and services and sales workers, respectively.

The descriptive statistics show that the lower LFPR of women coincides with lesser employment conditions and together undermine the utilization of women’s labor in the paid labor market. In the next section, we examine in detail the major deterrents to the increased participation of women in the labor market.

III. Differences in the life-cycle labor force participation rates by gender

The gender gap in labor force participation had been steadily declining between 2008 and 2015 but has picked up again in more recent years (Figure 1). To understand the underlying forces behind the gender gap, we observe the labor force participation of men and women across their life cycles. The theory of the life-cycle allocation of time states that the life-cycle labor force participation rate exhibits a concave shape. The time spent in the labor market starts low in the young adult years as people invest in human capital, rises with age as market productivity increases more than home productivity, levels off, and declines during retirement age when home productivity and leisure time become more valuable.

We plot the LFPR of men and women by age bracket in 2017 to estimate the labor force participation across their life cycle (Figure 2). Both show a shape that is consistent with theory, although there are three clear differences. First, the gender gap in LFPR started small. The higher likelihood of women to attend university may explain the lower LFPR of women in the 15–19 age bracket. However, the male LFPR rose much sharply than the female LFPR after the youngest age bracket and the gender gap has widened considerably after that. Second, the male LFPR peaks at the 35–39 age bracket, while the peak of female LFPR occurs much later at the 45–49 age bracket, which is around the end of the childbearing age. By then, it will be too late for women to catch up with men in market work. Third, before its peak, the male LFPR is already above 90.0% and this trend is maintained until the



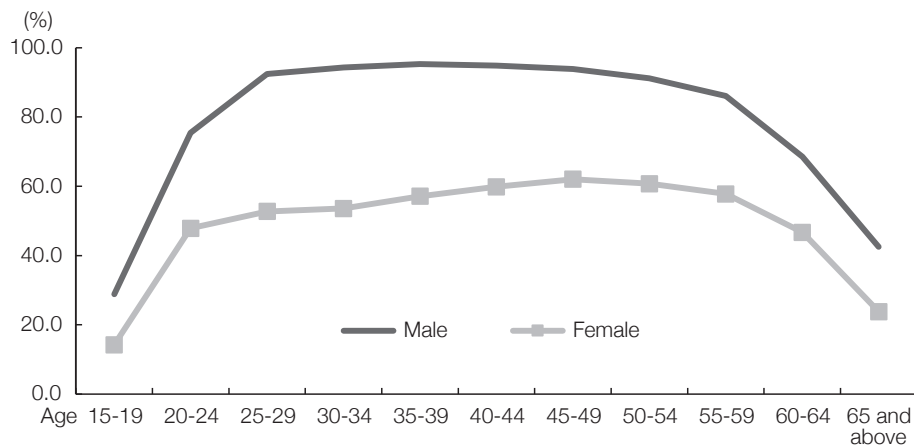
Source: Author's calculations using the Philippine Labor Force Survey public use data files.

Note: LFPR stands for labor force participation rate. LHS stands for left-hand side (scale) and RHS stands for right-hand side (scale).

Figure 1. Labor force participation rate and gender gap

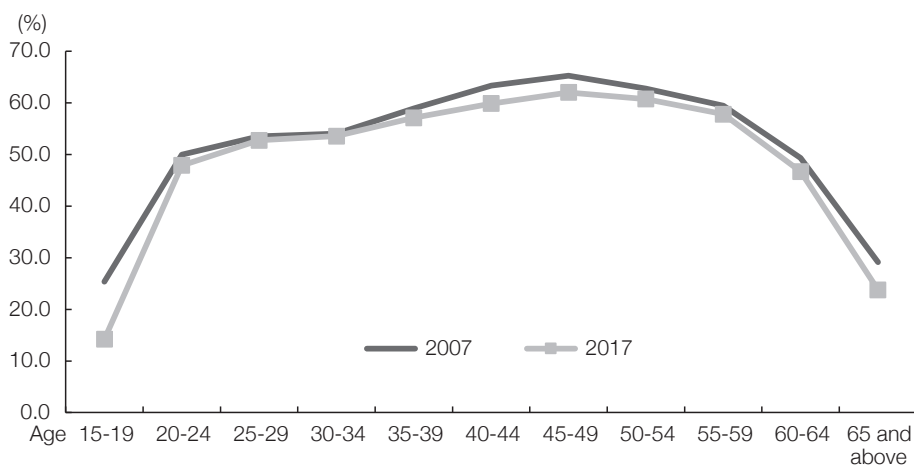
early 50s. The female LFPR curve, on the other hand, barely shows a plateau. Overall, the gender gap in 2017 is 30 percentage points but disaggregating the LFPR by age bracket shows that it could reach as high as 40 percentage points for men and women in their 30s. We also looked at the female LFPR in 2007 for comparison. Nothing much has changed and the female LFPR even fell slightly from 2007 to 2017 in almost all age brackets (Figure 3).

Human capital decisions can also affect labor market decisions. According to the human capital theory, people with more schooling tend to be more productive and tend to obtain higher earnings in the labor market. Thus, we expect people with more schooling to have higher productivity in the labor market relative to their productivity in the household, thus increasing the likelihood of labor force participation. In Figure 4, we further disaggregated LFPR by educational attainment, starting at the 25–29 age bracket to almost guarantee that the observed people are already finished with their schooling. Among men, the almost similar LFPRs across educational groups seem to reflect that educational attainment is not a major factor in doing labor market decisions, especially those who are younger than 50 years old. Among women, college graduates exhibit considerably higher LFPR than non-college graduates up to the expected retirement age. The LFPR of female college graduates is still lower than their male counterparts, but it appears that college education greatly



Source: Author's calculations using the Philippine Labor Force Survey public use data files.

Figure 2. Labor force participation rate by gender and age bracket (2017)

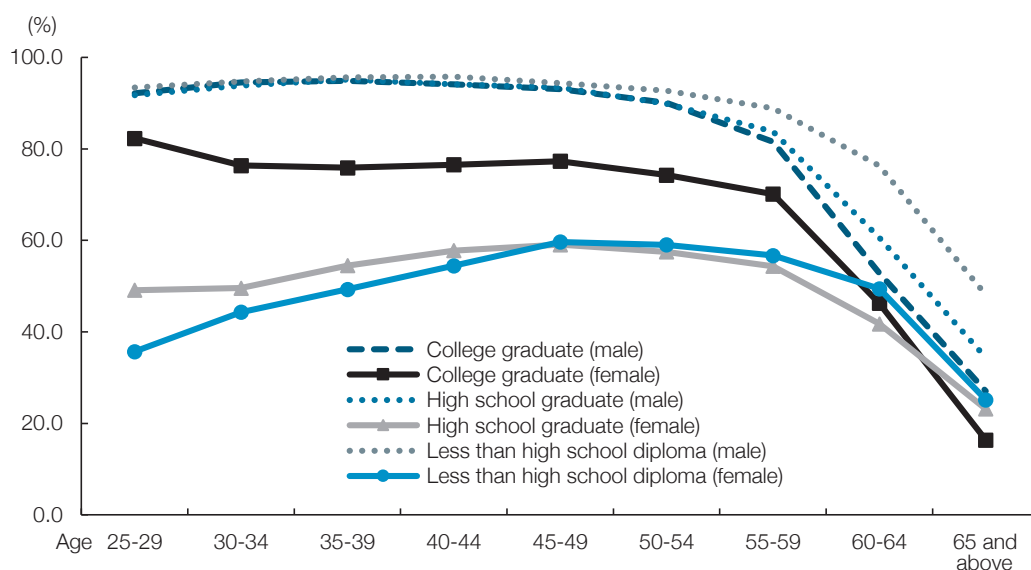


Source: Author's calculations using the Philippine Labor Force Survey public use data files.

Figure 3. Female labor force participation rate

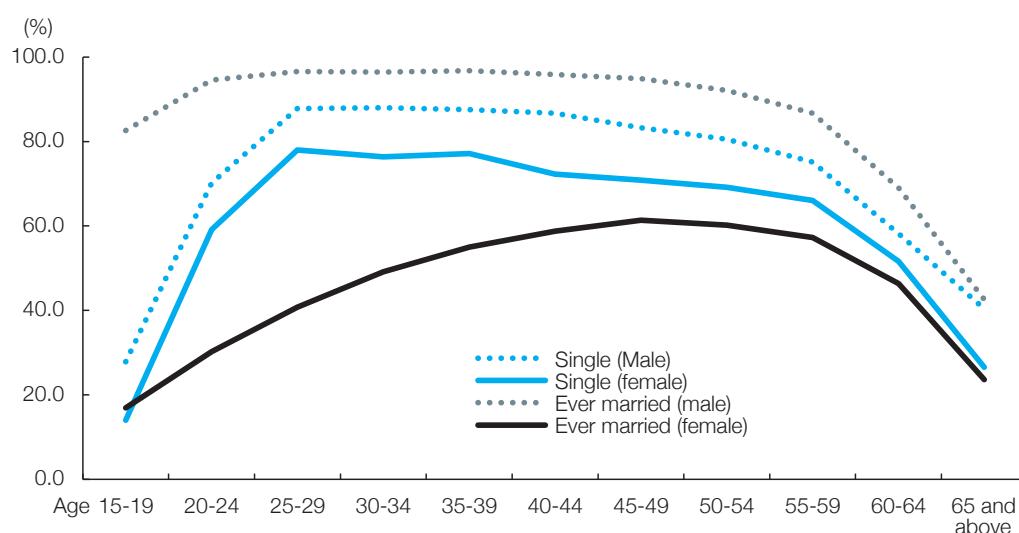
improves the labor force participation prospects of women.

Since the female LFPR has not peaked until towards the end of the childbearing age, we also differentiate the LFPR by marital status: ever married and single (Figure 5).⁴ The single women have higher LFPR than married women. The divergence in their LFPRs is highly noticeable for women in their early 20s until the early 40s. Within this age range, women perhaps stay at home to take care of their young children. The difference tapers off in the late 40s when the LFPR of married women reaches its peak and that of single women starts to decline more sharply. The opposite can be observed among men. Married men have higher LFPR than single



Source: Author's calculations using the Philippine Labor Force Survey public use data files.

Figure 4. Labor force participation rate by gender, age bracket, and education (2017)



Source: Author's calculations using the Philippine Labor Force Survey public use data files.

Figure 5. Labor force participation rate by gender, age bracket, and marital status (2017)

4. We consider the people who are separated from their spouse and those who are widowed as part of the ever-married group.

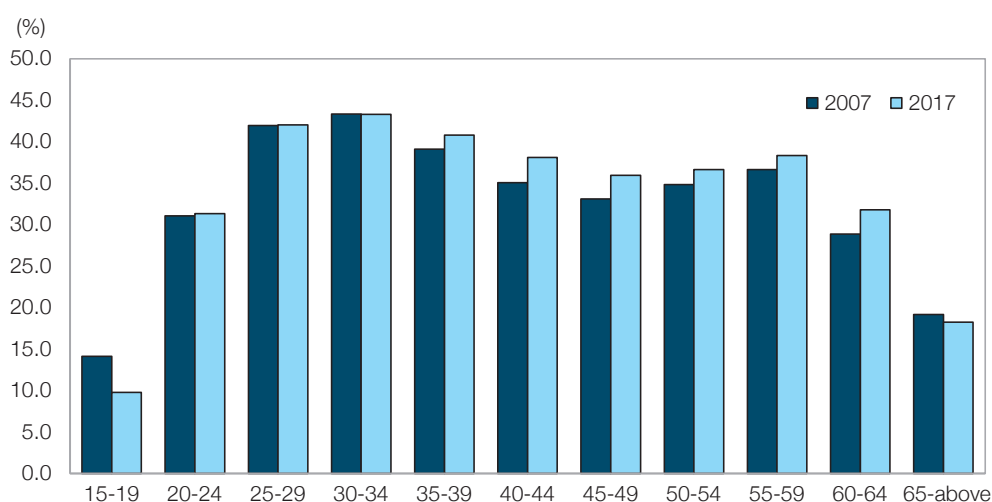
men and the difference in their LFPRs remains mostly stable across age brackets. As a result, the gender gap between married men and married women is larger by around three to four times than the gender gap between single men and single women across the age brackets.

Significant gender gaps in LFPR are present across age brackets, education, and marital status. Consistent with our expectations, around 60.0% of the economically inactive women have cited household and family duties for not working or looking for work (Table 3).⁵ There is a slight decline of this share from 2007 to 2017 because more women have focused on schooling, although this might be a consequence of the lengthening of the basic education upon the implementation of the K-12 program in 2012. In contrast, around half of men become economically inactive because of schooling and only more than 10.0% have cited household and family duties as the reason. While there seems to be a reduction in the share of women in the youngest age bracket that have not entered the labor force because of household duties, there has been an increase in the fraction of economically inactive women who stayed at home among those ageing 35 to 60 years old (Figure 6).

Table 3. Reasons for being economically inactive (% of non-labor force)

Reason	2007		2017	
	Male	Female	Male	Female
Tired/believe no work available	1.7	0.3	1.6	0.3
Awaiting results of previous job application	0.6	0.2	0.7	0.2
Temporary illness/disability	4.5	1.1	7.3	1.8
Bad weather	0.1	0.0	0.2	0.0
Wait for rehire/job recall	0.9	0.2	0.9	0.2
Too young/old or retired/permanent disability	22.0	10.3	22.3	11.7
Household and family duties	14.5	62.5	10.3	59.5
Schooling	50.6	23.4	51.9	24.4
Others	5.0	2.0	4.8	1.9

Source: Author's calculations using the Philippine Labor Force Survey public use data files.



Source: Author's calculations using the Philippine Labor Force Survey public use data files.

Figure 6. Share of economically inactive women due to household duties in the female working-age population

5. The economically inactive refer to the people not in the labor force.

IV. Determinants of the labor force participation of men and women

We now empirically estimate how the probability of labor force participation differs by individual characteristics, especially the household-related factors. To implement this, we run a probit regression wherein the dependent variable is a binary variable which is equal to 1 if the person is in the labor force and 0 if not. Separate regressions are run for men and women. The data sets used are the public use data files of the October round of the 2007 and 2017 Philippine Labor Force Survey.⁶

Table 4 shows the estimation results. First, household duties significantly deter women from participating in the labor market. Having a young child reduces the probability of labor force participation of women by 7.4%, but it increases the probability of men by 3.8%. Moreover, married women are less likely to participate in the labor market than single women by 12.5%, while married men are more likely to participate than single men by 6.6%. Second, education can indeed improve the labor market prospects of women. Women with high school diploma are more likely to participate in the labor force than women without high school diploma by only 1.7%. What is striking is that having a college degree raises the probability of labor force participation of

Table 4. Estimation results of probit equation: Probability of labor force participation

Variable	Female		Male	
	Probit coefficients	Marginal effects	Probit coefficients	Marginal effects
With young child	-0.215* (0.012)	-0.074* (0.004)	0.200* (0.023)	0.038* (0.004)
Ever married	-0.382* (0.018)	-0.125* (0.005)	0.324* (0.027)	0.066* (0.006)
Age	0.179* (0.002)	0.011* (0.0002)	0.282* (0.003)	0.015* (0.0002)
Age squared	-0.002* (0.00003)	— —	-0.004* (0.00004)	— —
Education (base: Less than high school)				
High school	0.047* (0.010)	0.017* (0.004)	-0.214* (0.013)	-0.041* (0.002)
College	0.740* (0.015)	0.255* (0.005)	-0.055** (0.022)	-0.010** (0.004)
Household head	0.369* (0.017)	0.131* (0.006)	0.298* (0.025)	0.059* (0.005)
With OFW in the household	-0.318* (0.017)	-0.109* (0.006)	-0.359* (0.020)	-0.069* (0.004)
Regional unemployment rate	-0.018* (0.005)	-0.006* (0.002)	-0.035* (0.007)	-0.007* (0.001)
Year: 2017	-0.048* (0.011)	-0.017* (0.004)	-0.198* (0.014)	-0.038* (0.003)
Constant	-3.129* (0.067)	— —	-3.789* (0.081)	— —
No. of observations	90,739		94,205	
Pseudo R-squared	0.13		0.34	
Percent correctly predicted	66.9		86.0	

Notes: 1.* significant at 1.0%, **5.0%.

2. Region variables are not reported in the table but are included in the regression.

3. OFW stands for "Overseas Filipino Workers."

6. Refer to the appendix for the description of variables.

women by as much as 25.5%. On the other hand, better-educated men are less likely to participate in the labor market than men without a high school diploma. Third, women empowerment in the household can raise the chances of labor force participation. Female household heads are more likely to participate in the labor market than female non-household heads by 13.1%. The same case can also be observed among males. Fourth, higher regional unemployment rates, which indicate that it is harder to find jobs, discourage both men and women from participating in the labor market. Fifth, having a family member working overseas lowers the likelihood of both men and women from participating in the labor market.

V. Summary and policy implications

We examined the employment dynamics, life-cycle labor force participation, and determinants of labor force participation of Filipino men and women in 2007 and 2017 to explain why the gender gap in labor force participation has barely changed in the past decade. The labor force participation of women continues to be dampened by performing household duties and child bearing and rearing. In contrast, being married and having a young child further encourage men to participate in the labor market. These results suggest that gender roles still appear to greatly influence the decision to do market work: men assume the role of providing for the family financially and women assume the role of doing domestic duties. We further note that taking a break from market work because of child bearing and rearing for an extensive period could weaken the labor market credentials of women, so re-entering the labor force may become difficult. If they do obtain employment, they would likely receive lower wages than their equally-educated but more experienced and better-trained male counterparts. Women are also more susceptible to experience vulnerable employment, including unpaid family work. Therefore, it is highly recommended to design policies that will help relieve women of domestic responsibilities, increase their human capital, extend employment opportunities for women, and assist women in balancing market and household work.

In the short term, first, the government should help women achieve their fertility goals. Average family size remains relatively large, since the Philippines has not yet made the demographic shift from a high-fertility to a lower-fertility regime (Canlas 2008, 24). The less-educated women and those who come from poorer households should be targeted as they tend to have larger fertility rates, which usually exceed their wanted fertility. Having more children than they originally wanted will just further demand women to stay at home. Moreover, the effect of children on women's labor force participation can also be differentiated by income class. Orbeta (2005, 31–32) found that an additional child reduces the likelihood of working of Filipino women in the bottom three income quintiles, while an additional child increases the likelihood for those in the top two income quintiles.

Second, child care services should be established and be made accessible to women with young children. Currently, child care services are mostly provided by the private sector, which is usually not affordable for women from poorer households. Some local government units set up day care centers, but they are limited in scope. The availability and accessibility of child care facilities can help unemployed women allocate more time in job search and employed women to continue working, creating an environment that is conducive to work-life balance. This will strengthen the attachment of women to the labor force and reduce the incidence of intermittent market participation.

Third, alternative livelihood assistance in the form of community-based work can help women who are currently rearing young children to obtain paid work without having to leave their localities. In relation to this, training programs—including the vocational, technical, and short courses provided by the Technical Education and Skills Development Authority—and capacity building are recommended to be brought to highly localized areas, making them more accessible to this type of women. Also, offering re-training programs to women who temporarily left the labor force can help such women re-develop their credentials, making it easier for them to transition back to the labor market.

It is notable that college education can significantly improve the labor market participation of women. Hence, in the long term, improving the access to quality tertiary education should further raise the average schooling of women. While the education gender gap has already closed, more than 80.0% of the female

working-age population still do not have a college degree. This suggests that there is still ample room for higher education to boost the labor force participation of women.

Strengthening the engagement of women in market work can raise their economic status and establish their financial autonomy. We emphasize, however, that supporting the participation of women in the labor market is just one area that needs to be addressed in order to close the gender gap in economic opportunities in the Philippines. The increase in participation should coincide with better employment opportunities, such as full-time work in the formal sector where decent compensation benefits, job security, and social safety nets are mostly found. Furthermore, within a larger context, achieving gender parity in economic opportunities will not only improve the socioeconomic status of women. In a country where poverty and inequality remain prevalent, having two paid workers within the household—both husband and wife—can significantly ease the financial burden of raising a family.

Appendix Table: List of variables

Variables	Definition
With young child	Equal to 1 if the person has a child aged less than 6 years old and 0 if none.
Ever married	Equal to 1 if the person is married or have been married before and 0 if not.
Age	Age of the person.
High school	Equal to 1 if the person's educational attainment is high school diploma and 0 if not.
College	Equal to 1 if the person's educational attainment is college or post-graduate degree and 0 if not.
Household head	Equal to 1 if the person is the head of the household and 0 if not.
With OFW in the household	Equal to 1 if the household has a family member who is working overseas (overseas Filipino worker or OFW) and 0 if none.
Regional unemployment rate	Unemployment rate of the region where the person lives.
Year: 2017	Equal to 1 if the survey year is 2017 and 0 if 2007.
Regional dummies	Dummy variables that indicate in which region the person lives.

References

- Canlas, Dante B. 2008. "Philippine Labour Market Outcomes and Scenarios: 2000-2015." *ILO Asia-Pacific Working Paper Series*, no. 15.
- Orbeta, Aniceto C. Jr. 2005. "Children and the Labor Force Participation and Earnings of Parents in the Philippines." *Philippine Journal of Development* 32(1): 19–52.
- World Economic Forum. 2006. *The Global Gender Gap Report 2006*. Geneva, Switzerland: World Economic Forum. http://www3.weforum.org/docs/WEF_GenderGap_Report_2006.pdf.
- . 2018. *The Global Gender Gap Report 2018*. Geneva, Switzerland: World Economic Forum. http://www3.weforum.org/docs/WEF_GGGR_2018.pdf.



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Policy Implications for Working Women in Brunei

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- I. Introduction
- II. Background
- III. Women and work
- VI. Vision and policies
- V. Conclusion

I. Introduction

This paper aims to introduce and discuss the policy implications for working women in Brunei Darussalam. Brunei presents itself as an intriguing case for labour policy research from a gender perspective, given its unique economic, socio-political, cultural, and demographic circumstances. Over the past decades women have benefitted from the progressive outlook of the government's gender-intentional development policies and programmes that are related to education, health, and employment. The transformative impact of such policies has resulted in tremendous changes in women's roles and statuses. So much so that women's advancements in the working domain have led to the view that employment opportunities of men are becoming limited.¹ This seeming paradox may have stemmed from relatively high representations of women in the public service and government offices.² To illustrate, about 50.4% of the human resources in the Brunei civil service is made up of women.³ The public sector has a larger number of women in Divisions II, III and IV compared to men.⁴ Furthermore, existing gender gaps⁵ in academic achievements have shown that women are increasingly outperforming men in Brunei. This includes the traditionally male-dominated STEM fields, where the share of female tertiary graduates reached 49% between 2014–2016, surpassing even Singapore and the United States.⁶ Education trends have effects on the composition of the labour force. Yet research has also shown that Bruneian women have historically tend to seek 'lower level, clerical jobs,'⁷ and they are still grossly underrepresented in senior-level civil service positions where only one in five is a woman.⁸

Despite women's achievements in the country, still little is known about their relationship with work, and what areas need further attention from the government in order to encourage women's participation in the labour market, while at the same time enabling them to have a balanced life. Given the general paucity in research on Brunei's labour force situation—and even more so in the area of work-life balance from a gender perspective, this scoping paper attempts to make a modest contribution to current understanding of Brunei in relation to women's work. I discuss extant literature on the subject of labour force participation and its intersections with education and family life, and reflect on key trends from the Brunei Labour Force Surveys. This paper then raises the question of the extent to which existing Bruneian law and policy have enabled women (and to some

1. Yap, Tsue Ing, I. and Roman J. Zyttek. "Gender Policies in the Context of Global Transformation of Labour Markets." Presentation at International Conference on Business, Economics and Finance, organised by Universiti Brunei Darussalam, 23 August 2017. <http://ips.ubd.edu.bn/wp-content/uploads/2018/10/seminar-IreneRoman.pdf>.

