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CARELESS TO CAREFUL ACTIVATION MAKING ACTIVATION WORK FOR WOMEN



EXECUTIVE SUMMARY AND RECOMMENDATIONS

THREE STEPS TO GENDER MAINSTREAMING ACTIVATION

Labour activation is the policy and practice of linking income supports with interventions to support and/or push people without jobs to pursue employment and related opportunities. In April 2012 the NWC and SIPTU initiated research to develop a woman-friendly model of activation and to identify what supports female job seeker claimants, one parent family payment recipients and qualified adults need to access sustainable employment.

In the absence of a clear Irish 'model' or vision of labour market and work life balance, it is more difficult to gender mainstream activation policy. There are significant unintended consequences from failing to adequately gender mainstream activation.

1. Activation into compulsory full-time paid employment without an adequate accommodation and redistribution of care leads to a greater burden on women. Careless activation traps women into a triple burden of paid employment, care and domestic work. Full-time activation is not realistic without a fundamental redistribution of care and domestic work between men and women. Involuntary full-time work is an unfair imposition on women who have sole responsibility of care and domestic work.
2. Activation into part-time work may also have unintended consequences for women. In Ireland part-time work is precarious. It tends to be low paid, non-unionised and highly inflexible from the perspective of the employee. Without appropriate measures to tackle labour law compliance and planned routes out of part-time low paid work, there is a danger that activation could lead to and embed precarity traps.
3. Restricting activation measures to those on the live register will have the unintended consequence of leaving many women in poverty and outside the scope of labour market programmes. This would have negative consequences for women and their families but also in the longer term for competitiveness and employment rates.

Fearing such unintended consequences women's representative groups have responded to activation in different and contradictory ways with demands to stop, slow down, and speed up activation. The NWC takes the overall approach that while women are heterogeneous and require different combinations of work-life balance across the life cycle, most women will spend a significant portion of their adult lives in paid employment and need access to active labour market supports. NWC also recognises that there are different periods in women lives and that care of young children is a particularly challenging time for women trying to reconcile work and family life. Good quality part-time work should be encouraged as a

necessary feature of the labour market. Part-time work however is not the only solution to balancing care and work. A defining challenge of our time is to bring men into the picture and strike a more equal sharing of child care, wider care and domestic work between men and women. Good quality part-time work options will also be beneficial for male parents and carers.

The present 'careless' model of activation has been developed without reference to the reality of care in women's lives and is to date premised on compulsory full-time employment. This will not work for all women and will not be inclusive of all women. The aim of this research is to make activation consistent with and oriented towards a carer-worker model where both men and women work outside the home but equally share domestic and care work. The objective of this research is to suggest how to develop a 'careful' model of activation, one that is gender mainstreamed, accommodates the reality of care in women's lives and plays a part in enabling a greater sharing of paid and unpaid work between men and women.

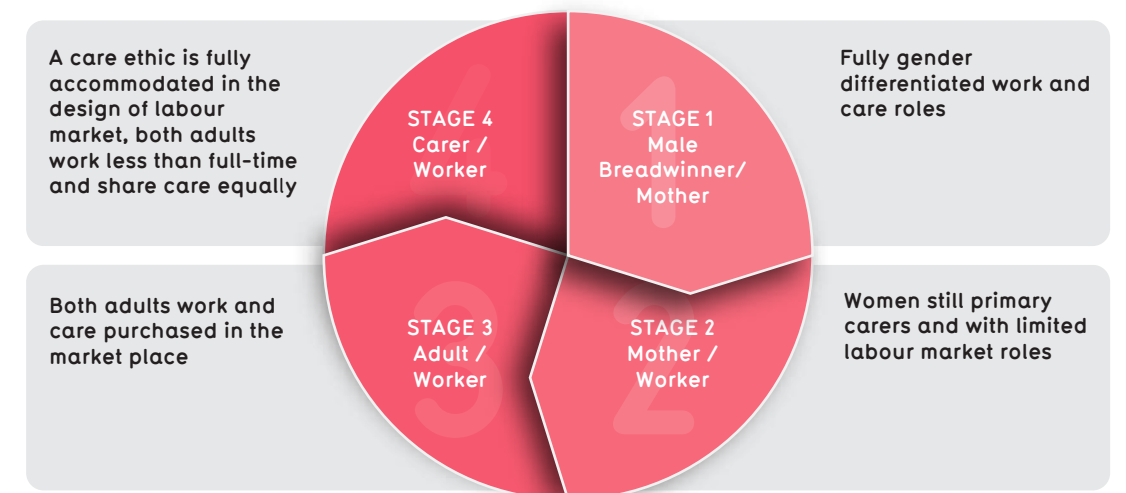
This short summary presents three steps to conceptualise gender mainstream activation and then an ABC of gender mainstreaming activation

