



**European Commission**  
Justice

## Exchange of good practices on gender equality

### **New forms of work**

The Netherlands, 24-25 October 2011

## Comments paper - Ireland

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*This publication is supported by the European Union Programme for Employment and Social Solidarity - PROGRESS (2007-2013).*

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# Flexible Working in Ireland

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## 1. Socio-Economic and Policy Context

Women's participation in the labour force has significantly increased over the last several decades and this has been particularly pronounced among married women. Up until the 1970s it was highly unusual for married women to work. The 1961 Census revealed that only 5.2% of married women were in the labour force. This changed dramatically in the 1970s as a result of various social, legislative and administrative changes. These included the removal of the marriage bar in 1973 which had prevented married women from working in the public service from the 1930s. It also included the legalisation of contraception in 1978 which made it possible for women to begin to control their fertility. This had been prohibited prior to this due to the strong Catholic ethos in the country. Other facilitators included the passage of the Anti-Discrimination (Pay) Act, 1974, as well as the Employment Equality Act, 1977, both of which were due to EU Directives. In addition, the tax laws, which had discriminated against married women and been a deterrent to their employment, were changed in 1980 as a result of a Supreme Court case.<sup>1</sup> During this period the participation rate of married women increased at a rapid rate and has continued to increase since then. The participation rate of married women in 2009 was 54% (72.6% for those aged 25-34 in the prime childbearing age group). The rate for all women 15-64 is over 60%. The increasing participation of women in the labour force has led to an increased awareness of the need for flexible working arrangements. While flexible working and work-life balance issues were initially seen as relevant to women, they have increasingly been seen as relevant to men and to workers in general, regardless of their gender or family status.

Flexible working is favourably viewed and supported by the Government of Ireland, as well as by the other social partners – i.e. the employers and trade unions – as reflected in the establishment of the National Framework Committee for the Development of Family Friendly Policies,<sup>2</sup> which became the National Framework Committee for Work-Life Balance Policies, and by the publication of various policy documents and research reports on flexible working and work-life balance by employer organisations,<sup>3</sup> Government departments, the Equality Authority and others.<sup>4</sup> Flexible working is also endorsed by the National Women's Strategy – 2007-2016.<sup>5</sup>

## 2. Flexible Working and Related Issues in Ireland

A wide range of flexible working modes are available to workers in Ireland. These include part-time working, job sharing, career breaks, term time working (taking the summer months off during the school holidays and having 10 months of salary spread over 12 months), flexible hours, teleworking, and personalised hours. However, none of these is available on a statutory basis, although part-time workers are now protected by

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<sup>1</sup> Scannell (2000).

<sup>2</sup> National Framework Committee for the Development of Family Friendly Policies (2001).

<sup>3</sup> IBEC (2002).

<sup>4</sup> Fisher (2000); Humphreys et al. (2000); Drew et al. (2003).

<sup>5</sup> Department of Justice, Equality and Law Reform (2007).

the Protection of Employees (Part-Time Work) Act, 2001. Parental leave, which is provided on a statutory basis, is generally not considered a mode of flexible working; however, since it may be taken in various ways, including in blocks of time or, for example, one day per week, it is often used by parents of young children to provide some flexibility in their working. The public sector has been the leader in offering a wide variety of flexible working. The private sector is catching up and within the private sector there is greater variability in availability.

Both flexible working arrangements and childcare are seen as important social policies to facilitate women's participation in the labour force. Childcare is not provided by the State, as it is in some other EU countries, and it is very expensive. For this reason, women are less able to work full-time and are often found in part-time employment. Public education for children aged four and five is provided in the national school system, but this is for just half a day. Recently one year of child care was provided by the State (in existing childcare centres) for three year olds also for half a day. Research has shown that women often have to use a mix of child care options including childminders, grandparents and child care centres, often on an *ad hoc* basis in order to provide child care when they are working and often have to resort to using their own annual leave when their childminding arrangements break down.<sup>6</sup> While there is strong support for flexible working, provision of universal childcare is the policy which men and women of childbearing age feel would be of greatest assistance.<sup>7</sup>

Several studies have been carried out in Ireland which examined flexible working from various standpoints. These have included the availability and take up of flexible working, attitudes towards flexible working, and the effects of flexible working on performance outcomes, work-life balance and well-being. Research on a nationwide sample of employed persons found that women were more likely to have part-time working and job-sharing available to them than men were. Men, on the other hand, were more likely to have teleworking available to them.<sup>8</sup> Public attitudes to flexible working policies have been highly supportive for over 30 years, even before they became more widely available.<sup>9</sup> Recent research shows that the population is still highly supportive of flexible working.<sup>10</sup> However, there is a widespread belief that if men work part-time or job-share this will make them appear as "less serious about their career".<sup>11</sup> While this is also applied to women, it is less so. This may help to explain why men are less likely to take up part-time working and job sharing.

