

# Outcomes of gender equality legislation and policies Slovakia

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*Gender equality promotion: Slovak and Norwegian experience  
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## How close are we to gender equality?

	Slovakia		Norway	
	Women	Men	Women	Men
Tertiary education (ISCED 5 – 8)(%, 15 – 64 years, 2019)	27	19.3	42.5	33
Employment rate (20-64 years, % of total population, 2020)	66.1	78.7	76.5	81.1
Part-time employment rate (20 – 64 years, % of total employment)	6.5	2.9	37.7	15.2
Long-term unemployment (% of unemployment, 20 – 64 years, 2020)	46.6	50.2	19.1	22.3
Gender pay gap in unadjusted form (% , SK/2019, NO/2018)	18.4		13.2	
Gender overall earnings gap (2018)	35.5		28.9	
Gender employment gap (p.p. 2020)	12.6		4.6	
Gender pension gap of aged 65 and over (2019)	10.8		N/A	

# Legislation

The Slovakian **Constitution Act No. 460/1992 Coll.** declares that the Slovak Republic is a sovereign, democratic and legal state. It is not tied to any ideology or religion.

- The Constitution sets out **equality between human beings in dignity and rights and prohibits discrimination on the ground of sex** (Article 12).
- The act does not follow only the gender aspect in the principle of equality but follows the **intersectional approach** guarantying the fundamental rights and freedoms to everyone regardless of sex, race, colour of skin, language, faith and religion, etc.
- The Constitution also recognises the **special treatment and protection of women**, people with health disabilities and person's underage.
- The Preamble of the Constitution, however, appeals, among other general principles, also to the **Cyril-Method spiritual, i.e. Christian heritage, thus opening space to broad conservative support.**

# Legislation

The most significant step reaching the goal of the equality principle was the establishment the **Act no. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection against Discrimination** (the Antidiscrimination Act).

- This act **transfers international anti-discriminatory EU directives** into the Slovak legal system. According to the act, the anti-discriminatory principle is defined as the duty not to discriminate and prevent discrimination.
- Hence, the CEDAW Committee admonished the Slovak Republic that the definition is not consistent with the principle of substantive gender equality of the Convention on the Elimination of All Forms of Discrimination against Women, **multiple discrimination is missing, and the women's access to justice is limited.**
- A relevant principle to remedy the historically and politically rooted sex/gender disadvantages is Article 8a of the Anti-Discrimination Act that allows the adoption of **temporary balancing measures** (positive affirmative action). The temporary balancing measures can be adopted and applied in all public administration bodies and legal entities – not applied for gender equality

# Legislation

The equal treatment and prohibition of discrimination is also mirrored the **Act no. 311/2001 Coll. Labour Code**. The regulation sets, among others, the rules on working time, flexible working conditions and fair remuneration.

- According to Section 6, women and men shall have **the right to equal treatment concerning access to employment, remuneration and promotion and vocational training**.
- Section 2 states that women and men have the right to **equal pay for equal work and work of equal value**. Equal work or work of equal value is considered to be work of the same or comparable complexity, responsibility and urgency, which is carried out in the same or comparable working conditions and produces the same or comparable capacity and results of work in an employment relationship for the same employer.
- The principle of equal pay covers employees, part-time workers (including job sharing) and workers who perform home-work or telework.
- **No wage transparency wage policies applied.**

# Institutional infrastructure

- The institutional mechanism targeting gender equality has been challenged for years in Slovakia. The first attempts were initiated in 1991, the newly Government Committee for Women and the Family lasted for two years. In the years 1996 - 2002, there was a Coordinating Committee for Women's Issues in Slovakia, which also struggled with its competencies.
- In 1999, a department of equal opportunities was established under the **Ministry of Labour, Social Affairs and Family of the Slovak Republic**. Within the year, the agenda was re-created and supplement for anti-discrimination, family policy and gender equality.
- From 2007 till recently, the department had operated under the name the Department of Gender Equality and Equal Opportunities, until it was renamed to the actual title the **Department of equality between women and men and equal opportunities** due to anti-gender policies in the Ministry.
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- The department is responsible for national policy in gender equality, its creation and monitoring, preparing strategic materials on GE and equal opportunities – Strategy and action plan for 2021 - 2027
- The coordination of the gender-based violence policies is another responsibility of this department (NAP - ?)