2. Anecdotal evidence from online discussions based on a blog post by Yunos, Rozan entitled, "The Gender Wars in Brunei" indicates some concerns over gender imbalances at the workplace, where Bruneian women appear to dominate offices and higher educational institutions.

3. Mahmud, Rokiah. 2017.

4. Jabatan Perkhidmatan Awam [Public Service Department of Brunei], www.psd.gov.bn.

5. Metussin, Halimaturradiah. 2017.

6. Jamrisko, M. 2017.

7. Low, K. C. Patrick and Zohrah Hj Sulaiman. 2013.

8. EDP (Executive Development Program). 2005.

degree, men) to efficiently reconcile work and family life, and the implications for future policy considerations.

II. Background

Brunei Darussalam is a microstate ensconced within the island of Borneo, located in Southeast Asia. Its smallness in geographical size and population is often eclipsed by its reputation as a wealthy Islamic country governed under an absolute monarchy. Over several generations, Brunei has witnessed a growth spurt largely driven by a thriving oil and gas industry. Revenues from exports of crude oil and natural gas contribute to more than half of the country's GDP.⁹ Brunei has one of the highest levels of GDP per capita in Southeast Asia.¹⁰ On the one hand, Brunei's booming oil industry over the past fifty years has led to widespread socioeconomic and infrastructural developments, and facilitated a tremendously generous welfare system of social protection. Brunei's small population of still less than half a million inhabitants have enjoyed high standards of living. In addition, the country is a tax-free haven, and welfare provisions such as free education, universal healthcare and free medicines, subsidised fuel, interest-free home loans, and study stipends for citizens—have all contributed to the population's relative affluence and general wellbeing.

In recent years however, the country has been plagued with issues linked to negative economic growth¹¹ and rising unemployment. Structural reforms have been under way towards ensuring long-term sustainability and intergenerational equity, increasing productivity and competitiveness, and diversifying sources of growth.¹² As part of the response to declining real GDPs, lower (and lower-for-longer) global oil and gas prices, unscheduled shutdowns that disrupted oil and gas productions, and on-going struggles with diversifying the economy, Brunei has engaged in policy reforms since 2015 aimed at reducing wastages, supporting Foreign Direct Investments (FDIs) and small and medium-sized enterprises (SMEs), as well as continuing economic diversification efforts.¹³ Current national strategic policy direction indicates a strong desire to move from a rentier mentality of welfare to 'workfare,' as well as enhancing human capital.

Brunei's labour market issues

The latest statistics on Brunei's labour force participation rate decreased in 2017 to 62.7% compared to 65.6% in 2014, with an employment to population ratio of 56.9%¹⁴ (see Table 1). Table 1 shows the labour force estimates and participation rates from 2007 to 2017. Several issues and challenges of Brunei's labour market have been identified in the literature. This includes problems with structural unemployment, where there is a mismatch between skills and desired employment.¹⁵ Further, both demand and supply sides of the Brunei labour force requires substantial enhancements in terms of industrial expansion, private sector driven growth, improvements in the education system, and a reassessment of restrictive immigration policies.¹⁶ Brunei's labour market situation has seen an upswing in overall unemployment rates, which stood at 9.3% in 2017.¹⁷ According to results of the latest Labour Force Survey the total number of unemployed was 19,200 persons of which 18,200 persons were locals. Among these, youth aged 15 to 24 comprised 8,500 persons, which accounts for an employment rate of 28.9%. In contrast, the total unemployed in the previous survey in 2014 was 14,078 persons. Unemployed persons are characterised "as all those aged 15 and above who are not employed, who carried out activities to seek employment during specified recent period, and who were currently available to

9. Government of Brunei Darussalam. 2018.

10. OECD. 2013. In recent years, Brunei's GDP per capita growth rate has been the lowest in the region owing to the economy's reliance on the oil and gas sectors (which accounted from more than 90% of total exports), *ibid*: 2.

11. Government of Brunei Darussalam. 2015.

12. International Monetary Fund. 2017.

13. *Ibid*.

14. Government of Brunei Darussalam. 2017.

15. Cheong, D. and R. Lawrey. 2009.

16. Razak, Abdul Lutfi. 2012.

17. *Ibid*.

Table 1. Labour force estimates and participation rates (2007–2017)

Year		2007	2008	2009	2010	2011	2014 LFS*	2017 LFS*
Total labour force	Total	175,700	178,700	179,600	183,500	185,900	203,651	206,085
	Male	104,400	106,400	106,200	108,500	109,800	115,732	113,789
	Female	71,300	72,300	73,400	75,000	76,100	87,919	92,296
Labour force participation rate	Total	66.7	66.9	66.4	66.6	66.4	65.6	62.7
	Male	76.8	77.1	76.0	76.3	75.7	72.4	68.9
	Female	55.9	56.0	56.2	56.3	56.4	58.3	56.5
Unemployment rate		3.6	3.9	2.6	2.9	1.7	6.9	9.3

Source: Department of Economic Planning and Development, cited in Ministry of Education (2015: 16–17), and Government of Brunei Darussalam (2017).

Notes: 1. LFS denotes Labour Force Survey.

2. There are more males in the total labour force of the country compared to females, mainly due to the large number of contract workers in the construction, development and industrials sectors.

take up employment given a job opportunity.”¹⁸

When disaggregated by sex, male unemployment is higher at 52.1% (or 10,008 persons), compared to females at 47.9% (or 9,191 persons). Unemployed but highly educated graduates are increasingly becoming a source of concern for the government, and a special programme called i-Ready Apprenticeship Scheme was introduced in April 2017, which has reportedly claimed to help secure 146 permanent jobs as of March 2018.¹⁹ Further, the government has been providing support and collaboration to encourage entrepreneurship as well as Third Sector development among youth, as alternative avenues for meaningful work and income generation, through extensive educational and entrepreneurship programmes, public-private partnerships and collaborative efforts.

The concerns over male unemployment rates vis-à-vis female rates have been particularly salient when coupled with the existing gender disparity in academic achievements, which tend to favour females.²⁰ However, due to the limited scope of the present paper, issues concerning men’s lower academic achievements, relatively high unemployment rates, and attendant policy implications will not be discussed in detail. The focus of this paper remains on women for many reasons; one of which is the fact that women have always been in a position of disadvantage due to the multiple burdens they carry in their daily lives; this is fundamentally the gender order of most societies, whether one wishes to admit it or not. Girls are still expected to perform household tasks and domestic chores while growing up, and women are still expected to carry the main function of childcare and caregiving—even if they have a paid ‘day job.’ For Brunei, it was not until 1929, when a limited compulsory attendance rule called the ‘School Attendance Enactment No. 3 of 1929’ was introduced, that boys were favoured over girls’ schooling. Nowadays, attitudes towards schooling and lifelong learning have changed immensely. Furthermore, a higher enrolment ratio for females in tertiary education was evident compared to males, with a difference of 7% between 2001–2002.²¹ According to Metussin (2017: 28), “females tend to far outperform their male counterparts in key subjects, such as Mathematics and English, which are frequently included among admission criteria of colleges and universities in Brunei—and this has resulted in fewer males than females being admitted to colleges and universities.” In 2007, 73% of total graduates from Universiti Brunei Darussalam were females, and until today, one can expect to see classes filled with more women than men. Very few have

18. *Ibid.*

19. Hj Abu Bakar, Rasidah. 2019.

20. Metussin, N5, above.

21. ASEAN Secretariat. 2007.

attempted to discuss the potential impact of these gender disparities in detail. A few key exceptions however, have attempted to highlight the associated delays in marriage and family building decisions;²² increasing heterogeneity in attitudes and life course pathways;²³ the intersections between marriage and female labour supply;²⁴ fertility decline, changing preferences for family size, increasing singlehood, and difficulties in finding a spouse given a hypergamous society,²⁵ and applying cultural-fit ways to work-life balance strategies.²⁶

III. Women and work

In contexts of advanced economies, researchers have frequently examined issues concerning the relationship between work and family life. Attention is often focused on addressing the notion that private life—which includes the domestic drudgeries of unpaid work and caregiving; and public life, including paid work/employment, are mutually exclusive. Yet we are increasingly confronted with fast-paced developments in means of travel and communication that have enabled ‘the public’ domain of paid work to encroach into the ‘private.’ As such any discussion on women and their relationship to work must take into account the lived realities of women and their sociocultural contexts.

The promotion of gender-intentional policies and programmes particularly in the area of maternal and reproductive health has had far-reaching results for Bruneian women. Positive health outcomes, coupled with education, act as a gender equaliser that enables women to take advantage of opportunities in the professional domain and level the playing field. Along with changing attitudes towards furthering one’s education and obtaining paid employment, Bruneian women are now actively participating in the labour market and pursuing professional careers, while juggling family life.²⁷ Yet we know so little about the day to day lived experiences of working women in Brunei—and how current policies related to work and family affect them. Understanding obstacles that prevent women from fully participating in paid work can bring about useful policy implications. This is particularly crucial given that in Brunei, a disproportionately higher number of female graduates and degree holders are not reflected in the number of women in executive and decision-making positions:

“Despite the fact that there had been many Bruneian female graduates doing well in all kinds of disciplines and professions, the number of women in decision-making posts in the country do not appear to mirror this trend in higher educational attainments. To illustrate, while 61% of tertiary level graduates were female in 2015, and 62% of government scholarships (including in-service funding) were awarded to women, only 36% of senior managerial positions in the country are held by women. In addition, although more than half or 57% of female workers in Brunei are professionals, the proportion of female-led businesses and institutions are still considered sub-par.”²⁸

The challenge for policy-makers then, is to formulate ways that can ensure equitable opportunities for women, particularly in creating a pipeline of successors who are earmarked and groomed for higher decision-making and executive positions—whether in civil service or the private sector. To this end, the government has so far promoted a few women in more senior positions such as Deputy Ministers, Permanent Secretaries and Deputy Permanent Secretaries of the Brunei Government. Such individuals may be in unique positions but for the vast majority of women in the workforce, it is inspirational and certainly hopeful to see other women rise in leadership positions through their own merits.

To date, there are no written policies that are explicitly geared towards preferential selection of women in such

22. Razak, N16 above.

23. Ahmad, Norainie. 2018a.

24. Anaman, K. A. and Hartinie M. Kassim. 2006.

25. Ahmad, Norainie. 2018b.

26. Low and Sulaiman, N7 above.

27. Ahmad, N25 above.

28. Ahmad, N23 above.

posts (provided they are meritorious);²⁹ but for all intents and purposes, the socio-political and cultural sensitivities of a Malay Islamic Monarchy must be taken into account in further examining the extent to which women in Brunei could scale the upper echelons. However, it is worthy of note to highlight the changes that have occurred.

IV. Vision and policies

Policymakers have long acknowledged the limitations of a rentier economy and the demerits of a burgeoning welfare system. Furthermore, attempts to diversify the country's economy over the past decades have been met with limited success. Thus the formulation of National Development Plans and the Wawasan Brunei 2035 (Brunei Vision 2035) are aimed to develop Brunei's human capital, in terms of creating 1) a well-educated and highly-skilled people as measured by the highest international standards; 2) a quality of life that is among the top ten nations in the world; and 3) a dynamic and sustainable economy with income per capita within the top ten countries globally.³⁰

In terms of economic strategy, the Brunei Vision explicitly aims to encourage equal opportunities for women in the work force and in nation building.³¹ Brunei is ranked 11th in the Global Gender Gap Report 2018 for the region of East Asia and The Pacific, and though it has been performing well in the areas of economy, education, and health, it still scores below average in terms of political empowerment.³² It is challenging to fully understand the underlying sociocultural norms that prevent women from political participation, and to suggest ways to shift such norms in favour of increased political empowerment and engagement is beyond the scope of this paper. However, Brunei has seen an influx in volunteerism and civic engagement in recent years, particularly among youth who are actively engaged with the activities of non-profit organisations. Although not exactly 'political' per se, this may be an area of potential development in the near future.

The Vision further identifies six strategic development thrusts, one of which is to achieve 'High Quality of Life,' that encompasses "self-development, a healthy lifestyle, and access to knowledge and support facilities that fulfil the requirements of achieving social well-being in line with the national development objectives."³³ One identified factor contributing to the achievement of a high quality of life is in the area of inclusive development, whereby women's participation in the workforce is enhanced through the recent changes in the Brunei Laws, related to an extension to the period of maternity leave from 56 days to 105 days. This new Maternity Leave Regulation, which has been implemented since January 2011, was partly introduced to increase the prevalence of exclusive breastfeeding practice among working mothers. It has been noted that maternal employment and short maternity leave impede exclusive breastfeeding practice, which disrupts the benefits that would have been gained by an infant. Studies have shown that there has indeed been an increase in the prevalence of exclusive breastfeeding practice after extending paid maternity leave, with the greatest increases seen among working mothers.³⁴ This has been one area in which working women have had an impact on policymaking and vice versa in Brunei, and it is certainly a worthy cause. However, in future, the government might need to look into other forms of family-friendly policy options such as paid paternity leave, or even better, shared parental leave where both husband and wife can share a period of paid leave in order to spend more time with their child (new-born or toddler). The whole idea is to enable families to spend more time together during crucial periods of a child's life. In order to encourage such practices, men also need to be included so that women can continue to pursue their career without the disruptions of having to take time away from work or having to find reliable and trustworthy childcare providers.

Another policy that had recently been introduced to civil servants that has a direct impact on working women is the establishment of the Self-Certified Medical Leave (CSDS), effective 1st September 2016. This policy states

29. Appointments of cabinet members are normally done by decree of His Majesty The Sultan of Brunei.

30. "Wawasan Brunei 2035," www.gov.bn.

31. Government of Brunei Darussalam. 2012.

32. World Economic Forum. 2018. *The Global Gender Gap Report 2018*: 43.

33. Government of Brunei Darussalam. 2012.

34. Alhaji, Mohammed M., R. Sharbawi, A. Majeed and N. A. A. Tuah. 2017.

that workers no longer have to present a sick certificate to their superiors or administrators for illnesses that last less than two consecutive days. It allows individuals to simply call in to inform their superiors of their absence from work, and if more days are needed, then only will they require a sick certificate from a registered general practitioner. One of the primary reasons for the introduction of this policy was to thwart any abuse of the medical certificate, and to reduce unnecessary trips to health clinics for illnesses that were considered ‘minor’ and non-life-threatening. For women specifically, the CSDS is beneficial as it covers menstruation pains among a non-exhaustive list of other minor illnesses (along with headache/migraine, back pain, cough and cold, sore throat, indigestion, and even ‘vaginal thrush’). Unfortunately the list of illnesses does not include mental health categories—such as stress from overworking, anxiety or panic attacks, and perhaps even (minor) episodes of depression. Given a recent spike in number of suicides in Brunei, these illnesses may be even more critical than ever as people increasingly confront issues in their private lives that requires off days from work. Further, the CSDS only allows a maximum of six days per year to be drawn out of workers’ total number of annual leave days. This may not be effective for women who in fact experience monthly menstruations—which is twelve times in a year.

While two of these policies mentioned above are related to the health of workers, even more needs to be done in order to cover the wellbeing and even happiness of workers, in relation to ensuring their productivity levels are in check. Other policies that may be worth looking into include:

- Liberalising the labour market to encourage a more substantial and meaningful part-time work. This would encourage women with young children in particular, who may need to stay at home during the day or require a more flexible format of work—including working from home. Of course, this applies to men as well. Note: Part time work is extremely uncommon in Brunei and there is no data available on it.
- Rolling out breastfeeding rooms in the workplace in order to provide a safe, comfortable, and hygienic space for mothers who need to express their milk during working hours. Such spaces are much needed in government buildings—given the fact that there are many women working in the civil service. The introduction of crèche facilities in office buildings where infants and toddlers could be looked after during the working day may also be a viable option for future policy considerations.
- Introducing mandatory paid paternity leave, which is a time designated solely for the father to perform duties of childcare and housework. This should not be taken out of a worker’s annual leave provision—but rather, an entitlement specifically catered for fathers to play a more active role in the household. Such policies can help to lessen the stress and burden of new parents, encourage fathers to get more involved in childcare, and normalise the role of a more involved father in family life. This will also work favourably towards equalising the unbalanced division of labour in the homes of Bruneian families, where women tend to carry the double burden of care and work, and expectations towards women to carry out household tasks and childcaring labour have changed very little.
- Alternatively, parental leave provisions could also be considered, whereby both husband and wife could share a total of between 12 to 24 months of leave from work. The leave could be divided flexibly between the parents up until the child is of a certain age such as when they have settled in at primary school. The purpose of this kind of policy is to promote working mothers to return to work after her maternity leave and not have to rely on paid babysitter or daycare services. It is especially useful for those who do not have the help of grandparents, kin and relatives, to look after their child. Trust towards au pairs and foreign domestic workers could also be an issue for working mothers who are reluctant to leave their child behind when they go to work. In addition, fathers would have a more participatory and involved role in the raising of their child.

V. Conclusion

It makes for compelling argument that with the evident increase in female labour force participation in the country over the decades, there is much impetus for a periodical review and reassessment of extant policies affecting women in the workplace. Statistics show that academically, Bruneian women have increasingly

outperformed men, especially in higher educational attainment. Since labour market composition is affected by educational trends, this area is worth examining further. Be that as it may, one should never fall into the trap of thinking that the task of achieving gender equality in Brunei—whether at home or at work—is even near complete. Part of the lived realities for women everywhere is the burden they carry from expectations of household and familial responsibilities that are still firmly embedded within the social and cultural norms and practices of most societies. These expectations may become barriers to full participation in paid work, or hinder further progress on an individual level—even though progress broadly appears to be in place. As such, a gender perspective is needed when considering policies for further socioeconomic development.

By and large, women in Brunei live a peaceful, stable and secure existence. In general, they have equal access to education and employment as men, and they are treated with respect and dignity. However this is not to say that all women go through the same lived realities throughout their life-course, but in general the shared stories and experiences of living in Brunei are pleasant for women. In the public sphere, women can go out and drive a car on their own; they often go running or exercise without fear of harassment or crime against them; they freely conduct business, entrepreneurship, or humanitarian activism; and in the work realm, women in Brunei are highly visible in offices and public service. It is indeed worth stating that Bruneian women have a voice and are empowered to pursue their interests. It is not enough to discuss facts and figures without considering the lived realities of women on a daily basis. As such, the life goals vis-à-vis career aspirations of women, and what they have to confront with in the real world of work need to be considered, for these discussions to be meaningful and gain traction for policy change. These areas of research warrant further investigation in future.

References

- Ahmad, Norainie. 2018a. "Attitudes Towards Family Formation Among Young Adults in Brunei Darussalam." *Pakistan Journal of Women's Studies: Alam-e-Niswan* 25(1): 15–34.
- . 2018b. "The Socioeconomic Context of Fertility Decline and Preference in Brunei," in *Family Demography in Asia: A Comparative Analysis of Fertility Preferences*, edited by Gietel-Basten, Stuart, John Casterline and Minja K. Choe, 52–67. Cheltenham: Edward Elgar Publishing.
- Alhaji, Mohammed M., R. Sharbawi, A. Majeed and N. A. A. Tuah. 2017. "Sociodemographic Factors Associated with Uptake of Exclusive Breastfeeding Practice in Brunei Darussalam." *Brunei International Medical Journal* 13(1): 12–19.
- Anaman, K. A. and Hartinie M. Kassim. 2006. "Marriage and Female Labour Supply in Brunei Darussalam: A Case Study of Urban Women in Bandar Seri Begawan." *Journal of Behavioral and Experimental Economics* (formerly *The Journal of Socio-Economics*) 35(5): 797–812.
- ASEAN Secretariat. 2007. *Third Report on the Advancement of Women in ASEAN: Gender Dimensions of Globalisation and Regional Integration*.
- Cheong, D. and R. Lawrey. 2009. "A Study of Unemployment Issues among Registered Job Seekers in Brunei Darussalam." *Centre for Strategic and Policy Studies CSPS Report*. Bandar Seri Begawan: Centre for Strategic and Policy Studies.
- EDP. 2005. "The 9th Executive Development Program for Senior Government Officers, Universiti Brunei Darussalam, 17th January to 1st May 2005." <http://www.bruneiresources.com/edpsgo.html>.
- Government of Brunei Darussalam. 2012. *Tenth National Development Plan (2012–2017): Brunei Darussalam*. Department of Economic Planning and Development, Prime Minister's Office.
- . 2015. *Brunei Darussalam Recent Economic Performance*. Department of Economic Planning and Development, Prime Minister's Office. <http://depd.gov.bn/DEPD%20Documents%20Library/NDP/Policy%20research/Brunei%20Darussalam%20Recent%20Economic%20Development.pdf>.
- . 2017. *Report of Summary Findings: Labour Force Survey 2017*. Department of Statistics, Department of Economic Planning and Development, Prime Minister's Office.
- . 2018. *Brunei Darussalam Key Indicators 2017*. Department of Statistics, Department of Economic Planning and Development, Prime Minister's Office.
- Hj Abu Bakar, Rasidah. "Unemployment in Brunei rises to 9.3%, higher among men." *The Scoop*, 2 January 2019. <https://thescoop.co/2019/01/02/unemployment-in-brunei-rises-to-9-3-higher-among-men/>.
- International Monetary Fund. 2017. "IMF Executive Board Concludes 2017 Article IV Consultation with Brunei Darussalam" [Press Release, No.17/185]. <https://www.imf.org/en/News/Articles/2017/05/19/pr17185-imf-executive-board-concludes-2017-article-iv-consultation-with-brunei-darussalam>.
- Jamrisko, M. 2017. "Brunei Leads APEC in Science and Tech Female Graduates." *Bloomberg*, 29 September 2017. <https://www.bloomberg.com/news/articles/2017-09-29/brunei-leads-apec-in-science-and-tech-female-graduates>.