STEP ONE

HOW DOES ACTIVATION FIT INTO A VISION OF CARE AND WORK

Step 1 contextualises the challenge of developing a gender sensitive activation policy in the context of a still highly gendered society and economy. Ireland has shifted significantly from Stage 1 male breadwinner to Stage 2 mother-worker where many women work outside the home but also maintain primary care and domestic roles. Activation policy, however, assumes all adults are available for and want to work full-time, leaving room for marketised care only and not accommodating affective care. Activation based on this adult-worker model (Stage 3) is 'careless' activation. Activation built on an ethic of care, (the carer-worker model), means a gendered and 'careful' activation strategy that recognises, accommodates and enables sharing of care and domestic work (Stage 4).

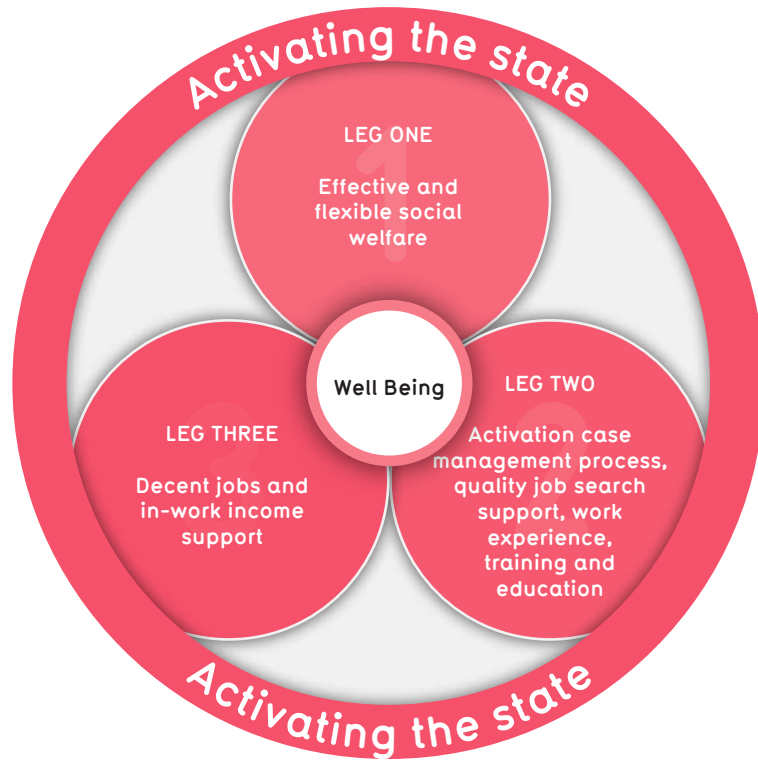
The NWC vision of gender equality is of a society and economy firmly embedded in a care ethic. This would mean both paid employment and care and domestic work is shared more equally by men and women and that employment is flexible enough to accommodate care.



