

Irish Congress of Trade Unions

Towards a New National Women's Strategy: 2017-2020

Submission on the development of a new National Women's Strategy

January 31, 2017

Introduction

The Irish Congress of Trade Unions is the largest civil society organisation on the island of Ireland, representing and campaigning on behalf of some 800,000 working people. There are currently 45 unions affiliated to Congress, north and south of the border. More than half of our members are women and we include amongst our objectives:

“To ensure full equality in all aspects of employment opportunity and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.”

We agree with the vision statement describing the kind of society we want Ireland to become for women and girls, namely: “An Ireland where all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life.”

We welcome the consultation document that gives the long-term perspective to guide the actions to be taken to transform Irish society and broadly agree with the two headline aims for the next Strategy over the four years, from 2017 to 2020:

1. To change attitudes and practices preventing women’s and girls’ full participation in education, employment and public life, at all levels, and,
2. To improve services for women and girls, with priority given to the needs of those experiencing, or at risk of experiencing, the poorest outcomes.

The following submission outlines our views on the issues for women and girls in Ireland that are most important to address over the next four years, along with the outcomes we should aim to achieve and what actions could be taken to advance those objectives.

These are set out under the proposed High-level Objectives as proposed:

- Advance socio-economic equality for women and girls;
- Improve the physical and mental health of women and girls;
- Promote equal and active citizenship for women and girls;
- Advance women in leadership; and
- Embed gender equality in decision-making.

i) Advance Socio-economic Equality for Women & Girls

This high level objective is a priority one for us given our workplace focus. The following are a number of areas that currently disadvantage women and which need to change if the strategy is to achieve its objectives.

Family Leaves

The recent introduction of paternity leave is a welcome step, but there is a long way to go to reorganise our family leave system to ensure more gender equality. We welcome the commitment in the programme for government to increase paid parental leave in the first year of birth but the introduction of the paternity leave scheme is merely a step in this direction and should not be seen as the final destination. Better paid, specific leave for dads would encourage them to play more of a role at home and share caring responsibilities with mums from as soon as a child is born. Recent figures from the Department of Social Protection suggest that the take up of the scheme is at a low rate of less than one in four. Efforts should be taken to investigate the reasons for this and all Fathers should be encouraged to share in their caring responsibilities.

We continue to lag behind our European partners on issues such as maternity leave, paternity leave and work life balance policies.

The report of the Interdepartmental Working Group on Future Investment in Early Years and School Age Care and Education Services contains¹ welcome recommendations to progress family leaves, including the proposal to introduce a paid parental leave scheme for parents of children aged under one. If implemented, this proposal has the potential to greatly enhance parental choice to remain as the primary care-giver of their child in the first year of life – something all the evidence shows is of great benefit to the child.

The strategy should seek to set out achievable targets in this regard and avoid any further unnecessary delays. Not to do so would consign another generation of families to the unsustainable challenges currently faced in reconciling work and family life. Such a delay will be bad for children, working parents and, as all the evidence points to the business benefits of work life balance arrangements, the enterprises they work in.

The report also includes a proposal to consider the introduction of statutory entitlements to request more flexible patterns of working for parents of children aged 1-12 years. Targets in this regard should also be set out.

Finally, in Ireland, entitlement to Lactation or Breastfeeding breaks for working mothers, is up to 26 weeks after the date of confinement (estimated delivery date). Mothers returning to work after this time period do not have a legal entitlement to breastfeeding break. Congress has continually made the case for an extension of the period, unfortunately with no success so far. The strategy should seek to extend the period until the child reaches the age of one year.

Quality Childcare

Congress welcomes the new single affordable childcare programme and has made a submission on its development to the Department of Children & Youth Affairs making the point that quality is obviously key in early years services, and

¹ http://www.merrionstreet.ie/en/News-Room/News/Minister_Reilly_publishes_major_report_on_childcare1.html

that subsidies should be based on parental income and linked to quality. It is also clear that qualifications and salaries are levers for quality.

“The evidence is very clear that in order to achieve quality ECEC provision, the initial and continuous training, pay and conditions of the workforce are a crucial factor.” (Start Strong, 2014)

Yet, despite this clear evidence, there is nothing in the structure of the proposed Single Affordable Childcare Scheme to improve or incentivise quality in early education. The January 2016 report from Early Childhood Ireland Pay Rates in the Irish Early Childhood Care and Education Sector found that the average rate of pay for an early years education was €10.27 and that having a third-level degree earns only €1 extra. We have welcomed Minister Zappone’s acknowledgment that unless the issue of pay is addressed, “we will not have a sustainable childcare system” and made the point that the Single Affordable Childcare Scheme should be redesigned to support a move to a graduate led workforce, and support professionalisation through higher wages and an agreed salary scale as a condition of public funding.

