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Women

Anna Eckersley

IN BUSINESS NOW

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In Business Now Series

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*Thanks to my mother and father
and Michael and Maureen for their
help and support*

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Anna Eckersley

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Introduction

Women are in demand in the 1990s. Their influence could revolutionise the workplace during the next decade. Housewives everywhere will soon be running businesses, standing for Parliament and making their mark in the city. At least that's what we are told by the media, and by politicians.

But the fact remains that women earn only two-thirds of a man's average salary. They are still largely responsible for running the home, caring for young children and generally making ends meet. Ten million of them now go out to work, but the majority of these women are confined to low paid and low status work with little hope of promotion.

The 1990s will undoubtedly present new and exciting opportunities for women to move into management roles, professions and traditionally male spheres, but they are expected to be mothers, housekeepers and supportive wives as well.

This book aims to explore the position of women in business today, how they arrived at their current position in society and what the future may hold.

Demographic changes

Changes in the population mean that there will be a 25% drop in the number of school-leavers by 1995, as well as a huge increase in the number of elderly people in Britain. So employers will be trying to attract a million women back to work to aid the economy, at precisely the time when many of them will be expected to care for their elderly parents. The skills of women have not been in such demand since the Second World War. Then the Government and employers provided nurseries, laundry facilities at work and a number of other schemes, to allow women to run their busy lives effectively.

The balancing act

Women of the 1990s will have to become very good at balancing the needs of their families and their employers, and this time around they should remember their own needs too.

Workplace nurseries, flexible working hours, equal pay and better rights for part-time workers could be temporary measures which disappear again when the skills' shortage is over.

If women are to overcome the history of discrimination at work, as well as in society generally, they must seize their chance during the 1990s. Equal opportunities at school, during training and at work, are all necessary before women can compete on an equal footing with men. The burden of housework, childcare and eldercare must be shared more with men, and acknowledged by the State, before real progress can be made.

So the next ten years could well be as memorable for women as when they won the right to vote earlier this century, or when equality legislation was introduced in the 1970s. But the questions still to be answered are: Who will foot the bill for the necessary changes? Will Britain's increasing involvement in the European Community increase women's equality? Can attitudes be changed as quickly as the law?

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Unit 1

Women at Work



(Photo Co-op,
London)

There are more working women in Britain than in any other E.C. country. The number has risen from 8.2 million in the early 1970s to nearly 11 million, including the self-employed. But working women still earn far less

than men and have a much narrower choice of occupation. They have fewer promotion prospects and less chance of making their voices heard through trade unions. So it is hardly surprising that there is a sharp increase in the number of new businesses started by women who prefer to make their own luck.

However, the demographic trend towards fewer school-leavers should offer women their best chance since the Second World War to establish themselves in the workplace on an equal footing. For the first time in decades employers will be competing to attract women to their companies by offering bonuses, training, flexible hours, or help with childcare costs.

Who works?

Just over half working women are in full-time jobs, the number working part-time has risen dramatically from 2.8 million in 1971 to 4.3 million in 1987. Around two-thirds of all new jobs created in the 1990s will be part-time, most of which will be done by women.

The huge growth of women in the workplace is largely due to more married women with children taking jobs. Two-thirds of this group now work part-time. However, there are still six million women not working – making them the largest pool of untapped labour in the country. It is these women, most of whom have children, that employers will be trying to tempt back into the workplace to fill the 1990s skills gap.

Who does not work?

A closer look at women between 16 and 60 who are not working reveals that a million of them have A levels, and a quarter of those with degree level qualifications are not working. Childcare responsibilities is one of the key reasons why women, particularly in their 20s and early 30s, do not work.

But caring for children, or a sick relative, does not explain all female unemployment. Discrimination, both sexual and racial, has a part to play. A racial breakdown of unemployment figures shows that black women, and those from ethnic minority backgrounds, have less chance of finding work: the unemployment rate for black women is 12.5%, compared with 8.4% for white women. [Source – *Labour Force Survey 1988*.] These statistics compared white women and those from ethnic minority groups, aged 16–60.

What other factors could stop women from going out to work?

Where women work

Working women still face a narrow choice of occupations, partly shaped by their education, their own expectations and by prejudice in the workplace. The most popular work for women is in the service sector, where there are more part-time than full-time jobs (see Table 1.1).

Table 1.1 Concentration of women workers by sector of activity (1977)

Country	Sector			Total number employed (000s)
	Agriculture (%)	Industry (%)	Services (%)	
Federal Republic of Germany	7.5	29.5	61.5	9,012
France	8.6	24.4	67.0	8,077
Italy	3.2	31.2	55.6	5,266
Netherlands	1.5	14.0	83.3	1,154
Belgium	2.4	23.0	72.4	1,120
Luxembourg	0.5	12.5	80.0	40
United Kingdom	1.3	25.6	72.3	9,373
EEC 9	6.3	26.5	66.3	35,189
United States (1980)	1.6	17.9	80.5	41,283
Canada (1979)	3.2	15.8	81.0	4,022
Australia (1979)	3.8	17.1	79.0	2,137

Source: *Employment Gazette*, September 1983 (Reproduced with the permission of the Controller of Her Majesty's Stationery Office)

Three-quarters of clerical workers are women and 42% of girls choose this field when leaving school, compared with only 10% of boys. Two and a half million women work in banking, insurance and finance alone. Large employers such as Legal and General are now recognising the importance of women in this field by improving pay and conditions in order to keep their women workers and attract new ones. Legal and General now offer a 25% pay rise for six months to persuade women to return to work after maternity leave. Offers such as this will not only help employers to retain their trained staff, but should also help break the old cycle of women leaving work to have children only to return later to a lower paid, less demanding job for a different employer.

Surveys show that 30% of women who return to work after having children find themselves in lower paid, lower status jobs than the ones they left behind. This downward mobility among women comes at an age when men are often making the biggest strides in their careers. The need to combine work and family responsibilities further restricts women in looking for work in the part-time service spheres such as shop work, hairdressing,

cleaning or low grade office work. Thus they miss promotion first time around and later take jobs without promotion prospects.

Perhaps the most disturbing aspect of job segregation – which makes women under-represented in the better paid fields of engineering, science and technology – is that women stay at the bottom of the career ladder, even in the fields where they outnumber men. For example the National Health Service employs roughly twice as many women as men, yet they are concentrated in the lowest grades, with less than 10% reaching senior management.

Women in management

Until women are in Britain's boardrooms, helping to decide policy, many people argue that equality cannot become a reality. Women need role models, as well as opportunities, in order to succeed.

At present, only 10% of senior managers of large companies in the UK are women and they comprise less than 1% of working directors. Traditionally this has been explained by the following:

- women's lack of mobility and flexibility, owing to family commitments;
- their lack of relevant experience at senior level;
- their lack of qualifications and training.

Companies such as the BBC and the Post Office have now started schemes to raise the expectations of women already in their workforce. They hope that training today will provide them with a larger pool of managers tomorrow. The Post Office already has over 1,500 women managers, but wants more women in the boardroom.

A survey of Britain's top 200 companies found that only 24 women were board members and that most of them had a title or a family connection with the firm, together with an Oxford or Cambridge University education. But with only 10% of companies offering career breaks, allowing a woman to take time off to raise children without losing seniority, it is hardly surprising that few women have managed to climb the career ladder with the speed and success of men.

Look at Table 1.2, which illustrates the percentage of women in management at Littlewoods, Britain's largest private company, and comment on any trends it shows.

Table 1.2 Women in management in Littlewoods (%)

	1985	1988	1991
Director/Senior Executive	3	5	10
Senior Manager	2	7	15
Middle Manager	10	17	35
Junior Middle Manager	22	29	50
Junior Manager	50	56	50

Source: Report of the Hansard Society – *Women at the Top*

The professions

From architects to pharmacists, women are still out-numbered by men in the professions. But things are beginning to change at the bottom of the professional ladder. For the first time in 1989, as many women as men qualified as solicitors. Now a vigorous campaign by the Law Society aims to increase the number of women and ethnic minority judges too.

Progress within the professions can be a very slow process as recent research reveals: women now make up 17.5% of professional associations, yet less than 9% of their ruling bodies. Although a quarter of dentists and GPs are women, only 3% of surgeons and less than 1% of engineers are female.

Study Table 1.3 compiled by the Association of University Teachers in 1988, and suggest why women academics still fare worse than their male counterparts in the promotion stakes.

Table 1.3 Full-time non-clinical university staff

<i>Academic staff</i>	<i>Men</i>	<i>(%)</i>	<i>Women</i>	<i>(%)</i>
Professor	3,454	(97)	95	(3)
Senior lecturer	6,902	(94)	449	(6)
Lecturer	14,222	(85)	2,481	(14)
Total	24,578	(89)	3,025	(11)

Source: Association of University Teachers (AUT)

Lack of qualifications and experience fail to explain why women graduates, leaving university with identical expertise, are falling behind their male counterparts in the scramble for success just three years later. Their own lower expectations, as well as discrimination in the workplace, are at least partially to blame for their lower pay and status. Only 17% of women graduates reached higher grade management or professional status

three years after graduation, according to a recent survey, compared with 40% of male graduates.

Suggest other reasons why women graduates are under-achieving.

Women in public life

There are 44,000 places on public bodies, such as national commissions, advisory bodies and nationalised industries. Women fill only 19% of these posts, usually in the fields of welfare, health and education. There are no women in energy and few in defence or agriculture.

Once again, out-dated notions about which jobs are suitable for women limit the numbers of them appointed to positions of power. In turn, this reduces the pool of women who put their names forward for public life. A Campaign called Women into Public Life was launched in the mid 1980s to encourage women to stand for such posts. Yet today there are still only one in ten board members of nationalised industries who are female.

Although Britain had the first woman Prime Minister in Europe, it still lags behind most European countries in politics (see Table 1.4). Only 6% of British MPs are women, compared with 30% in Denmark. Even now there are no women ministers of defence or economics throughout Western Europe. In short, women in politics have a long way to go.

