

UNISON Cymru/Wales response to the consultation on Pregnancy, maternity and work

- 1.1 UNISON is Wales' largest public service union organising over 90,000 public service workers. Two thirds of our membership are women. Our experience representing and negotiating on women's issues, including pregnancy and maternity at work guide this response.
- 1.2 We represent full-time and part-time staff who provide public services, although they may be employed in the public, private and third sectors.
- 1.3 UNISON regularly engages with employers and government to protect and improve the pay and conditions of all who work in public services as well as the services they provide to society.
- 1.4 This paper will respond to the issues within the consultation that UNISON has identified as a priority and that suit our expertise as a public sector trade union.
- 1.5 Attached is a summary of findings from a recent UNISON Cymru/Wales survey which questioned participants on gender equality issues in the workplace. The survey results will be referred to throughout this response.

How the Welsh Government is working towards its strategic equality objective of "identifying and reducing the causes of employment, skills and pay inequalities related to gender", particularly in relation to pregnancy and maternity

- 2.1 UNISON has concerns that thousands of women in Wales are unaware of their pregnancy and maternity rights at work. A main strand to achieve the objective outlined must be to ensure women know their rights but it is clear there is still a lot of work to be done in this area.
- 2.2 Furthermore, we must not be under the illusion that gender inequalities emerge after caring responsibilities become a factor. Women who have had no need to access pregnancy or maternity provisions have experienced workplace discrimination based on their gender.
- 2.3 The UNISON survey results showed 70% of respondents felt workplace equality has not been achieved. 60% of respondents stated they had made changes to the way they work as a result of being a woman who is, for example a mother or carer.
- 2.4 Our survey showed women do not feel confident to formally challenge discrimination they experience in the workplace relating to pregnancy and/or maternity at the time they are experiencing it because they already feel vulnerable. Therefore, much of the evidence we received was anecdotal.

- 2.5 One respondent told us: “My children will soon be leaving full time education. I work in a school as a Teaching Assistant. I will soon need to change careers as unless you are married/ partnered with someone earning enough to compensate for the low income, or you are in receipt of child top up benefits, you cannot earn enough to live. I have over ten years working in education, a BSC Hons in childhood studies: education all completely wasted. Should this have been a male dominated career path, this would not be the case.”
- 2.6 Low paid public sector roles, such as catering, cleaning and caring, are predominantly filled by women. Career progression within such roles is often very limited compared to more male dominated posts which tend to have clearer career pathways and receive higher levels of pay.
- 2.7 UNISON has witnessed an increase in the number of outsourced functions of public service delivery, particularly within catering and cleaning. Local authorities have the ability to commission care services to third sector organisations. The hidden workforce behind these services are predominantly women, who face reduced pay, as access to nationally negotiated terms are ignored, their TUPE provisions dismissed and vastly reduced terms and conditions; notably regarding maternity leave provision.
- 2.8 In addition, where services have been outsourced and the workforce is now under 250 employees as a result, they will not be legally required to produce gender pay reporting, whereas had the service been maintained in-house, the gender pay reporting legislation would have included that element of the workforce.
- 2.9 The very nature of the roles outlined in paragraph 2.6 are more aligned with domestic duties compared to other jobs. Taking social care as an example, the level of skill expected of a care worker is very high. Carers regularly administer medicines, provide sensitive and intimate care, and perform technical procedures to, for example, support PEG fed clients. This high level of responsibility is rarely reflected in the pay or terms and conditions of employees.
- 2.10 Women will never achieve equality whilst the burden of care at home is seen as a woman’s responsibility. Women who need to take a career break, return to work part time or under flexible working, women who are unable to progress at work as they are unable to undertake training due to their part time hours; all face potential discrimination due to their pregnancy/maternity leave.
- 2.11 UNISON believes the manner in which some employers treat pregnant staff and those on maternity leave undermines the valuable work they have undertaken. For example, providing reduced or inadequate maternity cover, insufficient workload handover arrangements, a disregard for appropriate risk assessments and ‘Keeping in Touch’ (KIT) days are not organised.