# Political development

**The development of gender equality policies and institutional background in recent five years deteriorated.**

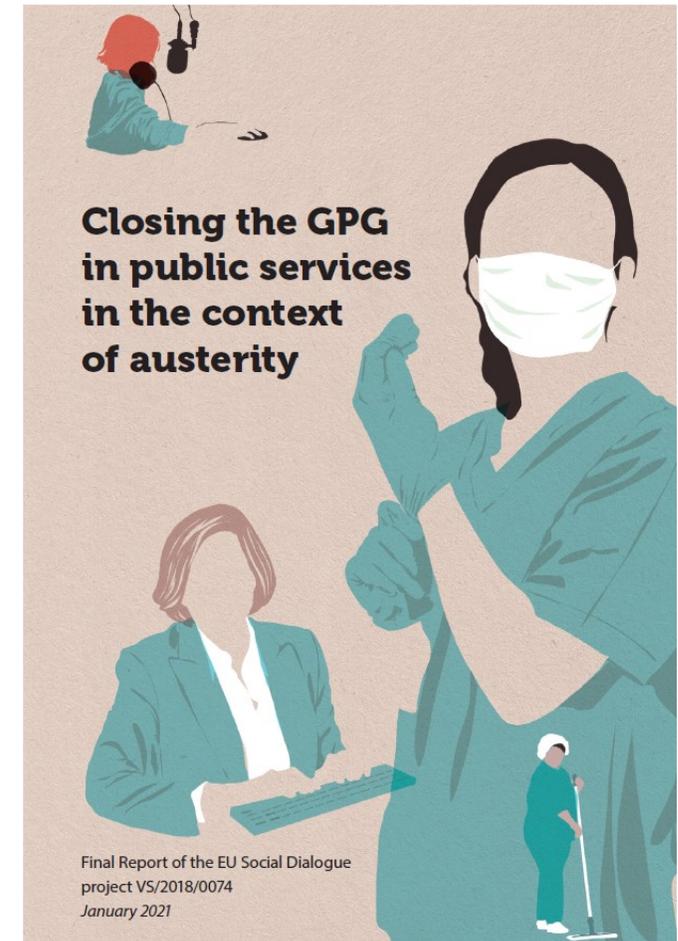
- The **antigender movement groups** succeeded in penetrating political parties and government administration and prevent adopting several policies documents, including the Convention on preventing and combating violence against women and domestic violence.
- The legislation proposals to restrict reproductive and sexual health and rights are repeatedly and frequently occurring in the Slovak Parliament.
- After the elections in 2020, the new leadership of the Minister of Labour, Social Affairs and Family of the Slovak Republic **changed the approach of gender equality policies** on the national level. The term gender equality is forbidden in all documents and changed for equality between men and women (EN-NHRI, 2021).
- Despite that the promotion of gender equality is backed by a new national strategy and action plan, its **implementation will be a challenge**.
- The institutional administrative machinery for gender equality has been preserved hence with modest personal resources.

# Zoom to gender pay gaps

- Closing the gender pay gap in public services in the context of austerity
- GPG in public services 16.1%/2008 – 13.5%/2017 (Eurostat);

SUB-SECTOR	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Public administration	19.6	21.2	23.2	18.9	20.9	18.1	21.4	22.9	19.7	23.2
Education	10.7	14.9	14.5	15.6	15.4	13.9	13.0	14.7	14.9	13.9
Health/Social work	17.4	17.5	23.8	24.2	24.2	22.8	24.6	26.2	24.1	27.0