Table 1.4 Women MPs in Europe (following most recent General Election)

	<i>Total no. MPs</i>	<i>Total no. women MPs</i>	<i>% women MPs</i>
Sweden	349	133	38.0
Norway	157	54	34.4
Finland	200	67	33.5
Denmark	179	55	30.7
Netherlands	150	32	21.3
Germany	519	80	15.4
Italy	630	81	12.9
Belgium	212	18	8.5
Spain	350	23	6.6
Britain	650	41	6.3
France	577	33	5.8

Source: Hansard University

Women working in trade unions

The picture is not much brighter when we turn to trade unions, whose primary aim is to win better wages and conditions for their members. Women now constitute a third of union membership in Britain, and they fill 15 of the 53 seats on the Trades Union Congress executive, yet there is only a handful of women union general secretaries.

Research shows that issues which particularly concern women, such as childcare, equal rights for part-time workers, flexible hours and sexual harassment, are rarely discussed in annual pay talks between unions and employers. In fact the negotiators on both sides of the bargaining table are usually men.

But some unions, particularly those with a growing female membership, believe recruiting women by campaigning on issues that interest them is the only way forward in the 1990s. Unions such as COHSE (the health service union), USDAW (the shopworkers' union) and BIFU (banking, insurance and finance) have all increased their membership recently in this way.

A difficult issue for unions in the 1990s is equal pay, because there is a danger employers will try to freeze men's wages until women catch-up – effectively cutting men's wages in the name of equality. But unions such as MSF (manufacturing and science) have already made their commitment to women members clear. Although only a fifth of the present membership is female, it is the only union in the country to have a higher proportion of women full-time officials than members, and it has already backed a number of equal pay claims.

Going it alone

In response to problems many women face in the workplace – low pay, lack of promotion and flexibility – a growing number are deciding to 'go it alone'. During the 1980s the number of self-employed women doubled. There are almost a million women working for themselves, amounting to 7% of the female working population.

About a third of all new franchises (such as the Body Shop, where a new business starts up under the umbrella of a large retail chain) involve women, either alone or in partnership and a quarter of applications for the Government's new business scheme come from women.

However, some women are probably deterred from applying for the Enterprise Allowance Scheme, because they are less likely to have access to the necessary capital.

Other problems encountered by women wishing to start new businesses include a lack of credibility with male customers and bank managers, as well as a shortage of business contacts following years of isolation in the home.

Another flexible way of earning money is working from home. The

attractions of homeworking are obvious for women: they can combine work and family, often on a self-employed basis. But predictions that 20% of the UK workforce could be using home computers by early next century are not necessarily good news for women. There are clear disadvantages to working from home:

- 71% of homeworkers are women, so it is already low status by definition;
- homeworkers are paid less per hour than other workers;
- homeworkers rarely qualify for company benefits;
- self-employed have less job security;
- lack of face-to-face contact leads to isolation and fewer promotion prospects.

It may well be true that new technology homeworkers will be better off than other homeworkers, because their skills are in demand. However, they could still be in a worse position than workers who are office-based.

Activities

1

The Transport and General Workers Union has a 16% female workforce, yet only 3 of the 39 places on its National Executive Council are occupied by women. 75% of The National Union of Public Employees membership is female, but only 9 of its 26 NEC members are women. Suggest reasons for this contrast between the decision-making bodies and the wider membership.

2

A recent report by the Confederation of British Industry said that 70% of women would like to have flexible working hours – such as a ‘school hours’ day or term-time contracts. Explain the benefits of a flexible working day for both employees and employers.

3

Suggest which of the following Government steps might be most effective in combating the shortage of workers expected throughout the early 1990s:

- (a) a Government grant to help women pay for childcare to enable them to go to work;
- (b) introducing a minimum wage to make even the lowest paid job more attractive;
- (c) a Government training scheme, open to all, which provides an adequate wage for workers as they learn a relevant skill.

Unit 2 Part-time Work



(Photo Co-op,
London)

Very little was known about the world of part-time work until recently. The few people doing such work were not considered to be 'real workers'. Employers assumed that part-timers did not take their jobs as seriously as full-timers and were therefore less reliable. In return they deserved less pay, fewer benefits and very little job security. In short, part-time workers were second class workers.

Growth in part-time work

Now the picture is changing as part-time work grows in popularity: in 1951 only 4% of the workforce worked part-time, but now 25% of workers have part-time jobs.

The move towards part-time work has happened for a number of reasons:

- (1) Employers need part-time staff to increase their flexibility to meet fluctuations in the market. Lots of workers can be on duty at peak hours, with a skeleton staff working full-time. This reduces the wages bill, without slowing down service to the customer.
- (2) Part-time workers can increase productivity, because full-timers work more slowly towards the end of a long day.
- (3) There has been a shift in employment patterns in Britain from manufacturing industries to service industries. The service sector, including hotel and catering, retail and financial services, has traditionally employed part-time workers, so many of the new posts created offer less than the standard 35 hour week.
- (4) The growing number of women returning to the job market has increased the demand for part-time work, so that women can combine earning money with caring for children or an elderly/sick relative.

Who works part-time and why?

Almost 90% of part-time workers in Britain are women, the majority of whom are married with children (see Table 2.1). Many women decide to work fewer hours because they have both family responsibilities and a need, or a desire, to earn money.

For many women, particularly those who cannot afford childcare, part-time work is the only option. But part-time jobs are often low-paid and of low status at present. A recent study of women's occupational mobility revealed that 29% of women returning to part-time work after childbirth took lower paid, lower grade work than their previous full-time jobs.

This means that women all over the country are working in positions below their ability and qualifications. They are wasting their potential,

Table 2.1 Distribution of working women by family status and whether working full-time or part-time, Great Britain, 1983

	<i>Percentage of all working women</i>		
	<i>Working full-time</i>	<i>Working part-time</i>	<i>All working</i>
All women with dependent children	12	27	38
Married women without dependent children	21	14	35
Non-married women without dependent children	23	4	27
All working women	56	44	100

Note: The term 'dependent children' refers to persons aged under 16, or aged 16 but under 19 and in full-time education.

Source: *Office of Population Censuses and Surveys, General Household Survey 1983, series GHS no. 13* (HMSO, London, 1985)

earning less than they are worth, and employers are failing to exploit fully the skills of their workforce. It also means that part-time jobs will continue to attract low status, because in practice well-paid responsible work is rarely open to part-time employees.

Low status of part-time work

Most part-time positions, as we have established, are in semi-skilled fields and are done mainly by women. Not only does this damage the image of part-time work, but it serves to devalue women's labour generally. Because of the assumptions made about part-time workers having no ambition or commitment, few of them are offered training or promotion. This inevitably leads to part-time workers staying at the bottom of the career ladder, unless they are prepared to take full-time positions. In turn this lack of opportunities for progression can lead to less motivated employees with a lack of commitment to their employer – reinforcing negative attitudes to part-time workers.

A reflection of the low status of part-time work is the pay and company benefits that employees receive. Suggest some reasons employers might give for paying part-time women less per hour than full-time women employees? Women part-timers earn substantially less per hour than women who work full-time (see Table 2.2, comparing full-time and part-time women). Part-time workers often find they do not qualify for company pension schemes, profit sharing, cheap mortgages, loans, sickness and holiday pay.

Table 2.2 Earnings (£): (a) female full-time employees, April 1988; (b) female part-time employees, April 1988

(a)

	<i>Weekly</i>			<i>Hourly</i>		
	<i>manual</i>	<i>non-man.</i>	<i>all</i>	<i>manual</i>	<i>non-man.</i>	<i>all</i>
Lower decile	80.1	98.3	92.2	2.13	2.63	2.44
Lower quartile	94.2	120.9	112.1	2.46	3.22	2.95
Median	115.6	157.1	145.3	2.93	4.14	3.80
Upper quartile	143.0	213.0	198.5	3.56	5.65	5.16
Upper decile	178.0	269.9	258.0	4.24	7.58	6.08
Mean	123.6	175.5	164.2	3.11	4.68	4.32

(b)

	<i>Manual</i>	<i>Non-man.</i>	<i>All</i>
Hourly earnings			
Lower decile	2.06	2.27	2.14
Lower quartile	2.31	2.52	2.40
Median	2.53	3.10	2.76
Upper quartile	2.95	4.10	3.50
Upper decile	3.51	5.66	4.75
Mean	2.72	3.59	3.21
Mean weekly earnings	49.70	71.30	61.40
Mean weekly hours	18.60	19.90	19.30

Source: Adapted from *New Earnings Survey* 1988

Part-timers usually receive only standard rates of pay, even for extra hours worked, because they do not qualify for over-time bonus unless they work more than the standard full-time hours.

Protection for part-time workers

There is no minimum wage law in Britain, unlike most other European countries. However, there are a number of Wages Councils which set agreed rates of pay in traditionally low-paid industries, such as retail, clothing manufacture, hotel and catering. There are 26 wages councils, covering about two and a half million workers, mostly women. They comprise employer and union representatives plus no more than three independent members.

Their rates of pay are set annually and are legally enforceable, but they are very low compared with average earnings in other sectors, usually averaging between £2 and £2.50 per hour (in 1989). In 1989 the Government began discussions about abolishing the wages councils altogether, following a number of Acts of Parliament since 1980 which have weakened their powers, for example they no longer protect people under 21 years of age.

Part-time work and the law

Although there is no British law to protect part-time workers specifically, they can qualify for ordinary employment rights if they work more than eight hours per week for the same employer for five years. Under the Employment Protection Act workers have a right to return to work after maternity leave, protection from unfair dismissal and a number of other rights. Full-timers qualify for these rights once they have worked for two years for the same employer.

As the law stands today, 55% of all part-time workers in Britain do not qualify for employment protection. For example nearly half of all sales assistants work fewer than 16 hours per week, the minimum hours for full-time status in law, so must work for the same employer for five years before they qualify for employment rights.

People who work less than eight hours per week have no employment rights at all, regardless of how many years they work for the same employer. The Equal Opportunities Commission is challenging the legality of this during 1991, via the courts, because it believes most workers affected by the rule are women.

Women who are dismissed because they are pregnant, or who are not given their job back after having a baby, may be able to use the Sex Discrimination Act (SDA) to protect them if they have not worked for their employer long enough to qualify for employment rights. However the success of such cases cannot be guaranteed, but with the help of the SDA women often win out-of-court settlements. Tele-sales worker Reeni Develin won £1,000 compensation from her employer Gryffe Weekly News in 1990. They sacked her for taking sick leave during her pregnancy, despite her excellent work and promotion record with the company.

Part-time workers who are made redundant before full-time staff may also qualify for protection under the Sex Discrimination Act, but such cases have only recently been won in Europe and could take years to affect British law.