Simply providing higher capitation for higher qualifications is not enough. The new programme should therefore ensure negotiated salary scales and working conditions that ensure the recruitment and retention of skilled ECEC staff in participating services. There needs to be a sustained increase in subsidisation and investment that is tied to pay scales - so as to ensure quality into the future. This will greatly enhance equality for women in the workplace and society and produce positive results for children and wider society.

An accessible affordable quality childcare system is good for children, and gender equality and its development should form a strong component of the new strategy.

Pensions

We as a society need to talk about the issue of pensions as a matter of urgency. Failure to do so will lead to a rise in levels of old age poverty, and it is women who will be hit in a disproportionate manner. We believe that the 2012 changes to PRSI qualification bands for pensions discriminates against women and should be immediately reversed. This was a grossly unfair decision that had the effect of reducing the Contributory Pension of those with an average of 29 annual contributions, by €1500 per annum, more than two thirds of whom are women.

There was no political debate; no public consultation and no cost benefit analysis of the measure. There was no consideration given to the issues of fair play, or equity, or minimising hardship to those worst affected. The strategy should outline the disproportionate effect of pension changes on women and commit to reversing this gender discrimination immediately.

More fundamentally, we need to develop a proper national system of pension provision.

Gender Pay Gap

The gender pay gap is the difference in average gross hourly wage between men and women across the economy. In Ireland, the gender pay gap stands at 14.4% (the average gender pay gap in the EU is 16.3%). We welcome the commitment outlined in the consultation document to reduce the gender pay gap and to seek to promote wage transparency by requiring companies with 50 and more to complete a wage survey. The NWS should build on these commitments and set targets to reach and identify strategies to attain these such as a law on pay gap reporting. Such laws should be introduced so that gender pay gap reporting is compulsory for large employers – as is due to happen in the UK in 2018. Employers should also have to publish an action plan for narrowing the gender pay gap in their workplace. There should also be proper sanctions for employers who refuse to publish this information.

Women & Low Pay

Congress made a submission to the Low Pay Commission regarding the preponderance of women on the national minimum wage. We note the commitment to seek a stronger role for the Low Pay Commission in relation to this issue and also their recent report. The report identifies some issues which affect the risk of being on the NMW, including the sector in which one works and whether one is part time or full time. They also point to CSO data which demonstrates the differing reasons for taking up part-time work: - for females, 24% indicate that “caring for children or incapacitated adults” is the reason, with a further 28% indicating “other personal or family reason.”

For males, 42% indicate that they could not find a full time job, with a further 22% in education. Only 4% of males cite “caring for children or incapacitated adults” as the reason for working part-time. There are close to twice as many women as men on the NMW and between one third and one half of this imbalance is based on the caring responsibilities, the hours which they work and the sectors in which they are employed. They go on to outline how the Single Affordable Childcare Scheme is the Government response to this issue. There are many other issues at play in relation to women and low pay which a new national women’s strategy should recognise.

In relation to the rate for a national minimum wage, Congress has been on the record that we should now go one step further and raise the Minimum Wage to the rate of the Living Wage (€11.50 per hour) over the lifetime of the current Low Pay Commission, which runs until 2018. This would help to raise living standards and spending power across the economy and would disproportionately impact favourably on women. It should not fall on the state to subsidise low wage employers through the social welfare system, as currently happens. Care should also be taken to ensure that families moving towards a living wage do not fall victim to poverty traps which act as a significant barrier to escaping low paid employment, as set out in the Vincentian Partnership’s working paper *When the Living Wage is not Enough*.

Collective bargaining is a key tool for tackling labour market inequalities and unions have been to the fore in using the industrial relations mechanisms

available to them in tackling the issue of low pay in sectors, mainly populated by women workers.

SIPTU members in the contract cleaning industry are now part of a new pay agreement amounting to more than 10% over three years. The pay deal followed agreement on a newly amended Employment Regulation Order (ERO) for the sector which was negotiated in October 2016 between SIPTU shop stewards and officials and employer representatives within the Joint Labour Committee structure (JLC).

The ERO will benefit up to 30,000 contract cleaners and provides for three pay increases. A new hourly rate of €10.05 is to be introduced later this year while further increases in December 2017 and December 2018 will see rates go up to €10.40 and €10.80 per hour, respectively. This represents an overall pay increase of 10.77%. It also provides that from 27th October 2016, deductions/charges for uniforms shall cease for all existing employees, and an initial one off charge of €15.00 will apply for new entrants.

This is an industry that has been traditionally characterised by low pay and precarious working conditions but the provisions set out in this ERO will go some way towards improving employment standards for cleaners. It also clearly demonstrates the power of low paid private sector service workers when they join together and bargain collectively through their union.