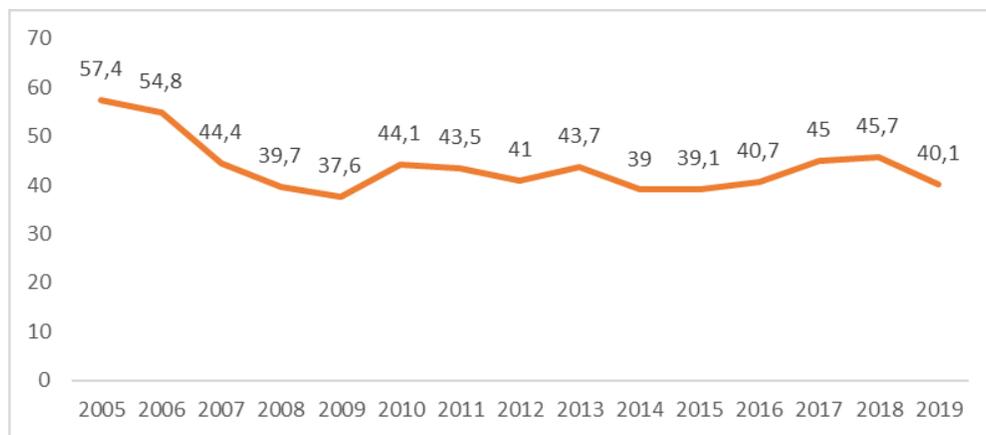
- **Pay freeze** at their 2009 level, reduction in public sector investment; structural reforms of the welfare system; **recruitment freeze** and decrease in personnel expenditure;
- **Wage below minimum wage** – collective agreement for all public servants (21% pay increase);
- Nurses – below the average pay, **mass resignation action n 2017** (strikes are outlawed, failed);
- The failure of mainstream trade unions to address women’s low pay and poor conditions has led to initiatives to organise women separately, within and outside trade unions;
- Concern about low pay in general, including **disparity within the EU**, overshadows discussions of gender inequality and equal pay for work of equal value;
- Longer careers and better education do not bring women higher income as is the case for men. While maternity is associated with lower wages, fathers are better off. In overall, the women’s salaries are pushed down due to their more frequent work in worse-earning industries, both in public or private sectors (Rizman, 2017)



# Women's poverty in Slovakia

- Poverty = multidimensional social phenomena
- Intersecting gender inequalities with a cumulative impact on women's lives.
- In 2019, overall „gender balanced“ women and men at risk of poverty or social exclusion, namely 467,000 (16.6%) women and 410,000 (16%) men (EU-SILC)
- **Aged over 60** = 116,000 (12,7%) women; 58,000 (10.3%) men

## Development of the number of **single parent families** in poverty and social exclusion



Source: Eurostat, *People at risk of poverty or social exclusion by income quintile and household type* [ta\_livcond\_povsocec\_inter\_hhtype\_ilc\_peps03]



Credit: Dorota Holubová, *Women's Atlas*

**Romani women from the marginalised communities** remain out of the labour market for almost their entire lives, as a result of discriminatory recruitment practices - based on ethnicity but gender.

Košč, J (2021). *Poverty in Slovakia in 21st Century*, Rosa-Luxemburg-Stiftung (Forthcoming)

# Precarious work and its gender aspects



Credit: Dorota Holubová, Women's Atlas

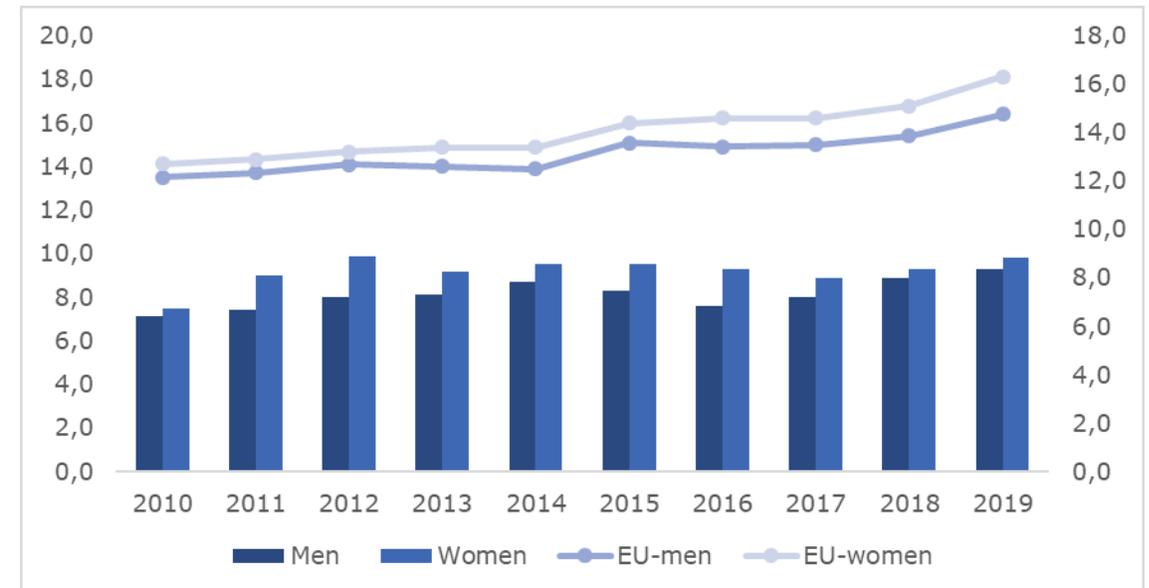
- Increasing demands for labour market flexibility and internationalisation fuelled the emergence of atypical, often precarious, forms of work;
- A multidimensional approach to precarity - gender dimension as cross-cutting issue.