The European dimension

The European Commission attempted to introduce a law (directive) on part-time work in 1982 and again in 1986, but met with fierce resistance from some member countries in the European Community, including the UK.

The Single European Market in 1992 will bring with it increased international competition and some countries fear wage-cutting wars. Should this happen, countries paying lower wages such as Britain will have an unfair advantage over countries with a legal minimum wage. So the Commission plans to introduce another directive covering atypical work (any work, such as part-time, which differs from the standard 9–5 week), and this time the directive should have the support of most member countries. If passed, the European directive would guarantee part-time employees the same rights as full-time workers, and in countries such as the UK it will mean major improvements in working conditions for nearly five million women who work part-time.

The future

The dramatic increase in the number of part-time workers over the last three decades seems likely to continue. Many of the one and a half million new jobs created in the early 1990s will be in the expanding service sector, which is predominantly part-time.

If the European directive on part-time work is passed, and British companies find themselves forced to offer part-time contracts for skilled, management and professional positions, owing to the manpower shortage, the image of part-time work may be improved at last. Only then will the growing number of part-time workers enjoy the rights, benefits and opportunities on offer to full-time workers; and only then will many women begin to get fair wages and adequate status for the jobs they do.

Activities

1

If part-time work were as well paid and as socially acceptable as full-time work, do you think more men might choose to do it? What are the advantages?

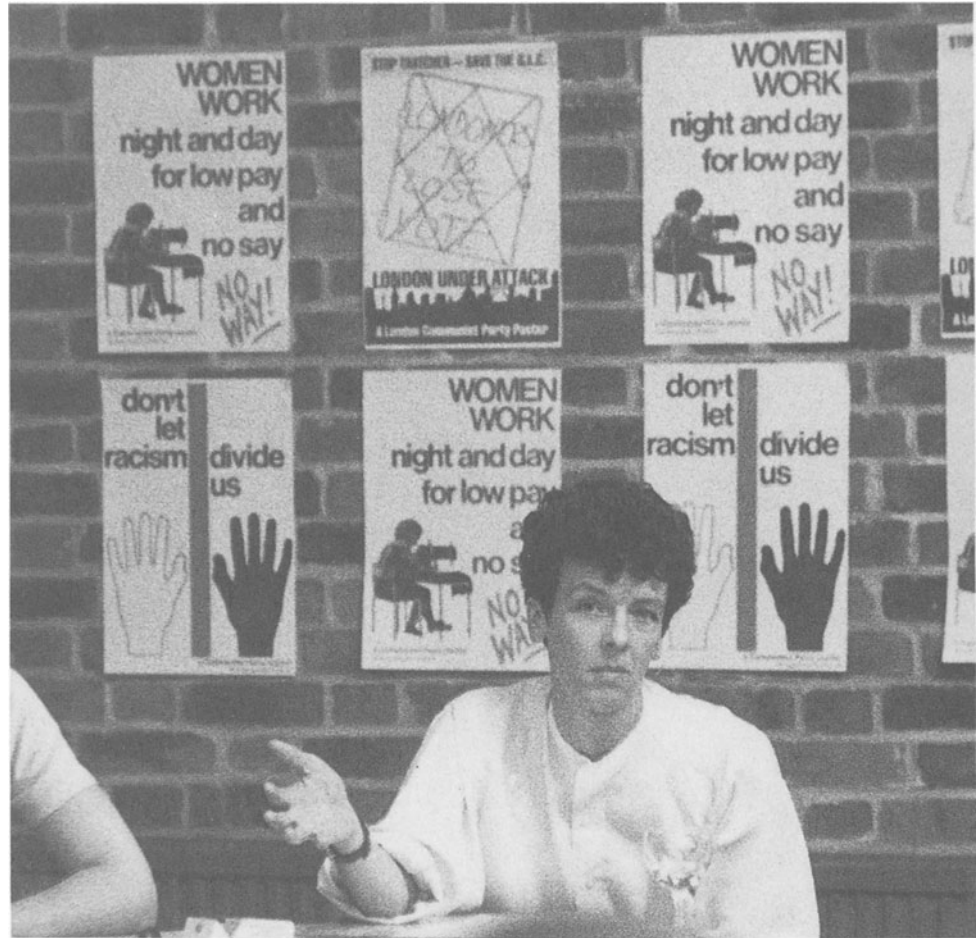
2

If you were an employer in the retail industry, how would you encourage part-time workers to join your company? What could you offer them?

3

Contact a large employer in a service industry near you and find-out what benefits they offer their part-time staff, compared with their full-time workers.

Unit 3 Equal Pay



(Photo Co-op,
London)

Until 1975 men and women often received different rates of pay for doing exactly the same work. Employers assumed that male workers had families to support and therefore needed a decent wage, and that female workers were earning 'pin money' for family luxuries. Although it is now against the law to pay different rates to men and women for the same job, the traditional assumption about men needing more money than women is at least one of the reasons why women still earn only 66% of what men do.

The Equal Pay Act

The Equal Pay Act was passed in 1970 and came into force in 1975, giving employers five years to equalise pay in their own companies. During that period the average woman's pay packet increased from just over half of what an average man earned to nearly two-thirds. But by the 1980s the earnings gap had frozen and the law could not close the gap any further (Table 3.1). The Equal Pay Act only protected women who had the same job description as male workers. In effect, men and women with the same job title had to be paid the same wage, but those graded differently did not. It was a loophole in the law.

Table 3.1 Average gross weekly earnings, excluding the effects of overtime: full-time employees on adult rates, 1970–1987, Great Britain, pounds per week

	1970	1973	1975	1977	1979	1981	1983	1985	1987
Women	16.2	22.6	37.4	51.0	63.0	91.4	108.8	125.5	147.2
Men	29.7	37.5	60.8	78.6	99.0	137.0	163.3	190.4	222.1
Differential	13.5	14.9	23.4	27.6	36.0	45.6	54.5	64.9	74.9
Women's earnings as a % of men's	54.5	60.3	61.5	64.9	63.6	66.7	66.6	65.9	66.3

Source: Adapted from *New Earnings Survey* 1970–1987

Women's work

A closer look at women's pay revealed that women were still receiving less than men for doing similar jobs. Employers were paying women less than men by grading their work lower and by giving them different job titles for fairly similar work. The Equal Pay Act could only protect women who did *the same or broadly similar* work.

The largest areas of under-pay were in fields where only women worked, for example typing pools, female production lines and even in mainly female professions such as nursing. In many factories women would receive one rate of pay for packing boxes on a production line and men would receive a higher rate for transferring the same boxes to a lorry. Both were handling the same product at the same speed in the same place, yet it was socially acceptable, and legal, to pay them different wages.

How would you reduce the earnings gap? By introducing tougher legislation or by imposing penalties on employers who treat women unequally for example?

Equal value

To close the earnings gap further, and to help the many women doing equally demanding jobs for less money, the law was changed in 1984. This piece of legislation is known as the Equal Value Amendment. It was only adopted by Britain following pressure from the European Community to treat women and men equally.

Who is equal now?

Under the Equal Value law a woman can compare her job to that of any man employed by the same company. He could be doing a very different job altogether, but to claim equal pay she must show that hers is equally demanding in terms of skill, effort and decision-making.

One of the first successful cases of this kind was brought by a canteen cook from Liverpool called Julie Hayward. She compared herself to a painter, a joiner and a heating engineer. She maintained that she too had served a four year apprenticeship and that her job was equally skilled and demanding.

She first had to take her employer to an industrial tribunal, which is like a court dealing only with work issues. The case was appealed at the Employment Appeals Tribunal, then the Court of Appeal and finally at the House of Lords. Julie Hayward received a rise of £25 per week to bring her pay up to the same rate as the men she compared herself to, plus £5,344 back pay.

The house of Lords decision said:

“ . . . the decision may have the salutary effect of drawing to the attention of employers and trade unions the absolute need for ensuring that the pay structures for various groups of employees do not contain any element of sex discrimination . . . ”

Is ‘equal value’ fair?

Many employers were worried by the concept of equal value because their wage bills would increase if they had to pay women more for doing the same amount of work. The Confederation of British Industry (CBI) demanded that the law be repealed in case companies were made less profitable. However women themselves welcomed the concept of equal value, and now they want the law simplified and strengthened further. At the moment it can take years for a woman to win equal pay because the law is so complicated and legal advice so expensive.

Do you think equal value can close the earnings gap? If not, why not?

Examples of equal value

Famous equal value cases have gradually clarified the law since it was passed in 1984. They include a nursery nurse who compared herself to a male library assistant, a driver and a caretaker; a packer at a mail order factory comparing herself to a male production line worker; and a speech therapist who claimed equal pay with a pharmacist and a psychologist. In the last example all three employees worked in the same hospital after spending years training for their chosen professions. When qualified the speech therapists, who are nearly all female, earn far less than hospital pharmacists and psychologists. The women lost their case initially at an industrial tribunal, because their pay was negotiated by separate union bargaining procedures. However the Equal Opportunities Commission has pledged to appeal the case as far as the House of Lords, or Europe, if necessary.

Perhaps the most interesting test case in recent years is that waged by secretaries and clerical workers at Lloyds Bank. The women compared themselves to male messengers working at the bank for higher pay. If the women win their case, banks throughout the country will have completely to review their grading structures.

Apart from the thousands of women affected directly by the case, secretarial skills generally could be given higher status and pay as a result of this case. The women have already won the first round of their battle at an industrial tribunal, but the banks are appealing to the Employment Appeals Tribunal because they fear the impact the case could have.

Unions and equal pay

Employers can use various 'defences' at tribunal to justify paying women less than men for doing equally taxing work. In the past defences have included saying the woman worked fewer hours, had longer tea breaks or holidays, or that her skills were not in as much demand as those of her male comparator.

But the most recent stumbling block facing equal value involves trade unions. Employers, such as Lloyds Bank for example, now claim that pay scales were agreed jointly by employers and unions years ago and therefore women should reproach their union about their pay, not the employer.

Find a recent equal pay case in the newspapers and write a brief summary of it. Do you agree with the verdict?