Research on performance outcomes in a sample of 132 medium and large companies found that there were powerful synergistic effects of flexible working, together with other work systems, which were associated with high levels of performance in companies which had these policies.<sup>12</sup>

Research on the effects of having flexibility at work found that this was related to having less stress and both greater work satisfaction and life satisfaction.<sup>13</sup>

<sup>6</sup> Fine-Davis, Fagnani and Giovannini et al. (2004).

<sup>7</sup> Fine-Davis (2011, in press).

<sup>8</sup> Fine-Davis et al. (2005a).

<sup>9</sup> Fine-Davis (1983a, 1983b).

<sup>10</sup> Fine-Davis et al. (2005a).

<sup>11</sup> Ibid.

<sup>12</sup> Flood, Guthrie and Liu et al. (2008).

<sup>13</sup> O'Connell et al. (2005); O'Connell and Russell (2005); Fine-Davis et al. (2005a).

### 3. Policy Debate in Ireland

There is currently little public policy debate on flexible hours *per se*, however there are policy debates on related issues, which impinge on work-life balance and gender equality:

- The need for affordable, accessible and high quality childcare ;
- The fact that parental leave is unpaid and hence is not taken up equally<sup>14</sup>;
- The fact that there is no paternity leave;
- The fact that if work were shared more equally this would enable more people to have jobs.

While flexible working is essential to enable mothers and fathers to combine their dual roles, childcare is also seen as essential. The lack of State provision of childcare is seen as a major obstacle to women's full participation in the labour force.<sup>15</sup> The OECD points out that "childcare costs can be a barrier to work in Ireland".<sup>16</sup> This has particular implications for women, as the National Women's Council of Ireland points out: "The availability and cost of childcare and the difficulties around reconciling employment and family lives are the most significant barriers to women accessing and participating in the labour force."<sup>17</sup>

The lack of flexible working and lack of childcare facilities were also found to influence decisions of young people concerning pregnancy and childbirth. Redmond et al.<sup>18</sup> concluded that "many working parents are experiencing increasing levels of stress due to two main factors: the lack of work-life balance arrangements in the workplace and the lack of affordable childcare." They refer in particular to research by Murphy-Lawless et al. who found that young women who were not currently planning on having children had "serious doubts about their ability to cope with the demands of motherhood and the labour market."<sup>19</sup> These findings highlight the fact that inadequate childcare provision and work-life balance policies are already affecting the decisions of young Irish women concerning whether or not to have a child.

As has been shown in other countries, in Ireland women carry out significantly more domestic work and child care than men do and women with young children carry out the majority of this work.<sup>20</sup> While women often use part-time work and job sharing in order to combine work with childrearing, men are more likely to use forms of flexible working that do not impinge on their salary, such as teleworking and flexible hours<sup>21</sup>. Research has shown that men are more likely than women to have teleworking available to them and when it is available to them they are highly likely to take it up.<sup>22</sup>

The current economic climate is not conducive to greater provision of policies to support work-life balance which have any costs attached to them. These would include greater provision of childcare and possible payment of parental leave. There has for many years been pressure for the Government to provide more childcare; however, this has so far not led to any major developments. Recent research has shown that

<sup>14</sup> Russell, Watson and Banks (2011).

<sup>15</sup> Fine-Davis (2004, 2007).

<sup>16</sup> OECD (2004).

<sup>17</sup> National Women's Council of Ireland (2001).

<sup>18</sup> Redmond, Valiulis and Drew (2006).

<sup>19</sup> Murphy-Lawless, Oakes and Brady (2004).

<sup>20</sup> McGinnity and Russell (2007).

<sup>21</sup> Drew et al. (2003).

<sup>22</sup> Fine-Davis et al. (2005a).

there is unequal take up of parental leave, with those on low incomes less able to avail of it<sup>23</sup> and this is likely to lead to increased public debate on the need to provide paid parental leave, as is the case in some other countries.

Various surveys have shown that there is strong support for some paid paternity leave – there is none at the present time. If this were to be granted, it would most likely initially be a token gesture to show Governmental support for the principle of gender equality in parenting.