Any new National Women's Strategy should therefore promote Collective Bargaining – in line with our responsibilities under ILO Convention 98 - and use of such industrial relations mechanisms as a key tool in tackling the issue of women and low pay.

Decent Work

Low hour contracts and precarious work are commonplace, making it impossible for many workers – mainly young and female - to plan their lives and save for the future. But the government spends hundreds of millions every year on social welfare supports for people in low paid, precarious work. Workers are entitled to security of hours and certainty of income. They also have the right to union representation and to be treated with respect in the workplace. Congress Charter Campaign That is why Congress embarked on the Charter campaign, to build support for Decent Work across civil society and help create wider understanding of what is required to make it a reality. The Charter outlined the five key components of Decent Work:

- *Payment of a Living Wage,*
- *Fair Hours of Work,*
- *Right to Union Representation,*
- *Respect & Decency at Work,*
- *Fair Public Procurement.*

The Nevin Institute has already highlighted how the spread of precarious work, impacts “not only on young people, women and migrants but on older workers

too and not always in the more traditional areas of construction, retail, hotels and restaurants."

The problem of 'zero hour contracts' – as seen in the UK – is not a major issue in this economy, as they have been effectively outlawed since 1997, on foot of trade union campaigns.

However, as confirmed by the recent study from the University of Limerick we do have a problem with low hour 'If and when' contracts which are prevalent in key areas of the economy, namely: Accommodation/ Food and Retail and key areas of the Health and Education sectors.

The study explains that some employers tried to argue that low hour flexibility saved the state money through savings made on social welfare payments. But the reverse is the case, with the taxpayer providing an annual *de facto* subsidy of several hundred million to bad employers, through social welfare supports for low paid workers. Low hour and precarious work costs us all. The University of Limerick (UL) report highlighted the need for legislative changes to end abuses. Congress has strongly argued that this should mean legal backing for the introduction of an 'hours floor' – a legal right to a minimum number of weekly working hours.

In addition, employees should have the right to request a higher number of hours of work, particularly where it is clear that they regularly work over and above their contracted hours. Congress is campaigning to ensure that we see the full implementation of the recommendations contained in the University of Limerick report.

The strategy should promote these and other mechanisms to promote decent work, in line with our commitments to implement Goal Eight of Agenda 2030 on Decent Work.

ii) Improve the Physical & Mental Health of Women and Girls

Violence against Women

We welcome the commitment to implement in full the Istanbul Convention on tackling Domestic Violence and the commitments contained in the recently published Second National Strategy on Domestic, Sexual and Gender-Based Violence.

Congress has been part of the ETUC project – *Safe at Home, Safe at Work*. Trade Unions are fully determined to eliminate violence against women through collective agreements, and their proper implementation with employers, at national, sectoral and company levels.

In a ground-breaking study for *Safe at Home, Safe at Work*, which was presented in Madrid on November 24-25 to mark the International Day against Violence against Women, the European Trade Union Confederation (ETUC)

revealed how trade unions in Europe have addressed violence against women at work and how support at the workplace can help eliminate violence against women at home.

Any new strategy should promote workplace agreements to support women victims.

In that regard, it is worth noting that the Irish Government is about to take up a seat on the governing body of the ILO.

The 107th Session of the International Labour Conference in 2018 has an agenda item entitled: Violence and Harassment against women and men in the world of work (It is the first discussion towards the development of a new ILO standard). The strategy could signal the support of Ireland for this international development.

Repeal the 8th Amendment

The Congress submission to the Citizens Assembly makes it clear that the first step in meeting their responsibility as legislators for the Oireachtas in the sensitive matter of access to abortion is to support a referendum to repeal the 8th amendment. We therefore requested the Assembly to recommend that the State immediately make the necessary arrangements to hold a referendum to remove Article 40.3.3 (the 8th Amendment) from the Constitution.

Trafficking of Women for Sexual & Labour Exploitation

The Second National Action Plan which was published in late 2016 commits to addressing the identified and well established problems in this area. In order to update its actions, the Government should ratify the ILO Protocol on Forced Labour, which structures the response at 3 main levels: protection, prevention and compensation.

The Strategy should also seek to build on the passing of the Criminal Law (Sexual Offences) Bill 2015 and seek to ensure that all of its integral parts are fully enforced.

Refugee Women and Girls

The recently published “Hidden Struggles” research by the Immigrant Council of Ireland provides a crucial, fresh perspective on the experience of refugees. It exposes the urgent need for dedicated and appropriately staffed safe spaces and adequate medical and psycho-social support for survivors of sexual and gender based violence in all camps in Greece. The research also highlights an urgent need for tailored services for refugee women arriving in their new host countries. The report points clearly to the recommended solutions including:

- Practical improvements to the Greek camps to make them more women-friendly, including improved safety features.
- Improvements must also be made to the healthcare available to women in the camps.