Equality's a bargain

Since the principle of equal pay for work of equal value was established in law, unions and employers have begun to look for alternative routes to fair

pay. Bodies such as the Equal Opportunities Commission and the Trades Union Congress (TUC) have recommended negotiating an equal deal for women during the annual pay talks held in most companies. However very few unions at present give priority to women's issues such as maternity leave, childcare, flexible hours and health, precisely because most of their members are men who do not want to see their interests subordinated. Unions with a high percentage of women members, such as MSF and NUT, are notable exceptions to this pattern (see Unit 1).

Retail chains Sainsbury and Marks and Spencer have already made news in 1990 by upgrading their mainly female sales assistants, resulting in wage rises of up to 26%. The move was widely believed to be a voluntary measure designed to avoid equal pay claims from shop workers comparing themselves to men who work in the company warehouses.

However any such move is always controversial, because men who have traditionally earned more than women do not want their pay frozen to allow women to catch up, thus making harmonisation a slow and painful process.

Review required

The earnings gap between men and women has not improved since the new legislation in 1984 and the number of equal value claims made by women is declining rapidly. Women are losing confidence in the law to win them equal pay. Cases are too complex to attempt without expert legal advice, they are costly and can often last for years – Julie Hayward's claim took four years! Legal aid is rarely available for equal pay cases and so women must rely on their unions, the Equal Opportunities Commission or a voluntary body founded recently called the Women's Legal Defence Fund. However all three have limited funds to spend in fighting costly equal pay cases.

There are now calls from all sides to have the law simplified, to make employers legally obliged to change their pay structures if a woman in their sector wins a case, and to move the responsibility onto the employers to justify why they pay women less than men.

In the USA, for example, employers are monitored to ensure they treat women and men equally. Class actions in the USA mean that equal pay can be won for all women doing a particular job by winning just one case. In the UK every individual woman must take her own case in order to establish her right to equal pay.

As Britain moves closer to 1992 and its economic merger with Europe, it is to Brussels that women must turn their eyes in their quest for equal pay. Figures show that Britain has one of the biggest earnings gaps between women and men in Europe (see Table 3.2).

Table 3.2 Comparative wages and salaries (all industries) for men and women (% differences men – women for years quoted) in European countries

	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	% change 1975–84
Belgium	28.5	28.4	29.0	29.3	29.7	29.8	28.4	26.9	26.0	26.2	-8.1
Denmark	—	—	—	13.8	13.6	13.9	14.2	14.9	14.5	14.2	—
Germany	27.4	27.5	27.2	27.0	27.3	27.4	27.2	27.2	27.5	27.3	-0.4
Greece	30.1	32.2	31.6	32.0	32.0	32.6	33.3	26.1	25.4	24.1	-20.0
France	21.5	22.9	22.6	21.7	21.7	21.7	20.6	20.5	19.9	19.8	-8.0
Ireland	39.1	39.0	38.5	35.9	33.0	31.3	32.8	31.6	31.6	31.7	-19.0
Italy	20.3	17.0	15.4	16.9	15.9	15.9	15.1	13.7	12.8	15.5	-23.6
Luxembourg	36.8	33.5	35.0	36.4	38.1	35.3	36.6	36.4	35.0	35.2	-4.4
Netherlands	27.6	26.4	26.5	26.5	27.7	26.7	27.4	26.9	26.0	—	—
United Kingdom	32.1	29.3	28.4	30.1	29.2	30.4	30.0	30.1	30.5	30.5	-5.0

Source: Eurostat 1987

Statistics available for Sweden from 1971 to 1980 show:

	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	% change
Sweden	17.8	16.4	16.1	16.2	15.2	13.4	13.0	11.6	10.9	10.3	-42.1

Source: Eurostat 1982

Note: Statistics from other sources show that the current % difference in pay between men and women in Sweden has fallen to approximately 9%.

Activities

1

Imagine you are a major employer and that most of your women workers are in the lowest paid jobs in the company. What steps could you take to tackle the inequality?

2

You are a national union negotiator and most of your members are men at the moment, who do not want to jeopardise their annual pay rise by negotiating on behalf of low-paid women members. How can you persuade them?

3

What, apart from money, could be included in annual pay negotiations between employers and unions?

Unit 4

Equal Opportunities

The concept of equality between women and men was only recognised in law 15 years ago in Britain. Before that, women were paid different rates and were restricted to certain jobs. They could not get a mortgage without a male partner and they needed their husband to co-sign hire purchase agreements. Even today there are different state pension ages for women and men.

Equality laws

There are two Acts of Parliament which relate specifically to equal opportunities for women and men. They are the Equal Pay Act, explained fully in the previous Unit, and the Sex Discrimination Act. In 1975 both Acts came into force and the Equal Opportunities Commission was set up by the Government to monitor the new laws, advise people about their rights and to promote equality generally.

Equal Opportunities Commission

The Equal Opportunities Commission (EOC) is funded by the Home Office. How it spends its £4 million budget is decided by 14 Commissioners, appointed by the Home Office, the Confederation of British Industry (CBI) and the Trades Union Congress (TUC).

The Commission, which is based in Manchester, has a team of advisors and solicitors ready to give guidance or legal support to people who feel they have been discriminated against because of their sex.

It also has a well-stocked information centre open to the public, and a policy and research unit which monitors the effects of equal opportunities on society. Their policy experts try to influence Government decision-making, for example: before the Chancellor announces his annual Budget the EOC makes a detailed plea for economic measures to benefit women, such as independent taxation or increased Child Benefit.

What economic measures do you think would be of greatest benefit to women at the present time? Explain your reasons.

Sex Discrimination Act

The Sex Discrimination Act (SDA) makes it unlawful for employers to treat men and women differently when recruiting, promoting or dismissing their staff.

It is also against the law to offer the public any goods, facilities or services (such as bank loans, mortgages or even entrance to a public swimming pool!) unless they are open to men and women equally.

Access to education and training must also be available equally to both sexes. The law protects men as well as women, but in practice it is usually women who suffer most from sex discrimination.

Before the SDA became law it was common practice for employers to advertise for a male manager to fill a vacant post, but now it is against the law to choose employees on the grounds of their sex.

There are very few exceptions to this law, usually when the vacancy is in the employer's home – a nanny for example – or when the job requires the employee to be in intimate contact with people of one sex or another. However, the exceptions to the law are very rare and would require a call to the Equal Opportunities Commission to check the legal position of the employer.

How to complain

There are two paths a sex discrimination complaint can take: employment issues go before an Industrial Tribunal and other matters go to County Court. Many victims of sex discrimination fail to complain at all, because they are unsure of their rights or are not confident enough to pursue them.

Industrial Tribunals

Industrial Tribunals are informal courts dealing with employment issues, where the persons complaining should be able to state their case without the help of a solicitor. The company complained about has the opportunity to put its side of the case and the decision of the tribunal may lead to financial compensation for the victim.

The company or the employee can appeal against the Industrial Tribunal's decision. The case would then be heard by the Employment Appeals Tribunal in London. If either side is dissatisfied with the outcome it can take the case to the Court of Appeal, followed by the House of Lords, if a point of law is being questioned. At any stage during the process, but usually at the end, the case can be appealed to the European Court of Justice.

County Courts

County Courts deal with all non-employment sex discrimination cases, for example the case where a 61 year-old man called Mr James had taken early retirement. One day he and his wife went for a swim at the local pool. Although they were both retired and both 61 years old, the pool only gave cheaper admission to state pensioners, so Mr James had to pay in full.

He took Eastleigh Borough Council to County Court and on to the House of Lords, where he won his case finally. It is now against the law for any body providing a service or leisure facility to link concessions to the State Pension age. Cheap rates must be offered to men and women at the same age.

Can you name any service which could be affected by this change in the law?

State pension ages remain unequal for men and women in Britain, so there are more and more men who retire before they are 65 yet are not entitled to concessions for pensioners. This case is a good example of how equality law can apply to men and of how it can clash with existing British laws and traditions.

The first port of call for most people suffering from sex discrimination is either their union or the Equal Opportunities Commission. Both can decide to give legal support to someone whom they feel has a good case. Alternatively the public can contact their nearest Citizens Advice Bureau, or can take a case themselves.

Gaps in the law

There are a number of gaps in Britain's equality law at the moment. Some of the omissions, such as law on sexual harassment or dismissal due to pregnancy, have been dealt with case-by-case at industrial tribunals, until the law was clarified. However, some sex discrimination does not come within the scope of equality law. The armed forces and the church are exempt from the legislation, so debates about whether women should be allowed to serve on battleships or become priests are outside the jurisdiction of the courts. Private clubs such as golf or working men's clubs can, and often do, treat women less favourably, because they are not covered by the legislation at present.

Women only sports and social clubs, even hotels, have begun to develop in response to discrimination. As the law stands at the moment a club is classed as 'private' (and therefore beyond the scope of equality laws) if it operates a membership selection process. In other words, if anyone can join it is not private.

The state pension age, and all concessions connected with it, are still unequal for men and women. Women still have no automatic right to

return to work after having a baby unless they have worked for the same employer for two years full-time.

Campaigners would like to see such gaps in the law closed and its impact strengthened so that equality will be enforceable, as it is in the USA. Even women who win sex discrimination cases in Britain are unlikely to get more than a couple of thousand pounds compensation, yet they may have lost their job, their health and their confidence in the process.

Sexual harassment

Sexual harassment is any form of repeated unwanted sexual attention which spoils the individual's working environment. It is a form of bullying ranging from lewd comments to assault or even rape. Before 1986 a woman harassed at work because of her sex could take no legal action unless she was physically assaulted. The teasing and undermining taunts which drove some women out of their jobs were regarded as a 'bit of fun' by society.

But in 1986 a Scottish laboratory worker called Jean Porcelli made legal history by winning her sexual harassment case using the SDA. She proved she was being treated less favourably than a male worker would have been and that it was because she was a woman. She was eventually given £3,000 compensation.

Since then women who are sexually bullied at work (and there are thousands of them who complain every year, plus many more too afraid to tell) can make a sexual harassment claim under the existing equality law. But research shows that many victims of sexual harassment are forced to leave their jobs, while their harassers may go on to be promoted.

Pregnancy dismissal

When a woman tells her employer that she is expecting a baby, she is sometimes dismissed instead of congratulated. In the past she could do nothing about it unless she had worked for her employer full-time for two years, or part-time for five years.

But since 1986, when the first woman won her case of sex discrimination for being dismissed while pregnant, women all over the country have been standing up for their right to stay at work.