Whether the new childcare offer is matched with targeted support for mothers to enter or return to work

- 3.1 Nearly 60% of the respondents to our survey stated they had made changes to the way they work as a result of being a woman. A large proportion of those respondents stated their need to go part time following maternity leave.
- 3.2 Women attend many different appointments related to their pregnancy and maternity – GP surgeries, breast feeding clinics, ante natal classes, midwife and community nurse appointments and many more. Each of these appointments provides an opportunity to engage women regarding their rights at work. UNISON recognises the need for employers to make appropriate provision for pregnancy and maternity rights at work however, the Welsh Government strategy should include promoting the accessibility of this information.
- 3.3 We believe it would be relatively simple for information about pregnancy and maternity rights and guidance at work to form an element of healthcare practice to promote awareness. This could be as simple as providing literature outlining the necessary information at medical appointments.
- 3.4 Whilst a legal framework to allow shared parental leave is now available, men feel culturally unable and unwilling to apply for shared leave, leading to increased pressure on women to shoulder the responsibility. Furthermore, gender pay gaps often arise much sooner than the moment a child is conceived, and so many families feel financially prevented from accessing shared parental leave.
- 3.5 Whilst many employers have introduced workplace policies around pregnancy and maternity, the implementation of the policies may be open to interpretation by managers/individuals. Furthermore, employers should make these policies readily available to staff, which is not always the case.
- 3.6 One survey respondent told us: “I reduced my working week in order to have a day off with my daughter. I asked my husband if we could both consider working a compressed fortnight in order for us to both fulfil childcare responsibilities but he did not feel able to request it or had no will to do so despite being in a senior position.”

The extent of pregnancy and maternity discrimination in Welsh public sector (and variances between difference groups of women), and examples of good practice

- 4.1 The UNISON Cymru Wales survey has allowed us to collate a wealth of anecdotal evidence on pregnancy and maternity discrimination which include changes to terms and conditions following return from maternity, being blocked from promotion, unequal pay and a refusal to consider flexible working to name a few.

- 4.2 One respondent said: “My contract was not renewed when I was on maternity leave so I found a part time job closer to home (although it paid less). Prior to having children, I always earned the same or more than my husband but now I earn 10k less than him based on FTE. I currently work 4 days a week but it's very difficult to progress in my career despite being ambitious.”
- 4.3 Whilst UNISON works with public sector employers to ensure robust policies are in place to support pregnancy and maternity rights at work, it is the application of these policies that determine their success. Providing women with guidance on their rights at work may help empower them to challenge discriminatory practices in the workplace.
- 4.4 Furthermore, it is essential for all workers in all industries to have access to a trade union. The benefits of trade union recognition for both the individual worker and the wider workplace are widely known and understood. We are in no doubt that trade union recognition across the board would support in overcoming all types of workplace discrimination. Where public services are outsourced, it is essential that trade union recognition be built into the tendering process.

100 Years On – Is Workplace Equality a Reality?

Survey Results & Comments

100 years after women gained the right to vote, public services union, UNISON surveyed 150 members to reveal the truth behind workplace equality.

The million-strong union, which has 100,000 members in Wales, is predominantly female in membership and is known for campaigning for better rights at work for carers, school support staff, healthcare workers, council staff and more.

71% of respondents said they think women have NOT achieved equality in the workplace

Examples given – parental leave is still not shared equally between parents, equal pay has still not been achieved, high ratio of male managers to female, women having the lion's share of caring responsibilities.

There is still pressure (on women) to 'have it all' whereas aspirations and expectations are lower for men.

61% of respondents have witnessed or experienced sexism in the workplace

Being told by a manager that they don't feel completely confident I can do my job because I'm female.

Jokes, being overlooked for promotion, pet names - babes, darling, sweetie etc.