Political leaders both nationally and within the EU need to deliver policy changes to ensure the experience of women asylum seekers is improved throughout the process. This means here in Ireland our relocation and resettlement initiatives need to be sensitive to the specific needs of women and girls. Once here, resources must be made available for local communities and the women themselves to ensure their needs are met. This means at the very least having available and accessible; gender specific healthcare, counselling services and effective structures of referral for gender based violence issues.

The new strategy should be inclusive of all women in Ireland, including asylum seekers, and inform our international relations in this regard.

iii) Promote Equal & Active Citizenship of Women and Girls'

Women's participation in education has increased and there are higher success rates of young women at secondary level. At third level, while there have been efforts to change educational options for women and men, as well as efforts to increase leadership roles in academia, this has yet to manifest itself in all areas. Women have stated that problems include overt and unconscious sexism from male-dominated lecturer panels and male students, lack of female role model lecturers and an academic system that often demands inflexible timelines and group type working that conflicts with care responsibilities. Furthermore, pathways from education to industry and ongoing training whilst working can present significant problems for women in terms of care responsibilities, loss of social welfare supports such as Medical Card, confidence and networking. While measures are being taken by the Government to improve the position of women in the civil service attention should be paid to the steps being undertaken by the Higher Education Authority.

Following a Review of Gender Equality in Irish Higher Education Institutions published in 2016, it determined that radical steps must be undertaken in order to change a culture that is biased against the advancement of women, including the introduction of gender quotas. The HEA should implement in full the recommendations of this expert group on gender equality in higher education institutions.

We welcome the commitment to the timely implementation of the Irish Governments National Action plan on Women, Peace and Security. UN resolution 1325 commits Ireland to supporting the empowerment and participation in decision making of women on the island of Ireland, including

those affected by conflict. The NAP further commits to supporting and promoting women peace builders and a gender perspective in peace building.

Congress has long called for the full implementation of UN resolution 1325 in Northern Ireland, a call which was supported by the CEDAW committee in their concluding observations following the UK government's appearance in 2013.

The committee noted that it remained "concerned at the low representation of women in the post-conflict process in Northern Ireland and the failure to fully implement Security Council Resolution 1325 (2000)". The new strategy should seek to progress this issue across the whole island.

iv) Advance Women in Leadership

The increased visibility of women in decision making positions right across public life is very welcome. However, the overwhelming number of those in positions of decision making continue to be men. From the Oireachtas to local authorities, businesses, trade unions and sporting and cultural bodies, more efforts to increase the number of women leaders need to be promoted and supported. A range of measures ranging from quotas, more family friendly practices, funding and other supports should be promoted by the new strategy. More needs to be done to ensure women are not overlooked for training or promotion opportunities once they have children: Employers also need to ensure that these opportunities are not designed in a way that excludes those with caring responsibilities.

Under the previous National Women's Strategy, a 2013 report Towards Gender Parity in Decision Making in Ireland was produced. The strategy could benefit from inclusion of some of the outstanding recommendations from this.

v) Embed Gender Equality in Decision Making

Congress is a supporter of the Equality Budgeting approach to economic policy making, one that places equality at the centre of decisions concerning public expenditure and income. We welcome the new Oireachtas Committee for Budgetary Oversight and the inclusion of "equality and gender proofing" of budgetary measures (to be supported by the Irish Human Rights and Equality Commission). The Budget Office should be established without delay to progress this work.

We also welcome the public sector duty as it relates to all the functions of a public body which may include; employment, budgeting, procurement, policy development and service delivery. IHREC has published an information leaflet outlining some steps a public body can take to bring a human rights and equality focus to their work and is in the process of developing a set of guidance materials in conjunction with public bodies and other experts which will offer detailed information on implementing the duty.

The new strategy should encourage these and other measures so that equality is at the heart of the policy making process in Ireland.

Conclusion

Ireland has expressed a strong commitment to Agenda 2030 which of course includes Goal 5: “Achieving gender equality and empowering all women and girls.”

The new strategy could be of great assistance in ensuring that Ireland lives up to its commitments to implement Agenda 2030, including Goal 5 and also Goal 8 in relation to decent work for all.

In general, we welcome the opportunity to feed in views and hope that the new National Women’s Strategy will show real ambition for a much more equal Ireland for men and women. This will involve a strategy with real targets and dates, with those Government Departments and other actors with responsibility clearly named and committed to its implementation from the start. There is also need for a multi-stakeholder monitoring committee that will meet regularly and hear progress reports and feed in suggestions for more effective implementation.