With pregnancy dismissal, as with all sex discrimination cases, the woman must prove she was treated worse than a man would have been in the same situation. Pregnancy posed a problem for equality law, because men cannot get pregnant! However, the 1986 breakthrough came when a pregnant woman compared herself to a man who needed a few months' sick leave after an accident.

If a company would keep a man's job open for him while he takes extended sick leave, it must allow a pregnant woman to return to her job.

Retirement and pensions

The state pension age, although unfair to men and women, does not come within the scope of the SDA. As a result men who retire early must live without a state pension until they are 65. They often have even less money than a state pensioner, yet do not qualify for cheap bus passes or concessionary admission to leisure facilities.

Although the Government is currently exploring this inequality and has already changed the law so that companies can no longer have different retirement ages for women and men, it is a difficult issue. If there is to be one state pension age, should it be 60, 65 or even 63?

If women are forced to work longer, those expecting to retire at 60 will not be happy and if men are given state pensions before they are 65 the Government fear the extra cost. Private pension schemes already based on the state pension age will be thrown into confusion if asked suddenly to pay out early.

How would you solve the problem, bearing in mind that European law demands that women and men be treated equally?

Equal opportunities policies

Many companies today call themselves 'equal opportunities employers' and indeed over 300 large and small, public and private companies are members of the Equal Opportunities Commission's network called the Equality Exchange. Up and down the country members of the exchange meet to discuss how equal opportunities policies work and to share their problems as well as their ideas.

But the label 'equal opportunities employer', increasingly seen at the bottom of job advertisements, can mean anything from an employer who wants to recruit more women, right through to one who is aware of equality issues and offers improved access to promotion and training.

Companies such as the BBC, for example, spend time and money on appointing an equal opportunities manager, planning creche facilities for working parents and retraining their staff to encourage women in non-traditional areas. They have a trainee broadcast journalism scheme, for example, only open to black people or those from other ethnic minority groups.

However the label 'equal opportunity employer' is not a guarantee that the company will offer women equality with men. Employers seeking to

become conscious of equality issues need expert advice and should consult the EOC's model *Code of Practice* to help them.

“Discrimination is bad for business, whilst equal opportunities are cost-effective and should be integrated into all management, personnel and employment practices.”

(EOC *Code of Practice*)

Employers must find out what percentage of the workforce is female, and most importantly, at what grades those women work, before they can begin to move towards equality. A similar breakdown of the workforce by race is also essential to ensure that discrimination against black women is not compounded by their race.

Positive discrimination

Positive discrimination is the reverse of ordinary discrimination – for example if a woman were treated better *because* of her sex. Positive discrimination could seem to offer a quick way to redress the balance between women and men in the 1990s. But positive discrimination, even in jobs dominated by men, is against the law. Employers with the best intentions are bound to advertise for, recruit and promote their staff irrespective of their sex. Being male or female should neither hinder nor help your career if equality law is working properly.

Exceptions to this rule apply only to education and training in some circumstances. For example, if the training is for an area of work employing very few women it could be legal to run a women-only training course.

There was such a course for women biochemists at a college in Mid Wales. However it would not be lawful to give these women preferential treatment later when they apply for jobs. Ensuring equal opportunities are available for women and men is a complex process requiring expert advice.

Women-only services

A number of women-only taxi services, hotels and cheap car insurance policies have emerged during the 1980s, which appear to contradict the equality laws. The law is complex in this area, but the general rule is that services must be offered on an equal footing to both women and men if they are open to the general public.

Women-only taxis who offer an equal but opposite service for men only can operate within the law, and insurance companies can continue to offer women drivers cut-price policies if they can provide statistics to prove women are safer drivers.

Activities

1

If you were a large employer how would you start to work towards equal opportunities in your company?

2

Do you think monitoring the numbers of women in an organisation is necessary to ensure equal opportunities? How could employers check if women in their company are progressing?

3

Describe the role of an equal opportunity manager and how high you think their grade should be. What issues other than sex discrimination should they deal with?

Unit 5

Childcare



(Photo Co-op,
London)

Childcare is probably the most important women's issue in the 1990s. Without it women who need to work, or who want to, are restricted to part-time, low-status and therefore low-paid jobs. Until recently the term 'childcare' has referred to paid care for children under five. Now the term also includes caring for children in the hours between school finishing and the end of the working day.

Who cares?

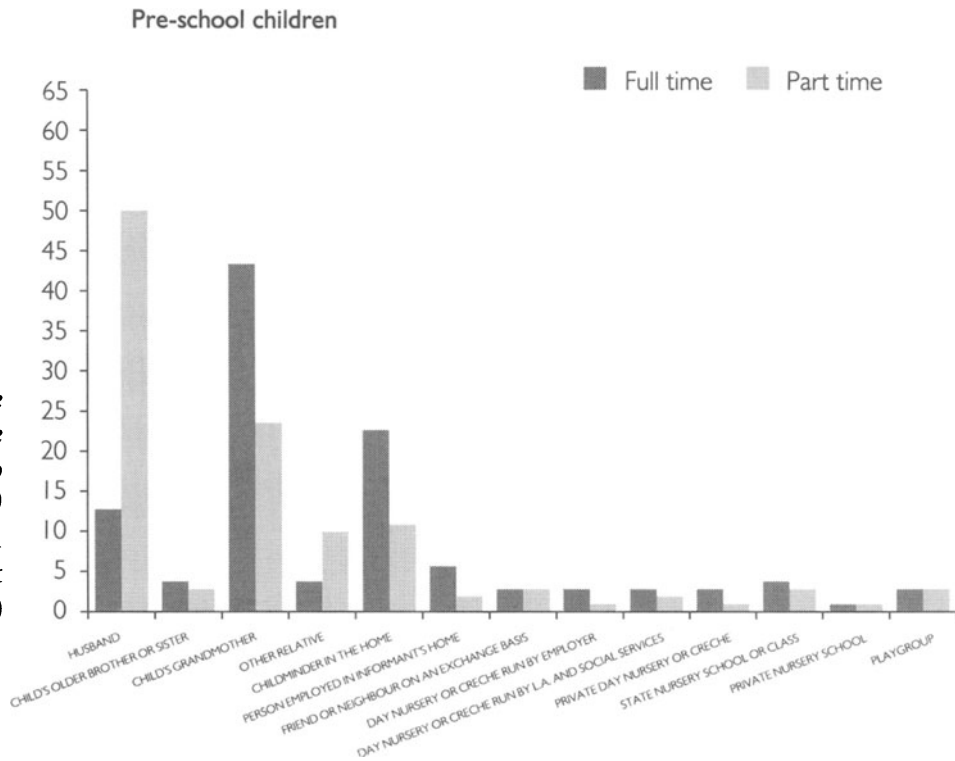
Traditionally working women have relied on relations, often their mothers, to care for children. But as the number of working women increases the growth in alternative forms of childcare will continue.

Different forms of childcare

- (1) Childminders are usually mothers who look after two or three other children as well as their own. Childminders work in their own homes

and often start their working day before office hours, finishing after 5 pm. Because childminders are self-employed and usually very flexible, they are the most popular form of paid-for childcare at present.

Figure 5.1
Type of childcare arrangement made by women who work, 1980
 (source: Women and Employment Survey)



- (2) Nannies are becoming increasingly popular in higher-income homes, particularly in the South East of England. A nanny usually cares for one family's children, is unlikely to be a mother herself, and often lives with her employers.
- (3) Nurseries are places where parents can leave their children in purpose-built accommodation with qualified staff. The demand for nursery places, whether workplace nurseries or those run by local authorities, far exceeds the number available.
- (4) Out of school care, between school and work finishing times, as well as during school holidays, is one of the newest concepts in childcare. It consists of a mixture of the provision above plus playschemes, organised for older children in school or local authority premises.

Can you name any other forms of childcare? Do you have a local holiday playscheme?

Demand for childcare in the 1990s

Recent research has shown that there will be a shortage of school-leavers during this decade. Employers will be so short of workers by 1995 that about a million mothers, currently at home with their children, will be needed to re-join the workforce.

Once again the demand for childcare for pre-school and school-age children, during late afternoons and holidays, will be as great as during the Second World War.

Growth of workplace nurseries

Some 120 large companies, such as Midland Bank, Thames TV and parts of the Civil Service, have already opened workplace creches in order to attract women with children back to work. Large companies also find it difficult to retain their female staff if they do not provide help with childcare.

Can you name a workplace nursery in your area? What do you think are the disadvantages of using a workplace nursery in a large town or city?

Lack of state control

Because childcare provision is springing up throughout the UK, often in response to skills shortages, there is no state control to ensure equal access for all men and women or to monitor the standards of care provided. So the best care is available to those workers with highly desirable skills or lots of money.

Once again women who are not highly skilled, living in poorer areas, are very unlikely to have access to affordable childcare. Research shows that women often work in jobs below their ability, or work fewer hours than they would like to because there is a shortage of childcare.

Places are only guaranteed in state-run nurseries for children who are considered to be 'at risk' in their homes. Most other children must use one of the private alternatives outlined earlier.

More than just childcare

Employers and the Government are also considering a number of other ways to assist working parents. They include:

- (1) Career breaks, where parents can take up to five years' unpaid leave and are guaranteed a job at the same grade when they return to work. The employee is kept up-to-date on changes in work patterns by spending

two weeks per year during their break back in the office. The career break particularly benefits women because it breaks the cycle of experienced, qualified women returning to work after raising children at a lower grade with a new company.

Littlewoods mail order, the four largest high street banks and major retail outlets were among the first to offer this scheme. It is now very popular with employers because it costs them very little.

Do you think career breaks should be offered to men as well as women? What are the advantages and disadvantages of career breaks from an employer's point of view?

