

# CEDAW 替代報告(CEDAW Alternative Report ):

Joining CEDAW and CRC to Promote Young Women' s Health: Boys Engagement

( 聯結 CEDAW 與 CRC 公約，提升年輕女孩的健康：納入男孩參與)

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## I. I. Forward

Joining CEDAW(article 12 健康權) and CRC(article 24 醫療和保健服務) to address teen pregnancy issues and to effectively enhance the rights of girls health, especially boys engagement to promote adolescent health benefits has been the international trend (Yan, 2012 &2013). Global Action "Every Woman Every Child" at the 2010 Millennium Development Goals Summit, gathered over 70 governmental, multilateral organizations, private and local entities echoed. Educating girls is the key to lowering maternal death rate. Uneducated women's risk of maternal death is 2.7 greater. While the risk of women who have 1 to 6 years of education is doubled compared to women who are educated over 12 years. This demonstrates the importance of cross-organizational joint action, education and empowerment.

## II. Separate Policies on Teen Pregnancy in Taiwan (2<sup>nd</sup> National CEDAW Report, 2013):

### 10.27 Protection for Pregnant Students' Rights to Education

10.27.1 According to the *Pregnant Student: Counseling and Intervention Handbook* policy/regulation, schools must help pregnant students complete their education and without discrimination. And to include cases where male students sought help in the statistics (Table 10-20 ). The number of elementary and middle school students who drop out of school due to " pregnancy or having children" was three in the 2008 academic year, two in the 2009 academic year, seven in the 2010 academic year, and six in the 2011 academic year. Provision Six stipulates "schools should take the initiative and adopt flexible measures in accordance with the relevant provisions of school achievement test or assessment." Provision Eight stipulates that "schools should improve campus related hardware facilities to accommodate students who are pregnant or have children a safe and friendly learning environment."

10.27.2 National primary and secondary students who are pregnant need counseling to return to school; the number of high school pregnant students who do not continue school was sixty-seven in 2009, forty-four in 2010, and sixty-one in the 2011 school year. The rate of continuing education among pregnant high school and vocational students was 97.35% in 2009, 97.45% in 2010 , and in the 2011 school year, the continuing education rate declined to 82.01 %. This decline was due to change in annual statistic calculation, thus, the rate of continuing education will continued to be monitored.

10.27.3 Male student who are in need to raise their children can apply for paternal leave according to the *High School Student Academic Policy*, the *Vocational Student Academic Policy*, and the *Senior High College of Technology Student Academic Policy* related regulations.

10.34 In order to strengthen the implementation of preventive education, reporting mechanisms, and safeguard the education rights of pregnant students, proposed amendments will be made to the *Pregnant Student: Counseling and Intervention Handbook*. In addition, cooperation with the departments of health and social welfare to providing good counseling services will enable continued education.

12.38 National contraceptive prevalence among aged 20-49 married women is approximately 78% . The primarily contraceptive methods are condoms (38.98%), female sterilization (24.5%), and IUD ( 19.85%). Female sterilization is 9.2 greater than male sterilization (2.65 %). The rate of contraception prevalence of unmarried women is over 90%, with primary methods being condoms ( 88.5% ) , calculated rhythm ( 24% ) and oral contraceptives ( 13% ) ( Table 12-14,12-15,12-16 ) . *What about under age 20?*

12.39 Health behavior survey among aged 13-17 indicated 84.7 % of seventh graders have started menstruation and 97% of girls has menstruation by eighth grade. In a 2011 survey among aged 15-17 girls at school, 8.8% has had sexual intercourse, 0.4 % has been pregnant, and 0.4% has had an abortion; all statistics were lower than 2009. But recent sexual behavior contraception rate (77% ) was higher than 2009. In the 2012 survey among aged 13-15 year girls at school, 2.6% has had sexual intercourse, and recent sexual behavior contraception rate ( 77.5% ) were higher than 2010. 0.2% has been pregnant in 2012 ( Table 12-17 ).