- The unequal gendered settings create a path dependency phenomenon, increasing the probability that women's work will be more precarious along certain dimensions in comparison to men's.
- Gendered settings –
  - beliefs about women's inherent care abilities ;
  - paid labour market will be limited;
  - undervalued women's work due to a presumed lack of need for qualification and the unpaid work performed by women already in private circumstances.
- The number of women in precarious work has increased over the past decade;
- The main factor behind this development was the disproportionate amount of time women spend in caregiving roles. The unequal care time distribution interrelated with the shift away from standard employment contracts to more atypical forms of employment;
- Gendered stratification of society creates and reproduces unequal labour market conditions for women by exposing them to a higher risk of precarity during the Covid-19 pandemic. The pandemic has served as a catalyst for gendered work precarity. The gendered nature of precarity strikes across all dimensions of precarious work and operates as a multiplier of these dimensions.

# Work-life balance – flexible work arrangements

- Flexible working arrangements have little impact on the work-life balance due to low usage.
- The share of part-timers is small due to low wages and unattractiveness both for employers and employees (6.7% of women; 2.6% of men, 2020)
- Working from home was a privilege for only 10 % of women and 9 % of men over the long term before the pandemic outbreak.
- More than one-third of the Slovak population is struggling to balance work and family obligations.
- A comprehensive work-life strategy is still not in place but finally forthcoming.

**Women and men working sometimes and usually from home (% , 20- 64 old, 2010-2019)**



Source: Eurostat, *Employed persons working from home as a percentage of the total employment, by sex, age and professional status (%) [Ifsa\_ehomp]*

# Work-life balance – Early childhood education and care



- Participation in early childhood education and care is **one of the lowest in the EU**.
- The dual ECEC system in Slovakia in terms of legislation, policies and competence is **lacking in coordination**.
- Due to the unstable situation in nurseries and kindergartens, many **parents resigned** and stayed at home with their children.
- Fully closed pre-primary schools for a longer time in 2020 than was necessary **hampered the parents' employment** when telework was not an option.
- Since September 2021, **all 5-year-old-children should be attending kindergartens**.

Inactive population due to caring responsibilities by sex (% , 2010-2020)

	2010	2012	2014	2016	2018	2019	2020
Women	30.2	31	32	33.8	38.1	37.9	38.1
Men	3.9	4.6	4	6	5.9	5.3	6.2

Source: Eurostat, Inactive population due to caring responsibilities by sex, online code [FAM\_CARE\_PER\_OTH]. Available at [https://ec.europa.eu/eurostat/databrowser/view/sdg\\_05\\_40/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/sdg_05_40/default/table?lang=en)

- The low rate of 3-years-old children in nurseries will probably prevail due to expected personal care from mothers and **the lack of affordable nurseries**.
- **The investments and promoting access to preschool facilities might not be enough to increase the attendance rate.**

# Work-life balance – long term care

- The delivery of long-term care (LTC) is insufficient due to a lack of an integrated legal framework and low public expenditure.
- Long-term care heavily relies on informal care by family members, keeping a sizeable part of the population outside the labour market.
- The unmet need for ECEC and LTC services increased in 2020.

## Unmet need for ECEC and LTC in 2019 and 2020

	2019	2020
Number of applicants for ECEC (all types of kindergartens )	14 941	18 038
Number of applicants for residential LTC	10 779	11 118