- (2) Term-time contracts, like those enjoyed by teachers, where employees (usually women) can work full-time during the school terms but stay at home during school holidays. Term-time contracts are a fairly recent development used particularly in the South East of England, where employers already have difficulty filling jobs. Dixons and Thistle Hotels are among the first to offer such contracts. This is unusual because many of the other initiatives to attract women are aimed at highly skilled and professional women exclusively.
- (3) Childcare vouchers, which can be used to pay a creche or a childminder. These vouchers allow employers to assist workers with childcare costs so that it is financially worthwhile taking a job. The voucher scheme gained great popularity in the USA and works with luncheon vouchers.
- (4) Flexible working allows parents to work fewer hours or at times outside the 'normal' working day in order to combine their family responsibilities with their work. This concept is still very new but is gaining popularity in the 1990s because it offers an alternative to taking low paid, part-time work. It demands that employers review their standard employment contracts to decide whether skilled jobs need to be done during office hours.
- (5) Parental leave, where every parent has the right to take time off around the birth of a child and for a set number of days or weeks during its life if the child is ill. This initiative is already well-established in Europe, however only the most forward-looking employers in Britain offer it. An obvious advantage of this leave is that it enables the father as well as the mother to care for their children when they are sick, depending on which parent needs to attend work the most that week. From the employers' point of view, it enables them to plan – just as a personnel department expects workers to take a few weeks off for sickness each year, it can allow for time off to care for sick children. The alternative is that one parent or the other will take personal sick-leave to help their child.

The cost of childcare

Paying for childcare has traditionally been the responsibility of the parent. However research shows that mothers who want to return to work often stay at home because most of their wage would be taken by childcare costs. Leaving a child with a minder full-time costs about £40 per week; a creche costs around £50–60 per week and a nanny can demand anything upwards of £70 per week depending on the area of the country.

Subsidised childcare, at workplace nurseries or via childcare vouchers, allows the employer to share the costs. But during the mid 1980s such help was made taxable. The employee was taxed on the childcare allowance and the employer gained no tax incentives from the Government for helping in this way. A recent survey showed that many more employers would provide childcare help if the tax system stopped treating it as a luxury, instead of a necessity. In the 1990 Budget the Government bowed to pressure from women's and childcare organisations to remove the tax on workplace nurseries. However this measure only affects women who earn over £8,500 and who have a place in a subsidised workplace nursery. These amount to a tiny minority of fortunate women. To have a broader effect the Government needs to remove the tax on childcare arranged outside the workplace.

Compile a list of other company benefits or 'perks', and explain why childcare differs from them.

Childcare and the law

The Children Act (1989) is a revision of all legislation relating to children. Childcare campaigners tried to change the law by amendments, because the Act will cause a number of problems for childminders. From 1991:

- childminders must pay to register with a local authority and to have their homes checked for safety once a year;
- those who care for children under the age of eight must register with their local authority, unless they work in a nursery run by trained staff.

Many childminders, who register free of charge at the moment, worry that delays in registering will be made worse by the changes – that some minders could fail to register at all because of the charge. They also worry that checks, made in some areas at least twice a year at the moment, will be made once a year at the most.

Despite the law covering childcare, there is no single, nationally recognised certificate of competence or qualification, or watchdog to monitor standards, so many parents still trust to luck when they search for quality affordable childcare.

Activities

1

Imagine you are a graduate. What questions would you ask a prospective employer about childcare before you agreed to accept a job?

2

If you were an employer how would you make your company 'family-friendly'? How would you persuade people to work for you instead of a competitor?

3

There are a number of different qualifications linked to childcare, such as the NNEB certificate; discuss why parents could have difficulty in assessing the suitability of a childcarer.

Unit 6 Carers



(Photo Co-op,
London)

Women are in demand from all sides in the 1990s: employers want them to work, children want them at home and the rapidly ageing population means that elderly and sick relatives need them as carers (unpaid nurses or helpers).

There are up to six million carers in Britain at the moment, roughly 14% of the labour force. Their role is to care for sick or elderly relatives or friends, often at the expense of their careers, their earnings and even their health.

Who cares?

A quarter of all carers spend at least 20 hours per week looking after their dependent relative and almost twice as many women as men take on the demanding role of sole carer, often for years at a time.

By 1996 the number of people over 85 will have increased by 50% in ten years, and by the year 2000 there will be 4.4 million people over the age of 75. The trend towards smaller families means that there will be fewer

workers to support retired people, and even fewer to care for them should they become frail or ill.

The cost of caring

One in five women between the ages of 40 and 60 are carers at the moment, and they each lose up to £8,500 potential wages every year.

Research shows that approximately a quarter of all carers gave up work altogether, or substantially reduced their hours, because of their caring responsibilities. The impact on a woman's life when she becomes a carer is similar to when she becomes a mother: she loses potential earnings, employee benefits such as pension rights and misses chances of promotion by working part-time or by taking a break from her career.

A recent study of women in the workplace claimed that the country can no longer afford to waste the earning power and skills of these women.

Support for carers

The physical demands of lifting, washing and feeding dependent people are compounded by the isolation and lack of support from social services which carers often experience.

Only 10% of carers qualify for the one state benefit available to them, called Invalid Care Allowance. Until 1986 this allowance was only available to single people and married men, presumably because married women were expected to act as unpaid carers as part of their family duties. In 1986 British woman Jackie Drake won her case in the European Court of Justice so that married women are now eligible to apply for Invalid Care Allowance.

Community care

A major drive in the 1990s is to care for elderly, sick, handicapped and mentally ill people in the community, instead of institutions. If a report under consideration becomes law, women will be expected to shoulder even more of the burden of caring for dependants than they have in the past. This report, by Sir Roy Griffiths, predicts a move away from care provided by local authorities towards increased reliance on carers in the community. Already there are fears expressed by carers' and women's organisations that women will be under too much pressure unless they are offered financial help, daycare centres for dependants to attend, and proper training and support for their caring duties.

Granny vouchers?

Employers hoping to attract mature women back to work, because of the skills shortage worsened by the lack of school-leavers, will have to look beyond the offers of flexible working hours, career breaks and childcare assistance.

Indeed, companies in the USA are already attracting women back to work by offering 'granny vouchers'. Like luncheon vouchers and childcare vouchers, they are provided by employers in addition to a wage to make work a more attractive proposition. The vouchers can be exchanged for eldercare, so that the woman can ensure her relative is well looked after while she is out at work.

Activities

1

Contact three major employers in the service sector and find out if they make any provision, such as career breaks or flexible hours, for workers with caring responsibilities.

2

The National Association of Carers is a voluntary organisation which aims to encourage carers to recognise their own needs, to develop support networks and advice for people who do caring work. The Association also aims to bring the needs of carers to the attention of the Government. Discuss what problems carers could experience and suggest how they could be helped.

3

If you were an employer, how would you attract and retain workers in the context of caring?

Unit 7

Education and Training



(Photo Co-op,
London)

The limited choices and opportunities women face in society are created, at least in part, by the education system. By the time women look for work they are already unequal, both in qualifications and expectations. Until recently even the brightest girl pupils were unlikely to achieve GCSEs in science, maths and technology, yet without these subjects their career choice is severely limited. Even in 1989 only 5% of girls attained a grade 'C' or above in GCSE technology, compared with 19% of boys (see Table 7.1).

Compare the GCSE results of boys and girls in subjects such as Physics, Home economics and English. Suggest reasons for the disparity.

Over 82% of working women are employed in the service industry – banks, insurance companies, hairdressers, hospitals and public administration. Yet only 6% of them are in senior management positions.

Table 7.1 16 year old pupils in England 1988–89, attempts and graded results at GCSE for selected subjects

	Attempting GCSE			Gaining grade A–C			Gaining grade A–C as % of 16 year old pupils		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
Any subject (000s)	293.6	287.7	581.3	164.5	202.2	386.7	288.8	284.3	573.1
Any subject (%)	93	95	94	58	67	62	91	94	92
Physics	44	19	32	21	10	16	43	19	31
Chemistry	32	26	29	17	13	15	31	25	28
Biological sciences	26	45	35	13	19	16	25	43	33
Single/dual award science	22	24	23	7	7	7	21	22	21
Other science	8	7	7	2	2	2	7	6	7
Mathematics	85	87	86	36	32	34	79	80	80
Computer studies	14	7	11	5	2	4	13	7	10
Technology	51	11	31	19	5	12	46	10	29
Business studies	11	26	18	4	10	7	10	24	17
Home economics	7	40	23	1	16	9	5	38	22
Geography	48	36	42	21	18	19	45	34	40
History	34	36	35	15	18	17	32	34	33
Religious education	12	18	14	4	8	6	11	17	14
English	88	92	90	38	53	45	86	91	88
French	34	49	41	17	26	21	33	48	40
German	9	14	12	5	9	7	9	14	12
Spanish	2	3	2	1	2	1	2	3	2
Other modern languages	1	2	2	1	1	1	1	2	1
Classical studies	3	3	3	3	3	3	3	3	3
Creative arts	36	40	42	14	25	19	34	46	40

Source: *Equal Opportunities Commission*

Sex stereotyping

The start of the problem can be traced back to sex stereotyping in the early years of children's lives. They first learn through toys, books, stories and by watching adult behaviour, that men and women are expected to play different roles in society – girls often learn to be passive, caring and domestic, and boys to be active, technical and even aggressive. This early behaviour can be reinforced by the education system itself in: the way teachers are trained; the way they treat boys and girls differently in the classroom; the choice of subjects offered to boys and girls, particularly in single-sex schools; the facilities available for craft and science; the choice of exam subjects; careers advice; and the testing process itself.

In 1988 an investigation by the Equal Opportunities Commission of primary and secondary schools in West Glamorgan, Wales, revealed that equal choices were available for boys and girls in theory, but that in practice the curriculum led to nearly all boys studying Woodwork and Metalwork and nearly all girls doing Home economics.

“Sex discrimination in educational provision is very rarely intentional . . . it occurs by default, either through lack of knowledge or through lack of time when so many other issues are clamouring for attention.”

EOC report of investigation into West Glamorgan schools

The classroom

Research has shown that teaching is often demand-led, so the noisiest and most assertive pupils receive most of the teacher's attention. For the reasons outlined above, girls are often less assertive than boys.

The confidence of children trying new subjects can be eroded by teachers, parents or other pupils with sexist expectations. Thus girls may lack confidence in woodwork and science, partly because they do not expect to do well. Boys are also limited by expectations when it comes to the arts: only a third of GCSE level passes in physics are attained by girls and just over a third of GCSE passes in languages and art are achieved by boys (Table 7.1).

The curriculum

In the past girls have been able to opt-out of science subjects altogether, apart from Biology, when they reach the age of 13. The Education Reform Act 1988 has created a national curriculum which ensures that all pupils study the same core subjects, such as English, Maths and Science, plus a number of foundation topics until they reach 16. The aim of this curriculum is to ensure that girls and boys leave school educated in a broad range of subjects, instead of ones which restrict their choice of A levels, degree courses and, later, employment.