- Low, K. C. Patrick and Zohrah Hj Sulaiman. 2013. "Women and Human Capital—The Bruneian Perspective." *Educational Research* 4(2): 91–97.
- Mahmud, Rokiah. 2017. "Talk Highlights Progress of Brunei Women." *Borneo Bulletin*, 10 November 2017. <https://borneobulletin.com.bn/talk-highlights-progress-of-brunei-women/>.
- Metussin, Halimaturradiah. 2017. "Gender Gap in Academic Achievement in Brunei Tertiary Education: Qualitative Perspective." *European Journal of Social Sciences Education and Research* 4(2): 28–41.
- Ministry of Education. 2015. *Education for All 2015 National Review Report: Brunei Darussalam*. <http://unesdoc.unesco.org/images/0023/002305/230503e.pdf>.
- OECD. 2013. "Structural Policy Country Notes for Emerging Asia: Brunei Darussalam." *Economic Outlook for Southeast Asia, China and India 2014: Beyond the Middle-Income Trap*. <https://www.oecd.org/site/seao/Brunei%20Darussalam.pdf>.
- Razak, Abdul Lutfi. 2012. "Brunei Darussalam's Labour Market: Issues and Challenges." *CSPS Strategy and Policy Journal* 3: 1–36.
- World Economic Forum. 2018. *The Global Gender Gap Report 2018*.
- Yunos, Rozan. 2006, August 2. "The Gender Wars in Brunei." *The Daily Brunei Resources* (blog), 2 August 2006. <http://bruneiresources.blogspot.com/2006/08/gender-wars-in-brunei.html>.



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Women's Employment Status and Family Responsibility in Japan: Focusing on the Breadwinner Role

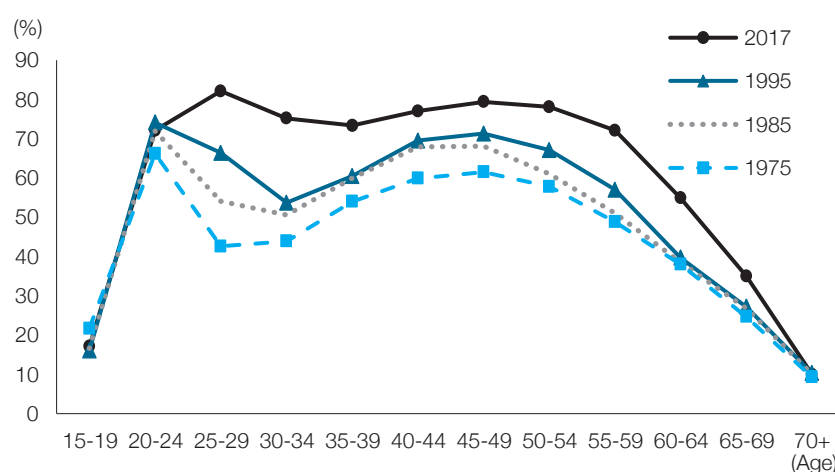
Shingou IKEDA

- I. Introduction
- II. Married women's labor participation in Japan
- III. The breadwinner role between husbands and wives
- IV. Women's employment status and the ideal breadwinner role
- V. Conclusion

I. Introduction

Women's labor participation in Japan has been gradually expanding, although it is often said that this country sustains strong gender roles. The so called "M-shaped curve" has been seen for decades since the Equal Employment Opportunity Act was legislated in 1985 (enforced in 1986), although its bottom has been rising, as shown in Figure 1. This means there are still married women who become full-time housewives or part-time workers.¹

Previous researches explained such married women's employment status in terms of caring in family life (Imada 1991; Maeda 1998). Actually, many mothers are still quitting their jobs for childbirth (Imada 1996; Imada and Ikeda 2007; Higuchi 2007; Ikeda 2012, 2013, 2014). To address this matter, the Japanese government has promoted policies on supporting job continuation and career development of women after childbirth. The Child Care Leave Act put in force in 1992 obliged employers to provide child care leave if their employees request leave in order to avoid job-leaving. This Act is now the Child Care and Family Care Leave



Source: Statistics Bureau, "Labor Force Survey."

Figure 1. Rate of women's labor force participation by age

1. Married female regular employees with full-time open-ended contracts have not been increasing as much as non-regular employees such as part-time workers while the rate of women's labor participation has risen (JILPT 2018).

Act² legislated in 1995, and the latest amended Act put in force in 2017 enable employees to extend child care leave before their child becomes 2 years of age if they are not able to return to their job due to a shortage of nursery care and so on.

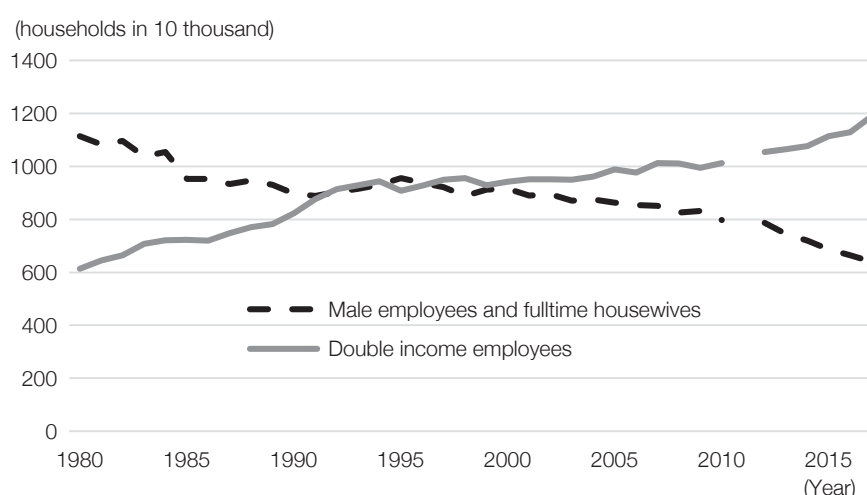
It is often said that expanding long-term child care leave has the risk of being disadvantageous for career development (Zhou 2016). To expand the scope of women's work in terms of economic measures, the Japanese government legislated the Act on Promotion of Women's Participation and Advancement in the Workplace, which was enforced in 2016. However, some researches point out that female workers are less eager for promotion to manager positions than male workers (Kawaguchi 2012). To encourage female workers and increase the number of female managers in the workplace, it is often said that working hours should be more flexible and overtime working should be reduced (Takami 2018). Such discussions focusing on leave and working hours assume that women cannot work enough and need time to take care of their family members.

This paper, however, focuses on another aspect of family responsibility. The gender division in modern nuclear families involves two primary responsibilities: one is the caring role including the housework role, and the other is the breadwinner role. In the context of increasing women's employment, caring roles including housework have become an issue to be shared with husbands (Hochschild and Machung 1989). Married female workers' labor participation, however, does not always mean that women come to undertake the same economic role as their husband in their household. Some previous research conjectures that female workers are still secondary earners (Hakim 2000). In sum, women's commitment to employment might have a relation to their breadwinner role in family life. In particular, the ideology of ideal gender roles may be deeply rooted even if the actual economic role of women has changed under tight household conditions.

II. Married women's labor participation in Japan

In the 1980s, when the Equal Employment Opportunity Act was legislated, it was normal for women to leave their jobs and become full-time housewives after marriage or childbirth, although many women returned to the labor market after childrearing.

As Figure 2 shows, the majority of households used to include full-time housewives compared to double



Sources: Statistics Bureau, "Labor Force Special Survey" 1985–2001 and "Labor Force Survey" 2002–2017.

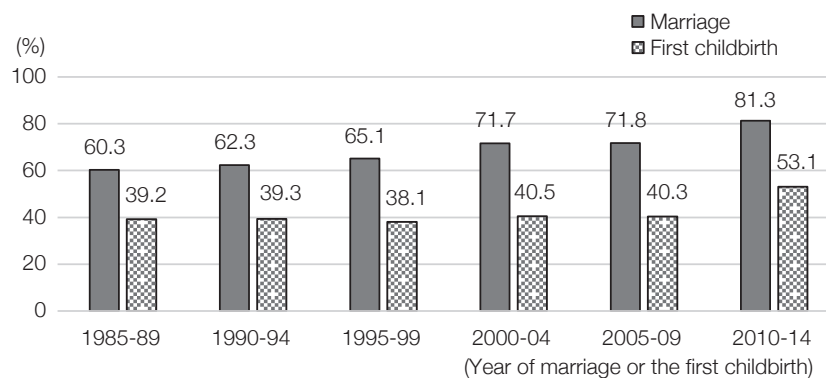
Figure 2. Number of households with full-time housewives and double income employees

2. The regulation of long-term leave for long-term care for family members was added into the Child Care Leave Act. Although long-term care is also a typical caring role for women, male carers are increasing in the context of smaller families and the aging population (Tsudome and Saito 2007).

income employees. In this situation, it was common among employers to separate male workers as the key labor force under long-term employment practice and female workers as a temporary labor force. The Equal Employment Opportunity Act prohibited such sexism in human resource management, and the Act protected female workers from employer's penalties due to family responsibilities. Since the Act was put in force in 1986, the rate of labor participation among married women has been rising (Imada 1996). Households with full-time housewives are decreasing and double income employee households are increasing. As a result, double income employees now exceed households with full-time housewives (Gender Equality Bureau Cabinet Office 2018).

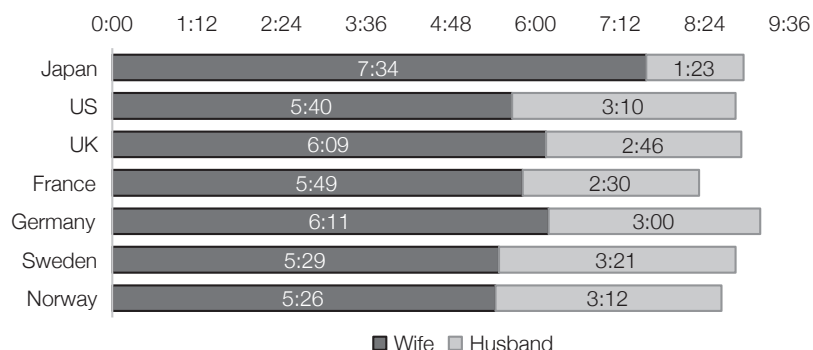
However, there are still married women who leave their jobs among the latest cohort under the Equal Employment Opportunity Act and the Child Care and Family Care Leave Act (Figure 3), and some women change their working style from full-time to part-time. It is not very common for married Japanese women to continuously develop their careers through their lifetime.

Previous researches in Japan explain such behavior in terms of the burden of housework and caring (Nishimura 2009). In fact, there is an obvious gender gap in housework and caring (childrearing and other caring for family), which is larger than such gaps in Western countries (Figure 4). To reduce this gender gap and empower female workers, the Japanese government promotes fathers' commitment to childrearing through



Source: National Institute of Population and Security Research, "Birth Trend Survey."

Figure 3. Changes in women's job continuation after marriage and first childbirth



Sources: Statistics Bureau of Japan, "Survey on Time Use and Leisure Activities," 2016. The Bureau of Labor Statistics of the US, "American Time Use Survey," 2016. Eurostat, "How European Spend Their Time Everyday Life of Women and Men," 2014.

Figure 4. International comparison of time spent for housework and caring (Couples with children under 6 years old)

encouraging fathers to take childcare leave at the start point of childrearing.³ In the context of family studies, husbands' commitment to housework is explained by gender ideology, relative resources, and time constraints (Shelton and John 1996). Especially in terms of time constraints, many researches point out that consistently long working hours is a crucial factor preventing fathers from childrearing in the context of overtime work as a component of work for male workers (Ikeda 2010).

III. The breadwinner role between husbands and wives

It is widely known that Catherine Hakim has explained married women's vocational behavior in terms of preferences after the equal employment revolution (Hakim 2000). It is true that there are some women who prefer housework to a vocation, but other women who prefer a vocation to housework are not willing to undertake the breadwinner role, which is a typical gender role of husbands. The breadwinner ideology might restrict women's labor participation as wives might regard themselves as workers who do not have to insist on employment opportunities to earn income while they expect their husbands to be the breadwinner. I will show the results of my original data analysis on this issue in Japan hereinafter.⁴

Table 1 indicates that more than half of those who prefer a vocation to housework ("Only vocation" or

Table 1. Ideal breadwinner role between husband and wife -By ideal role between vocation and housework-

	Only husband	Mainly husband	Equal role	Mainly wife	Only wife	DK	N	X ²
Preference between vocation and housework								
Only vocation without housework	35.0%	20.0%	30.0%	0.0%	0.0%	15.0%	20	388.144**
Mainly vocation with housework	34.4%	34.4%	24.6%	0.0%	1.6%	4.9%	61	
Both vocation and housework	29.5%	43.1%	20.4%	0.3%	0.5%	6.3%	383	
Mainly housework with vocation	53.6%	37.4%	6.0%	0.4%	0.0%	2.6%	532	
Only housework without vocation	78.4%	14.9%	2.0%	0.7%	0.0%	4.1%	148	
Others	38.9%	20.4%	18.5%	0.0%	1.9%	20.4%	54	
Don't Know	30.0%	20.9%	6.4%	0.0%	0.0%	42.7%	110	
Total	45.6%	34.0%	11.5%	0.3%	0.3%	8.3%	1,308	

Source: "Survey on Work-life Balance and Careers," JILPT 2015.

Notes: 1. Only husband: Sustaining the household by husband's income only.

Mainly husband: Husband sustains the household mainly although wife's income also sustains the household.

Equal role: Both husband and wife take equal role to sustain the household.

Mainly wife: Wife sustains the household mainly although husband's income also sustains the household.

Only wife: Sustaining the household by wife's income only.

2. **: $p < .01$.

3. This campaign is named the Ikumen Project. The rate of fathers taking child care leave has been rising since the campaign started in 2010 according to the Basic Survey on Gender Equality in Employment Management, Ministry of Health, Labor and Welfare.

4. The data is from the Survey on Work-life Balance and Careers conducted by JILPT. The outline of the data is as follows: Its scope was nationwide 6,000 males and females between 30 and 54 years of age and their spouses. Survey period was between August and October in 2015. Survey method was placement method. Response rate was 44.6% (2,660 respondents and 1,398 spouses). The analysis in this paper focuses on female respondents (For details, see JILPT 2017).

“Mainly vocation”) expect their husband to be the main breadwinner in their ideal role, although their rate of “Equal role” is higher than those who relatively prefer housework to a vocation. In Japan, the majority of work-centered women, to use Hakim’s term, might commit to their vocation not for economic independence, but for other non-economic reasons. The majority of those who stress both a vocation and housework also expect their husband to be the main breadwinner. In sum, in Japan, to increase women’s commitment to work does not always mean increasing the number of women who undertake an equal economic role with their husband.

In terms of human capital, the majority of highly educated women also expect their husbands to be the main breadwinner, as shown at the top of Table 2. This result is consistent with Hakim’s argument that highly educated women do not always pursue higher positions in the labor market, but rather in the marriage market to search for a good spouse. Furthermore, the middle of the table shows that a majority of those who obtain a larger income than their husband at the time of marriage have the same expectations of economic roles. This means that Japanese women tend to be secondary earners even if they are capable of sustaining the household with their own income. In fact, there are married women who sustain their household as much as their husband, but many of them might not be willing to undertake that economic role. About 70% of women who undertake an equal breadwinner role with their husband in actual family life hope for their husband to be the main breadwinner as their ideal (see the bottom of the table).

The Japanese government empowered women after the Equal Employment Opportunity Act was legislated in 1980. Highly educated women and those with high incomes have been gradually increasing, although there is still an obvious gender gap with respect to education and income (Gender Equality Bureau Cabinet Office 2018). The Act on Promotion of Women’s Participation and Advancement in the Workplace enforced in 2016 aims to correct gender segregation as an economic measure. However, the ideology of economic gender roles in the household might barely change even if the gender gap in superficial employment opportunities were reduced. It is natural that a gender pay gap would remain in Japan if women continued to expect that their

Table 2. Ideal breadwinner role between husband and wife -By educational background, relative income at marriage, and present actual breadwinning role-

	Only husband	Mainly husband	Equal role	Mainly wife	Only wife	DK	N	X ²
Total	45.7%	33.9%	11.5%	0.3%	0.3%	8.2%	1311	
Education								
High school	50.1%	32.9%	6.5%	0.4%	0.2%	10.0%	511	
Junior college	45.9%	33.5%	12.1%	0.4%	0.4%	7.8%	529	
College or graduate school	36.9%	36.9%	19.9%	0.0%	0.4%	5.9%	271	41.017**
Relative income at marriage								
More than husband	42.4%	30.3%	21.2%	1.0%	1.0%	4.0%	99	
Equal to husband	37.2%	39.1%	18.6%	0.6%	0.6%	3.8%	156	
Less than husband	54.7%	32.1%	7.4%	0.3%	0.3%	5.2%	728	41.759**
Present actual breadwinner role								
Only husband	63.9%	28.2%	2.2%	0.0%	0.3%	5.4%	316	
Mainly husband	53.5%	39.3%	3.8%	0.3%	0.0%	3.1%	318	
Equal role	32.9%	28.9%	36.2%	0.0%	0.7%	1.3%	149	347.380**
Mainly wife	11.8%	17.6%	35.3%	11.8%	0.0%	23.5%	17	
Only wife	10.0%	30.0%	40.0%	0.0%	20.0%	0.0%	10	

Source: “Survey on Work-life Balance and Careers,” JILPT 2015.

Note: **: $p < 0.01$.

husband would obtain enough income to sustain their household.

IV. Women's employment status and the ideal breadwinner role

The Japanese government has focused on the role of providing care to family in order to promote women's labor participation and career development. Recent policies focus on the husband's commitment to housework and childrearing to support the career development of the wife. However, there is a possibility that the ideology of the male breadwinner would obstruct a woman's commitment to work. If this is true, we should correct this ideology to empower female workers.

Regression analysis was conducted to verify the hypothesis that women's ideal economic roles in the household restrict their employment status. The results are shown in Table 3. Two explained variables were set. The first explained variable is whether or not women are employed, and the second analysis is to reveal the factor dividing employment type (regular employee or non-regular employee) among employed women. The explanatory variable is *ideal breadwinner role*, and the control variables are age, educational background, age of the youngest children, and married or single. As shown in Figure 1, the rate of labor force participation differs by age. Educational background is an index of human capital. The age of the youngest children is a well-known factor restricting women's labor participation in terms of caring, and whether married or not is index of the actual condition of the household.

Table 3. Restricting factors of women's employment status (logistic regression analysis)

	Employment (=1)/ Not employed (=0)			Regular employee (=1)/ Non-regular employee (=0)		
	B	SE	Exp(B)	B	SE	Exp(B)
Age (BM: 30-34)						
35-39	.471	.254	1.602	.211	.277	1.235
40-44	.380	.253	1.463	.409	.271	1.505
45-49	.134	.275	1.144	.710	.289	2.034*
50-54	-.183	.274	.833	.278	.295	1.321
Education (BM: High school)						
Junior college	.259	.162	1.295	.991	.178	2.694**
College or graduate school	.155	.201	1.167	.902	.224	2.465**
Married (Yes=1, No=0)	-.983	.207	.374**	-1.073	.192	.342**
Age of the youngest children (BM: No children)						
Under 6 years old	-.712	.247	.491**	.664	.288	1.942*
6-12 years old	-.143	.248	.867	-.408	.274	.665
12+ years old	.569	.207	1.766**	-.302	.210	.739
Ideal breadwinner role (BM: Only husband)						
Mainly husband	.115	.158	1.122	.508	.174	1.662**
Equal role	1.572	.385	4.817**	1.778	.277	5.918**
Don't Know	-.430	.279	.650	.217	.300	1.242
Constant	1.551	.263	4.717**	-.916	.270	.400**
Chi-square	107.342**			166.471**		
Degree of freedom	13			13		
N	1,211			835		

Source: "Survey on Work-life Balance and Careers," JILPT 2015.

Notes: 1. "Mainly wife" and "Wife only" are eliminated due to too small sample size.

2. **: $p < .01$, *: $p < .05$.

Looking at the results of the first analysis (employment/not employed), we see that the age of the youngest children shows a significant effect. This means women do not tend to work when their youngest children are under 6 years old, but they tend to restart work if their children become 12 years of age or more. This is consistent with previous research.

Furthermore, *ideal breadwinner role* shows a significant effect. This means women who hope for an equal economic role with their husband in the household tend to work more than those who expect their husband to be the only breadwinner. The state of married or not shows a significant effect, which is consistent with Figure 3. This means women who have a husband to be a breadwinner tend to leave their jobs. These results imply that the caring and breadwinner roles are mutually independent, and that the ideology of economic roles and the actual condition of the household are mutually independent in women's family life.

Looking at the results of the second analysis on type of employment, the effects of the control variables except marriage are different from the first analysis. The significant effect of educational background stands for employability for regular employees. The effect of the age of the youngest children (under 6 years old) might be the effect of childcare leave and flexible working arrangements based on the Child and Family Care Leave Act, which is popular among regular employees. In these senses, the results of the analysis are consistent with previous research. *Ideal breadwinner role* also shows a significant effect. This means that those who would like to contribute to the household even if their husband is the main breadwinner tend to select regular employee status, in addition to those who hope for an equal economic role. Conversely, those who expect their husband to be the only breadwinner tend to select non-regular employment.

Table 4 focuses on married women. The significant effect of *ideal breadwinner role* is shown to be almost the same as in Table 3. We can say that it is effective to have an ideology of an equal economic role with the husband in order to raise the labor participation of married women. Furthermore, to increase the number of female regular employees, having the will to contribute to the household is important.

It has been said that part-time non-regular employment is a typical employment type for wives as a supplement to household income. However, the results of the analysis here are not consistent with this. It can be hypothesized that non-regular employment to supplement household income is shown as the effect of the age of the youngest child (age 12 or over). This result means that women with children 12 or more years old tend to work as non-regular employees. It is common for families with children of that age to need educational expenses rather than caring. At that time, mothers begin to undertake a supplemental earner role while continuously taking care of their children. In this sense, the results of this analysis are consistent with previous researches.

V. Conclusion

Previous discussions on women's work and family responsibility have focused on the caring role of women, but my analysis implies that the economic role is also crucial for women's labor participation. The results of my data analysis are summarized as follows.

The ideology of the male breadwinner is a barrier to women's labor participation. On the other hand, women who have the will to undertake the role of sustaining the household economy tend to work as regular employees even if they have a husband. The economic gender role ideology also has an influence, independent of needs for child care, which previous researches have regarded as an influential restricting factor of women's labor participation. It is, therefore, of course significant to support women to reduce their burden of caring, which recent policies stress; but apart from that, it is also important to encourage women to sustain their household economy by their income in order to further increase women's labor participation.⁵

However, the ideology of the male breadwinner is deeply rooted, even if women have advantageous human

5. The Japanese government has treated housewives well in the tax system as people who contribute to their family through unpaid caring work for decades. However, we should distinguish the role of caring and earnings for both men and women to undertake both roles in order to eliminate gender gaps in both family life and the workplace as a result.

Table 4. Restricting factors of married women's employment status (Logistic Regression Analysis)

	Employment (=1)/ Not employed (=0)			Regular employee (=1)/ Non-regular employee (=0)		
	B	SE	Exp(B)	B	SE	Exp(B)
Age (BM: 30-34)						
35-39	.762	.301	2.142*	.341	.408	1.407
40-44	.501	.300	1.650	.418	.414	1.519
45-49	.213	.335	1.238	.380	.438	1.462
50-54	.067	.336	1.069	.091	.433	1.096
Education (BM: High school)						
Junior college	.147	.185	1.158	.947	.244	2.579**
College or graduate school	-.067	.224	.936	1.001	.298	2.721**
Age of the youngest children (BM: No children)						
Under 6 years old	-.818	.285	.441**	.340	.354	1.405
6-12 years old	-.337	.288	.714	-.695	.374	.499
12+ years old	.306	.239	1.357	-.630	.291	.533*
Ideal breadwinner role (BM: Only husband)						
Mainly husband	.093	.177	1.097	.972	.234	2.644**
Equal role	1.486	.416	4.420**	2.313	.346	10.109**
Don't Know	-.736	.384	.479	1.272	.534	3.570*
Constant	.676	.329	1.967*	-1.915	.438	.147**
Chi-square		54.691**			115.577**	
Degree of freedom		12			12	
N		810			514	

Source: "Survey on Work-life Balance and Careers," JILPT 2015.