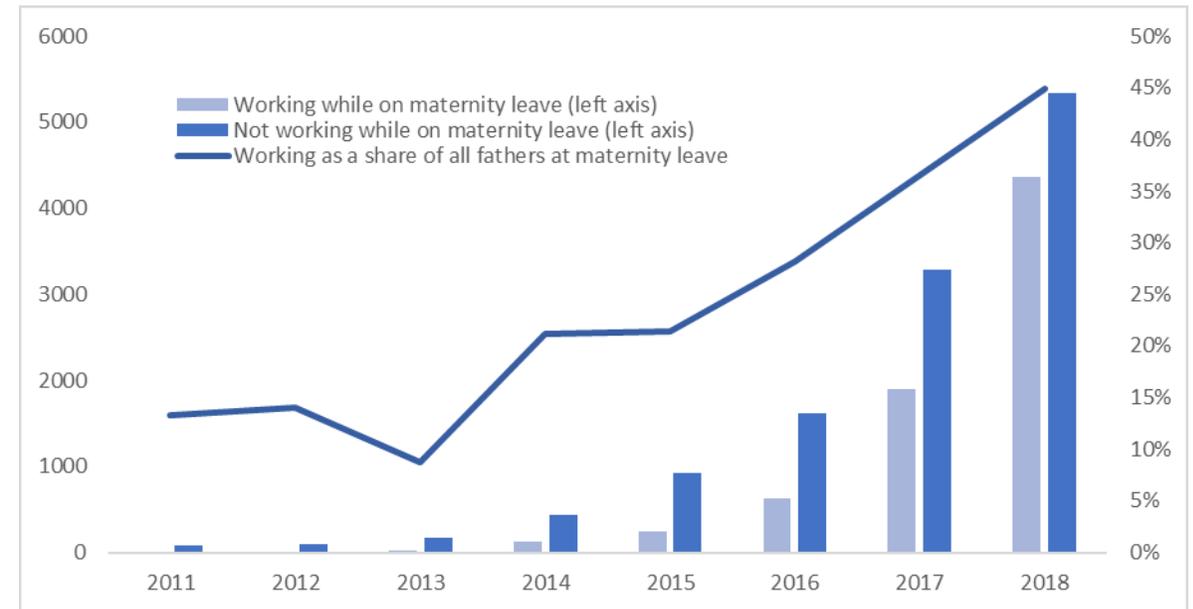
Sources: Ministry of Education (2020, 2021); MOLSAF (2020, 2021)

# Work-life balance - parental and paternity leave



- Maternity and parental leaves are one of the generous in the EU in terms of length, putting women at risk of lost opportunities.
- The gender-neutral calculation of the amount of maternity benefit contributes to gender income gap.
- While the fathers' uptake of maternity benefit and leave increased during the last five years, the actual personal care is questionable.

## Fathers working while on maternity leave (2011-2018)

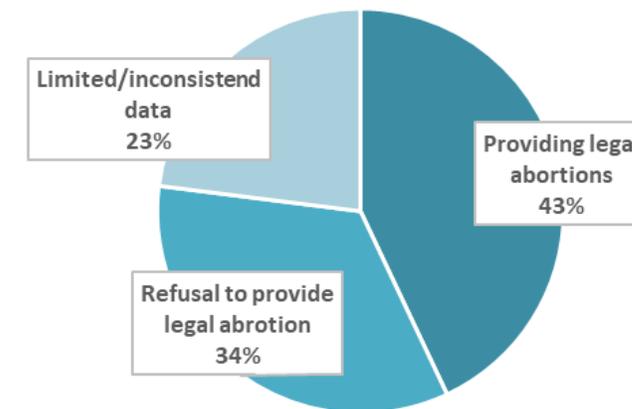


Source: Ministry of Finances (2020); Based on the data from the Social Insurance Agency of the Slovak Republic