In the past, differences arose between boys and girls studying the same subject if they were separated by unaware teachers: for example a craft class could mean woodwork and metalwork for boys, but needlework and cookery for girls. It is essential that children have access to the same subjects if they are to have equal educational opportunities. They should actually be taught together as much as possible. The National Curriculum is intended to prevent this disparity in future.

Examinations

A higher percentage of girls than boys gained O Level or CSE before the Education Reform Act, and fewer girls than boys left school without any qualifications. This indicates that girls are certainly as bright as boys overall, yet long-term they have less chance of obtaining highly paid, high status work. Their early choice of arts subjects is clearly linked to their lack of career progress later in life.

Schemes such as the Training Agency's Training and Vocational Education Initiative (TVEI) and the Women into Science and Engineering Campaign (WISE), run jointly by the Equal Opportunities Commission and the Engineering Council, have attempted to improve the numbers of girls who study science and technology. Indeed, the percentage of women

on engineering courses at Polytechnics and Universities has risen from 7.8% in 1982 to 11% in 1988. But the major shortage of equipment and funding in schools means that girls are already falling behind in computer technology. Most young women who eventually come into contact with computers do so as operators, one of the lowest skilled and lowest paid jobs in the field of information technology.

Measuring ability

Under the National Curriculum children will be tested frequently between the ages of seven and 16. However research shows that girls and boys perform very differently at certain ages, because they mature at different rates. Results depend on when they are tested and on how the questions are phrased, for example: boys do better in vocabulary tests throughout primary and secondary school, but girls have higher reading ages. Girls score higher points when answering essay questions, whereas boys are better at multiple choice.

If the results of these tests are used to help children select their examination subjects or to help teachers decide into which stream they should go, the results could have a major impact on the child's education. For example under the old style 11-plus exam (which selected children for Grammar School) a higher number of girls than boys were consistently successful, because girls are better at verbal reasoning at that age. The examiners therefore adjusted down the results so that a roughly equal number of girls and boys went to Grammar School. Under the Sex Discrimination Act, adjusting the scores according to sex is unlawful.

Careers advice

When pupils choose their exam subjects (usually at 13 or 14) or choose which job they want after school or college, they need advice from parents, teachers and careers officers, to ensure that they consider all options and do not just choose a traditional job without thinking first. In the past, girls have been advised to follow tradition both in their choice of arts subjects for GCSE – usually because girls are considered to be good at them – and later in their choice of a 'caring' job. By the time a girl is ready to choose her occupation most of the options have been closed by her earlier decisions.

But the drop in the number of school-leavers and the increase in the number of new technology jobs means that girls will soon be expected to fill positions in high-tech fields as well as in science, engineering and management. Assumptions made in the past about an education fit for a girl must be changed if industry is to be competitive and if girls are to fulfil their real potential.

Teacher training

Teachers who have not been trained in equal opportunities can unwittingly reinforce the conditioning that girls and boys undergo in society generally. Yet equal opportunities is still not on the syllabus in about half of Britain's teacher training colleges. Three-quarters of the colleges have equal opportunity policies – to ensure that the trainee teachers are treated equally – but training in the Sex Discrimination Act is much rarer. It is hardly surprising therefore that senior education posts above infant level continue to be male-dominated despite the large numbers of women in the profession, and that the education most children receive continues to be influenced by their sex.

After school

When children leave school they can go on to higher education, start work or begin Youth Training (YT). Their decision depends very much on their sex. For example, only 9% of women between 19 and 24 are in full-time education in the UK, compared with 12% of men. Britain has one of the worst records in Europe for full-time education in this age range. Almost a quarter of young people go to college full-time in other European countries.

Once at Polytechnic or University, four times as many women as men study education as their first degree and ten times as many men as women study engineering and technology. On graduation 30% of women go to work in the public service sector, with only 18% going into industry; 41% of male graduates go into industry, which pays better than public service, to which only 19% of male graduates are recruited.

Figure 7.1 shows that school-leavers who go to work are equally affected by their sex when choosing a job. Almost half of girl school-leavers go into clerical and related positions, whereas only 14% of boy school-leavers make the same choice. The next most popular choice for girls is personal services, such as hairdressing, catering and cleaning, but electrical and metal processing have the most appeal for the boys.

One of the most disturbing training statistics is perhaps that only 5% of girls starting work are given the chance to take day-release courses to enhance their career prospects, whereas more than twice as many boy school-leavers are encouraged to take day-release by their new employers. This is yet another area where the employer's and the employee's expectations conspire to limit girls' potential in the workplace.

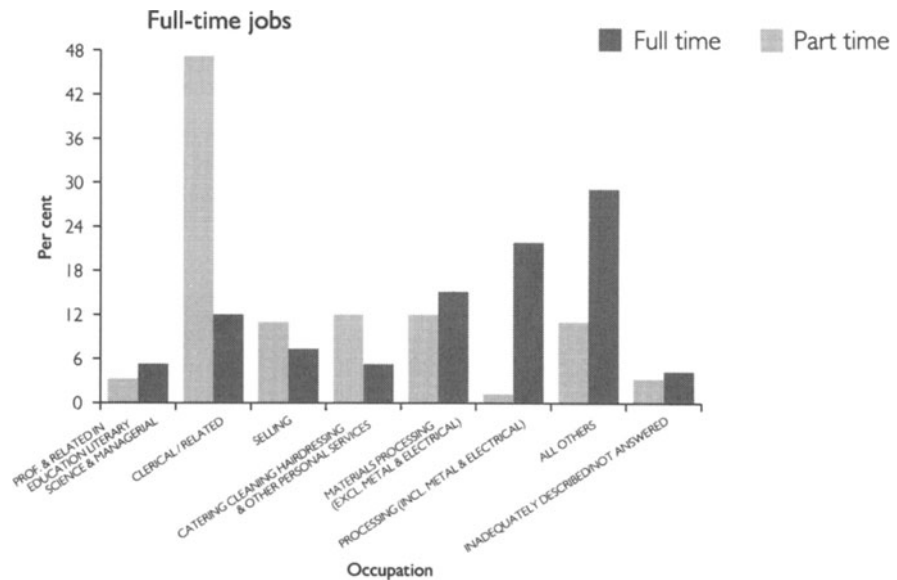
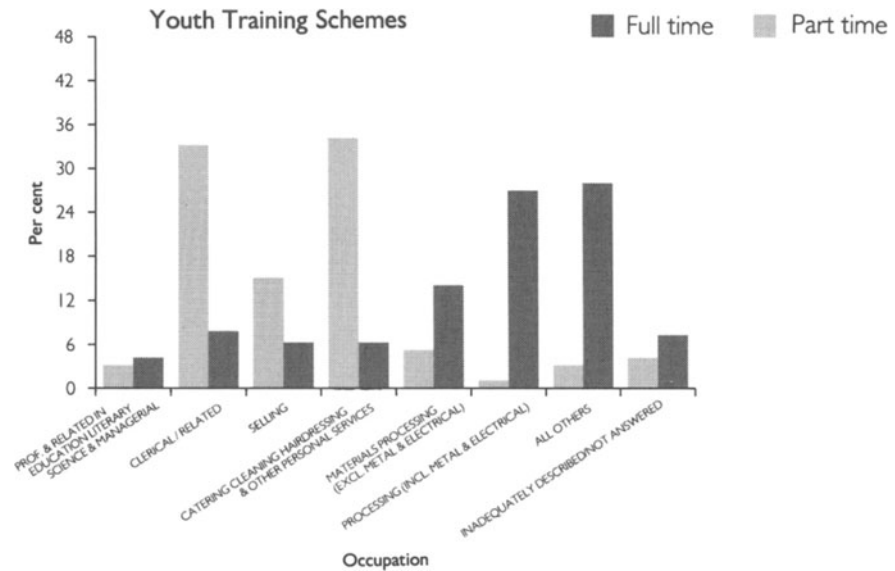


Figure 7.1
Occupations of
1986 school-
leavers, England
and Wales, Spring
1987 (source:
Youth Cohort
Study)

Youth training schemes

School-leavers between 16 and 18 years of age can no longer claim unemployment benefit if they cannot find work. They are obliged to go into YT in order to qualify for any state allowance.

Figures for 1986 revealed that 9% of young women and 12% of young men were on YT schemes. In 1987 the YTS scheme (now YT) began operating an equal opportunity policy which reserved places on schemes for

girls to train for jobs normally done by men, such as seafaring, gamekeeping, engineering and construction. There is also a representative of the EOC on the YT steering committee. Six single-sex schemes started in 1987, including joinery, painting and decorating, car repairs and science technology. Despite the variety of opportunities being offered to young women on YT many still choose their traditional areas of clerical skills and service training, perhaps based on the assumption that later in life it will be easier for women to succeed in those fields. The single-sex and reserved-place schemes have difficulty in persuading young women to fill the training places available.

Adult training schemes

Like YT, Employment Training (ET) is provided by the state as a result of a Government initiative. At present both the YT and ET are organised by the Government's Training Agency. Employment Training, introduced in 1988, replaced many Government training schemes for the long-term unemployed, including wider opportunities for women and a programme for women returners. Many women who wanted to return to the labour market did not qualify for ET because they had not been signing the unemployment register while raising their families. To help these women, and those who had been working part-time but now wanted full-time training, the Government provided 15,000 places on ET for women returners. To help lone parents who could not afford to pay for childcare while training, they also granted a £50 per week childcare allowance. But this still does not help married women with children who need training, but cannot afford childcare.

Despite all the training and retraining available for school-leavers and the long-term unemployed, Britain still has the worst training record in Europe. Between 50 and 80% of other EC workforces are skilled, yet only 38% of British workers are. Increased competition in 1992 could result in the economy suffering because of inadequate training in the past.

Training and Enterprise Councils

To meet the changing needs of the 1990s the Government reorganised its training provision to ensure that national training schemes meet the local needs of employers. A hundred Training and Enterprise Councils (TECs) are planned to cover England, Wales and Scotland. Each will have a budget of between £15 and £50 million, depending on its catchment area, and two-thirds of the TEC members will be drawn from top management in local companies.