Notes: 1. "Mainly wife" and "Only wife" are eliminated due to too small sample size.

2. **: $p < .01$, *: $p < .05$.

capital in the labor market compared to their husband.⁶ Some women who prefer a vocation to housework expect that their husband will be the main breadwinner, as well as those women who prefer the household to work. Such a gender-based ideology of economic roles must be a critical factor in sustaining gender gaps in both family life and the workplace, because many women expect their husbands to earn higher incomes to be the breadwinner even if they have sufficient ability to develop their careers as much as male workers. In these meanings, the male breadwinner ideology can legitimate gender pay gap and women's lower income.⁷ It must be, therefore, important for policy makers to stress women's economic independence in order to correct gender gaps in both family life and the labor market.

6. Brinton (1994) discussed gender gap in human capital development between boys and girls in Japan. This gender bias might have not changed essentially for decades even if highly educated women have been increasing.

7. This gender ideology might legitimate women's poor employment opportunities even if those women faced poverty. Indeed there are not small number of fulltime housewives in poverty in Japan (Zhou 2018).

References

- Brinton, Mary. 1994. *Women and the Economic Miracle: Gender and Work in Postwar Japan*. Berkeley: University of California Press.
- Gender Equality Bureau Cabinet Office 2018. *White Paper on Gender Equality*.
- Hakim, C. 2000. *Work-Lifestyle Choices in the 21st Century: Preference Theory*. Oxford: Oxford University Press.
- Higuchi, Yoshio. 2007. "Support for the continued employment of women: The impact of legal and economic factors [Josei no shūgyō keizoku shiensaku: Horitsu no koka Keizai kankyo no koka]." *Mita Business Review* 50(5): 45–66.
- Hochschild, A. and A. Machung. 1989. *The Second Shift: Working Families and the Revolution at Home*. New York: Penguin Books.
- Ikeda, Shingou. 2010. "Review of Sociological Research on Work-life Balance." *The Japanese Journal of Labour Studies* 599: 20–31.
- . 2012. "The Problems of the Job Continuity Support at Small Organization." *Journal of Social Science* 64(1): 25–44.
- . 2013. "The Effects of Labor-Management Communication on Women's Job Quitting for Childbirth." *The Journal of Ohara Institute for Social Research* 655: 48–61.
- . 2014. "Influences on Women Leaving the Workplace for Childbirth." *Japan Journal of Human Resource Management* 15(2): 4–19.
- Imada, Sachiko. 1991. "Women's Careers and Ways of Working in Future: Transcending the Double Bind of Work and Family." *The Japanese Journal of Labour Studies* 381: 12–24.
- . 1996. "Women's Employment and Job Continuity." *The Japanese Journal of Labour Studies* 433: 37–48.
- Imada, Sachiko and Shingou Ikeda. 2007. "The Problems of the Women's Job Continuity and the Childcare Leave System." *Japan Labor Review* 4(2): 139–160.
- JILPT. 2017. *Human Resource Management and Career Development of Male and Female Employees* [Kigyō no jinzai katsuyō to danjō no kyaria]. JILPT Research Series no.169. Tokyo: The Japan Institute for Labour Policy and Training.
- . 2018. *Atypical Families and Women's Career* [Hitenkeika suru kazoku to josei no kyaria]. Project Research Series no.9, JILPT 3rd Midterm Project. Tokyo: The Japan Institute for Labor Policy and Training.
- Kawaguchi, Akira. 2012. "Gender Difference in Ambition for Promotion." *The Japanese Journal of Labour Studies* 620: 42–57.
- Maeda, Nobuhiko. 1998. "The Effects of the Extended Household on Women in the Workforce." *The Japanese Journal of Labour Studies* 459: 25–38.
- Nishimura, Junko. 2009. *Women and Work in Post Childrearing Period: Work-Family Balance and Stress*. Tokyo: Keio University Press.
- Shelton, Beth A. and Daphne John. 1996. "The Division of Household Labor." *Annual Review of Sociology* 22: 299–322.
- Takami, Tomohiro. 2018. "Gender Segregation at Work in Japanese Companies: Focusing on Gender Disparities in Desire for Promotion." *Japan Labor Issues* 2(11): 7–12.
- Tsudome, Masatoshi and Mao Saito. 2007. *White Paper on Male Carers: Socialization of Long-term Care and Support for Carers*. Kyoto: Kamogawa Press.
- Zhou, Yanfei. 2016. "Is the Utilization of Maternal Leave Hindering the Surviving to Management?" *Japanese Journal of Research on Household Economics* [Kikan Kakei Keizai Kenkyū] 111: 53–62.
- . 2018. "Japan's Married Stay-at-Home Mothers in Poverty." *Japan Labor Issues* 2(8): 4–9.



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Work-life Experiences, Policies, and Challenges in Singapore

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- I. Introduction
- II. The Singapore context
- III. The work-life interface in Singapore
- IV. Imagining the “ideal Singaporean family”: Work-life challenges, social policies, and privatized solutions
- V. Directions for future research
- VI. Conclusion

I. Introduction

The work-life interface impacts various aspects of our lives, including marital quality, job satisfaction, mental and physical well-being and, for women in particular the ability to remain in the labor force. In the country report below, I discuss recent research and findings on work-life issues in Singapore, examining how this intersects with the gendered responsibility for caregiving for children and the elderly. The report first describes the Singaporean context. In so doing, it highlights three aspects of Singapore which shape the particularities of the work-life interface. First is the demographic background of Singapore; next the state’s strategic crafting of Singapore’s economic development; and finally the significant role of social policies for alleviating work-life conflict in Singapore. Next, I dive into research in work-life challenges in Singapore. Following this I explain social policy responses to these challenges, highlighting the significance of the idealized Singaporean family in the kinds of policy solutions provided thus far. I close with some reflections on directions for future research.

II. The Singapore context

The population of Singapore is approximately 5.7 million. Work-life interface in Singapore occurs with a context characterized by: 1) specific demographic trends pertaining to marriage, fertility, and an ageing population; 2) a unique economy which has been driven by the impetus to serve as a “global node” for the knowledge economy, specifically in sectors such as finance and technology; 3) a strong state, driven by market logics, which applies these to social policy planning. Below, I sketch out these three characteristics of Singapore to deepen the understanding of the work-life interface in particular.

Demographic trends in Singapore

The Republic of Singapore was founded in 1965, with Lee Kuan Yew as its Prime Minister. Singapore is considered a racially diverse state, with a population that is majority ethnic Chinese (about 74%), followed by approximately 13% Malay, 9% Indian and a little over 3% characterized as “other.” Generally, reports agree that almost two-thirds of married families in Singapore are dual-earner (“Social Statistics in Brief” 2017). That said, Singapore is experiencing some interesting demographic trends currently. Firstly, and of much concern to the Singaporean state, is the low fertility rate which has been declining since the 1980s. Prior to its founding in 1965, Singapore (then a part of modern-day Malaysia) gained independence from British colonization, followed soon after by independence from Malaysia. Initially, the state was worried by a potential population explosion. The Singaporean state thus followed anti-natalist policies, incentivizing citizens to restrict their fertility. Population control laws were enacted in 1973 (Anderson 2004), with an aggressive campaign called

“Stop at Two” (Teo 2010). These interventions were extremely successful, to the point that the birth-rate plummeted considerably. Indeed the fertility rates were 3.10 in 1970, dropping to 1.83 in 1990 and 1.20 in 2016 (“Social Statistics in Brief” 2017)—hovering around there since then. For several decades the fertility rate in Singapore has been well below the “replacement level” of 2.10 (Teo 2010).

With dropping fertility the Singaporean state has adopted a pro-natalist state policy toward the fertility of its citizens. These policies include a “Baby Bonus” scheme which gives cash incentives, with the amount of cash increasing with each child, and being highest for children 3–5. However, as scholars point out, these fertility incentives are deeply classed. Highly-educated (and ethnic Chinese) mothers are particularly privileged by the Baby Bonus scheme, since its highest rewards are when families can afford to put the maximum amount of cash into banks, which is then matched by the government (Teo 2010, 2013, 2015). Poor families have limited disposable income, and are typically unable to put high levels of the bonus into banks, which means that the government matches less. This scheme is most appealing to higher income families. Despite worries about low-fertility, lower-income families are dissuaded from higher levels of fertility. Specifically, as sociologist You Yenn Teo explains, low-income families are targeted by the HOPE (home ownership and education) scheme through which lower-income families get housing grants and educational subsidies contingent on limiting fertility to two children. Other incentives recognize the need for parents to work, and thus include policies aimed at providing flexible work hours, paid paternal and maternal leave, as well as unpaid maternal leave. Policies directly related to paid work have been formulated with the specific intention that the desire to participate in the labor force should not be an impediment to fertility. These policies have encountered some success, and research suggests that Singapore’s fertility rates are now higher than in comparable East Asian countries such as Japan, South Korea and Taiwan (Galovan et al. 2015).

However, other impediments to attempts to increase fertility in Singapore have been demographic trends like age at first marriage, decline in marriage as well as less fertile marriages and rise of divorces (Ibid). Age at first marriage, for example, is 28 for women in Singapore and 30 for Singaporean men (“Social Statistics in Brief” 2017). That Singaporeans—especially highly-educated and ethnic Chinese Singaporeans—will increase their fertility to replacement levels has been a driving factor in how the Singaporean state conceptualizes the work-life interface.

Finally, while fertility has declined in Singapore, the ageing population has increased considerably. The “pioneer” generation that was young at the establishment of the Republic of Singapore is now getting old. In recent years, those 65 and older have tripled in proportion from being 7% of the Singaporean population to being 20% of it. In 2010, close to 36% of elderly in Singapore lived with their working children (Yeoh and Huang 2014). The current working population of Singaporeans is often considered a “sandwich” generation which cares both for children and elderly parents simultaneously. This is particularly because the idea of “filial piety” allocates care of elderly parents to their adult children (Ibid).

Singaporean economy as a global node

The Singaporean story has been one where the state has actively promoted policies that enable it to realize its goal as a key player in the global economy. To that end, and concerned with the demographic backgrounds of a low fertility and ageing population, Singapore has actively sought out “foreign talent”—that is, essentially, highly skilled workers who can “contribute to Singapore” (Yeoh and Lam 2016). As Brenda Yeoh and co-authors (2016) write, the past 15 years have been especially crucial in the development of Singapore as a global hub for the knowledge economy. Currently, almost a quarter of the Singaporean population is immigrant. This is particularly prevalent in knowledge sectors. For example almost 40% of the workforce in banking finance is foreign. This becomes even more acute as we move up the organizational hierarchy. One study estimates that foreigners and PRs (permanent residents) occupy 30% of mid-level and 60–70% of senior-level positions within these industries.

While historically expats came from Australia, the United States, Japan, France, and South Korea, that has

been changing. Foreign talent in Singapore is now more likely to come from India and China. The Singapore state has typically sought to attract this “foreign talent” including through incentives such as low tax-rates, and until about 2010, ease of gaining status as a PR, although that has now been tightened. Key to attracting foreign talent was the ease, affordability, and convenience of hiring domestic workers. This has included the second main stream of migrants into Singapore: low-skilled female domestic workers typically coming from nearby countries like Indonesia and the Philippines. The migration of foreign domestic workers (FDWs) was initiated in the 1980s, when the Singaporean state legislated that FDWs could ease the burdens placed on working families—especially women—in Singapore in a bid to encourage women to both work and have children.

The Singaporean economy is a unique one that has been actively shaped by the state.

The role of the state and social policies for the work-life interface

This brings us to the role of the state. The Singaporean state includes a variety of policies intended to ameliorate work-life challenges. These policies, as Singaporean scholars explain, are framed as intrinsically anti-welfare. Access to these policies is mediated by a market-based logic, which requires that Singaporean citizens prove their eligibility to receive the highest levels of subsidy through their employment. That is: any state-led schemes should not be seen as entitlements by citizens and rather families should be self-reliant (Teo and Piper 2009). The schemes are often directed at providing privatized solutions to issues of work-life conflict—most commonly in the sphere of caregiving—rather than providing public, systemic solutions to these concerns. Later, I discuss how these policies imagine an “ideal Singaporean family” and the implications of this for the provision of support for work-life challenges. For the time being, I sketch out some of the characteristics of the policies aimed at tackling work-life conflict.

A recent report (An AWARE [Association of Women for Action and Research] Report 2018) outlines these policies. They include provisions like childcare subsidies to working mothers of Singaporean citizens; these subsidies can be topped up depending on number of hours that working mothers work per month. These subsidies come under three main categories, “basic childcare subsidies,” “additional childcare subsidies,” and “ComCare Child Care subsidies.” The state also funds support to childcare providers, to make formal, institutionalized childcare more widely available. These are termed as “partner operator scheme” and “anchor operator scheme.” Through these schemes, childcare providers are encouraged to cap their monthly fees. In 2017, 1,419 childcare centers had spaces for almost 150,000 children. The government has pledged to increase the number of childcare spaces by 40,000 by 2022. These schemes particularly target low-income mothers.

The Singaporean state provides parental leave. Married mothers of Singaporean citizens who have been continuously employed by the same employer for at least three months prior to seeking leave are entitled to 16 weeks of paid leave. For the first two children, the first 8 weeks of leave are typically paid by the employer, and the last 8 by the government. For three or more children, the entirety of 16 weeks is paid by the government. Married fathers of Singaporean citizens are entitled to two weeks of government-paid parental leave, capped at S\$2,500 per week. Married couples can also avail of government-paid “shared parental leave” capped at S\$2,500 (“Statistics and Publications” 2019).

Singapore’s migration policies too can be seen as a way of minimizing work-life conflict, especially for married mothers. The migration of foreign domestic workers from countries such as Indonesia and the Philippines has been encouraged and allowed precisely to minimize work-life conflict, especially for married, working mothers. The 1988 press release from the government announcing the “foreign maid levy” for example stated the following motivation: “The Government recognizes that domestic maids fulfil a social need in Singapore. They make it easier for married women to work, look after their households, and bring up more children” (Singapore Government Press Release 1988). Of course, these levies are directed primarily at middle-class women with children in Singapore; they do not solve the childcare issues of low-income women.

III. The work-life interface in Singapore

Given Singapore's self-conscious positioning as a global economy and the state's emphasis on employment for access to public benefits, it is not surprising that long work hours and widespread participation in the labor force prevail. Of the working-age population, 67.7% were in the labor force in 2017. Almost 60% of women and 76% of men participate in the labor force ("Social Statistics in Brief" 2017). A recent report showed that of the working-age population out of the workforce, almost two-thirds were women. Women were far more likely to cite family responsibilities as a reason for being out of the workforce. Professionals, Managers, Executives and Technicians (PMET) comprise 56.1% of the Singaporean workforce (Ibid). The resident unemployment rate averaged 2.2% in 2017. The median income from work for full-time workers was S\$4,437 in 2018 ("Statistics and Publications" 2019).

Combined, these figures illuminate that Singapore is a developed nation. Singapore's economic policy has actively sought to develop Singapore as a knowledge hub in Asia. Singapore continues to have some of the longest work hours the world over, averaging 45 hours per week (Ibid). The priority given to developing Singapore's knowledge economy encompassing occupations such as finance and banking which generally tend to have exceptionally long work-hours (Michel 2011) suggests that work-life issues may be particularly salient in the Singapore context.

Two common ways of conceptualizing work-life interface is to examine the family-to-work (FTW) spillover or the work-to-family (WTF) spillover. FTW encapsulates family responsibilities that shape, often preventing, workplace demands; while WTF encapsulates the spillover of workplace demands into the family. As a society where ostensibly traditional Eastern values—such as filial piety—have been emphasized, it stands to reason the family obligations will particularly spillover into work.

Psychologists have been at the forefront of studying the work-life interface in the Singaporean context. Indeed, one study (Galovan et al. 2010) using nationally representative samples explains that FTW is more common in Singapore when compared to the United States. In Singapore FTW is also more linked to depression, whereas in the United States WTF is linked to depression. Another study, using nationally representative data from dual-earner, married Singaporean couples focused on *family formation-work fit*. The study found that when family formation-work fit was low; that is when individuals believed that their work demands were not conducive to the size of families they desired, they were less likely to achieve the family size they desired. Essentially, the study suggests that couples curtailed their fertility when they saw it as being in conflict with their workplace demands. This study also pointed out that workplace flexibility and lower WTF or FTW conflict was linked to a greater family formation-work fit (Galovan et al. 2015). Extending the FTW spillover by using marital quality as a predictor variable, one study found that marital satisfaction is an important predictor for work satisfaction and depressive symptoms for men and women (Sandberg et al. 2012). The authors recommend that workplaces should incorporate programmes and policies to address marital conflict since marital conflict can be costly for governments, organizations, and of course, families.

Another study finds that perception of workplace flexibility—that there are flexibility policies that can be utilized should the need arise—are very important in shaping work-family fit, perhaps even more than the usage of such policies (Jones et al. 2008). The authors explain this somewhat counterintuitive finding—unique to the Singaporean context—by suggesting that given Singapore's work culture of long hours, and the limited offering of schedule flexibility, most people are only likely to avail of schedule flexibility when they experience tremendous stress.

Given Singapore's focus on catalysing an increase in the rates of fertility among its citizens, these are important findings. They highlight how workplace demands are suppressing the actualization of ideal family sizes, and suggest that even small tweaks to policies—such as encouraging flexible schedules—could be important steps to take.

IV. Imagining the “ideal Singaporean family”: Work-life challenges, social policies, and privatized solutions

At the heart of Singapore’s state policies on work-life issues is a very clearly and specifically imagined “ideal Singaporean family.” This ideal family forms the basis in helping the state to conceive of the challenges, and potential solutions, of juggling work and life that family members here may face. The Singaporean state has devised a set of subsidies, schemes, and migration-led solutions to help improve the challenges faced by specifically this vision of working families. As sociologist You Yenn Teo explains, the imagined ideal Singaporean family is seen as having the following characteristics:

The idealized family, promoted through campaigns, policies and everyday statements by national leaders, comes across as such: at its core, a relatively young—under 50—heterosexual, married couple. Both man and woman are educated and formally employed. The couple should have children—three, or more, if they can afford it. This nuclear family lives harmoniously under one roof; in most cases, home is a modest but comfortable public flat purchased from the Housing & Development Board (HDB). The couple have parents of their own. These are ageing Singaporeans—pioneers of contemporary Singapore—who will eventually live with them (or their siblings) when they become too old to care for themselves. While they are still healthy and fit, they play key roles as grandparents. Grandmothers, in particular, are portrayed as the best primary caregivers for Singapore’s children (Teo 2010: 338).

This image is important: it encourages dual-earner families. Indeed, this has been a longstanding preference in Singapore, on the basis of which foreign maids are allowed a separate employment category in Singapore. The image also makes clear a middle-class bias in Singapore’s work-life policies. This preference for dual-earner families means that the state recognizes that work-life challenges will be a part and parcel of family life. Social policies are aimed to target this; however the anti-welfare stance of the Singaporean government means that policies are designed to provide privatized solutions to the widespread concern for managing care provision for children and the elderly.

Additionally, the limitation of such a clear image of an ideal family to whom social policies are targeted is that those who stray from this ideal are penalized. This occurs through lack of access to social policies and provisions that can ameliorate work-life conflict, but also through a social sense of shame in deviating from the norm at all. The people who are most likely to deviate from the norm are also most likely to be groups most in need of support, for example low-income families with children. These policies most impact working mothers, since the provision of care remains extremely gendered, and is framed in Singapore as belonging within the home—for example through help with kin (grandmothers) or foreign maids. While women’s participation in the labor force is integral—indeed, it is encouraged by the state which emphasizes economy activity by all adults as a way of strengthening national development—women’s roles as mothers and caregivers are also valorized (Teo and Piper 2009).

Childcare in Singapore

Childcare in Singapore is relegated primarily to women; if married mothers are not providing the caregiving themselves (discouraged, given the state’s preference for dual-earner families), the kin (such as grandmothers) and foreign maids are seen as the appropriate solutions to childcare issues. One report (“Fatherhood Public Perception Survey” 2009) shows that on the weekends fathers spend 8.4 hours with children, of which they spend 2.8 hours alone with their children. Mothers in contrast spend 10.5 hours on the weekend with children, of which they spend 4.6 hours alone. The difference is significant. Singaporeans overwhelmingly (99%) believe that mothers and fathers should both share in bringing up their children and 77% agree that fathers are as good as mothers in caring for children. However, the largest share (46%) agree with the idea that the way

fathers share in bringing up children is by being breadwinners. This relegates father's role in childcare to being primarily economic, leaving the affective aspects of childcare to mothers.

But foreign maids play a key role in the “reproductive” labor of the home. A non-random survey-based study of women entrepreneurs in Singapore found that 82.4% of these middle-class women entrepreneurs used the services of maids to help with household chores; and that 66.7% primarily used the services of maids for childcare (Kim and Ling 2001). Although the state encourages Singaporean families not to become dependent on maids, available data suggests that maids are a key solution enabling middle-class and affluent women in Singapore manage work and life.

The case for low-income Singaporean women is different. As the report from AWARE explains, low-income mothers often have difficulty accessing public subsidies. These schemes offer the most when low-income mothers work at least 56 hours a month in a stable-job. However, the kinds of jobs that low-income mothers have tend to be irregular and erratic—a product of the insecurity of work which is most acute at the bottom of the socio-economic ladder. Piecing together 56 hours in a month is a challenge for these mothers. This is particularly because higher rates of childcare subsidies are contingent on employment. Because mothers are responsible for their children's caregiving, they are unable to expend time in finding employment.

In their report, AWARE recommends making higher subsidies of childcare available so that low-income women can find appropriate employment. Other problems of accessing include issues such as: high compliance cost (particularly related to the issue of proving adequate levels of employment); extensive paperwork; multiple gatekeepers; poor quality of available childcare centers (including alleged abuse).

Eldercare

Singapore's ageing population raises issues of how care for the elderly will be managed. Like childcare, this care is expected to be managed within the home. The state and private expectation is that of “filial piety”—that adult children will take care of their elderly parents out of a sense of respect. As mentioned above, the Singaporean state discourages a maid dependency, but it has recognized the growing need for eldercare provision. As such, the state provides a maid levy for families with a person aged 65 and older. 86% of the elderly in Singapore live with their spouse or children, with close to 36% of the elderly population living with working children in the household (Yeoh and Huang 2014). Of those aged 60 and above, 55% have a family member as a primary caregiver, with the remainder having a foreign domestic worker as the primary caregiver.