#### 12.42 Adolescent Sexual Health Promotion

12.42.1 Implementation of school health education and sex education: School Health Regulation requires schools below senior high and beyond junior colleges need to establish health related courses. Additionally, there needs to conduct female menstrual and sexual health-related research, education teaching resources to build networks to provide health education instructor teaching reference information , and conduct college sex education promotion .

12.42.2 Build a multicultural adolescent sexual health information service: establish a sexual happiness e-academy, which is a teen website which provides accurate knowledge and can be accessible anonymously via video consulting services; adolescent sexual health promotion service plan which utilize phone application as a platform for consultation, along with referrals from other local community school youths for those who are in need of individual counseling or services from hospitals; combining 39 hospitals sponsored pro bono clinics for teens to provide reproductive health counseling (in 2012, a total of 4,044 individuals were served and 58.7% were females.)

#### 12.43 Provide Assistance to underage pregnant females

12.43.1 "Special Circumstances Family Assistance Ordinance" provides a single pregnant women ( including minors ) related emergency living support , child education allowance and medical subsidy and other related assistance. A total of 1,689 single pregnant women were assisted. Additionally, establish " gender relations consulting and pregnant minors services , " including visits counseling, telephone counseling, psychological counseling and therapy , case follow-up counseling, independent living program...etc. All of which is to establish a comprehensive support system for pregnant minors.

12.43.2 Establish the "National Pregnancy Helpline for the unmarried teens " and the" Teen Pregnancy Help Website " to provide the easily accessible, immediate assistance for teen pregnant girls. These will also consolidate relevant resources which would connect to local government services for placement and adoption related services.

12.43.3 Establish a maternal and infant placement agency which provides placement assistance for teen pregnant girls who cannot be with the original family. Currently, there are five maternal and infant placement agencies, which can place fifty-four teen pregnant girls. The other plan is to provide adoption services to safeguard the best interests of children and young girls . Currently, there are ten adoption service organizations to provide support services at twenty locations.

### III. Case Studies

#### **High school male students' perspectives on teen pregnancy**

Considering the current age, physical and psychological state, social conditions, attitudes lean towards disapprove of having sex during adolescent age. This demonstrated sufficient understanding of the reality of the consequences of rash actions. For example : seek professional counseling resources(psychological counseling); school should come first, considering both parties' current school age; during extreme academic pressure at the high school age, psychologically not mature enough to have sex. If the girl is under age 16 there will be legal consequences, therefore, this matter should be deliberated; be the bridge of communication when the issue is between a friend and their own sister. To protect the sister, there is a need to communicate with the parents. Few believed if their sister stated not willing to have sex, their friend(sister's boyfriend) should respect her decision and fully support the sister's decision.

#### Vocational male students' perspectives on teen pregnancy

Tend to discuss contraception or actions after sex, e.g.: buy condoms, take birth control pills, buy pregnancy tests, force the girl to get an abortion...etc. Some said they will take responsibility after birth, elope, get married, but did not take consideration of the future of the child's education, parenting responsibility and economic abilities, and simply believed work can solve it all. There was still a lack of mutual respect between genders that was needed to be reinforced.

#### College female student's perspectives on teen pregnancy

- (1)Adolescent sexual relationships are based on “love.” Teen girls will agree to sex without protection because of “love” and be totally unaware of the rights and obligations of action. Thus, prior to discussing responsibilities, maybe there is a need to discuss emotional rights and obligations?
- (2)The decision process of whether or not to carry out the pregnancy, the consequences following the decision, all carry the emotional burden and pressure ( Abortion Shadow, unfulfilled goals/dreams, Strived for living 、resilience of role change) ;
- (3) Parents' opinions outweigh the opinions of party, parents will use reasons such as “abortion is for your own good”, “this will result you to drop out of school and have to start working” to guide the girl's decision.

