

Convention on the Elimination of
All Forms of
Discrimination against Women
(CEDAW)

Alternative Report of
Non-Government Organization

**Taiwan Women and Children Rights & Benefit
Association (TWCRB)**

Proposal on Protection of Economic and Occupational Equality of Women

I. Provisions of CEDAW

Article 3:

States Parties shall take in all fields, in particular in the political, social, **economic** and cultural fields, all appropriate measures, including legislation, to **ensure the full development and advancement of women** , for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 5:

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) **The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training ;**

- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures :

- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

II. Illustration of Current Status and Problem Analysis

1. Current Status and Case Illustration

According to the data for 2001 – 2016 as collected by the Directorate-General of Budget, female workers with spouses or cohabitants have a relatively lower rate of participate in the labor force as compared to the male workers in the same category (Table 1). In addition, according to the statistics of the Directorate-General of Budget on the reasons for non-labor force not joining the labor force in 2016, the primary reason for female workers not participating in the work force is housework, including 2,501,000 individuals (Table 2) The relevant data shows that our government has yet adopted appropriate measures to ensure our female workers enjoy equal economic and employment opportunities.

Table 1: Marital Status and Labor Force Participation Rate

Average between 2001 and 2016

Unit:%

Year	Total			Singale			Married/Cohabitated			Divorced/Separated/Widowed		
	Aggre.	Male	Female	Aggre.	Male	Female	Aggre.	Male	Female	Aggre.	Male	Female
2001	57.23	68.47	46.1	54.25	55.33	52.98	62.02	78	46.26	33.6	48.04	26.56
2002	57.34	68.22	46.59	54.85	55.67	53.89	61.91	77.37	46.64	34.15	48.93	26.88
2003	57.34	67.69	47.14	55.04	55.49	54.52	61.78	76.67	47.1	35.1	49.53	27.87
2004	57.66	67.78	47.71	56	56.62	55.28	61.92	76.21	47.77	35.56	50.39	28.12
2005	57.78	67.62	48.12	56.86	57.18	56.49	61.72	75.77	47.75	35.87	50.19	28.97
2006	57.92	67.35	48.68	57.38	57.56	57.17	61.7	75.12	48.35	36.49	51.59	29.24
2007	58.25	67.24	49.44	58.02	58.14	57.89	61.84	74.68	49.1	37.19	51.59	30.22
2008	58.28	67.09	49.67	58.64	58.88	58.38	61.53	73.99	49.11	37.59	51.6	30.88
2009	57.9	66.4	49.62	58.81	58.88	58.74	60.93	73.05	48.92	37.52	51.11	30.93
2010	58.07	66.51	49.89	59.74	60.01	59.43	60.7	72.54	49.03	37.63	51.78	30.76
2011	58.17	66.67	49.97	60.39	60.62	60.14	60.6	72.37	48.97	37.33	52.43	30.17
2012	58.35	66.83	50.19	60.95	61.29	60.57	60.51	72.14	49.05	37.87	53.34	30.35
2013	58.43	66.74	50.46	61.39	62.26	60.4	60.41	71.57	49.43	38.04	52.67	30.89
2014	58.54	66.78	50.64	61.91	63.02	60.68	60.39	71.23	49.78	37.95	53.16	30.21
2015	58.65	66.91	50.74	62.98	64.3	61.52	60	70.57	49.68	37.7	53.86	29.18
2016	58.75	67.05	50.8	64.08	65.91	62.05	59.31	69.79	49.17	38.22	53.8	29.81

Data Source:

http://win.dgbas.gov.tw/dgbas04/bc4/manpower/year/year_t1-t23.asp?table=10&ym=1&yearb=90&yeare=105&out=1

Table 2: Reason for Lack of Participation from Non-Labor Force (Average for 2016)

Unit:'000 people

Reason	Male	Female	Total
In search for employment	90	59	149
In school/Prepare for school entrance exams	1013	1031	2044
Housekeeping	47	2501	2548
Old age, physical/mental incapacity	1303	1177	2480
Others	761	254	1015
Total	3214	5022	8236

Data Source:

http://win.dgbas.gov.tw/dgbas04/bc4/manpower/year/year_t24-t71.asp?table=71&yearb=105&yeare=105&out=1

Case:

“What Can I Do?” – A job seeking voyage of a mid-age female

by Hsin-yun Peng

During one afternoon, a mid-age lady came over looking for job, wanting to know whether there was any job suitable for her and what she might be capable of. I first talked to her trying to find out the reason for her looking for work, her past work experience, and what she had in mind. Through our communication, I found her to be a polite and humble individual, not very confident about herself and not wanting to trouble others. Upon further enquiry, I learned that she had been out of the job market for 30 years. She had taken a big step by coming here today.

Ah-yuei, at 54, has always been a housekeeper. Prior to getting married, she had one or two administrative jobs. After getting married, having to care for her husband and children, she left the job market. Ah-yuei’s decision to look for work now stems from the fact she, as the caretaker of the family, is no longer needed by the family with the passing of the elders in the family and children having grown up and no longer requiring her care. She felt lost and was not sure what to do as an important part of her life had gone missing. She started to think about her own life, realizing that for all these years she had been focusing on her family and her husband but never spent time thinking about what she wanted for herself. Then she thought, if she could have a job with economic income, perhaps she would then be able to really detach herself from marriage and have a life that she really wanted.