Like childcare, eldercare is also seen primarily as the responsibility of women. Singaporean women thus often have multiple obligations: paid work; childcare; eldercare (for parents and in-laws); and of course the usual upkeep of the home. As with childcare, middle-class Singaporean families also outsource eldercare to foreign domestic workers. This practice is called “liberal familialism” (Ochiai and Hosoya 2014) whereby the practical and mundane activities of caregiving are outsourced but the ultimate responsibility for it is not. The state also introduced a provision where the adult and working children of the elderly are tasked with the financial responsibility of working parents. Children who do not do so are seen as being unloving and ungrateful. As Yeoh and Huang (2014) report, for these adult children, their low-income status becomes immoral; although their inability to provide for their elderly parents has less to do with a lack of filial piety and more with financial unfeasibility. The privatisation of eldercare does not acknowledge that adult children are of varied means, with some being less equipped to fulfil this social gap.

One recent study finds that Indian-Singaporean single women often depend on circles of friends and families as they seek to provide support for their elderly parents. While these women may live apart from their parents (in separate homes, or overseas), their interaction with parents is quite frequent. While it can be a source of joy and support at times, it can also be emotionally draining. However, since the women in this study were childless, they were contending with only one kind of caregiving (Ramdas 2015).

V. Directions for future research

The research on the work-life interface in Singapore can be broadly categorized as falling into one of three categories: 1) research on work-life social policies and their impacts on low-income women; 2) comparative transnational, primarily quantitative, research on work-life challenges in Singapore and other countries; 3) emerging research on how eldercare does and can be expected to impact the work-life interface. There have been numerous important studies by social scientists and by organizations such as AWARE. However, there is scope for developing rich lines of inquiry. Below, I outline some of these.

How mothers and fathers think of their parenting responsibilities is key for work-life challenges. Research from the United States and elsewhere has shown that intensive parenting (Blair-Loy 2003; Collins 2019; Stone 2007) ideals tend to be prevalent in countries with high income inequality (Doepke and Zilibotti 2019) intersect with an absence of public provided childcare systems to exacerbate work-life conflicts. Intensive parenting is the notion that children should be the primary recipient of parents—and especially mothers’—time, emotions, and energy. These contemporary high expectations for hands-on parenting on the part of mothers is seen as a key reason why contemporary working American mothers spend as much time with their children as stay-at-home mothers did several decades ago. The parental ideals shaping the practices of Singaporean mothers and fathers are less clear. While we know how the state conceptualizes ideal mothers, a deeper understanding how Singaporeans themselves conceptualize motherhood and fatherhood would propel the research on work-life conflict further. This will require cross-class in-depth interviews by trained researchers.

As noted above, over 50% of the Singaporean workers are involved in PMET occupations. These occupations are especially likely to have characteristics of “extreme jobs” (Hewlett and Luce 2006) such as long work hours and extensive travel for work. Understanding how the various workers involved in this work—Singaporean and expat—contend with work-life challenges is important. This is particularly because Singapore has sought to attract foreign talent based precisely on the availability of knowledge sector jobs. In recent years, expats in Singapore are coming from India and China where the norm of filial piety is also strong. Yet, the parents of these expat workers may reside in their country of origin. How do these families contend with eldercare? Research needs to understand how expat families in Singapore strive to meet obligations of childcare and eldercare with paid work.

Finally, another area of research is better understanding the gendered, labor-market implications of caregiving in Singapore. Data here suggests that family responsibilities are a key reason when women abstain from labor-market participation. But how does the gendered responsibility for caregiving shape the types of occupations women enter, and their advancement within their occupations? Research from other national contexts has shown bias against mothers—the “motherhood penalty”—often based on employers’ conviction that mothers are less productive workers (Correll, Benard, and Paik 2007; Weisshaar 2018). The most lucrative occupations, including those in PMET, continue to be populated by men; a trend that social scientists often attribute to women’s caregiving responsibilities and the employer-biases that arise from this. How does this manifest in the Singaporean context? While we may see similar trends in Singapore as in western, developed countries it is also possible that factors unique to Singapore, such as FDWs could mean that women in Singapore are more competitively able to participate in the labor force.

Singapore is a unique economy tying together specific aspects of work cultures and practices with private caregiving solutions more affordably available. How this shapes the work-life interface of Singaporean families, and specifically working mothers who shoulder the brunt of caregiving remains a rich topic for further investigation.

VI. Conclusion

In this report, I have presented an overview of the Singaporean context, explaining how work-life issues manifest, the challenges they pose, and directions for future research. The Singaporean economy which has invested heavily in building itself as a knowledge economy brings with it some unique issues. Many of these are being studied by scholars and addressed by social policy initiatives. However, there is tremendous scope to develop more sophisticated research designs to better understand how work-life challenges are experienced. This is especially important given the demographic background of Singapore which includes a significant proportion of the elderly. The time is ripe to discuss how to prevent caregiving needs from manifesting more deeply in gendered labor market inequalities.

References

- AWARE Singapore. 2018. *An AWARE Report, 2018: "Why Are You Not Working?" Low-Income Mothers Explain Challenges with Work and Care.* <https://d2t1lspzrtjtf2.cloudfront.net/wp-content/uploads/Advocacy-report-why-are-you-not-working-updated-2-April-2019.pdf>.
- Anderson, Barbara A. 2004. "Unintended Population Consequences of Policies." *Population and Environment* 25(4): 377–390.
- Blair-Loy, Mary. 2003. *Competing Devotions: Career and Family among Women Executives*. Cambridge, Massachusetts: Harvard University Press, <http://www.hup.harvard.edu/catalog.php?isbn=9780674018167&content=reviews>.
- Collins, Caitlyn. 2019. *Making Motherhood Work: How Women Manage Careers and Caregiving*. New Jersey: Princeton University Press.
- Correll, Shelley J., Stephen Benard, and In Paik. 2007. "Getting a Job: Is There a Motherhood Penalty?" *American Journal of Sociology* 112(5): 1297–1338, <https://doi.org/10.1086/511799>.
- Doepke, Matthias, and Fabrizio Zilibotti. 2019. *Love, Money, and Parenting: How Economics Explains the Way We Raise Our Kids*. Princeton, New Jersey: Princeton University Press, <https://press.princeton.edu/titles/13326.html>.
- Galovan, Adam M., Tamara Fackrell, Lydia Buswell, Blake L. Jones, E. Jeffrey Hill, and Sarah June Carroll. 2010. "The Work-Family Interface in the United States and Singapore: Conflict across Cultures." *Journal of Family Psychology* 24(5): 646–656, <https://doi.org/10.1037/a0020832>.
- Galovan, Adam M., Richard E. Feistman, James D. Stowe, and E. Jeffrey Hill. 2015. "Achieving Desired Family Size in Dual-Working Households: Work and Family Influences among Singaporean Couples." *Journal of Family Issues* 36(10): 1377–1401, <https://doi.org/10.1177/0192513X13516765>.
- Hewlett, Sylvia Ann, and Carolyn Buck Luce. 2006. "Extreme Jobs: The Dangerous Allure of the 70-Hour Workweek." *Harvard Business Review*, <https://hbr.org/2006/12/extreme-jobs-the-dangerous-allure-of-the-70-hour-workweek>.
- Jones, Blake L., D. Phillip Scoville, E. Jeffrey Hill, Geniel Childs, Joan M. Leishman, and Kathryn S. Nally. 2008. "Perceived versus Used Workplace Flexibility in Singapore: Predicting Work-Family Fit." *Journal of Family Psychology* 22(5): 774–783, <https://doi.org/10.1037/a0013181>.
- Kim, Jean Lee Siew, and Choo Seow Ling. 2001. "Work-family Conflict of Women Entrepreneurs in Singapore." *Women in Management Review* 16(5): 204–221, <https://doi.org/10.1108/09649420110395692>.
- Michel, Alexandra. 2011. "Transcending Socialization: A Nine-Year Ethnography of the Body's Role in Organizational Control and Knowledge Workers' Transformation." *Administrative Science Quarterly* 56(3): 325–368.
- Ministry of Community Development, Youth and Sports. 2009. *Fatherhood Public Perception Survey 2009*.
- Ministry of Manpower. 2019. *Statistics and Publications 2019*, <https://stats.mom.gov.sg/Pages/ExploreStatisticsPublications.aspx#PublicationSearch>.
- Ministry of Social and Family Development. 1988. "Increase in Foreign Maid Levy," Singapore Government Press Release, December 20, 1988.
- . 2017. *Social Statistics in Brief 2017*.
- Ochiai, Emiko, and Leo Aoi Hosoya. 2014. *Transformation of the Intimate and the Public in Asian Modernity*. Leiden: Brill, <http://ebookcentral.proquest.com/lib/smu/detail.action?docID=1786613>.
- Ramdas, Kamalini. 2015. "Is Blood Thicker than Water? Single Indian Singaporean Women and the Geographies of 'Being' Family." *Gender, Place and Culture* 22(2): 255–270, <https://doi.org/10.1080/0966369X.2013.879098>.
- Sandberg, Jonathan G., Jeremy B. Yorgason, Richard B. Miller, and E. Jeffrey Hill. 2012. "Family-to-Work Spillover in Singapore: Marital Distress, Physical and Mental Health, and Work Satisfaction." *Family Relations* 61(1): 1–15.
- Stone, Pamela. 2007. *Opting Out? Why Women Really Quit Careers and Head Home*. Berkeley: University of California Press.
- Teo, You Yenn. 2010. "Shaping the Singapore Family, Producing the State and Society." *Economy and Society* 39(3): 337–359, <https://doi.org/10.1080/03085147.2010.486215>.
- . 2013. "Support for Deserving Families: Inventing the Anti-Welfare Familialist State in Singapore." *Social Politics: International*

- Studies in Gender, State, and Society* 20(3): 387–406, <https://doi.org/10.1093/sp/jxt004>.
- . 2015. “Differentiated Deservedness: Governance through Familialist Social Policies in Singapore.” *TRaNS: Trans -Regional and -National Studies of Southeast Asia* 3(01): 73–93, <https://doi.org/10.1017/trn.2014.16>.
- Teo, You Yenn, and Nicola Piper. 2009. “Foreigners in Our Homes: Linking Migration and Family Policies in Singapore.” *Population, Space and Place* 15(2): 147–159, <https://doi.org/10.1002/psp.545>.
- Weisshaar, Katherine. 2018. “From Opt Out to Blocked Out: The Challenges for Labor Market Re-Entry after Family-Related Employment Lapses.” *American Sociological Review* 83(1): 34–60.
- Yeoh, Brenda S.A., and Shirlena Huang. 2014. “Singapore’s Changing Demography, the Eldercare Predicament and Transnational ‘Care’ Migration.” *TRaNS: Trans -Regional and -National Studies of Southeast Asia* 2(2): 247–269, <https://doi.org/10.1017/trn.2014.6>.
- Yeoh, Brenda S. A., and Theodora Lam. 2016. “Immigration and Its (Dis) Contents: The Challenges of Highly Skilled Migration in Globalizing Singapore.” *American Behavioral Scientist* 60(5–6): 637–658, <https://doi.org/10.1177/0002764216632831>.



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The Labour Rights of Women in Vietnam

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- I. Introduction
- II. Labour rights of female workers in Vietnam
- III. Governance and enforcement mechanism to ensure the labour rights of women
- VI. Conclusion

I. Introduction

Rights of female workers as human rights have been key issues in policy-making in Vietnam. Earlier in our history, since the first Constitution in 1946, right after the born of Democratic Republic of Vietnam (which is the Socialist Republic of Vietnam nowadays), “women are equal to men” was regulated as a fundamental principle. And this principle is continued to be affirmed in other constitutions (adopted in 1959, 1980, 1992) and in the most recent one in 2013.¹ The Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW) was signed on 29 Jul 1980 and ratified on 17 Feb 1982 by Vietnam. Since socio-economic reform in 1986, along with economic developments, Vietnam has achieved certain positive results in closing the gender gap. Overall, our population in 2018 is approximately 94.67 million people, including 46.79 million males and 47.88 million females, accounting for 49.4% and 50.6% of our population, respectively.² As of Quarter 2, 2018, Vietnam had 72.5 million persons aged 15 and above, of which 52.1 million people were in the labour force.³ The labour force participation rate stood at 76.7%; the participation rate was 82.0% for males and 71.4% for females. Average monthly income of male and female workers as of Quarter 2, 2018 is VND 5,919,000 and VND 5,216,000, respectively.⁴ Occupations that primarily employ women include textile and foot-wear manufacturing, electronic components processing, and seafood processing.

According to the Global Gender Gap Report 2018, Vietnam’s gender gap score is 0.698, ranks 77 out of 149 countries. In details, the gap scores of economic participation and opportunity, educational attainment, health and survival, and political empowerment are 0.740, 0.972, 0.957, and 0.124, respectively.⁵ This paper will analyse the labour rights of women in Vietnam in the legislation as well as the law enforcement mechanism in practice.

II. Labour rights of female workers in Vietnam

Protection of labour rights of female workers is a fundamental principle in the field of labour, regulated in the Constitution⁶ and clarified in many other statutes such as Labour Code 2012, Law on Gender Equality

1. Article 26, Constitution 2013 of Vietnam.

1) Male and female citizens have equal rights in all fields. The State has a policy to guarantee equal gender rights and opportunities.

2) The State, society, and the family create conditions for women’s comprehensive developments and promotion of their role in society.

3) Sex discrimination is strictly prohibited.

2. GSO (General Statistics Office of Vietnam). 2018. *Socio-Economic Report 2018* (in Vietnamese). <http://gso.gov.vn/default.aspx?tabid=621&ItemID=19037>.

3. This statistic excludes the number of Vietnamese people living abroad.

4. GSO. 2018. *Report on Labour Force Survey Quarter 2, 2018* (in Vietnamese). <http://gso.gov.vn/default.aspx?tabid=512&idmid=5&ItemID=18993>.

5. World Economic Forum. 2018. *The Global Gender Gap Report 2018*. http://www3.weforum.org/docs/WEF_GGGR_2018.pdf.

6. Article 26, Constitution 2013 of Vietnam.

2006, Social Insurance Law 2014, et cetera. This principle of equality applies from the start of the recruitment process, through the employment period, and up to and including the termination of employment.

In general, Vietnam has developed a strong legal framework concerning rights of female workers. The Labour Code 2012 provides broad protections against gender discrimination in the workplace,⁷ and it requires employers to observe the principle of equality in recruitment, employment, promotion, and remuneration,⁸ as well as an express guarantee of equal pay for work of equal value.⁹ Similarly, the Law on Gender Equality specifies that men and woman should be treated equally in workplaces regarding work, wages, pay and bonuses, social insurance, labour conditions, and other working conditions.¹⁰

However, there are some remaining gaps, including restrictions on women's employment intended to "protect" reproductive functions; earlier retirement age; and a lack of definitional clarity and specific penalties concerning anti-sexual harassment provisions.

1. Right to work, right to equal employment opportunities and free choice of profession and employment

A woman's right to work is usually considered a human right. It is guaranteed in the Constitution 2013, Article 35.1: "Citizens have the right to work and to choose their occupations, employment and workplaces" and reassured in the Labour Code 2012: "Article 10. The right of employees to work: 1. To work for any employer in any location that is not prohibited by law." However, the law does not treat women and men equally with respect to retirement age: there is a 5-year gap between male and female workers. In general conditions, retirement age for men is 60 years old while that for women is 55 years old. This regulation was intended to protect female workers on the assumption they are more vulnerable and weaker than men, but it also shortens the career ladder of women unreasonably, and may make employers more reluctant to hire late-career women.

Gender discrimination in employment is prohibited under the Labour Code 2012 and ensuring gender equality is mandatory. Equal employment opportunities and free choice of profession between men and women first appear in the recruitment process. In principle, regardless of the gender, people from 15 years old who match the vacant position's requirements can be employed.¹¹ Male and female workers are entitled to work for any employer without any restriction on the location which is a new regulation since socio-economic reform in 1986. These regulations in general help promote the equal job opportunities for men and women. However, to protect female workers, Article 160 of the Labour Code 2012 and Circular No. 26/2013/TT-BLDTBXH guiding Article 160 also regulate a list of 77 jobs that the employer is forbidden to hire female employee. These jobs ranging from "Exploratory drilling, blast drilling; Removing rock on the mountains... to Exploratory drilling of oil and gas wells; The work on seafaring vessels (excluding working as waitresses, housekeepers, receptionists, or other jobs on a cruise)." This means that if a woman want to be a captain or a sailor on any kind of ship, she is not be able to do that legally in Vietnam. These provisions are discriminatory as they limit women's employment options, as well as contributing to outdated and unfounded ideas about women's strength and roles. Historically, gender-related legislation in the labour market has generally evolved from regulations that focus on safeguarding women's family responsibilities and ensuring their physical security, to more neutral provisions that promote equal pay and equal opportunities between women and men in the workplace. However, the transition to full gender equality in Vietnam is not yet complete.

Women are also less likely to be promoted than men, including in sectors where women comprise a majority of the workforce. Employers cite the ability to work outside of normal working hours as an important

7. Article 8, Labour Code 2012.

8. Article 154, Labour Code 2012.

9. Article 90, Labour Code 2012.

10. Article 13, Law on Gender Equality 2006.

11. Article 3, Labour Code 2012.

consideration in promotion decisions.¹² Such criteria may disadvantage women who are typically expected to take on a disproportionate share of unpaid household and care-giving responsibilities. More generally, an earlier retirement age for women compared to men is an additional barrier to women's progression to more senior positions.¹³

2. Right to equal remuneration

Labour Code 2012 includes the principle of equal payment of wages without discrimination based on gender for employees performing work of equal value (section 90(3)) and provides for a definition of wages that includes "remuneration" based on the work or position, "wage allowances" and "other additional payments" (section 90(1)). However, the Labour Code sets out a very broad definition of "remuneration" which includes not only "the ordinary, basic or minimum wage or salary" but also "additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the workers' employment." This unclear provision of remuneration makes it difficult to define whether a company pays unequal wages to women.

In practice, average monthly income of male and female workers as of Quarter 2 of year 2018 is VND 5,919,000 and VND 5,216,000, respectively.¹⁴ The earnings gap persists despite women having closed the gap in education levels and is explained in part by women working in lower paid occupations. Women forego higher pay to work in occupations and industries which offer better non-monetary benefits: paid leave, lower weekly hours, health insurance and social insurance. This choice may be driven by an unequal distribution of house- and care-work.¹⁵

3. The right in pregnancy and maternity period

Right to be a mother is a basic human right of any woman. However, to protect this right of female workers, an employer is not entitled to dismiss or unilaterally terminate the labor contract of female employees because of marriage, pregnancy, maternity leave, or caring for a child under 12 months old.¹⁶ A female employee is also entitled to 6 months of prenatal and postnatal leave.¹⁷ The employer is also forbidden to use female employee to work at night, work overtime or take far business trip in case she reaches her seventh month of pregnancy; or if working in upland and remote areas, or border and island areas in her sixth month of pregnancy; or fostering a child under 12 months of age.¹⁸

A woman in an occupation requiring heavy work must be transferred to lighter work during beginning in her seventh month of pregnancy or must receive a reduction of one working hour every day.¹⁹ During this period of light or reduced work, she is still entitled to full payment of her wages. This regulation may discourage employers from hiring women of childbearing age. Moreover, because the lower retirement age for women discourages companies from hiring late-career women, the overall effect of these two regulations is to discourage companies from hiring women throughout nearly all of women's working lives. This is inconsistent with the principle of equality promised elsewhere in the Constitution and the Labor regulations.

12. ILO. 2015. *Gender Equality in Recruitment and Promotion Practices in Vietnam*. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/wcms_349666.pdf.

13. United Nations Vietnam. 2017. *Viet Nam One UN Results Report 2017*. http://www.un.org.vn/en/publications/doc_details/566-viet-nam-one-un-results-report-2017.html.

14. GSO, N4 above.

15. World Bank Group. 2018. *Gender Gap in Earnings in Vietnam: Why Do Vietnamese Women Work in Lower Paid Occupations?* <http://documents.worldbank.org/curated/en/685791521537975174/pdf/124438-BRI-19-3-2018-11-16-51-EAPVietnamBriefWEBv.pdf>.

16. Article 155.3, Labour Code 2012.

17. Article 157.1, Labour Code 2012.

18. Article 155.1, Labour Code 2012.

19. Article 155.2, Labour Code 2012.

4. Right to safety and hygiene

The employer is obligated to ensure occupational safety and hygiene for the all workers in general and female workers in particular. In addition to standard safety and hygiene like annual health check-up, female workers are entitled to “gynecology check-ups”²⁰ annually, “30-minute break in every working day” if they are menstruating, and “sufficient bathrooms and appropriate toilets in the workplace.”²¹ This seems to be a basic right that any employer can fulfil. However, in practice, there are many cases where companies did not allow workers to use sufficient bathrooms and toilets leading to strike action of workers. For example, in 2014 at Shilla Bags Ltd in District 12, Ho Chi Minh City, where the majority of workers were female, had regulated “toilet hours” for workers from 9.30 am to 10.30 am, and from 2.00 pm to 3.00 pm. Other than these hours workers were forbidden from going to toilets. In addition, workers who wanted to go to toilets need to ask for “toilet cards,” write down their names and times from “queen of toilet.”²² In this company, each 40 workers had only 3 “toilet cards,” the rest-rooms were in bad condition, they often lacked running water, and they were located far from the factory. All these things included made going to the toilet nearly impossible for many workers. One female worker in Shilla Bags Ltd was refused a “toilet card” because her request was not within “toilet hours.” This led to the strike of almost 900 workers, with workers demanding the right to go to reasonable toilet access. Similarly, another strike action of 100 workers in Lua Vang Ltd in Tan Uyen, Binh Duong happened from 27–31 Mar 2014 because each department with 30 workers had only 2 cards to drink and go to the toilet, and each half-day workers was permitted only one toilet one time (not to exceed 07 minutes), or their salary would be deducted.²³ These violations mean that in practice, the law enforcement is highly relied on the goodwill of the stakeholders and the role of grassroots trade unions and effectiveness of labour inspectors.

5. Protection from sexual harassment

One of the most fundamental issues for women at work is the assurance that their bodily integrity is respected. The 2012 Labour Code prohibits acts of sexual harassment (Art. 8). Article 182 of the Labour Code also prohibits acts of “mal-treatment, sexual harassment, forced labour, and violence against domestic workers.” However, the Labour Code does not define “sexual harassment.” Also, though the Labour Code grants the employees who are victims of mal-treatment, sexual harassment, and forced labour to unilaterally end the labour contract (Art. 37.1), it still requires the employees to notify the employers (Art. 37.2). The lack of definitions as recognised by the Ministry of Labour, Invalids and Social Affairs (MOLISA), have significantly hindered of the ability of women to lawfully end their labour contracts unilaterally to protect themselves.²⁴

III. Governance and enforcement mechanism to ensure the labour rights of women

Gender equality, including labour rights of women, is a cross-cutting issue relevant to all aspects of development in Vietnam. There are two major organizations of women at the national level: the Vietnam Women’s Union and the National Committee for the Advancement of Women in Vietnam.