Therefore, this project aims to target attitudes prior behaviors ( social structure of knowledge and the consequences of the act itself ) to improve " social determinants " ( including poverty and socio-economic status , violence and discrimination, gender norms , public policies and laws , cultural norms...etc. ),which created gender inequalities in health outcomes . Results of the program showed that (Yan, 2012& 2013):

Boy Engagement is Crucial: Sexual Behavior Perspective (Sonenstein, et. al., 1997)

- Sexual behavior involves two partners; Adolescent boys initiate sex earlier than girls and that they tend to accumulate more sexual partners over their lifetimes;
- Male methods of contraception were the main forms of contraception used when couples first initiated sex ;and,
- Increase usage of contraceptives from males demonstrate that they can be influenced to adopt new behaviors.

Boy Engagement is crucial: Social Structure Perspective

- Female subordination compared to males often originate from sex and reproductive factors; sex and reproductive health have direct interaction with various health facets (including physical ,relationship, psychological health and welfare) and social determinants;
- Many teens admitted to exploiting their relationship to persuade their girlfriends not to use contraceptives during sex (Moore & Rosenthal, 2006);and,
- Gender inequality that caused the social pressure and constraint , especially on young women, directly affects their ability to communicate with their partners on the use of contraceptives.

#### IV. Recommendations

- Strengthen the implementation of preventive education on Teen Pregnancy, involving Boys' and Girls' Engagement equally.
- Statistic analysis needed to assess progress and set indicators for improvement
- Lower the age of the target audience to middle school boys
- Incorporation of national campaign ads via public transportation and media.

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# CEDAW Alternative Report: A Review of Labor Conditions of Women Workers in the Informal Economy

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## Forward

According to the traditional gender division of labor, women have ultimate responsibility for housework and childcare but without payment. The value of their labor force is hard to be commercialized and taken as motherhood practice, so which is not counted in gross national product (GNP). In 2013, the Mental Health Association in Taiwan (MHAT) has systematically assessed the conditions of women's employment rights in Taiwan's informal economy, referring to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), especially the labor conditions of unpaid women workers in the household and the practice of applicable security measures. Our project presented the diverse labor conditions of these disguised labor force, whether the security measures fulfill their demand, and the reasons, types, situations, difficulties and demands of women workers in the informal economy.

## Women Workers in the Informal Economy

This report provides a review and analysis of women in informal economy in Taiwan, which refers to Article 11, 13, & 14, and general recommendation 16 of the CEDAW.

### CEDAW 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: 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;*

Work in the informal economy offers low or no remuneration, irregular or precarious employment status, and little or no access to social security or protection. Informal work enables a worker to exercise a degree of choice and flexibility with respect to balancing various life goals. Labor laws do not apply to workers in the informal sector. Employers use informal work to limit personnel costs or escape their liability on enforcement of fair labor standards. In the informal economy, workers' labor rights are exploited due to the absence of governance from governments.

In Taiwan, most informal workers are not covered by social security schemes. In 2008, Taiwan has a universal public pension scheme, the National Pension Insurance. It is taken as the main social insurance available for informal worker in Taiwan. But this pension scheme cannot provide informal workers financial assistance to pass through hard times or to resolve their urgent short-term emergency. Self-employed workers, who own sufficient capital to run a snack bar, dinning car or stall, are likely reluctant to join this pension scheme. For those economic disadvantages in Taiwan, such as single parent with debt, they are unable to pay insurance fees so that no any social support scheme applies to them and secures their livings.

Some suggest providing cash allowances to family caregivers or informal workers, however, this strategy is more likely to strengthen responsibility of unpaid family caregivers. Paying cash benefits to family caregivers may nibble public resources, compared to paying cash-for-care allowances for recipients in formal long-term care providers, because people/caregiver/household may rather choose immediate cash. However, when there is not enough money to support caregiver/family, the caregiving responsibility falls back to caregiver and family. While the public service is lack of, and the private care is expensive, it is very easy that women enter into informal sector, in order to both take care the family and earn money to subsidize the family. Therefore, it is a prolong strategy to prove accessible public service to share care responsibility, including childcare or long-term care. Women can only walk out from household, when there is good support system to publicize care responsibility and a women-friendly financial policy (ex, microcredit) to help them economically independent.

