Appendix to Recommendation No. R (96) 5

General principles

1. With a view to creating effective equality of opportunity and treatment for women and men workers, each member state should make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without any conflict between their employment and family responsibilities.

2. The need for women and men to meet their responsibilities for child rearing should be made a priority, not only in respect of their very young children but also in respect of their older children. It is also important that workers be able to meet their increasing responsibilities to other dependent family members, and in particular to their relatives who are elderly or who have a disability.

3. The measures described in this appendix imply a considerable change in attitudes, business structures and working patterns in the public and private sectors, and it is therefore important to ensure that the measures in this appendix are implemented with the full involvement and co-operation of all labour-market actors including employers and organisations of employers and workers.

4. Although the measures described in this appendix relate essentially to the labour market, they will not in themselves ensure a more equal reconciliation of occupational and family responsibilities. A concerted effort, therefore, needs to be taken in all fields of social life in order to promote and take account of changes in the roles of women and men in both the workplace and the home.

5. With a view to promoting the reconciliation of working and family life, action needs to be taken in a number of related priority policy areas, namely:

   - the organisation of working time;
   - the abolition of discrimination between women and men in the labour market;
   - the development of adequately financed services in favour of families;
   - the adaptation of social security schemes and tax systems to the increasing diversity in working patterns;
- the organisation of school time and curricula.

6. A significant effort should be made to strengthen the regulatory and social infrastructures which support and assist workers who have to reconcile their working and family responsibilities.

7. The various instruments of the international bodies referred to in the preamble to this recommendation should be applied as widely as possible.

**Organisation of working time**

*General*

8. Governments should promote effective flexibility, or, where appropriate, encourage employers' and workers' organisations to promote such flexibility, throughout the length of the active life of workers to take account of their family responsibilities. Account should be taken of their needs and in particular on their preparation for, entry to and withdrawal from the labour market.

*A flexible employment practice*

9. Employers should be encouraged to develop flexible employment practices enabling their workers, both women and men, to meet the demands of their family responsibilities in the most satisfactory manner possible. In so far as is possible, account should be taken of the individual circumstances of each worker in relation to their family responsibilities and the needs of the persons dependent on them (for example the size of their family, whether they are a single parent, or whether their dependent relatives are ill, elderly or have a disability).

10. A flexible and voluntary employment practice widely agreed between employers and workers should comprise as many as possible of the following options:

   - easier access to part-time work for those workers who so wish;

   - easier access, where possible, to options for "distance employment" such as, for example, telework or homework for those workers who so wish;

   - the possibility for workers to vary their working hours and the organisation of their working time, whilst retaining the possibility of reverting to their original hours;

   - leave arrangements to care for family members who are ill or who have a disability.

11. Flexible employment practices should provide for conditions of employment which are equivalent or comparable to those of similarly placed full-time workers. In particular,
member states are encouraged to extend this principle of equal or comparable treatment to the following areas:

- job security;
- work place representation;
- career development including promotion possibilities;
- pay and other benefits.

**Maternity and parental leave**

12. Women should be entitled to legal protection in the event of pregnancy, and, in particular, an adequate period of maternity leave, adequate pay or allowance during this period and job protection.

13. The fathers of newly born children should also be allowed a short period of leave to be with their families. In addition, both the father and the mother should have the right to take parental leave during a period to be determined by the national authorities without losing either their employment or any related rights provided for in social protection or employment regulations. The possibility should exist for such parental leave to be taken part-time and to be shared between parents.

14. The measures described in paragraph 13 should apply equally for the benefit of persons adopting a child.

15. The return to work at the end of a period of parental leave should be facilitated by, for example, vocational guidance and training facilities.

**Abolition of discrimination between women and men in the labour market**

16. A reduction of wage differentials between women and men should be encouraged in order to achieve a more equal sharing of family responsibilities within each family unit. Accordingly, measures should be taken to promote:

i. a more balanced distribution of women and men in different sectors and occupations;

ii. a reduction of wage differentials between female dominated and male dominated occupations;

iii. a reduction in wage differentials between women and men within the same occupation.

**Development of adequately financed services in favour of families**
17. A wide and diversified variety of high quality services in the public and private sectors (including the voluntary welfare sector and the personal service sector) should be available to assist women and men in better reconciling their occupational and family responsibilities. They should operate at local level and cover child-minding services, child care, the bringing up of dependent children, reception facilities outside school time and the care of relatives who are elderly or who have a disability.

18. In order to ensure the success of the various services they should be financed collectively and not only by families. They should also be closely co-ordinated by the different parties concerned, that is national, regional and local authorities, employers, organisations of employers and workers, as well as service users themselves.

19. Employers should also be encouraged to participate, financially or otherwise, in the provision of child care and family facilities for their workers, or in other services to help them meet their family responsibilities.

20. Full information should be available to users on the various services open to them, the standard of these services and their charges.

21. Where charges are made for child care and other services, these should be reasonable, and/or means-tested, and reflect the nature and quality of the service provided by the public authorities. Where necessary, and in order to ensure that these services are effectively available for workers with low means, financial assistance should be provided by the public authorities. Governments should ensure that the services are open to all children and that they should not be excluded for reasons related to the situation, and particularly the financial situation, of their parents.

22. Assistance to families may take the form of cash benefits, free entitlement to services, services at reduced charges and public funding to service providers. Consideration should be given to determining the most efficient means of financing these services.

23. The full range of public services, in particular public transport and housing, should be organised to better meet the needs of workers with family responsibilities. Similarly, urban and rural planning should take into account such responsibilities.

**Adaptation of social security schemes and tax systems to the increasing diversity of working patterns**

24. Where necessary, income tax and social security schemes should be reviewed to ensure that their operation does not work against the goal of enabling women and men to better reconcile their occupational and family responsibilities and to share these responsibilities between them more equally.

25. With a view to financing the assistance referred to in paragraph 22, contribution and tax systems might be designed in such a way as to encourage employers to make provision for their workers.