The Vietnam Women’s Union (VWU) (which has existed since 1930²⁵ and is a member of the Vietnam Fatherland Front) is a socio-political organization of Vietnamese women, aiming to work for the equality and development of women. The Vietnam Women’s Union is organized in all provinces, districts, and communes. VWU is a large-scale national women’s organization with 15,342,302 members as of December 2011;²⁶ it

20. Article 152.2, Labour Code 2012.

21. Article 154.3, Labour Code 2012.

22. This term refers to the person who is in charge of distributing the “toilet cards” in the company.

23. “Công nhân đình công đòi quyền... đi vệ sinh [Workers Strike for Right to Go to the Toilet],” *Lao Dong*, 11 June 2015. <https://laodong.vn/phong-su/cong-nhan-dinh-cong-doi-quyen-di-ve-sinh-526610.lao>.

24. MOLISA’s Impact Assessment of the revision of the 2012 Labour Code.

25. As a part of the former Indochina Communist Party, which is now the Vietnam Communist Party.

26. <http://hoilhpn.org.vn/newsdetail.asp?CatId=2&NewsId=18275&lang=VN>.

is also a member of the Women's International Democratic Federation and the ASEAN Confederation of Women's Organizations.

In addition to VWU, there is also the National Committee for the Advancement of Women in Vietnam. The Committee was officially established in 1993. Since 2008, Minister or Deputy Minister of MOLISA is the head of this Committee, other members are usually the female leaders of other Ministries.²⁷ The Committee aims to support the Prime Minister to study and coordinate interdisciplinary issues related to the advancement of women in the whole country. This Committee for the Advancement of Women exists in all ministries and central bodies, provinces, districts, and communes.²⁸

Labour rights of women is enforced by different channels, ranging from government programs of the above-mentioned unions and committees and other governmental bodies at all different levels. The purpose is to raise people's awareness of inclusion of gender equality issues in policy-making, to create economic preferences for manufacturing companies whose workforce is comprised primarily of women, and to discourage violations of women's labour rights. If a labour dispute arises between an employer and a female worker, the settlement mechanism for such dispute is identical to the normal case of labour disputes.

1. Inclusion of gender equality issues in law-making process

Since the Law on Gender Equality 2006, the Vietnam government has committed to include principles of gender equality in all new legal documents where relevant. The purpose is to identify contents related to gender equality or gender inequality or gender discrimination; and provide necessary measures for realizing gender equality or tackling gender inequality or gender discrimination; to forecast the impacts of these regulations on men and women after they are promulgated; and to identify necessary human and financial resources for the implementation of measures for realizing gender equality or tackling gender inequality or gender discrimination problems.²⁹ In fact, currently, to create or amend any law, law-makers must submit an impact assessment report describing the gender impact, if any, of the new or amended law.

2. Economic preference

An economic preference in the form of a tax reduction is used to promote the employment opportunities for women. Companies employing a certain percentage of female workers can enjoy this tax reduction. A production, construction, or transportation enterprise that employs between 10 and 100 female laborers who account for more than 50% of its total regular employees, or which regularly employs over 100 female laborers who account for more than 30% of its total regular employees, is entitled to a reduction of payable CIT (corporate income tax) equivalent to the actual additional expenses for female laborers.³⁰ However, offices and units of corporations not directly engaged in production and business operation are not entitled to tax reduction under this term.

3. Sanction

Depending on the severity of violations, different sanctions can apply, including administrative and criminal sanctions.

However, the fine for gender discrimination act is inconsistent between the Decree No. 88/2015/ND-CP amending Decree No. 95/2013/ND-CP on administrative sanctions in the field of employment, social insurance, and Vietnamese guest workers and Decree No. 55/2009/ND-CP on administrative sanctions in

27. <http://genic.molisa.gov.vn/Default.aspx?tabid=351&IntroId=730&temidclicked=730>.

28. The National Committee for the Advancement of Women in Vietnam. 2004. *156/HD-UBQG*, guidance related to organizational structure for the advancement of women, released 26 November 2004. <https://thuvienphapluat.vn/van-ban/Van-hoa-Xa-hoi/Huong-dan-156-HD-UBQG-2004-to-chuc-hoat-dong-vi-su-tien-bo-cua-phu-nu-361582.aspx>.

29. Article 8, Decree No. 48/2009/ND-CP providing measures to assure gender equality.

30. Article 21, Circular No. 78/2014/TT-BTC guiding Decree No. 218/2013/ND-CP on corporate income tax.

the field of gender equality.³¹ Additionally, there's a lack of a detailed definition of employment-related discrimination to guide policy-making. According to MOLISA, there is a need to develop a more detailed definition of discrimination in employment and occupation—emphasizing positive obligations (e.g. ensuring equal employment opportunities) as well as prohibited practices (e.g. prohibited grounds of discrimination)—to guide official policy and practice. More generally, employers' groups have identified perceived difficulties in practically defining discrimination in employment as a constraint on efforts to enforce non-discrimination laws and promote more equal access to and opportunities in employment.

In case of severe violations of gender equality, according to the Criminal Code 2015, Article 165 on Infringement of gender equality, violators shall be liable to a fine of from VND 5,000,000 to VND 50,000,000 or face a penalty of up to 2 years' community sentence. If the offence involves the abuse of the offender's position or power; or if the offence has been committed more than once; or if the offence is committed against two or more people, then the fine will be raised to VND 50,000,000 to VND 100,000,000 or a penalty of 03–24 months' imprisonment. The offender might also be forbidden from holding certain positions, practicing his/her profession, or doing certain jobs for 01–05 years.

IV. Conclusion

Rights of women have been a key issue in policy-making as well as in practice in Vietnam, especially after socio-economic reform in 1986. Until now, the role of women in Vietnamese society has become more important than ever; gender equality and women's empowerment are among the United Nations Sustainable Development Goals that the Vietnam government strongly remains committed. Overall, Vietnam has developed a strong legal framework concerning rights of female workers, from the Constitution(s) to the Labour Code, the Law on Gender Equality and many other legislations. Additionally, the government continues to implement its National Strategy for Gender Equality (2011–2020), which aims to improve gender equality across political, social, economic, and cultural domains. With respect to employment, noteworthy objectives include increasing the number of women in leadership and management position in the public sector; reducing the gender gap in economic, labour, and employment areas through the promotion of equal opportunities in recruitment; supporting female entrepreneurs; improving vocational training of rural women; and ensuring gender equality in family life, including reducing the proportion of household tasks that fall on women.³²

However, in practice, the laws concerning the rights of female workers are inconsistently enforced. There are reports of discrimination affecting recruitment, promotion, and pay, especially for women. The use of gendered language in job advertisements, the practice of asking female job candidates about family status and plans, and employers' negative bias against women in their 30s due to assumed family responsibilities, are among the most common discriminatory practices. Additionally, prevalent gender norms and stereotypes about the social roles and professional aptitudes of women and men continue to constrain women's equal access to and opportunities in employment. Provisions which meant to protect women's reproductive functions and health are discriminatory as they limit women's employment options and shorten their careers' ladder.

31. A fine of from VND 5,000,000 to VND 10,000,000 shall be imposed for the act of discrimination by gender, skin color, social class, marital status, belief, religion, HIV infection, impairment in recruitment, employment, and worker management (Art.4a.3, Decree No. 88/2015/ND-CP).

A fine of between VND 3,000,000 and 5,000,000 shall be imposed for assigning jobs based on gender discrimination, resulting in a disparity in income, salary or remuneration levels between male and female laborers having the same qualifications and capabilities. (Art.8, Decree No. 55/2009/ND-CP).

A fine of between VND 5,000,000 and 10,000,000 shall be imposed for either of the following acts: (i) Applying different conditions in recruiting male and female laborers to the same jobs though they have the same qualification and capabilities, except for cases of applying measures to promote gender equality or for particular professions prescribed by law; (ii) Refusing to recruit or recruiting a limited number of male or female laborers for gender reasons, except for cases of applying measures to promote gender equality; dismissing or sacking laborers for gender reasons or for their pregnancy, giving birth or raising small children. (Art. 8, Decree No. 55/2009/ND-CP).

32. Decision No. 2351/QĐ-TTg dated 24 December 2010.

Finally, several recent reports identify sexual harassment against women as a significant problem in society in general and in employment specifically.³³ The lack of a clear legal definition of sexual harassment, the reluctance of victims to come forward, and the failure of officials to investigate complaints adequately are among the specific concerns raised.³⁴ Vietnam has come a long way in the last 50 years toward increasing both the legal rights and the employment status of women. On paper, women have some of the most robust protections from discrimination and policies of integration into the workplace in the world. However, social attitudes and the expectations that women will be the primary caregiver at home impede further progress. Vietnam has made significant progress, but there is much work left to do.



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33. Actionaid Vietnam. 2016; ILO. 2013. “Sexual Harassment at Workplace in Vietnam: An Overview of the Legal Framework, A research report of ILO, March 2013.”

34. Nguyen Khanh Chi, “Seeing Sexual Harassment for What It Is,” *Viet Nam News*, 13 March 2017, <https://vietnamnews.vn/society/372701/seeing-sexual-harassment-for-what-it-is.html#VBfkRH7Fa4WqxutB.97>.

Legal Policies on Gender Equal Pay in Taiwan

Yu-Fan CHIU

- I. Introduction
- II. Basic laws for gender equality
- III. Legal policies on gender equal pay
- IV. Conclusion

I. Introduction

1. Labor force participation rate of females and by its age group

In December 2018, the Population of Taiwan reached 23.58 million and the number of employed persons increased to 11.48 million. Compared with the average Taiwan's labor force participation rate (LFPR) of 58.5%, the rate rose by 0.59 percentage points in 2018. During this period, 6.61 million men and 5.29 million women joined the workforce. At the same time, the LFPR among men stood at 67.28%, down 0.04 percentage points from 2007 while the percentage of women was 51.29% (i.e. Table 1), up 1.85 percentage points. Although the LFPR of females aged 15 and over in Taiwan exceeded 50% since 2012, and the LFPR gap between Taiwanese men and women has narrowed over the past decade, women are still less likely to be in the workforce than men, as the statistics in Table 1 indicates.

Figure 1 shows the LFPR of females aged 25 to 29 in the latest reports by Manpower Survey Results in December 2018¹ was about 90% in 2017, indicating that an inverted-V-shaped curve for Taiwanese women. The rate of seniors declined sharply due to child rearing and other family reasons, with 76.86% in the age group 35 to 39 and 73.51% in the age group 45 to 49. In view of the fact that the average age at first marriage and the average age of giving birth to their first child for females in Taiwan have both increased over the past decade. In 2017, the median age at first marriage for women increased to 30.03 years and the average age of women having their first baby rose to 30.83 years. Indeed ages 30 to 39 are the roughly period that women would get married, give births and raise young children which make them withdraw from the labor force. Besides, the need for childcare also makes it difficult for women to continue their careers in middle age.

2. Female employees by occupation and economic empowerment

In 2015, the graduates in universities, colleges and junior colleges in Taiwan totaled 309 thousand, among which female graduates accounted for 160 thousand and decreased by 0.6% compared to 2011. The percentage of female graduates accounted for 51.9% in the total of tertiary graduates. However, the females' share of doctoral degree graduates was the lowest (31.7%), but it has the biggest increase (3.4% points) at all degree level growth compared to 2011. The female associate degree graduates was the highest (74.9%), followed by the female bachelor's degree graduates (52.4%). Rising level of women's education helps their access to economic empowerment. Among Taiwan's employees in 2016, 383 thousand were legislators, senior officials, or managers, of whom 106 thousand were females (27.67%), but the percentage in Taiwan is still lower than that of major Western countries (the U.S. (43.8%), Sweden (39.2%), and Norway (37.6%)). According to the occupational structure in the past 20 years, male increased by 5.81% points by professionals, whereas the

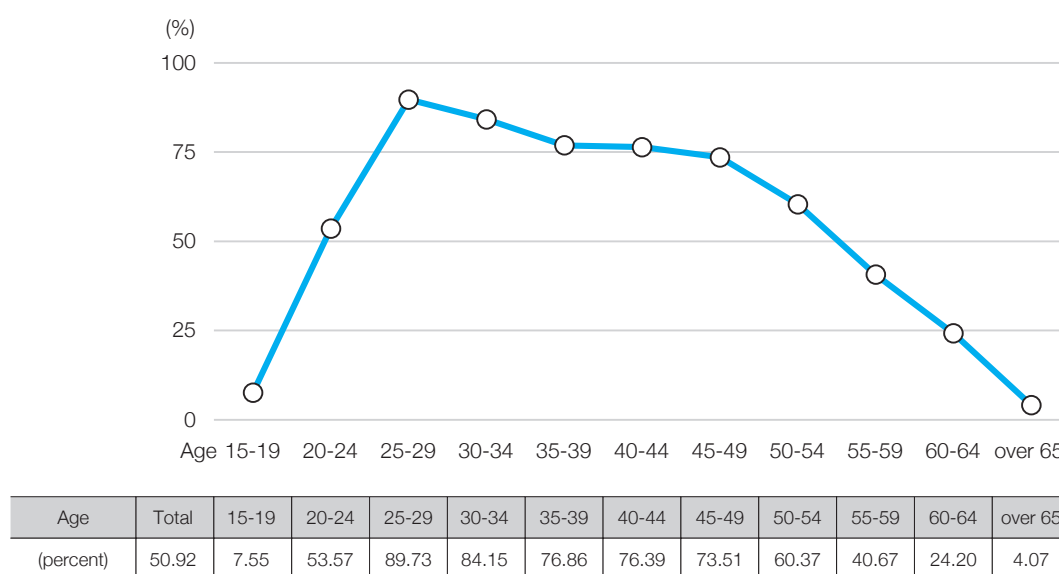
1. Manpower Survey Results in December 2018: <https://www.dgbas.gov.tw/ct.asp?xItem=43836&ctNode=3339&mp=1>

Table 1. Employment / population ratios by sex in December 2018

(Unit: persons in thousand, %)

	Civilian population aged 15 years and over	Labor force		Employed persons	Unemployed persons			Not in labor force
		Number of persons	Labor force participation rate (%)		Number of persons	Unemployed persons rate (%)	Seasonally adjusted unemployment rate (%)	
Total	20,166	11,916	59.09	11,481	436	3.66	3.70	8,249
Male	9,836	6,618	67.28	6,366	252	3.81	3.85	3,218
Female	10,330	5,299	51.29	5,115	184	3.47	3.52	5,031

Source: Directorate-General of Budget, Accounting and Statistics (DGBAS), "Manpower Survey Results in December 2018."

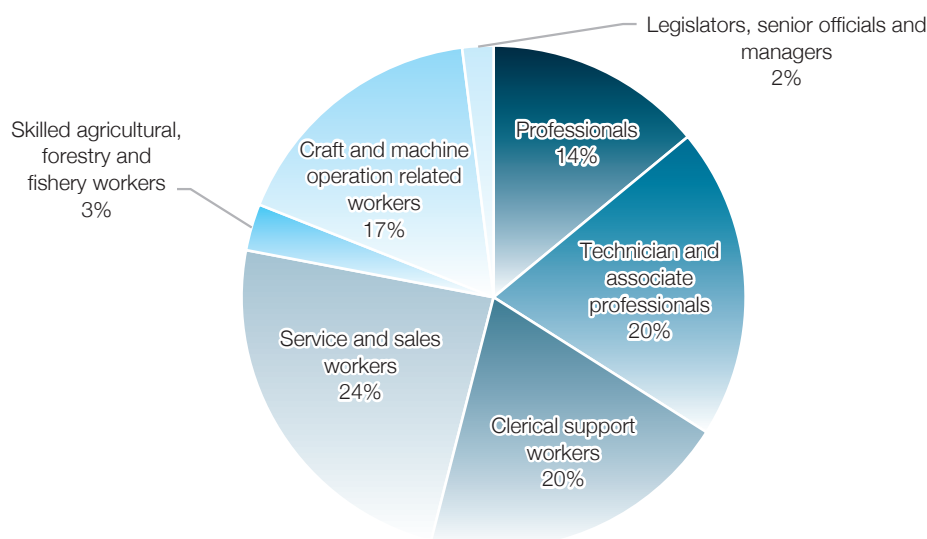


Source: DGBAS, "Manpower Survey Results in December 2018."

Figure 1. Labor force participation rates of females in Taiwan by age groups (2017)

rate by women with professionals and technicians increased by 6.56% points and with assistant professionals increased by 4.63% points. Female employees have the largest number as service and sales staff, reaching 1.221 million people (24%) in 2017, followed by technicians and assistant professionals of 1.099 million people (20%), and clerical support personnel of 999 thousand people (20%) (i.e. Figure 2).

Besides, due to globalization and transitions in industrial structures, the number of non-standard workers (part-time, temporary, or dispatched workers) has also increased in Taiwan. In May 2017, there were 805 thousand workers, comprising 7.1% of total employees and increasing by 69 thousand workers (9.4%) since the same month in 2012. By gender, there were 427 thousand non-standard male workers, comprising 6.8% of



Source: DGBAS.

Figure 2. Female employees by occupation

total male employees; on the other hand, there were 378 thousand non-standard female workers, comprising 7.5% of total female employees. The non-standard employment rate of females was higher than that of males in previous years. However, based on the trend over recent years, this rate of females was declining, while the rate of male was climbing.

3. Gender pay gap

Like many countries in the world, the gender pay gap is still a persistent phenomenon in Taiwan. The average hourly wages for women lagged behind that of men by 14.0% in 2018, according to the statistics from Ministry of Labor. In 2017, the nation's working women made an average of NT\$ 271 (USD 8.82) per hour while men made NT\$ 315 (USD 10.21). In order to raise public awareness of equal pay, the Ministry of Labor has launched "Equal Pay Day" in Taiwan since 2012. It is based on the Employee Salary Survey conducted by the Directorate General of Budget, Accounting and Statistics of the Executive Yuan and reflects the number of days women must additionally work in the current year to earn the same amount of money as men did the previous year. For example, in 2017, women earned an average hourly salary of NT\$ 271 (USD 8.82), 86.0% of men's hourly rate of NT\$ 315 (USD 10.21). The gender pay gap was 14.0%. In other words, women need to work 52 more days (gender pay gap of 14.0% \times 365 days = 52 days) than men to receive the same total annual salary (i.e. Table 2). The Equal Pay Day fell on February 21 for 2017.

Until 2018, the Equal Pay Day only progressed to February 21st, same as 2017. The Equal Pay Day is a symbolic date that infers gender income inequality by showing how far into the following year women have to work to earn equal pay and indicated that the gender wage discrimination is still a substantial issue with regard to gender equality in employment. Overall, Taiwan has been closing the gender pay gap over the past decade from 18.2% in 2007 to 14% in 2018. The extra number of days women have to work has reduced from 65 days in 2012 to 52 days in 2018. However, the Gender Wage Gap varies wildly by industry; for instance, in the medical and health care sector presents the widest gender pay gap at 44.6%, followed by 34.3% in the arts and entertainment sector (i.e. Table 3).

Table 2. Equal Pay Day of Taiwan (2012–2019)

Year	Equal Pay Day	Additional number of days
2012	March 05	65
2013	March 02	61
2014	Feb. 28	59
2015	Feb. 24	55
2016	Feb. 23	54
2017	Feb. 21	52
2018	Feb. 21	52
2019	Feb. 23	54

Source: Compiled by the author.

Table 3. 2017 wage gap for each of DGBAS's categories

Employment Sector	Wage Gap (%)
Human health services	44.6
Arts and entertainment	34.3
Construction	26.2
Education	25.5
Mining	25.1
Communications and media	17.3
Fossil fuels, furniture making	13.9
Finance	10
Hotels and food service	9
Transportation and warehousing	8.5
Real estate	− 0.9
Plumbing and water works	−2.5

Source: DGBAS.

II. Basic laws for gender equality

1. Maternity protection

To create a friendly workplace, the government passed the Gender Equality Employment Law, the Act of Gender Equality in Employment (AGEE) in 2002. The goal of the AGEE is to protect gender equality in right-to-work, implement thoroughly the constitutional mandate of eliminating gender discrimination, and promote the spirit of substantial gender equality. The Measures for Promoting Equality in Employment regulated with regard to Maternity Protection in AGEE are as followings:

- Menstrual leave with half of the regular pay; one day per month (Art.14 AGEE).
- Maternity leave for female worker employed for more than six months with regular pay and for the one employed less than six months with half of the regular pay; before and after childbirth for a

combined period of eight weeks (Paragraphs 1 of Art.15 AGEE).

- Leave for pregnancy checkups with regular pay; totally five days (Paragraphs 4 of Art.15 AGEE).
- Paternity leave with regular pay; totally five days (Paragraphs 5 of Art.15 AGEE).
- Parental leave without pay before any of their children reach the age of three years old; the period of this leave is until the children reach the age of three years old; maximum two years (Art.16 AGEE).

Art.15 AGEE requires that employees are allowed to apply for parental leave without pay. Since May 2009, the parental leave allowances have been gradually included in social insurance. In 2016, 92 thousand first-time applications for the allowance were approved, among which 77 thousand applicants were females (83.1%), with the first recorded decline by an annual 1.0%. Male applicants are increasing every year. The average period per child for parental leave without pay applied by females was 7.3 months, longer than 6 months applied by males. Retention rates after parental leave were 89.5% among females, lower than the 94.1% among males.

When employees make a request according to Art.14–16 AGEE, employers may not reject as well as not treat it as a non-attendance and affect adversely the employees' full-attendance bonus payments, evaluation or take any disciplinary action that is adverse to the employees.

2. Work family balance policy

Other than the maternity protection for women workers, the AGEE aims to improve Work Family Balance Policy as well. For the purpose of raising children of less than three years of age, employees hired by employers with more than thirty employees may request one of the following subparagraphs from their employers:

1. To reduce working hours one hour per day; and for the reduced working time, no compensation shall be paid.
2. To reschedule working hours (Art.19 AGEE). For the purpose of taking personal care for family members who need inoculation, who suffer serious illness or who must handle other major events, employees may request family care leaves. The number of this leave shall be incorporated into leave with personal cause and not exceed seven days in one year. The computation of wage during family care leave period shall be made pursuant to the related statutes and administrative regulations governing leave with personal cause (Art.20 AGEE).

When employees make a request according to Art.19, 20 AGEE, employers may not reject as well as not treat it as a non-attendance and affect adversely the employees' full-attendance bonus payments, evaluation or take any disciplinary action that is adverse to the employees.

III. Legal policies on gender equal pay

1. Basic laws for elimination of gender pay gap

Like other industrialized countries, Taiwanese women are paid less than men in the exact same or similar positions. Lately, Germany promulgated Remuneration Transparency Act in 2017, allowing the pay structure in workplace become more transparent and the recognition in equal pay for equal work as well as equal pay for work of equal value become possible and stable. Iceland also declared Equal Pay Act in 2018. Companies or governmental bodies which have more than 25 employees are obligated to enforce gender equality in pay for equal work and has to be certified by the government. The enforcement of the laws in Germany and Iceland symbolizes the commitment to realizing gender equality in pay for equal work and for work of equal value. In Taiwan, the principle of gender pay equity, Article 10 of the Act of Gender Equality in Employment and Article 25 of the Labor Standards Act, have implemented for several years.