The result of our focus groups(嚴祥鸞，2013) shows most of interviewees join labor insurance scheme through their spouse, and few participate vocational associations by themselves if they are economically capable, which help them accumulate seniority, as a protection for their retirement. They sometimes also buy private insurance for future medical needs. One interviewees did not have and labor insurance because her family have stable income, and extra income (rent) herself, and she joined social insurance after the National Pension system began. In terms of their economic security and medical care needs of old age, most interviewees take it as individual issue and deal with it by oneself. However, they can be protected only when they are capable, but for those who are lack of economic capability, they may face enormous pressure when misfortune occurred.

### CEDAW Article 13.1 :

*'States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular: (a) The right to family benefits...' emphasized their importance of providing economic security to women-especially those who are in the informal sector.*

Apart from economic activities within household, there was not large any scale statistic survey by government currently regarding to home worker, but non-paid long-term caregivers may be a relatively easy subject to observe. National Development Council (2009) estimated the disabled populations who need to receive long-term care were 448,000. In fact, there are 660,000 disabled people in Taiwan now, and there are still 395, 000 people who have care needs, after the deduction of 70,000 who receive 'Ten Year Program for Long-Term Care' service by Ministry of Health and Welfare and 195,000 who hired foreign care worker by Ministry of Labor. Therefore, family member and relatives bear the care responsibility for those disabled population who did not receive these service. According to the statistics of Ministry of Health and Welfare (2013), the major caregiver at home are women (60.46%), whose family role are first, as children (49.32%), and second spouse (34.84%).

According to the informal investigation of Taiwan Association of Family Caregiver, many family caregiver bear long-term care responsibility, usually dozen years, and their subsistence, economic security are not supported by family system, which often provides only the minimum requirement of caregiver's subsistence, but without payment or wages. These caregivers has been constrained within household and isolated from outside world, and even after they release from the care burden and wish to self-reliance, they find it very difficult to enter or return into job market, due to the lack of employment skill and proper moment for employment. (嚴祥鸞，2013)

All home workers from the interview report similar job content, including laundry, cooking, cleaning, caring for the elderly, children or ill families, and usually unpaid or did not receive monetary reward for their labor. Family care responsibility is only a sacrifice but also a substantial labor, those 'unpaid family workers' should not work for obligation. We should pay more attention to the needs of these unpaid family workers who did not receive proper protection as those who work in the formal sector.

Economic concern is the main reason why women are responsible for domestic labor or care work, by self-exploitation, they minimized the caring cost, which may bring economic pressure to the household. According to the traditional social value, it is ethical to the Confucianism that taking care family member by oneself or by hire someone to do it is an internal value of reciprocity, whether one willing or not. Especially when there is no one willing to take the responsibility, the one who take all responsibility if one is willing to.

There are several characters among the interviewees whose labor force was mainly used in domestic labor, women are still the major force for the housework and care work; those women who's responsible for domestic labor, seldom receive help, even when they have other role or duty; Even when there is negotiation for the division of labor, it is often considered from the perspective that women was the major caregiver, rather than the perspective of equal distribution of care responsibility. Only the very few male interviewees are caregiver, and only half of them doing care work by themselves, while others hired someone to do it for them. Although man become a caregiver, their burden were much less than their female counterpart.

According to the qualitative study, the expectation of the general population are still influenced by the idea of gendered division of labor where women are the main caregiver within the household, and without gender different, female caregiver themselves also think 'women' especially the younger generation are the first choice to become a caregiver when there are needs in the family, which think it her duty and responsibility. Men's role in caregiving disappears, and they will not be blamed even if they do not need to commit or offer help, no matter material or emotional.