Being told that my 'domestic situation' isn't my employers fault.

Derogatory remarks about achievements of women by management.

I witness men speaking for their female colleagues every day.

Men 'gawping' at women.

A manager in a previous employment commented on the 'cleavage' of co-workers as if this was acceptable.

(My) job role being changed completely following maternity leave and missing out on training due to being part time.

When taking up a promotion that would've involved me working closely with a male colleague, it was suggested that I consult with my partner first.

Women (are) being expected to take minutes in meetings or make the tea and coffee despite it not being part of their job.

A female teacher was instructed by a male teacher who was giving her feedback from an observation lesson to use the fact that some of the male students found her attractive to her advantage.

Men are more likely to get manual jobs.

(I was) questioned about my future plans for a family by a manager.

(Managers) giving statistical analysis to a man as 'they are good at maths'.

Whilst 62% of respondents said they felt able to challenge sexism, 20% felt they were unable or didn't know how to challenge the behaviour

It would bring on more trouble.

If you challenge management you are threatened and/or bullied

I did challenge and was told it was a career limiting move.

More tools in place now to help challenge it (sexism).

I would be fearful it would jeopardise my own position.

Many respondents commented that they have now become a trade union representative to speak up for others.

I may feel able to challenge it (sexism) as part of a collective, but not able to as an individual as I fear I would be labelled a trouble-maker.

59% of respondents said they have had to make reasonable adjustments at work as the result of being a woman

A number of examples provided such as part time working, flexible working, term time only working, and changes in career to suit domestic situations.

My children will soon be leaving full time education. I work in a school as a Teaching Assistant. I will need to change careers as unless you are married/ partnered with

someone earning enough to compensate for the low income, or you are in receipt of child top up benefits, you cannot earn enough to live. Over ten years working in education, a BSC hons in childhood studies: education all completely wasted. Should this have been a male dominated career path, this would not be the case. (There is) too much expectation on women to do work for free due to cuts.

As a mother, (I worked) part-time, in low paid work to fit in with school holidays, etc. Once out of that situation, I have made a career but (I have) been blocked from promotions several times due to 'business need'.

I went from full time to part time due to child care. I now remain on reduced hours due to caring for an elderly parent, when going for promotion I was told the role is not suitable for part time workers and it was given to a full time colleague who is much younger with less experience.

Childcare means I have stayed longer in one role as opposed to trying to move up the career ladder.

I changed my position after marriage, but now I have a perceived 'less important' career.

I had to fight to get back to 40 hour week.

I feel I have to work a lot harder and do a lot of extra work to gain the same as some male colleagues.

I had to work hours that fitted around child care, which was often at weekends or evenings. This impacted on family life as we were very rarely all together.

My contract was not renewed when I was on maternity leave so I found a part time job closer to home (although it paid less). Prior to having children, I always earned the same or more than my husband but now I earn 10k less than him based on FTE. I currently work 4 days a week but it's very difficult to progress in my career despite being ambitious.

I reduced my working week in order to have a day off with my daughter. I asked my husband if we could both consider working a compressed fortnight in order for us to both fulfil childcare responsibilities but he did not feel able to request it or had no will to do so despite being in a senior position.

(The) menopause has required me to make changes at work – although its primarily self managed e.g. trying not to arrange meetings when having a bad day, making excuses when having a bad day and suffering from 'brain fog'.

What do you think is women's greatest achievement since achieving the right to vote?

Examples of successful disputes and victories including the Dagenham women.

(Women are) better educated.

(Women) undertaking senior and leadership roles e.g. Woman Prime Ministers, in 2017 Cressida Dick was appointed as the first female Met Police Commissioner etc.

Legislation on women's and children's rights –discrimination law, Equality Act, maternity/pregnancy rights, equal pay, the right to control fertility and abortion rights, domestic abuse provisions, equal property rights.

Women now have a stronger voice at work through their trade unions.