- Employers shall not discriminate against employees because of their gender or sexual orientation in

the case of paying wages. Employees shall receive equal pay for equal work or equal value. However, if such differentials are the result of seniority systems, award and discipline systems, merit systems or other justifiable reasons of non-sexual or non-sexual-orientation factors, the above-mentioned restriction shall not apply (Art.10 AGEE).

- Employers may not adopt methods of reducing the wages of other employees in order to evade the stipulation of the preceding paragraph. An employer shall under no condition discriminate between the sexes in the payment of wages. Worker shall receive equal wages for equal work of equal efficiency (Article 25 of the Labor Standards Act).

After employees find out that employers contravene the stipulations of Article 10 AGEE and file complaints the matter to the local competent authorities, if the employers, employees or applicants are not satisfied with the decisions made by the local competent authorities, they may apply to the Committee on Gender Equality in Employment of the Central Competent Authority for review or file an administrative complaint directly within ten days (Art.33 AGEE). Employers who violate Article 10 AGEE shall be fined no less than NT\$ 300,000 but not exceeding NT\$ 1,500,000 (Art.38-1 AGEE). Apart from filing complaints to the local competent authorities, employees may claim reasonable amounts of compensation even for such damage that are not pecuniary losses. If their reputations have been damaged, the injured parties may also claim the taking of proper measures for the restoration of reputations (Art.29 AGEE).

However, discrimination is often covert and its particular problems is the burden of proof for employees. A particular rule in AGEE is that the burden of proof shifts to the employer if a claimant makes out a prima facie case. That means only a prima facie evidence of discrimination makes the burden shift to the opposing party and the employers shall shoulder the burden to prove non-sexual or non-sexual-orientation factors of a discriminatory treatment, or a specific sexual factor necessary for employees or applicants to perform the job. Even so, it is still quite difficult for employees to make claimants or statements which employers' gender discrimination leads to a less favorable treatment regarding wages. Until now, successful discrimination cases regarding gender equal pay to trial has not come into view. Despite that, in December 2018, the government passed the Labor Dispute Act (LDA). The LDA stipulates that all levels of courts must set up "labor courts" presided over by judges specializing in labor laws to be expected in 2020. Tort disputes arising from violation of gender equality in employment can be also solved in labor courts. The gender equal pay trial may involve a differing progress which deserves further study.

2. Policy of Taipei City government

In view of the problems and difficulties presented above, the local governments take further measures to eliminate gender pay gap. The Committee of Women's Right Promotion, established in 1996, aims to promote gender equality in Taiwan. Since its establishment, the committee has prompted the creation of the Office for Gender Equality in the Taipei City government and has constantly pushed for gender equality. Examples of successful cases include making awareness of sexual equality part of policy development. The gender equal pay policy consists of two components, "promote balance between work and family policy" and "break the cultural myth of workplace, and implement equal work equal pay." The policy to promote work-family balance is as follows:

a. Improve work and family support:

- (a) Taipei City community public daycare.
- (b) Actively guide enterprises to implement daycare benefit measures.
- (c) Conduct "pre-school children" (Age 0–6) daycare service and after-school care for school age children (Age 6–12).

b. Increase legal actions in cases of discrimination:

- (a) Promote parental leave without payment measures.

(b) Conduct special labor inspections of gender work equality.

c. Support joining a union by female members

Advocate training courses of gender awareness empowerment in labor education and training in unions, and include them in union evaluations to improve the gender ratio of managers.

As for breaking the cultural myth in workplace, and implementing equal pay for equal work, the ideals are as follows:

- (a) First of all, to provide salary transparency in the labor market in order to eliminate treatment disparities in terms of salary and promotion between genders.
- (b) Secondly, to end gender segregation, and say good-bye to workplace labels.
- (c) Review basic wages each year and reduce the phenomenon of low wages.

Pursuant to the gender equality policy in Taipei, establishing gender equality index in the workplace and promoting the integration of gender equal pay policies into corporates' social responsibility are important measures. In 2019, Taipei City government will guide enterprises to introduce index into their internal management system and assist enterprises in implementing gender equality. The effectiveness of this policy is worth keeping on observation.

IV. Conclusion

Since the problems and difficulties of the Gender Pay Gap in Taiwan, it is a long way to build fair and stable regulations on violation of equality in pay for equal work and for work of equal value so as to provide incentive for women to use judicial remedy against gender wage discrimination. In this context, local governments, like Taipei City Government, have taken several positive actions and measures including cooperating with labor unions in education, enforcing the labor inspections and providing salary transparency etc. and it deserves further attention.



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The Promotion of Gender Equality at Work in Australia through Law and Policy: A Work in Progress

Adriana ORIFICI

- I. Introduction
- II. Laws promoting gender equality in Australian workplaces
- III. Policies promoting gender equality in Australian workplaces
- IV. Enforcement of laws promoting gender equality in Australian workplaces
- V. Discussion and conclusion

I. Introduction

Australian women have made significant progress towards achieving gender equality at work over the previous century. In 1969, for example, women gained the legal right to equal pay for work of equal value.¹ In addition, women have gained legal protections against discrimination at work on the basis of sex,² and other grounds. Women have also made significant gains in educational attainment and now make up 58.7% of graduates from Australian undergraduate degree programs (OECD 2017). Rates of women's promotions have also consistently risen: women now comprise 39.1% of all managers, and 43.3% of manager appointments in 2017–18 went to women (WGEA 2018: 3). These developments represent positive indicators towards attaining gender equality in Australian workplaces.

A closer examination of data on the experiences of Australian women, however, reveals that most continue to encounter inequality and disadvantage at work. Firstly, an examination of workforce participation data reveals ongoing gender-based differences in labour market participation (ABS 2018; Kaine and Boersma 2018: 318). Specifically, the participation rate for workers between 20–74 years of age is at 64% for women, compared to 75% for men. Furthermore, with respect to people aged 30–34 years old, women are more than three times more likely (25%) than men (7.4%) to be out of the labour force (ABS 2018: 7). This seems to reflect the disproportionate responsibility for caring work for dependent children that is borne by Australian women. Secondly, an examination of data on women's remuneration and working arrangements reveals ongoing gender based differences in remuneration and employment status. In particular, in 2018, men were on average paid \$25,717 per year more than women for the same work (WGEA 2018: 2), and gender pay gaps persist in every industry, occupation and manager category (WGEA 2018: 1; Kaine and Boersma 2018: 319). Marked gender differentials also exist with respect to superannuation,³ with the average balance in the 55–64 year-old age range being \$96,000 for women and \$166,000 for men (ABS 2018: 8). Women are also more likely than men

1. *Equal Pay Case* (1969) 127 CAR 1142. Commonwealth laws protecting equal remuneration for work of equal value are now set out in *Fair Work Act 2009* (Cth) (FW Act) and the *Sex Discrimination Act 1984* (Cth) (SDA). See, e.g., FW Act ss 161(c), 218(c), 302 and SDA s 14(2).

2. SDA s 5; *Equal Opportunity Act 2010* (Vic) ss 6(o) (EOA (Vic)); *Anti-Discrimination Act 1977* (NSW) s 24 (ADA (NSW)); *Equal Opportunity Act 1984* (SA) s 29(2) (EOA (SA)); *Equal Opportunity Act 1984* (WA) s 8 (EOA (WA)); *Anti-Discrimination Act 1991* (Qld) ss 7(a) (ADA (Qld)); *Anti-Discrimination Act 1998* (Tas) s 16(g) (ADA (Tas)); *Discrimination Act 1991* (ACT) s 7(1)(a) (DA (ACT)); *Anti-Discrimination Act 1992* (NT) s 19(1)(f) (ADA (NT)).

3. Superannuation is a compulsory, long-term saving plan established under statute. Employers are typically required to make contributions into an employee's super fund equal to 9.5% of the employee's salary. See *Superannuation Guarantee (Administration) Act 1992* (Cth).

to engage in casual employment,⁴ part-time work (particularly if they have young children),⁵ or experience underemployment.⁶ This data reveals that Australian women encounter greater employment and economic insecurity than men during their working lives. Thirdly, an examination of data on women's experiences of workplace harassment and discrimination shows that women are disproportionately impacted by gender-based discrimination. Nearly one in four (23%) women experienced sexual harassment in the workplace in 2017 (AHRC 2018: 8), and a national review conducted in 2014 revealed that one in two (49%) mothers reported experiencing discrimination in the workplace at some point during pregnancy, parental leave or on return to work (AHRC 2014: 1). Furthermore, in 2018, there was little improvement in the number of women appointed to boards, with 35.2% of boards and governing bodies having no female directors (WGEA 2018: 13). Overall, these statistics make clear that achieving gender equality in Australian workplaces remains a work in progress: Australian women continue to have lower workforce participation, earn less, retire with less and experience higher rates of harassment and gender-based discrimination.

The ongoing need to improve gender equality at work is a focus of public, academic and policy debate in Australia. Recent public debates have focused on gender pay equity, the adequacy and accessibility of paid parental leave and lack of affordable childcare (Kaine and Boersma: 330). A recent surge in public scrutiny, and reporting, of experiences of sexual harassment at work in Australia has also arisen in the context of the #MeToo global movement (AHRC 2014: 8). Recent academic studies have focused on a range of issues relevant to women's experience at work, including pay equity (Cook, Corr and Breitzkreuz 2017; Smith and Stewart 2017), women on boards and in leadership (Ahmed and Ali 2017), and workforce engagement (Kennedy et al. 2017). These studies acknowledge that the norms of the 'ideal' worker affect many different aspects of the workplace,⁷ including working time arrangements, leave entitlements, attendance requirements and performance appraisals. In addition, members of Commonwealth and State/Territory Parliaments sometimes discuss the challenges that women in the workplace face during parliamentary debates.⁸ From time to time, government attention has been given to issues relevant to workplace gender equality through law reform efforts, policy developments and the commissioning of public inquiries.

This article discusses Australia's experience of promoting workplace gender equality through laws and policies. It is divided into three main sections. The first section sets out an overview of four key areas of law that protect and promote gender equality at work. The second section describes four key policy initiatives introduced to protect and promote gender equality at work. The third section provides an overview of the regulatory system of monitoring and enforcement, which exists to enforce laws that protect and promote equality at work. This leads to a discussion regarding the effectiveness of this regulatory structure to promote and enforce workplace gender equality standards. It should be noted that it is not possible to provide a comprehensive account of all the laws and policies that aim to promote gender equality in Australian workplaces. Rather, this article sets out an overview of the key relevant laws and policies.

4. In 2018, 27% of women in the labour force were engaged in casual employment compared with 23% of men: ABS: 7.

5. In 2017–2018, only 16% of men in the labour force worked part-time compared with 44% of women, and 61% of women with a child under six: ABS: 7.

6. ABS: 7. Underemployment is experienced by persons who want, and are available for, more hours of work than they currently have.

7. The 'ideal' worker is one who is unencumbered by caring and other responsibilities of social reproduction, who is available for long hours and overtime at short notice, without the need for certainty, autonomy or leave to balance their caring responsibilities. Working environments which privilege workers who fit the traditional male model worker disadvantage workers including women who bear a disproportionate responsibility for caring for children (Williams 2000; Smith 2007).

8. Australia is a federation of six States which, along with two self-governing Territories, have their own constitutions, parliaments and laws. The national government of Australia is usually called the Commonwealth Government or Australian Government. The Constitution gives the law-making power of the Commonwealth to the Parliament. The Parliament consists of the Queen, Governor-General and two Houses of Parliament (House of Representatives and the Senate). The Parliament passes legislation. Proposed laws are called Bills and have to be agreed by both Houses of Parliament to become law. Members of Parliament are democratically elected representatives (Ministers). Constitutions in each State and Territory also give the law-making power of the State/Territory to the State/Territory Parliament. Accordingly, throughout this report reference is made to the Commonwealth Government, State/Territory Governments, Commonwealth Parliament and State/Territory Parliaments.

II. Laws promoting gender equality in Australian workplaces

Commonwealth and State/Territory laws include various protections and mechanisms that promote workplace gender equality. Four key categories of law, which aim to protect and promote workplace gender equality are human rights law, anti-discrimination law, industrial law and positive duty laws. Each of these legal doctrinal categories are discussed in detail, below.

Human rights laws

Unlike other comparable democracies, such as the United Kingdom and New Zealand, Australia does not have a national Bill of Rights (French 2010).⁹ In addition, the Australian Constitution is limited in terms of its protection of individual rights (Goldsworthy 2014).¹⁰ To the extent that Australian law has protected human rights, it has done so via statutes and the common law. Following a National Human Rights Consultation in 2009 (NHRCC 2009), the Commonwealth enacted the Human Rights (Parliamentary Scrutiny) Act 2011.¹¹ The intention of the Human Rights Act is to enhance human rights protection in Australia (Williams and Reynolds 2015). The Act establishes a Parliamentary Joint Committee on Human Rights,¹² and requires Bills before the Commonwealth Parliament to be accompanied by a Statement of Compatibility, which assesses whether the Bill is compatible with human rights.¹³ If, for example, a new law seeks to limit gender equality at work, its Statement of Compatibility will give parliament guidance on the law's human rights implications and assist the direction of parliamentary debate. The effect of the Human Rights Act is, therefore, to ensure human rights implications are taken into consideration when laws are enacted and that Members of Parliament introducing Bills justify any limitations on human rights.

Anti-discrimination laws

In addition, Commonwealth and State/Territory anti-discrimination laws, which apply in employment and other contexts, promote gender equality at work. The SDA, along with State/Territory laws, prohibit direct and indirect discrimination on grounds including sex, gender identity, intersex status, marital or relationship status, pregnancy or potential pregnancy, breastfeeding and family responsibilities.¹⁴ These laws also include other relevant protections against inequality. In particular, unlawful discrimination includes 'sexual harassment' by employers and their employees;¹⁵ employers can be held vicariously liable for the unlawful conduct of 'workers';¹⁶ and employers are prohibited from inciting, causing, instructing, inducing, aiding or

9. Note, two Australian jurisdictions (Victoria and the Australian Capital Territory) have enacted State/Territory-based human rights laws, which include protections which advance women's human rights: *Victorian Charter of Human Rights and Responsibilities Act 2006* (Vic) and *Human Rights Act 2004* (ACT). The *Human Rights Bill 2018* (Qld) has also been introduced in Queensland State parliament and is expected to be passed early in 2019.

10. The Australian Constitution expressly protects a limited number of individual rights, and has been found to imply certain other rights. Rights expressly protected by the Australian Constitution are: the right to trial by jury on indictment for an offence against any law of the Commonwealth (s 80); freedom of trade, commerce and intercourse with the Commonwealth (s 92); freedom of religion (s 116); the right not be subject to discrimination on the basis of the state in which one lives (s 117).

11. (Cth) ('Human Rights Act').

12. *Human Rights Act* s 4, 7. This Committee is responsible for examining laws and proposed laws (Bills) for compatibility with human rights.

13. *Human Rights Act* s 8(3). Note a failure to comply with this section in relation to a Bill that becomes an Act does not affect the validity, operation or enforcement of the Act or any other provision of a law of the Commonwealth: *Human Rights Act* s 8(5).

14. Commonwealth and State/Territory anti-discrimination laws are not uniform, they overlap to a significant extent but the range of protections does differ.

15. SDA s 28A; EOA (Vic) ss 92–102; ADA (NSW) ss 22A–22J; EOA (SA) s 87; EOA (WA) ss 24–26; ADA (Qld) ss 118–120; ADA (Tas) s 17; DA (ACT) ss 58–64; ADA (NT) s 22.

16. SDA s 28A; EOA (Vic) ss 92–102; ADA (NSW) ss 22A–22J; EOA (SA) s 87; EOA (WA) ss 24–26; ADA (Qld) ss 118–120; ADA (Tas) s 17; DA (ACT) ss 58–64; ADA (NT) s 22.

permitting others to commit acts of unlawful conduct.¹⁷ Furthermore, these anti-discrimination laws set out similar procedures by which complaints of discrimination or sexual harassment can be filed, conciliated and determined.¹⁸ In most instances, complainants bear the onus of establishing that unlawful discrimination or sexual harassment occurred (Allen 2009). If a claim is successful, the complainant may seek orders, including for compensation for economic and non-economic loss.¹⁹ As noted by Belinda Smith, these laws are significant as they provide a mechanism by which women who experience discrimination at work may seek redress and also because they constitute a ‘...legislated, public policy statement on the right to equality’ (HREOC 2007: 53).

Industrial laws

Commonwealth industrial laws also include provisions intended to promote workplace gender equality. In particular the Fair Work Act (‘FW Act’), which is the principal statute regulating employment in Australia, includes an additional protection against discrimination at work by prohibiting ‘adverse action’ on grounds including sex, sexual preference, marital status, family or carer’s responsibilities and pregnancy.²⁰ This protection attracts a ‘reverse onus’ of proof (intended to assist persons to make complaints),²¹ and is a civil remedy provision.²² The FW Act also sets out ten National Employment Standards (‘NES’), several of which comprise rights that promote gender equality. Specifically, the NES include a right for eligible employees to request flexible working arrangements,²³ take unpaid domestic violence leave,²⁴ take parental leave and return to a pre-parental leave position.²⁵ Again, these protections are set out in civil remedy provisions.²⁶ These laws comprise important protections that are intended to address gender inequality at work. The right for eligible employees to take unpaid domestic violence leave was, for example, introduced by the Commonwealth Parliament late in 2018, on the basis that domestic violence (which affects one in three Australian women) compromises women’s workforce participation as it ‘...threatens workers’ ability to hold down a job—to provide for themselves and their families, to participate fully in the workplace and to fulfil their potential’ (O’Dwyer 2018).

Positive duty laws

Furthermore, Commonwealth and State/Territory equality laws set out regimes aimed at eliminating inequality of opportunity at work. Positive duty laws are different from anti-discrimination laws as they do not rely on individual complaints for enforcement (or provide remedies) but rather focus on removing barriers to equality. The primary statute setting out relevant positive duties is the Workplace Gender Equality Act

17. SDA s 105, EOA (Vic) s 105; ADA (NSW) s 52; EOA (SA) s 90; EOA (WA) s 160; ADA (Qld) s 122; ADA (Tas) s 21; DA (ACT) s 73; ADA (NT) s 27(1).

18. *Human Rights and Equal Opportunity Commission Act 1986* (Cth) Part IIB (‘HRCA’); EOA (Vic) Part 8; ADA (NSW) Part 9; EOA (SA) Part 8; EOA (WA) Part VII Div 2; ADA (Qld) Chapter 7; ADA (Tas) Part 6; DA (ACT) Part 4; ADA (NT) Part 6.

19. HRCA s 46PO(4).

20. ss 342(6) 351. ‘Adverse action’ includes dismissal, ‘injuring an employee in his or her employment’, altering the position of an employee to his or her prejudice and ‘discriminating between the employee and other employees of the employer.’ Part 3-1 of the FW Act is a ‘civil remedy provision.’

21. FW Act s 361. The reverse onus means that where an applicant establishes that there was adverse action and one of the prohibited reasons applies, the onus of proof shifts to the organisation to prove that the adverse action was not taken for a prohibited reason.

22. A civil remedy provision is enforceable in the Federal Court or Federal Circuit Court by means of an order and/or the imposition of penalties.

23. FW Act s 65. An eligible employee: is a parent or has the responsibility for the care of a child who is school age or younger; is a carer; has a disability; is 55 years or older; is experiencing violence from a member of the employee’s family; provides care or support to a member of the employee’s immediate family, or a member of the employee’s household, who requires care or support because the member is experiencing violence from the member’s family.

24. FW Act ss 106A–106E.

25. FW Act ss 70, 84. An entitlement to paid parental leave was also introduced in 2010 via the *Paid Parental Leave Act*, which provides 18 weeks paid parental leave for the primary carer of a newborn or recently adopted child (at the federal minimum wage) and two weeks’ paid leave for a father or partner.

26. FW Act s 44(1).

(‘WGEA’).²⁷ The objectives of this statute include to ‘...promote and improve gender equality (including equal remuneration between women and men) in employment and in the workplace.’²⁸ The WGEA applies to women and men and includes ‘family responsibilities’ as an equality focus (Gaze and Smith 2017: 223). The Workplace Gender Equality Agency, which is established under the WGEA, has functions including education, reporting, research, advising and assisting employers and reviewing employers’ compliance with the WGEA and to list ‘non-compliers.’²⁹ The WGEA requires all private sector employers with more than 100 employees to complete and submit an annual report to the Agency, which is then made publicly available. The report must include a profile of the company, outlining the occupational and gender characteristics of the workplace, and a report on the company’s performance against six Gender Equality Indicators.³⁰ In addition, private sector employers with more than 500 employees are required to meet minimum standards for gender equality. Overall, the WGEA seeks to positively influence how employers approach gender equality at work by improving information disclosure, developing resources and facilitating public education.

III. Policies promoting gender equality in Australian workplaces

In addition to Commonwealth and State/Territory laws promoting workplace gender equality (including those set out above), the Commonwealth government has established various policies, and commissioned inquiries, which are intended to promote gender equality including in the workplace. Three key policies are the National Plan to Reduce Violence against Women and their Children, Towards 2025: An Australian Government Strategy to Boost Women’s Workforce Participation and the establishment of Offices for Women in each Commonwealth, State and Territory. A significant inquiry commissioned by the Commonwealth government is the National Inquiry into Sexual Harassment in Australian Workplaces. These are each discussed in further detail below.

National Plan to Reduce Violence against Women and their Children

The National Plan to Reduce Violence against Women and their Children is Australia’s key policy adopted to achieve aims including promoting workplace gender equality. The Plan was adopted in 2011 and sets out a 12-year framework for action that aims to reduce violence against women and children and improve access to services (Council of Australian Government 2010). The Plan articulates that violence against women is a workplace issue. The Plan includes several illustrations of the way in which domestic violence is a workplace issue: violence can affect work colleagues as well as affected women and their children; primary prevention of gender-based violence involves working to change underlying causes of the problem including where people work;³¹ and advancing gender equality at work is necessary to address ‘...unequal distribution of power and resources between women and men and adherence to rigid or narrow gender roles and stereotypes reflects gendered patterns in the prevalence and perpetration of violence.’ This Plan adopts a broad conception of the causes and context of the ‘epidemic’ of domestic violence in Australia and conceives of workplace gender equality as an essential component of achieving broader improvements in women’s access to equality and human rights (Malone and Phillips 2014).

27. (Cth) 2012 (‘WGEA’). Some States have enacted legislation that requires programs promoting gender equality in public sector employment. See, e.g., *Government Sector Employment Act 2013* (Cth) s 63; *Public Service Act 2008* (Qld) s 31.

28. WGEA s 2A(a). The first affirmative action statute in Australia was the *Affirmative Action (Equal Opportunity for Women) Act 1986* (Cth). This was repealed and replaced by the *Equal Opportunity for Women in the Workplace Act 1999* (Cth), which in turn was repealed and replaced by the *Workplace Gender Equality Act*.

29. WGEA s 19.

30. The GEIs are: Gender composition of the workforce; gender composition of governing bodies of relevant employers; equal remuneration between women and men; availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities; consultation with employees on issues concerning gender equality in the workplace, and sex-based harassment and discrimination.

31. For example, the Plan states that strategies such as social marketing, school-based programs or work to promote positive and equitable workplace cultures are all examples of primary prevention.