Another large group of interviewees' work focus on specific subject—i.e. their sick immediate families. These interviewees spent most of their time, energy and money, apart from their usually housework, caring for the patient, their working hour is long, intense and repeat. If they can afford, they may hire a foreign care worker, otherwise they have to do all these by themselves, which will become a vicious circle for their economic predicament.

Worth noting, however, that there was lack of support to these interviewees family network, no matter material or moral one. Family might visit or help the care recipients, offering money, but the major care giving and payment, are still offered by fixed caregiver. Long-term care is a great burden to the caregivers, no matter financially or to their health.

CEDAW Article 14 (2) also pay special attention to women in rural areas, based on their particular condition:

*... (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency; (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;*

Women's work in agriculture are constrained by men both in production or domestic, they are confined by low-skill, seasonal, low-waged work and a work environment without dignity. Article 14.2 also illustrate the specifics of agricultural work—the multi-jobs and working hours influenced by the type of farming, led women entering into more fragment and flexible work (李朝賢，2001；劉欣芸，2002；ILO, 2008). Similar characters are long working hour, labor-intensive, irregular working hour varied by different farming style (by corps or cultivation), juggling both farm work and housework, unstable income. The interviewees did not have the right to control family economics until the elder generation die or move out.

Take the self-help experience of the female villagers in Dapo Co-op, as the article says: '(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment...' It is not as difficult as we imagine organizing self-help group for women. It does not only stimulate the economics, but also 1) develop special kind of business from each community, by renovating the local resources and innovation, which echoed the objective of 'One feature, one village'; 2) Preserving the local cultural heritage and crafts by inflecting local elders, workshop/ co-op learning/production program; via local social network; a model of coordination via community development center, they present a good example to implement CEDAW.

The mutual help model, such as co-op in the community, includes the life and work into the community support system. Compares with the non-wage family in the urban, there is a better balance between economic and family responsibility, and also better economic incentive due to the self-employment character and flexible working hour. Their farm produced has been re-presented and connected to the early life experience of their member. One can realize women's hardship and their struggle of those oppressed life through these pickle products, which is a life-style of early days of scarcity—women preserved those overproduced farm goods for stockpile or for sale—as strategy of household economics. Pickle is also a way of social, a gift for relatives and friends during the holidays. Due to the low status of women in traditional society, these pickles are the produce of survival strategy for them to adapt gender role in traditional family.

Some interviewees join the co-op in order to develop new hobbies; other renovate their old life-skill into productivities, which became a new focus of their retirement/old age; others intend to reform the pickle production due to the health reason; and others trying to sell other farm products through the marketing network of the co-op. According to the interviewees, there is a mutual learning process within the co-op, it helps to spread the knowledge of product skills, establish interaction between the members, which enrich the live quality of old age, the create opportunity of aging in place. Meanwhile, such organized network which was only among relatives, was transformed by modern marketing, and generated more value to the elder—self-esteem, apart from economic value.

### CEDAW (1991) General Recommendation(GR) 16:

*“Taking into consideration that a high percentage of women in the States parties work without payment, social security and social benefits in enterprises owned usually by a male member of the family, Noting that the reports presented to the Committee on the Elimination of Discrimination against Women generally do not refer to the problem of unpaid women workers of family enterprises, Affirming that unpaid work constitutes a form of women's exploitation that is contrary to the Convention, Recommends that States parties: (a) Include in their reports to the Committee information on the legal and social situation of unpaid women working in family enterprises; (b) Collect statistical data on women who work without payment, social security and social benefits in enterprises owned by a family member, and include these data in their report to the Committee;*

According to our literature review, there are few types of workers in the informal economy: 1).self-employed: usually vendors, small business owner, self-hired...who did not enter into formal economic sector or is not employed (DGBAS, 2013; ILO, 2008) 2). Female labor in rural area; 3). Private maid at home, who work for money, but no particular employer (ILO, 1996) 4). Non-paid family member, who does housework without payment, usually fulltime housewife; 5).Workers of family business: who help family with the business they have.