## 4. Transferability Issues

The Dutch Discussion Paper by Pascale Peters concerning flexible working time arrangements in the Netherlands<sup>24</sup> raised a number of issues which have potential transferability to Ireland. For example, it referred to the Bakker Commission's suggestion that "Dutch labour-market policies and initiatives should be aimed at maximising the use of all potential labour supply in order to maintain economic growth to fight labour market shortages ... and to prevent the social exclusion of particular groups from the labour market." This has resonances in Ireland in the sense that there has been a great concern with social inclusion of various groups in the labour market<sup>25</sup> – including such groups as working parents, carers, older people, the disadvantaged, etc. However, concerns with social inclusion have notably decreased with the economic downturn since the unemployment levels have increased and EU austerity measures have forced the Government to retrench employment in the public service.

The Dutch Discussion paper also referred to a recent initiative of the Ministry of Education, Culture and Science called 'Customised Working': "This initiative aims to stimulate employers to both adopt and foster a culture supporting flexible working and a healthy work-life balance as an integral part of organisational objectives." This initiative echoes an initiative taken in Ireland in the context of an ESF EQUAL project which piloted various forms of flexible working in several public and private sector organisations. These pilot projects found that flexible working was related to positive outcomes in work-life balance and well-being for working parents, older people and people with mental health problems.<sup>26</sup>

The Dutch paper noted that "flexible working is viewed as a 'win-win' strategy for organisations, employees and society at large because it is also expected to lead to reduced overhead costs due to the efficient use of resources, such as time, energy and buildings, and, for example, to lower absenteeism, increased employee job satisfaction and better work-life balance." The "business case" for flexible working has also been made in Ireland<sup>27</sup> and it is likely that encouraging more flexibility in the Irish labour market would be well received. The positive aspects of flexible working, both for employees and employers, as well as for society as a whole, need to be discussed further in the media and promoted by the social partners. However, care needs to be taken that this does not lead to devaluation of jobs.

The Dutch paper noted that 35% of Dutch workers worked flexibly and 75% of these workers had a say in the timing of their working hours. The fact that such a high

<sup>23</sup> Russell, Watson and Banks (2011).

<sup>24</sup> Peters (2011).

<sup>25</sup> Fine-Davis et al. (2005a).

<sup>26</sup> Fine-Davis et al (2005b).

<sup>27</sup> Flood et al. (2008).

proportion has a say in the timing of their working hours seems to be much higher than in Ireland, where flexible hours are often not as flexible as they might be. Frequently “flexible hours” means that employees can come in between 8 and 10 a.m. and leave between 4 and 6 p.m., but must be there for core hours of 10-12 and 2-4. This is not as flexible as it might be. There is certainly scope in Ireland for promoting a greater degree of “personalised hours” rather than the more rigid kind of flexible hours which now exists.

The Dutch paper points out that, in general “men are given more access to teleworking than women and research has shown that teleworking is more often used by highly educated men (either married or cohabiting) with children, and long commuting hours to work. These results tend to suggest that teleworkers have demanding yet interesting work, with a high degree of control over their work.” This corroborates the Irish experience and suggests that efforts need to be made to make teleworking more widely available.

Finally, the Dutch paper notes that part-time working of three days per week or less is still exclusively associated with working mothers and continues to suffer from negative labour market connotations. The authors point out that many of these perceptions are due to stereotypical views of part-time working and career ambition and as a result women who work part-time are often regarded as less ambitious than full-time workers. Such perceptions have also been found in Ireland. The authors suggest that to overcome these deep-seated views, employers need to change their attitudes to part-time workers in terms of their career aspirations. This is an area which could certainly have potential transferability; however, it is equally important that part-time work have *pro-rata* benefits and that higher status positions – including management positions - be available for part time working. This will help to change perceptions. There is clearly great scope for enhancing part-time working and generally increasing the availability of all kinds of flexible working and ample evidence that this would provide greater social inclusion in the workplace for a diverse group of workers, including working parents, carers, older people and people with mental health problems.<sup>28</sup> As pointed out by the Irish Business and Employers Confederation:

*For Ireland to continue to build on its competitive success, it is clear that we need to make the best use of the talents of as many people as possible... managing this diversity, including family-friendly, work-life balance issues is a challenge and an opportunity for organisations.<sup>29</sup>*

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<sup>28</sup> Fine-Davis et al., (2005a, 2005b).

<sup>29</sup> IBEC (2002).



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