Strategy to Boost Women's Workforce Participation

Another key policy adopted to promote workplace gender equality is An Australian Government Strategy to Boost Women's Workforce Participation (Australian Government 2017). The policy was adopted in July 2017 and sets out a strategy, which is intended to lay '...out the Australian Government's roadmap to meet its target of reducing the gap in participation rates between women and men (aged 15–64) by 25 per cent by 2025' (Australian Government 2017). The strategy addresses five key areas for action over the next decade: child care, workplace diversity and flexibility, jobs of the future, economic security, and financial incentives, and highlights six particular groups of women who face additional or different barriers to participating in the workforce.³² As part of the Strategy, the Commonwealth Government has adopted the Implementation Plan 2017–2018 (Australian Government 2017), which sets out four key actions for 2017–2018. These actions are to implement a new childcare system (including increased subsidies towards the cost of childcare); providing educational tools for families and childcare services to explain improvements to the childcare system; extend funding to enable children to access preschool education; improve coordination of childcare services and resources. Among other things, the Plan makes explicit that access to quality, affordable childcare is an essential resource necessary to increase workforce participation of women between 30–34 years old. The Plan also conceives of workplace participation by women as an 'economic priority' which, in turn, generally improves living standards and is a driver of economic growth.

Offices for Women

The Commonwealth and each State/Territory government has also taken the policy step of establishing Offices for Women. One objective of each Office for Women is to promote workplace gender equality. In particular, these offices are overseen by the relevant Ministers for the Status of Women. The Commonwealth Office for Women advises and supports the delivery of gender equality policies, particularly in relation to the priority issues of safety for women, supporting women's economic empowerment, and supporting women's leadership. It has adopted various policies including with respect to building women's financial capability, pay equity, superannuation and workforce participation. It provides funding and support to community organisations to achieve progress in each area of priority. The strategies and policy initiatives implemented by the Commonwealth Office for Women therefore seek to adopt a practical approach to addressing the barriers impacting on women's economic security and equality including at work.

Inquiry into sexual harassment and work

Furthermore, in June 2018, Australia's Sex Discrimination Commissioner announced a national 12-month inquiry into sexual harassment in Australian workplaces (AHRC 2018). The inquiry is being conducted pursuant to Terms of Reference, which require the Australian Human Rights Commission to submit a report on matters including the drivers of sexual harassment in the workplace, the use of technology, current laws and policies, examples of good practice by employers and recommendations to address workplace sexual harassment. The inquiry involves extensive public consultation through which victims of workplace sexual harassment can report on their experiences. The inquiry has been described as a 'world-first' (Borys 2018). The Commonwealth Minister for Women has stated that the inquiry is a policy decision designed to promote workplace gender equality as sexual harassment at work is more commonly experienced by women and the economic impact of workplace sexual harassment on victims can be wide-ranging and potentially ruinous (Ibid 2018).

32. These are: Aboriginal and Torres Strait Islander women, culturally and linguistically diverse women, mature age women, rural and regional women, women with disability, and young women.

IV. Enforcement of laws promoting gender equality in Australian workplaces

The human rights, anti-discrimination, industrial and positive duties legal frameworks, discussed in Part II above, are characterised by different mechanisms of monitoring and enforcement of non-compliance. Some of the key mechanisms are discussed in further below.

Anti-discrimination laws

Anti-discrimination laws, which promote workplace gender equality, are characterised by a private enforcement model.³³ A private enforcement model features a system that allows for persons affected by breaches of their legal rights (who are unable to negotiate a remedy) to rectify the breach (Morgan and Yeung 2007: 176–220). Under anti-discrimination laws, individual employees have the right to pursue complaints of discrimination against employers. Individuals are required to submit complaints to the statutory commission in their jurisdiction, or to the Commonwealth Australian Human Rights Commission ('AHRC'). Once a complaint is received, the commission is responsible for investigating it and determining whether it falls within its jurisdiction. If so, the commission will refer the complaint to conciliation, during which each party can talk through the issues with the help of a commission-appointed conciliator and, if the parties agree, settle the matter on their own terms. If a complaint is not resolved via conciliation, the complainant may pursue the claim through legal proceedings filed in a relevant court or tribunal.³⁴ Commissions may also 'intervene,' with leave of the court or tribunal, in any proceedings that involve issues including sex discrimination, human rights issues and equal opportunity in employment.³⁵ There is extensive academic commentary on the limitations of anti-discrimination laws to effectively address discrimination at work (see, eg, Chapman 2012; Gaze 2002; Gaze and Hunter 2010; Hunter 1992; Gaze and Smith 2017; Rees, Rice and Allen 2018; Smith 2006; Thornton 1990), as well as studies which specifically call for legal reform in order to expand the enforcement tools available to Commissions (see, eg, Smith 2014). Presently, the mechanisms for enforcement of anti-discrimination laws exhibit a problematic tension: they rely heavily on affected individuals to pursue legal claims and establish legal precedents that may benefit the wider community (Allen 2010), while at the same time promoting private dispute resolution (Blackham and Allen 2018).

Industrial laws

The framework of industrial laws, which promote workplace gender equality, is characterised by public, corporatist/industrialist and private enforcement models.³⁶ Firstly, a mechanism for public enforcement is set out in FW Act, which is the Fair Work Ombudsman ('FWO'). The FWO is an agency empowered to investigate compliance, including via interviews with employees and powers compelling the production of documents.³⁷ It also has the power to commence proceedings under the FW Act including in circumstances where employers engage in 'adverse action' or breach the NES.³⁸ The FWO has, for example, used these

33. For a discussion of types of regulatory systems and their features see Morgan and Yeung 2007: 176–220.

34. A complaint referred to a court or tribunal is adjudicated by a judge or tribunal member, respectively.

35. E.g., SDA s 48(1) (gb). The Commission may also, with leave of the court, participate as *amicus curiae*, in legal proceedings where could provide expert assistance that would otherwise not be available to the Court, the Commission may seek leave of the Court to intervene in the proceedings.

36. Under a public enforcement model, a state agency investigates compliance and is empowered to use a range of powers, processes and approaches to address non-compliance, and a corporatist/industrial relations model allows for 'institutionalized representation' of organised interests in enforcement. In this context, enforcement is through the industrial relations system established by the State. See further Morgan and Yeung 2007: 176–220.

37. FW Act, Part 5-2. On the effect of the FWO's enforcement activities see Hardy and Howe 2017.

38. The statutory functions of the FWO are set out in FW Act s 682(1). In summary, these are: promote harmonious, productive and cooperative workplace relations providing education, assistance and advice; monitor, inquire into and investigate potential non-compliance with Australian workplace laws; commence proceedings in a court or the Fair Work Commission to enforce the FW Act, industrial instruments or safety net contractual entitlements; and monitor certain 457 and 482 subclass visa arrangements. In addition

powers to successfully take action against an employer who engaged in pregnancy discrimination.³⁹ In addition, the Australian industrial relations system is described as a ‘tripartite’ model and, for much of the last century, trade unions were a significant agent in the enforcement of labour rights. While trade union membership has steadily declined in recent decades, unions continue to play a key enforcement role with respect to issues impacting on workplace gender equality (Hardy and Howe 2009). Trade unions have, for example, pursued key test cases before the Fair Work Commission (‘FWC’), which is Australia’s principal industrial tribunal.⁴⁰ Relevantly, these test cases have related to penalty rates;⁴¹ pay equity for early childhood educators (ACTU 2018; Smith and Stewart 2017); and inclusion of a model term in Modern Awards which improves on right to request flexible working arrangements set out in the NES.⁴² Thirdly, individuals are able to pursue claims for breach of the FW Act against employers, including for breach of the ‘adverse action’ provisions and the NES. These claims often commence before a Member of the FWC (and are subject to confidential negotiation and, if successful, settlement) and, if unresolved, can proceed to a court for adjudication. These types of claims predominantly settle (Blackham and Allen 2017), although a number of claims of ‘adverse action’ have established helpful legal precedents relevant to protecting workplace gender equality.⁴³ Industrial laws, therefore, have adopted a multi-dimensional model of promoting employers’ compliance with laws including those that promote workplace gender equality.

Human rights and positive duty laws

In contrast, the Human Rights Act and positive duty laws, described above, are characterised by mechanisms to detect and enforce employer non-compliance which may be described as ‘soft or light touch’ regulatory approaches (Howe and Landau 2007).⁴⁴ Firstly, the WGEA includes no sanctions for non-compliance. Rather, failure to comply with obligations under the WGEA may have consequences including that the Agency may name the employer (including details of non-compliance) in a report to the Minister and/or an employer may not be eligible to compete for contracts with the Commonwealth government or for Commonwealth grants or other financial assistance.⁴⁵ Rather, the model of enforcement set out in the WGEA relies on the premise that requiring large companies to disclose certain information enables stakeholders to exert the necessary pressure to force compliance (Manfre 2013). The WGEA also imposes other requirements on employers, including the requirement to consult with employees on gender equality.⁴⁶ These requirements are not primarily designed to promote compliance, but rather reinforce the norms and standards relating to gender equality set out in the WGEA and other laws. The Human Rights Act uses a similar regulatory mechanism with respect to Members of Parliament. That is, it requires Members of Parliament to disclose information about human rights compatibility, with the aim that consequent Parliamentary and public scrutiny will exert necessary pressure to force compliance with human rights standards. These mechanisms clearly depart from traditional methods of ‘command and control’ regulation and seek to co-opt non-State actors in regulation and compliance of laws

to the specific tools prescribed by the FW Act, the FWO has introduced a number of innovative tools including ‘proactive compliance deeds’ and contravention letters.

39. *FWO v WKO Pty Ltd* [2012] FCA 1129.

40. The FWC is established under the FW Act s 575.

41. See further Fair Work Commission, *AM2014/305 Penalty rates case*.

42. *4 yearly review of modern awards 2014 – Family Friendly Work Arrangements* [2018] FWCFB 6863. Modern Awards are legal instruments under the FW Act that outline minimum pay rates and conditions of employment for an industry or occupation. There are more than 100 industry or occupation awards that cover most people who work in Australia.

43. See, e.g., *Power v BOC Ltd & Ors* [2017] FCCA 1868; *Mahajan v Burgess Rawson & Associates Pty Ltd* [2017] FCCA 1560; *Sagona v R & C Piccoli Investments Pty Ltd & Ors* [2014] FCCA 875.

44. It should be noted that some leading commentators on labour regulation caution against using the terminology ‘hard’ and ‘soft’ regulatory approaches. This paper does, however, use these terms to differentiate between different enforcement mechanisms, which aligns with the conventional approach taken in the literature on this subject. For a discussion of terminology, see Freiberg 2010.

45. WGEA ss 18-19E.

46. This requirement comprises one of the ‘gender equality indicators’ about which employers must report. See WGEA ss 3, 13.

promoting workplace gender equality.

V. Discussion and conclusion

The Australian regulatory response to promoting workplace gender equality is clearly multi-faceted and reliant on multiple sources of law and regulation to achieve progress. This report has set out key laws that include provisions designed to promote gender equality in employment and/or protect persons experiencing discriminatory treatment at work. These laws include a range of legal prescriptions by which to promote workplace gender equality, from prohibitions against discrimination to the imposition of obligations on employers to take proactive steps towards introducing workplace practices that meaningfully advance gender equality. This report has also explored some recent policies, introduced by the Commonwealth government, with the primary, or ancillary, aim of advancing gender equality at work. Some of these policies helpfully recognise that continued inequalities experienced by women at work are inextricably connected to broader indicators of gender inequality in Australian society including women's experiences of domestic violence and disproportionate responsibility for childrearing.

Furthermore, this report has described a range of legal mechanisms that seek to achieve compliance with laws promoting workplace gender equality, and provide redress to persons impacted by non-compliance. Some regulatory shortcomings in the current framework of enforcement were described, particularly key limitations arising under anti-discrimination law. These failings of anti-discrimination law are likely to explain the expanded role of the 'adverse action' jurisdiction under the FW Act in protecting persons experiencing discrimination at work on the basis of sex, pregnancy and parental status. These failings also indicate that, to be more effective, the legal regulation of workplace gender equality should be more streamlined. This would mean mechanisms of enforcement, and relief from discriminatory treatment at work on the basis of gender, could be synthesised. Presently, there are many avenues by which persons experiencing discrimination at work may seek redress, which operate under different statutes and are administered by different government agencies. This itself may pose an early barrier, which deters persons experiencing discrimination at work on the basis of gender from seeking legal redress.

Consolidation of laws would also mean that regulation that is intended to promote compliance, such as educative and informational work performed by various agencies, would be rendered more consistent, streamlined and available from a single source. Overall, Australian legal regulation focusing on workplace gender equality is itself a work in progress that requires further attention, examination and recasting to address this complex issue.

References

- Ahmed, Ammad and Serat Ali. 2017. "Boardroom gender diversity and stock liquidity: Evidence from Australia." *Journal of Contemporary Accounting and Economics* 13(2): 148–165.
- Allen, Dominique. 2009. "Reducing the Burden of Proving Discrimination in Australia." *Sydney Law Review* 31(4): 579–605.
- . 2010. "Strategic Enforcement of Anti-Discrimination Law: A New Role for Australia's Equality Commissions." *Monash University Law Review* 36(3): 103–137.
- Australian Bureau of Statistics (ABS). 2018. *4125.0 - Gender Indicators*, September 2018.
- Australian Council of Trade Unions (ACTU). 2018. *Changing the rules for working women*, September 2018.
- Australian Government. 2017. *Towards 2025: An Australian Government Strategy to Boost Women's Workforce Participation: Implementation Plan 2017–2018*.
- Australian Human Rights Commission (AHRC). *Supporting Working Parents: Pregnancy and Return to Work National Review – Report*, 2014.
- . *Everyone's business: Fourth national survey on sexual harassment in Australian workplaces*, August 2018.
- . *National Inquiry into Sexual Harassment in Australian Workplaces*, 12 September 2018.
- Blackham, Alysia and Dominique Allen. "Confidentiality and Settlement: Uncovering the Hidden Secrets of the Enforcement of Equality Law in Australia and the UK." Paper presented at the Berkeley Comparative Equality and Anti-Discrimination Law Study Group 2018 Conference at Melbourne Law School at the University of Melbourne, 24 July 2018.
- Borys, Stephanie, "Australia to Launch National Inquiry into Workplace Sexual Harassment." *ABC News (online)*, 20 June 2018.

- Chapman, Anna. 2012. "Reasonable Accommodation, Adverse Action and the Case of Deborah Schou." *Adelaide Law Review* 33: 39–78.
- Cook, Kay, Lara Corr and Rhonda Breitzkreuz. 2017. "The Framing of Australian Childcare Policy Problems and Their Solutions." *Critical Social Policy* 37(1): 42–63.
- Council of Australian Government. 2010. *The National Plan to Reduce Violence against Women and their Children 2010–2022*.
- Freiberg, Arie. "Re-stocking the Regulatory Tool-kit." *Working Paper No.15, Jerusalem Forum on Regulation and Governance*, June 2010.
- French, Robert. 2010. "Protecting Human Rights Without a Bill of Rights." *John Marshall Law Review* 43: 769–793.
- Gaze, Beth. 2002. "Context and interpretation in anti-discrimination law." *Melbourne University Law Review* 26(2): 325–354.
- . 2013. "The Workplace Gender Equality Act 2012: Setting standards through delegated legislation." *Australian Journal of Administrative Law* 20: 113–116.
- Gaze, Beth and Belinda Smith. 2017. *Equality and Discrimination Law in Australia: An Introduction*. Cambridge: Cambridge University Press.
- Gaze, Beth and Rosemary Hunter. 2010. *Enforcing Human Rights in Australia: An Evaluation of the New Regime*. Sydney: Themis Press.
- Hunter, Rosemary. 1992. *Indirect Discrimination in the Workplace*. Annandale: Federation Press.
- Goldsworthy, Jeffrey. 2014. "The Constitution and Its Common Law Background." *Public Law Review* 25(4): 265–283.
- Hardy, Tess and John Howe. 2009. "Partners in Enforcement? The New Balance between Government and Trade Union Enforcement of Employment Standards in Australia." *Australian Journal of Labour Law* 23(3): 306–336.
- . 2017. "Creating Ripples, Making Waves? Assessing the General Deterrence Effects of Enforcement Activities of the Fair Work Ombudsman." *Sydney Law Review* 39(4): 471–500.
- Howe, John and Ingrid Landau. 2007. "'Light Touch' Labour Regulation by State Governments in Australia." *Melbourne University Law Review* 31(2): 367–399.
- Human Rights and Equal Opportunity Commission (HREOC). 2007. *It's About Time: Women, men, work and family – final paper 2007*.
- Kaine, Sarah and Martijn Boersma. 2018. "Women, work and industrial relations in Australia in 2017." *Journal of Industrial Relations* 60(3): 317–336.
- Kennedy, Tom, Maria Rae, Alison Sheridan and Abbas Valadkhani. 2017. "Reducing gender wage inequality increases economic prosperity for all: Insights from Australia." *Economic Analysis and Policy* 55: 14–24.
- Malone, Ursula and Juanita Phillips. "Domestic violence of epidemic proportions a 'national emergency': campaign groups." *ABC News (online)*, 6 May 2014.
- Manfre, Louisa. "The Workplace Gender Equality Act 2012 (Cth): Rethinking the Regulatory Approach." Thesis submitted in partial fulfilment of the requirements for Honours in Law at the University of Sydney, 1 November 2013.
- Morgan, Bronwen and Karen Yeung. 2007. *An Introduction to Law and Regulation: Text and Materials*. Cambridge: Cambridge University Press.
- National Human Rights Consultation Committee (NHRCC). 2009. *National Human Rights Consultation: Report (September 2009)*.
- O'Dwyer, Hon. Kelly "A major step towards Family and Domestic Violence Leave," released 13 September 2018.
- Organisation for Economic Co-operation and Development (OECD). 2017. *The Pursuit of Gender Equality: An Uphill Battle, How Does Australia Compare?* Paris: OECD Publishing.
- Rees, Neil, Simon Rice and Dominique Allen. 2018. *Australian Anti-Discrimination and Equal Opportunity Law*. 3rd ed. Annandale: Federation Press.
- Smith, Belinda. 2006. "Not the baby and the bathwater: Regulatory reform for equality laws to address work-family conflict." *Sydney Law Review* 28(4): 689–733.
- . 2014. "How might information bolster anti-discrimination laws to promote more family-friendly workplaces?" *Journal of Industrial Relations* 56(4): 547–565.
- Smith, Meg and Andrew Stewart. 2017. "Shall I compare thee to a fitter and turner? The role of comparators in pay equity regulation." *Australian Journal of Labour Law* 30(6): 113–138.
- Thornton, Margaret. 1990. *The Liberal Promise: Anti-discrimination Legislation in Australia*. Melbourne: Oxford University Press.
- Williams, George, and Daniel Reynolds. 2015. "The Operation and Impact of Australia's Parliamentary Scrutiny Regime for Human Rights." *Monash University Law Review* 41(2): 470–507.
- Williams, Joan. 2000. *Unbending Gender: Why Family and Work Conflict and What to Do About It*. New York: Oxford University Press.
- Workplace Gender Equality Agency (WGEA). 2018. *Australia's gender equality scorecard: Key findings from the Workplace Gender Equality Agency's 2017–18 reporting data*. November 2018.



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Welcome and Opening Remarks: Yoshio HIGUCHI, President, JILPT

Keynote Speech: “Equal but Not Identical: The Challenge of Gender Equality at Work,” Janice BELLACE, President, International Society for Labour and Social Security Law (ISLSSL)

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Chairperson: Machiko OSAWA, Professor, Japan Women's University

Country Report (China) “A Review of China's Urban Gender Wage Gap from 1995 to 2013,” Jin SONG, Associate Professor, Institute of World Economics and Politics, Chinese Academy of Social Sciences

Discussant: Xinxin MA, Associate Professor, Hitotsubashi University

Country Report (Korea) “Gender Wage Gap in Korea in Lifecycle Perspective,” Selim CHOI, Associate Research Fellow, Employment Policy Research Division, Korea Labor Institute

Discussant: Natsuki KOHNO, Full-time Lecturer, Meiji Gakuin University

Country Report (Malaysia) “Women Left Behind? Closing the Gender Gap in Malaysia,” Beatrice Fui Yee LIM, Deputy Dean (Academic and International), Faculty of Business, Economics and Accountancy, Universiti Malaysia Sabah

Discussant: Charles Yuji HORIOKA, Vice President, Asian Growth Research Institute

Country Report (Philippines) “Explaining the Gender Gap in Labor Force Participation in the Philippines,” Ma. Christina F. EPETIA, Assistant Professor, University of the Philippines School of Economics

Discussant: Yanfei ZHOU, Senior Researcher, JILPT

Chair's Comments

Session 2: Balancing Work and Family

Chairperson: Noriko IKI, President, Japan Institute for Women's Empowerment & Diversity Management

Country Report (Brunei) “Policy Implications for Working Women in Brunei,” Norainie AHMAD, Lecturer, Institute of Policy Studies, Universiti Brunei Darussalam

Discussant: Koji TAKAHASHI, Vice Senior Researcher, JILPT

Country Report (Japan) “Women’s Employment Status and Family Responsibility in Japan: Focusing on the Breadwinner Role,” Shingou IKEDA, Senior Researcher, JILPT

Discussant: Tomohiro TAKAMI, Researcher, JILPT

Country Report (Japan) “Marriage, Parenthood, and the Gender Wage Gap: Evidence from Japan,” Fang HE, Researcher, JILPT

Discussant: Yoko NIIMI, Research Associate Professor, Asian Growth Research Institute

Country Report (Singapore) “Work-life Experiences, Policies, and Challenges in Singapore,” Aliya Hamid RAO, Assistant Professor of Sociology, School of Social Sciences, Singapore Management University

Discussant: Minmin LIANG, Research Student, The University of Tokyo

Chair’s Comments

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Discussant: Hanyu CHANG, The University of Tokyo Faculty of Graduate Schools for Law and Politics

Country Report (Taiwan) “Legal Policies on Gender Equal Pay in Taiwan,” Yu-Fan CHIU, Assistant Professor, National Chiao Tung University School of Law

Discussant: Jo Hsiang HUANG, The University of Tokyo Faculty of Graduate Schools for Law and Politics

Country Report (Australia) “The Promotion of Gender Equality at Work in Australia through Law and Policy: A Work in Progress,” Adriana ORIFICI, Lecturer, Department of Business Law and Taxation, Monash University and PhD Candidate, University of Melbourne

Discussant: Yukiko ISHIZAKI, Associate Professor, Yokohama National University

Chair’s Comments

Concluding Panel Discussion

Moderator: Machiko OSAWA, Professor, Japan Women’s University

Panelists: Janice BELLACE, President, ISLSSL

Takashi ARAKI, Professor, The University of Tokyo

Noriko IKI, President, Japan Institute for Women’s Empowerment & Diversity Management



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Volume 3, Number 18,

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[Key Topic]

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● Research

[Article]

▷ An Observation on the Social Norms of Japanese Long-term Employment: Based on JILPT Survey on Working Life of 1999–2015

● Judgments and Orders

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