According to the National Statistics of our country, the definition of workers of informal economy includes self-employed, and non-paid family worker, the later usually work over 15 hours a day (DGBAS, 2013). Owing to the numerous small and medium-sized enterprises and vendor culture, there were also certain number of non-paid family worker work in one or more family owned business.(呂玉暇，1995 & 2001).

Although great attention has been paid to CEDAW convention, and the reports from two countries in Taiwan, regarding to the examination of legislation. There is a lack of actual statistics. As GR16 suggests, the CEDAW report should focusing on the statistics and general understanding of working conditions and social security of those female non-paid family worker. These workers may distribute among primary and second industry, including manufacturing, service industry and business, etc. They maybe work in mixed type of employment, including contractors, self-employed, and non-paid family. Currently, there was not a systematic survey for the informal section in large scale, therefore the reality of it is hard to grasp.

The statistic of female non-paid family worker only can be found in the Statistics of Human Resource, and the gender Statistics of National Pension. There is no further analysis or other source of data, except the added category of ‘unpaid family worker’ in the Statistics of DGBAS. There is not detailed description and statistics of their occupation, working condition, job type and content and social security, and there is neither gender specific statistics, which make it difficult for us to understand the resource and estimate of policy need. Although the portion of non-paid family worker is declining every year, there were still 3.79%~6.44% in the general labor force, and most of them are female.

Moreover, since the un-paid family workers may not have Labor Insurance, it is also difficult to understand their general condition from the statistics of Labor Insurance. Since 2009, the National Pension, includes all uninsured citizens aged between 25~65, may become a source for us to understand the un-paid family workers. However, the category of the insured are general, low-income, middle-income and disabled, it is also very difficult for us to understand them via these vague statistics. We suggest the government should add this category into the national statistics for better policy making.

There is great diversity in informal economy, for example the TransAsia Sisters Association, Taiwan has help new immigrant women use their living-skill back home to establish business here. However, the successful cases remain few, and cannot be duplicated or promoted to others. How to establish a successful development model while take the local specialty, business varieties into account? How to generate regional specified development project? These question can only be answer when there are formal statistics analysis. The government also need to pay attention to another group of people who was hired by atypical employment, which is a fashion type of employment. A lot of them was hired by government, such as clean lady, the government offices outsource these low-wage, long-hour, old-aged work, which is highly replaceable. We should also concern about how many women was hired into atypical employment? How many of them transfer from formal section into informal sector? Why and what are the difference regarding to working condition? So far, we can only estimate by experience.

Regarding to the workers of family business or domestic servant, there were few in our interview. According to our investigation of their work history, they entered into such kind of work mostly influenced by familial reason, including marriage, childbirth, and childcare. They worked for family business because they have to coordinate with the economic arrangement of husband’s family, or because they wish to take care the family at the same time. The advantages of working in informal sector includes flexible working hour, which they can arrange to meet the care needs of family, and they also avoid pressure and supervision from the employer. However, the disadvantage are working overload, overtime, and lack of holiday, and therefore the usage of time is fragment, and there wasn’t much feeling of achievement. (嚴祥鸞，2013)

**Recommendations :**

1. Establishing gender-related statistics and analyses of workers in informal economy is the most urgent measures needed to understand whom are the target groups and their needs in labor situation to carry out policy planning and intervention.
2. Create a stable, broad-based employment environment and opportunities, removing gender stereotyping in order to eliminate gender inequality in employment.
3. Government should provide the universal, affordable public childcare and health care services, to reduce the burden of informal economy workers, and then leave it be possible to transfer to the formal sector employment from informal sector.
4. Government should lower the level of insurance and allowances apply specific identity of workers, or introduce special measures to the needed. Strengthen public awareness of labor rights, and the promotion of social welfare resources as well.

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