# Accessibility to reproductive services

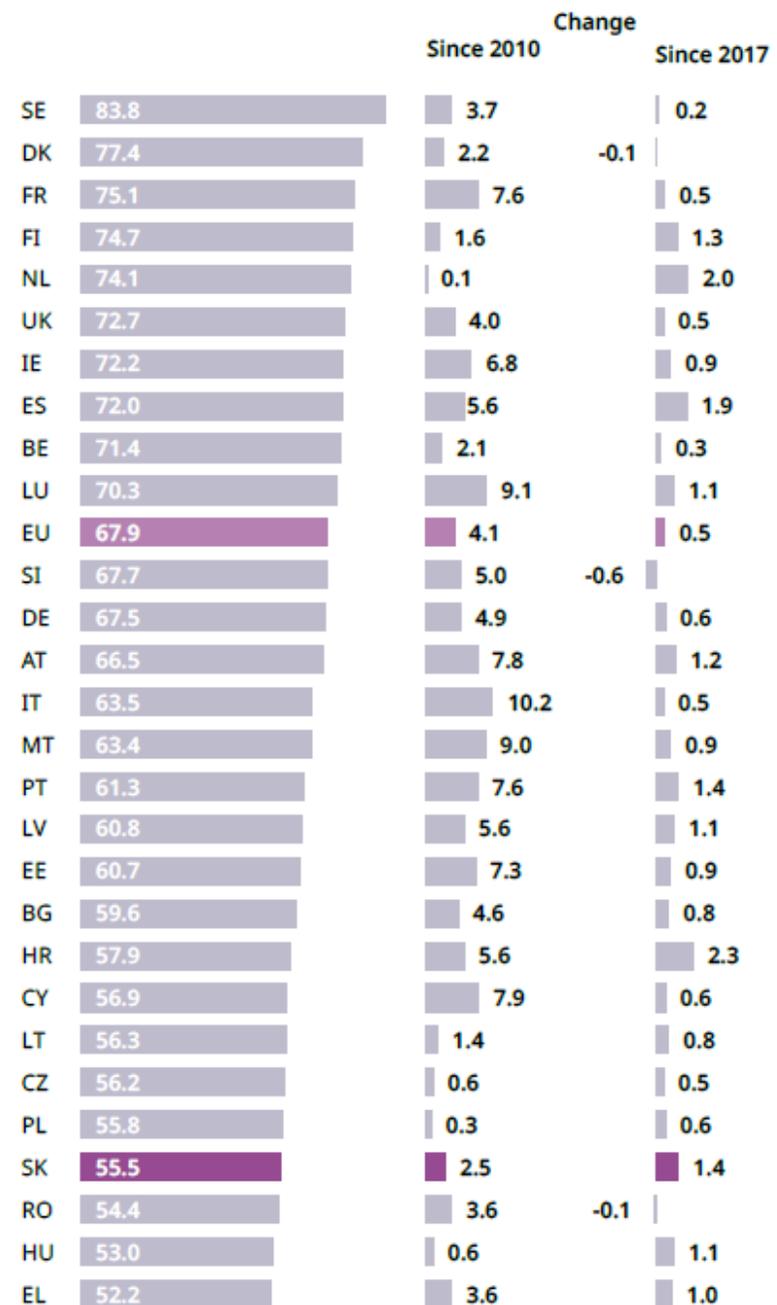
- The abortion on woman's request is legal by the 12th month of the pregnancy (so far);
- The legislation **proposals to restrict reproductive and sexual health** and rights are repeatedly and frequently occurring in the Slovak Parliament.
- The accessibility to safe and legal abortion care is **already limited due to more obstacles**.
- **Limits in geographical accessibility** to legal abortion (in some regions most of the health facilities refuse to provide abortion due to personal or religious beliefs).
- **Limited access to information**;
- **Financial availability** of abortion is questionable (68% of the disposable income of household of two adults and two children);

Accessibility of legal abortion (N= 70 health-care facilities, %)



# Outcomes

- Slovakia ranks 25th out of EU-28 on the **Gender Equality Index**.
- The **55.5** out of 100 points is **12.4** points below the **EU's average score**. Since 2010, the score has increased by only 2.5 points.
- Slovakia's **ranking has dropped** by two places since 2010. The country's score is drowned down by **low women's representation in decision-making positions** across the political, economic and social spheres (score 29.6 points).
- The second dimension negatively impacting the Gender Equality Index score is the **domain of time** revealing the disproportionate allocation of time spent on domestic work, care for children, older and disabled people to women.



# Conclusions

- The **essential legislation** is in place, but the implementation and enforcement is limited;
- The gender equality **machinery remained**, but with limited personal and expert resources;
- The support for traditional family (inherently the „**natural role of women**“ might clash with some gender equality principles;
- The gender pay gap and the „**COVID austerity**“ might contribute to its widening;
- The policies try to address some vulnerable groups of women' poverty, so far without any impact
- The **lack of ECEC and TLC services are driving women out of labour market**;
- The **flexible work arrangements** are utilised only by a minor percentage of population and create a **empty promises** to closed the gender inequalities;
- The maternal/paternal and parental leaves might be set as **generous** in terms of income replacement and length, but only **for specific groups of women**;
- Top of that, **the attacks on already restricted reproductive services** (will) impact the most vulnerable groups of women driving them into deep poverty;
- The **closing of gender gaps slowed down**, which reflects in gender equality index.

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Let's talk!

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