STEP TWO

ACTIVATING THE STATE – GENDER MAINSTREAMING THE THREE LEGS OF ACTIVATION

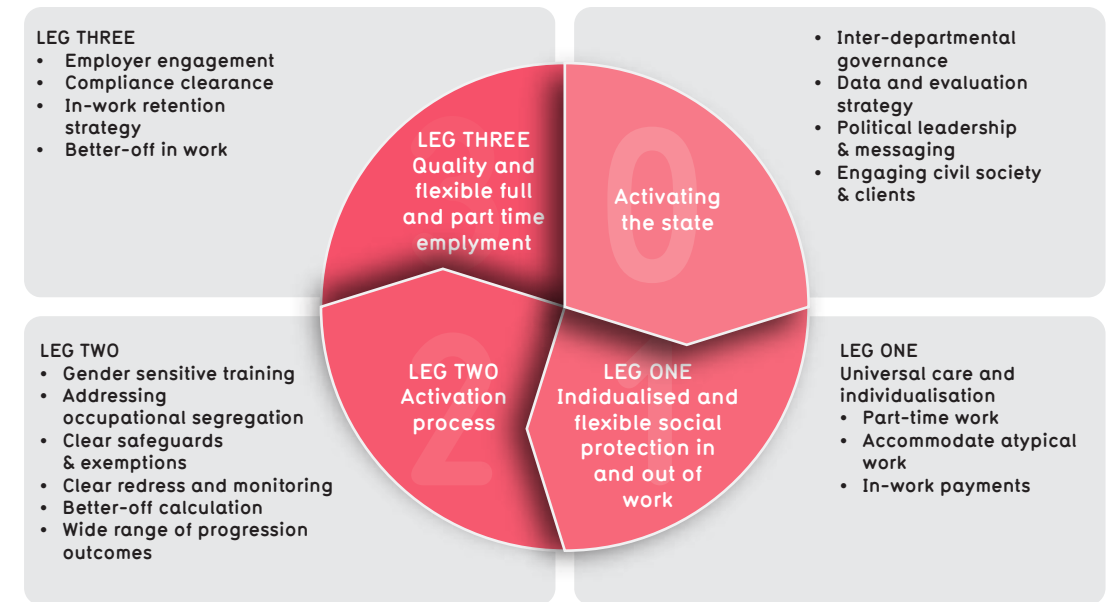
Activation strategies ideally move people from social welfare through a case management process into decent and sustainable employment. This requires well coordinated and integrated statutory policy and practice capable of working with all stakeholders from national to local level. Developing activation is about activating the state to provide the capacity for integrated, well planned, evidence based policy and planning, and making sure the state has sufficient data, skills and capacity. This means looking carefully at staff resources and investing in these skills and training to ensure capacity to consider the gendered implications of policy and practice. It also means leadership to motivate staff.



STEP THREE

APPLYING A GENDER PROCESS TO EACH LEG OF ACTIVATION

A gender mainstreaming approach to activation will have four gendered dimensions: the active state underpins the framework of three legs; the gendered working age framework; gendered activation processes; supports to enable flexible and family friendly quality and sustainable work. The boxes below outline specific recommendations under each of four headings: activating the state; modernising and individualising social welfare; gendering the case management process, and enabling flexible, but not precarious, employment.



ACTIVATING THE STATE

Interagency collaboration requires greater coherence across the three departments, DSP, DJEI and DES at national and regional levels.

User participation can be strengthened through a statutory commitment to having client representation on the board of SOLAS and on the board of each Education and Training Board (ETBs) and in key divisional Intreo offices. These can be institutionally supported through local development companies and NGOs.

A specific formal consultative mechanism is required for representative groups such as NWCi.

Intreo and SOLAS action plans need to be refocused and an appropriately senior level official needs to be assigned responsibility to adopt a gender mainstreaming approach to activation policy at national level and in each DSP division and on each ETB board.

Two gender mainstreaming 'demonstration centres', one in an Intreo and one in an ETB, can provide specialised supports.

Activation in a time of recession is necessary but challenging. Political discourse about activation should avoid blaming or stereotyping client groups and confusing activation with other control or expenditure reduction objectives.

All policy has gendered impacts. Data disaggregation is required to enable full gender proofing and monitoring of employment patterns and distributional outcomes.

Budget 2013 should initiate a second year of part-time universal Early Childhood Education along with a universal out-of-school child development programme delivered through the school infrastructure.

An 'equality in the home' attitude campaign (on the lines of drink driving, road safety or seat belt campaigns) should promote sharing of domestic work alongside policy initiatives including paid paternity and parental leave and soft supports.

There is growing disconnect between what is needed to implement good activation and the reality of cuts to childcare, literacy, community development, health counselling and personal services in local communities and the impact of cuts in such services on the lives of social welfare claimants. Consultation is needed to ensure the strategy is grounded in reality.