When I first knew Ah-yuei, my instinct told me that she did think about the problem she would need to face in reality such as her age, experience, appearance, and the limited job choices she would have should she really decide to look for a job after being away from the job market for so long. She not only had to lower her expectations but also had to change her attitude. Even with that, her chances would not be as great as she might have had before. Why is that? On the job market, an individual’s employment resource and employment competence are being evaluated based on his/her work seniority, experience, network, personality, attitude, and social connection. The nurturing of such resources has to flow with the adjustments required by change in social events and be maintained by grasping the employment status. Therefore, some people may feel like fish in the water in

some industries. That, is the result of gradual accumulation, which eventually leads to more opportunities. In contrary, a mid-age woman having been away from the job market for so many years that stopped accumulating work experience because of family would become out of touch with the employment market. When she pulled herself out of the job market, she gave up not only a salary but her accumulation of networking resources, occupational experiences and future opportunities.

What Ah-yuei will face is cruelty and challenge of reality. As such, during my talk with Ah-yuei after learning about her family status, her advantages and her obstacles, I provided her with some channels for occupational training before she ventures out for work so as to increase the opportunities for her to interact with other people through the courses and adjust herself for her first step into the job market. Currently, occupational training courses can be found on the website of the Workforce Development Agency of the Ministry of Labor. The courses are free for individuals like Ah-Yuei. If an individual attends full-day training, he/she can even apply for subsidies while in training. In addition, there are other organizations hosting relevant trainings, such as the trainings for housework staffs, nannies, caretakers and so on. All of such trainings can assist female individuals in opening new window for employment.

Concurrently, there is another situation that has arisen. For individuals like Ah-yuei that return to the job market after being away for a while tend to be deemed as being experts in taking care of housework and tend to be recommended for housework or caretaking related training courses. But as indicated by Ah-yuei, she is not particularly interested in housework and is no longer interested in being a caretaker. Her feedback allowed me to realize that the caretaking role has been repeatedly enhanced on such female individuals. These individuals in fact need employment channels that are more diversified and innovative, which could help them break through the gender-rigid occupation directions, reorganize their own space, and create more employment opportunities.

The voice of Ah-yuei reminds us to inspect the gender discrimination in occupational training, realizing that there is in fact gender differences that have been deeply rooted in those seemingly mutual occupational training options. This also allows me to realize that, in order to remove the gender discrimination in employment, each link in the chain needs to be loosen up, from the opening up of job categories and disintegration of the gender stereotypes to moving beyond gender when trying to understand an individual, so as to allow us to help such individual find a place most suitable for him/her. Only by doing so can employment services help more mid-age females to have more opportunities to realize their values and bring into play their capabilities during their journeys of returning to the job market.

2. Analysis of Source of Problem

In our traditional families, females take on the role of primary caretaker. When the number of people requiring care in the family increases, females are likely leave the job market as the pressure to care for their families enhances. When their children grow and attend school or when the children grow into adulthood or when the elders in the family pass away, the pressure as a caretaker decreases, and the females will likely return to the job market.

In the past, Taiwan has relied upon labor-intensive industries such as the textile industry for its economic development. Therefore, businesses required more base-level employees, which positions tend to have lower barrier of entry for job seekers allowing female workers returning to the job market to find jobs more easily. However, with the increasing speed of globalization and the raise of production cost in the country, Taiwan' s labor-intensive industries have mostly moved to China or Southeast Asia. The industries remain are primarily technology or knowledge intensive industries. The job market provided by the originally labor-intensive industries have drastically reduced. As the industries transformed, the male workers that have stayed in the job market tend to have more on-the-job trainings and can more promptly grasp industry information. Therefore, the longer the female workers have been away from job market due to household duties, the more difficult for such individuals to return to the job market as the change in industry structure has made female workers unable to catch up with regard to their employment competence when they are away from the job market. Even if these female workers manage to find jobs, they will have difficulty finding positions similar to what they had before leaving the job market.

Failure by the government to provide comprehensive measures supporting females returning to the job market after marriage has resulted in the decrease in willingness of females to marry or bear children. If this problem cannot be fixed, it will result in the worsening of our problem of low birth rate and an aging society, which eventually will lead to more social problems.

III. Proposal to the Government:

1. It is recommended that the government gathers data on individuals that leave the job market as a result of marriage, childbirth or other household responsibilities (such as level of education, industry, types of position held, level of salary of such individual before leaving the job market, willingness to return to the job market, the industry/field of interest etc.). Then, the government can draw up the relevant occupational training plans, fostering functions

required thereby for return to job market in the future or developing relevant industries so as to reduce the amount of population of females leaving the job market or withdrawing from the labor force, either voluntarily or involuntarily due to household duties.

2. It is recommended that the government considering offering tax benefits or other subsidies employing higher percentage of individuals that have left and re-joined the job market due to marriage, child birth or bearing of other housework and enhancing policy promotion.

3. It is recommended that the government considers including “employing individuals rejoining the labor force” as part of the CSR of listed companies and providing rewards and incentives for those with good performance.

4. It is recommended that the government sets up online platforms for matching individual seeking to rejoin the labor force with suitable positions or provide occupational trainings and job postings to reduce the time and economic cost required from such job seekers.