The aim of the TEC programme is to be flexible by tailoring national

training to local needs. TECs, under the guidance of the Training Agency, will be responsible for organising training schemes for young people, for adults needing new technical knowledge and for small businesses under the Enterprise Allowance Scheme (which helps new small businesses to start trading). The Government aims to create a training framework, setting national standards of competence and qualifications, but with employers themselves checking the quality of training, as well as helping to pay for it locally. Nowhere in the TEC programme is there a plan to have a national training scheme for women. However, the EOC is represented on some TECs at local level.

The future for women

By 1995 70% of the workforce will be in the service sector and one million of the new 1.7 million jobs created will be in management. If women are to be expected to fill these vacancies then those already at work and those returning after a break must be given access to the full range of training opportunities denied them in the past.

Companies must start to encourage girls and women to go on day-release courses and they should not reserve management training for full-time workers, because many women working part-time have management potential. They should attempt to remove the prejudice to training and replace it with incentives such as flexible hours and contracts, subsidised quality childcare and progressive careers advice for women.

All the agencies involved in training at national, regional and local level should no longer be dominated by male decision makers. The EOC has even suggested that TECs use their special training projects budget to improve the skills of women already in the workforce, perhaps to retrain them completely; to educate personnel managers and to train employers themselves in equal opportunities. It also suggests women returners courses and a women's training unit be established to identify and monitor the training needs of women. At present the provision of women returner courses is very local and piecemeal.

Activities

1

What steps would you take as a headteacher to improve the number of girls leaving your school with GCSEs in science? (Leaf through a few science textbooks for a clue.)

2

Have you seen the television advertisement for the Training and Enterprise Councils? Do you think the media campaign has been successful in promoting the idea of TECs?

3

Do you think a national training scheme for women is necessary or does it go against the spirit of equal opportunities for both sexes?

In the early 1970s Britain was Europe's leading light on women's equality. The Equal Pay Act and the Sex Discrimination Act were bold initiatives pointing the way forward to equal rights. But almost two decades on, the optimism has waned. The UK is now notorious for blocking equality legislation supported by the rest of the European Community (EC). It has been brought before the European Court of Justice more times than any other member country and has the worst maternity provision, poor training and one of the largest earnings gaps in Europe – see Table 3.2 (page 21).

The European Community

The EC was founded in the 1950s with the aim of creating economic and political unity in Europe. Britain joined the Community following a referendum in 1973. The EC now has 12 member countries and is working towards a Single European Market in 1992, when it will operate as a single economic trade bloc. All restrictions on movement of people and products will be removed.

Member states are: UK, France, Germany, Spain, Greece, The Netherlands, Belgium, Denmark, Italy, Ireland, Luxembourg and Portugal.

Women in the EC

There are now 165 million women living in the EC. They make up nearly 40% of the European labour force and 75% of these working women are in service industries.

To protect their rights and to voice their concerns the European Commission has a Women's Bureau, which is the main source of law on women's equality. There is also a Women's Information Bureau which publishes a bi-monthly newsletter for women and funds seminars and films on women's issues. Two of the EC's 22 divisions affect women in particular:

- (1) employment, social affairs and education division (Vasso Papandreou, the European Commissioner responsible for this division, is considered to be Europe's expert on women's rights);
- (2) information, communication and culture division.

Among the European Parliament's 18 committees there are 3 which directly affect women:

- (1) the committee on women's rights;
- (2) the committee on social affairs and employment;
- (3) the advisory committee on equal opportunities for women and men.

Networks

There are also ten European networks to further the interests of women in Europe. The networks' members are experts in their fields such as childcare, and are drawn from each member country. They gather information on their specialist subject in their own country and meet to discuss ways of improving opportunities for women based on their findings. For example, the childcare network carried out extensive research to discover how much childcare was available in each EC country and how the countries compared. The survey proved enormously useful for childcare campaigners in the UK to show how poorly it fared compared to its European neighbours.

The ten networks established so far are:

- (1) Implementation of the Equality Directive – to check whether European law is achieving equality for women.
- (2) The Diversification of Occupational Choice – to encourage women to try jobs usually done by men (for example, women secretaries at the BBC have been retrained as camera and sound crew thanks to this network).
- (3) Women in the Labour Force – monitoring the changing face of the labour force throughout Europe.
- (4) Women and Television.
- (5) Women in Local Employment Initiatives.
- (6) IRIS – a network of training schemes for women, for example women in Wales have been trained on women-only courses in biotechnology.
- (7) Childcare Network.
- (8) Women in the Senior Civil Service.
- (9) Consultants on Positive Action for Women in Industry.
- (10) Working Party on Equal Opportunities in Education.

Can you list some of the advantages of using networks in the European context?

Equality legislation

All European law is based on the founding piece of legislation called the 1957 Treaty of Rome. Article 119 of this law covers equality between the sexes.

Article 119 established the principle of equal pay for men and women for

equal work. In other words women and men could not be paid different wages when doing the same job. This European law encouraged the UK Government to pass the Equal Pay Act in 1970.

Since this original law the European Community has passed five 'directives' concerning equality. Directives are legally binding pieces of EC legislation which are added to the Community's foundation law.

All 12 of the member states must agree to the directives before they become law if they deal with social affairs. Any country then failing to comply with the law can be brought before the European Court of Justice, which is based in Luxembourg.

Do you think it is fair to allow EC legislation and the European Court of Justice to overrule UK law?

Equal Pay Directive

The Equal Pay Directive was passed in 1975 compelling all member countries in the EC to pass their own law on equal pay for work of equal value. This meant that for the first time women doing different, but equally demanding, jobs from men could claim equal pay. In the past a woman could only claim equal pay if she did the *same* or *very similar* job to a man.

This law aimed to solve the problem of women receiving lower pay than men for doing work that only women performed. For example factories have traditionally split jobs up into women's work and men's work. Often the same goods are handled by both men and women at different stages of production, yet men receive better pay. Britain, along with other member states, had to be taken to the European Court before it agreed to change its own law to include equal value in 1984. Even then the EC was unhappy with the law eventually passed in the UK, because the burden of proof falls on the woman claiming equal value and because the legislation is so complex.

Equal Treatment Directive

Since 1976 all EC countries have been bound by the Equal Treatment Directive, which instructs them to treat all men and women equally during recruitment, training and promotion, regardless of their sex or their marital status.

This law was passed because many equality experts believed that women were still being discriminated against before they found their jobs, perhaps during training or at interview. For example it was common practice in the 1970s to ask female job applicants if they were married and had children. Those who did were often assumed to be entirely responsible for childcare and therefore presumed to be unreliable employees. Men were rarely

questioned about their marital status or children. Ironically, married men with children were more likely to be recruited as they were perceived by employers to be reliable, because they would need to provide for their families!

A famous British test-case, where the Equal Treatment Directive was used by a woman to change the UK law, was the Marshall case. Helen Marshall was forced to retire from her job as a National Health Service dietician at the age of 62. She wanted to work until 65 like men in her profession. After a six year battle she won her case at the European Court, forcing the UK Government to amend the Sex Discrimination Act in 1986. Now women and men in private and public companies must be offered equal retirement ages.

Social Security Directive

Discrimination over contributions or entitlements to sickness and invalidity benefits, unemployment benefits or claims following accidents at work was widespread. In 1979 the EC passed a directive forbidding the state to treat women and men differently when contributing to, or when claiming, sickness, unemployment and invalidity benefits.

British woman Jacqueline Drake gave up her job to care for her sick mother and had to fight a legal battle through the courts to Europe in order to qualify for invalid care allowance. The allowance was only given to men or to single women who cared for a relative instead of going out to work, before Mrs Drake won her case using the Social Security Directive. The allowance is now given to married women too, and the UK Government passed the Social Security Act in 1980 to comply with the European law.

Can you name any other state benefit which treats women and men differently?

Occupational Social Security Directive

This 1986 directive aimed to stop employers treating women and men differently with regard to pensions. It particularly aimed to stop employers excluding part-time workers from its pension schemes, as most part-timers are women. It also protects women's right to continue accruing their pension when they are on maternity leave.

Equal treatment for self-employed and women in agriculture

To ensure that women and men have equal access to financial facilities, particularly when setting-up their own businesses, this directive was passed in 1986. Although it recommends maternity protection for the self-employed, it does not guarantee it.

European laws blocked by Britain

Before a directive becomes law in Europe it is drawn-up in draft form by the Commission for approval by the EC's Council of Ministers.

All member countries have one seat each on this decision-making body and for a draft directive to become law it must have a unanimous vote of approval from all countries if it deals with social issues.

The UK Government has consistently used its vote to block directives which would improve women's rights. Between 1982 and 1985 the EC produced its first action plan on equal opportunities for women. Three of the proposed directives – on parental leave, improved rights for part-time workers and temporary workers – were blocked by the UK Government.

During the second action programme between 1986 and 1990 the UK blocked a draft directive on the Burden of Proof, which would make it simpler for women to win equal pay and sex discrimination cases.

1992: for better or worse?

1992 is being hailed by business people throughout Europe as a unique opportunity for expansion, free market competition and progress. However, fears that the economic harmonisation of Europe could adversely affect the most vulnerable, low-paid and under-skilled workers in the Community are already emerging.

Between 30 and 40% of Europe's working women are part-timers, who therefore have far fewer employment rights than most European men. They are already low-paid and many are restricted to low skilled, low status jobs because of the lack of affordable childcare. They would certainly suffer most if some regions of Europe become more prosperous than others. Women with children will not be able to travel or relocate easily to secure the best jobs on offer.

If the rights and benefits of part-time workers are not harmonised throughout Europe, millions of women in countries with poor employment rights, such as Britain, may have their wages and conditions forced down as international competition increases.

European Social Charter

To ensure that the economic prosperity brought about by 1992 does not further disadvantage certain groups such as women, a charter of fundamental rights for all citizens of Europe has been drafted by the Commission. It also states a commitment to fight all forms of discrimination. The Social Charter was approved by all member countries except the UK in 1989.

The rights guaranteed by the charter include: the right to improved living and working conditions, freedom of movement for workers, a right to training, work and pay, to social security, to equal treatment of both sexes, to trade union membership, to health and safety at work, to consultation and participation of workers in their companies and the rights of elderly and disabled people.

Activities

1

Do you think giving British women equal rights similar to those enjoyed by women in other European countries will damage Britain's economy? Why?

2

Do you think there could be a 'brain drain' of well-qualified and skilled British women after 1992 if better childcare and more equal pay is not provided by the UK?

3

Does EC law undermine the importance of UK law in your opinion?

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