LEG ONE

WORKING AGE WELFARE

1

The first principle of activation should be to do no harm and to enable those on working age payments to at least maintain current levels of employment and social welfare income. Plans for further cuts to income disregards in OPFP should be discontinued.

While the institutional arrangements should continue to be developed there should be no mandatory application of activation to lone parents or qualified adults without a universal after-school child service, accommodation of part-time work, meaningful in-work supports and full compliance with labour legislation.

The Limitation Rule, the concept of qualified adult allowances and OPFP in social assistance, should be abolished and family formation choices neutralised. In such an individualised welfare system, with appropriate exemptions for care roles, all adults should be considered eligible for part-time activation.

Individualisation of social welfare must be paralleled by tax reforms that enable women to maximise the full economic value of their employment.

Job seekers payments must recognise part-time work choices and facilitate atypical work patterns. This can be done by moving from a day to an hours based calculation.

Genuinely Seeking Work guidelines and Available for Work guidelines need to be modernised and made gender sensitive by developing a range of criteria for what is considered a) reasonable employment and b) reasonable groups for exemption from activation. These guidelines must be publicly available and in plain English.

In-work costs, including care and transport, must be recognised in determining whether 'work pays' and a better-off calculation included in each case management process.

A system of in-work refundable tax credits should replace the in-work Family Income Supplement.

In the interim, DSP should conduct a major FIS public advertisement campaign and address delivery problems.

RECOMMENDATIONS

LEG TWO

GENDERED ACTIVATION FROM CARELESS TO CAREFUL ACTIVATION

2

Intreo should adopt an unambiguous framework for positive activation.

A gendered strategy should be less focused on work first and will have wider focus on progression outcomes including personal development, child and family wellbeing and education, training and part-time work. This should include a specific education first approach in targeted areas.

A gendered activation strategy would enable and respect part-time work choices, have a long term holistic perspective and promote economic independence and individual autonomy and self determination in an individualised tax and welfare system.

Activation case managers need to be familiar with the full range of supply and demand side barriers to women's employment, such awareness needs to be incorporated into training. Client mediation processes need to be of sufficient quality to enable barriers to be adequately explored.

Regulations for exemptions to GSW for parents with children, other caring responsibilities, education and health reasons need to be clearly spelt out for both clients and case workers. A protocol on exemptions and referrals needs to be clearly understood by staff and clients. Exemptions should be subject to quarterly monitoring reports for gender and regional patterns.

Child and relative care needs to be added to the profiling tool to determine Probability of Exit. In the meantime adequate focus needs to be given to care barriers.

A budget maximisation strategy has to be part of the activation process, technical tools and apps can be developed to enable 'better-off in-work' calculations.

Privatised activation services, where used, must apply equality legislation and operate to strict guidelines and standards. Payment by results often leads to cherry picking and parking and needs to be monitored tightly to ensure women are not disproportionately parked.

Consideration needs to be given to including claimants in the delivery of training and ensuring a gendered dimension and input from user groups and vulnerable clients.

Addressing occupational segregation needs to be a core objective of SOLAS and requires specific targets and interventions.

RECOMMENDATIONS

LEG THREE

ENGAGING EMPLOYERS IN PROVIDING FLEXIBLE AND QUALITY EMPLOYMENT

3

Winning employers' trust, encouraging employers' engagement and increasing the number of vacancies filled through Intreo will be a considerable challenge.

Too strong a work-first approach will not meet employers needs for effective job matching, proactive management of skills shortages and guaranteed job ready placements with minimal concerns of turnover

Incentives should encourage and enable employers to maximise sharing of existing work as well as creation of new part-time and three quarter-time jobs

While being in a job can be the first step to a better job, there are also people trapped in precarious and inflexible sectors. Intreo must monitor for and avoid these 'precarity traps'.

A gender and sectoral analysis of trends in part-time work could shed more light on when part-time work is a stepping stone and when it is a precarity trap

The emerging activation infrastructure presents a unique opportunity for the state to develop a social contract with employers and to strengthen compliance with labour rights legislation.

Following statutory tendering and procurement practice, all employers availing of state employment incentives should sign a self declared compliance form.

Full information about employment rights and the right to join a union should be included in the activation placement process.

Job retention requires an active case management strategy with an ongoing case manager/employer system to prevent early job loss and unnecessary and costly staff turnover.

GENDER MAINSTREAMING

JOB SEEKERS PAYMENTS

GUIDELINES FOR REASONABLE JOB OFFER AND EXEMPTIONS FROM JOB SEARCH

The full range of guidelines under 'Genuinely Seeking Work (GSW) and Availability for Work (AW) regulations needs to be reviewed at four levels; to facilitate part-time work; to define a reasonable offer; to enable exemptions; atypical work regulations.

Firstly, a requirement for full-time work availability is inconsistent with established work patterns for many mothers. The UK JSA and Dutch guidelines were adapted to allow lone parents moving from income support to JSA to satisfy requirements by being available for part-time work.

Irish AW guidelines need to facilitate part-time work at 19.5 hours pw.

Secondly, a reasonable offer of activation also needs to be defined and gender mainstreamed. The Canadian Economic Action Plan (2012) criteria for determining 'suitable employment' includes recognition of personal circumstances or health problems that prevent a claimant taking a particular job, and family obligations that prevent them from working at certain times of the day. A one hour commute is considered reasonable but the code recognises limited transportation options in terms of commuting to and from work and physical limitations to performing some work. A position cannot be offered if vacant due directly to a strike, lockout or other labour dispute.

Irish GSW guidelines need to be amended to expand on the definition of reasonable work and what is considered reasonable in terms of family/work balance. The following are suggested guidelines

- Nature of employment contract – zero hours contracts and contracts of less than six months duration are not reasonable .
- Wages – consistent with sector and minimum wage legislation
- Hours of work - these can be limited for care reasons
- Involuntary part-time work must have progression routes
- Travel time to and from work – one hour commute or shorter if childcare obligations exist
- Hours of work - reasonable to align with care and/or parenting obligations
- Availability of childcare (subject to appropriateness and affordability and allowing for parental norms)
- Health and safety – full compliance with all legislation
- Financially better off – better off calculation shows clear financial improvement from taking up work
- After in-work costs – included in better off calculation

- Consistent with progression plan – right to follow direction of agreed activation plan
- Vulnerability of child – clear reference to rights of child to parental care
- Trade union membership – right to join union respected.
- Exemptions for specific care obligations and meeting specific child needs

Thirdly, many countries exempt a parent on a number of grounds including distance travelled, other care obligations, health, home schooling, fostering or attending to children's special needs. All countries exempt lone parents who have, or whose children have, a disability, a significant health problem or special education needs. US states can exempt up to 20% of their caseload from time limits and work requirements. France and Norway exempt lone parents from job search in the first year of becoming a lone parent. In The Netherlands and Australia, lone parents are not obliged to accept a job if they are not financially better off in work. In Australia, principal carer parents who are registered and active foster parents, recognised home educators or those facilitating distance education, or those with four or more school-aged children, may claim an automatic exemption for up to 52 weeks at a time Others can access renewable temporary exemptions of up to 16 weeks that are decided on a case-by-case basis.

Finally, a DSP 2006 Review of the Application of the Unemployment Benefit and Assistance Schemes and Conditions examined the application of the jobseekers benefit and allowance scheme conditions to workers who are employed on a part-time, casual or systematic short-time basis. Instead of accommodating atypical workers Loftus (2012) and OCJSPE (2012b) note recent changes have had the cumulative effect of excluding more low paid and precarious workers from social protection. The net impact is to create a dual labour market and a dual social protection system. The changes distort the capacity of the social protection system to support precarious and atypical work, make precarious work less attractive and increase in-work poverty. They make welfare to work less likely to happen. These changes have greater consequences for women and suggest a fundamental ambiguity in government policy where government wish to increase the number of women in employment while simultaneously making it more difficult for women to access sustainable part time work that best suits work life balance.

An 'hours worked' or 'earnings' guideline should determine unemployment. A precarity impact assessment should be retrospectively made of social welfare changes over 2008-2012 budgets.

National Women's Council of Ireland,
4th Floor,
2/3 Parnell Square east
Dublin1
Ireland.

Tel: +353 1 8787248
Fax: +35318787301
Email: info@nwci.ie
www.nwci.ie

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