



Close the Gap briefing for Scottish Government debate Fair Work Action Plan

March 2019

Close the Gap is Scotland's expert policy and advocacy organisation working on women's labour market participation. We have 18 years' experience of working with policymakers, employers and employees to influence and enable action to address the causes of women's inequality at work.

Introduction

We welcome the publication of Scotland's Fair Work Action Plan and note the importance of fair work in improving labour market outcomes for women. Unfortunately, there is a lack of gender analysis within the Fair Work Action Plan and the plan does not make use of gender disaggregated data.

Unpaid care

One of the most notable areas of the plan lacking in gender analysis is unpaid care. The Action Plan states 'one in seven Scots are unpaid carers' and 'many carers give up work because the job of juggling their work and caring responsibilities simply becomes too much'. This section ignores the clear gendered dimension of unpaid care in Scotland. Women are twice as likely to give up paid work in order to care and provide 70% of unpaid care in Scotland.¹

The Real Living Wage

The real Living Wage section of the plan mentions the proportion of employees being paid at least the real Living Wage but does not highlight that women account for two-thirds of those earning below the living wage.² New research from Living Wage Scotland has highlighted that women in part-time work are most likely to benefit from a pay increase to the real living wage, as a result of Living Wage employer accreditation.³ Again, there is a clear gendered dimension to the living wage in the context of early learning and childcare (ELC) and adult social care workers, as women

¹ Close the Gap (2018) *Women, Work and Poverty: What you need to know*

² Living Wage Scotland website *More women in Scotland received pay increase to the real living wage* available at <https://scottishlivingwage.org/article/more-women-in-scotland-receive-pay-increase-to-the-real-living-wage>

³ *ibid*

account for 97% of the ELC workforce⁴ and 83% of staff employed in the social care sector.⁵

Fair Work for women

The gender pay gap is key indicator of women's labour market inequality. It represents women's and men's divergent experiences of not only the workplace, but also education, skills acquisition, care and other domestic labour, and wider societal conventions. The gender pay gap means women in Scotland are paid on average 14% less per hour than men, and women working part-time earn on average 34% less than men working full-time.⁶

Women's employment is increasingly precarious, contributing to women's higher levels of in-work poverty. For example, women account for 55% of employees on zero-hour contracts.⁷ As a whole, ethnic minorities are overly represented in low-paid precarious occupations including catering, hairdressing, sales, textiles and clothing manufacturing.⁸

Women are disproportionately responsible for care for children, sick people, older people and disabled people, and a lack quality part-time and other types of flexible working makes it difficult for them to balance work with family life. Part-time jobs are more likely to be found in the lower grades of all organisations, and concentrated in undervalued work such as care, admin and cleaning. Three-quarters of part-time workers are women, and disabled women are significantly more likely to work part-time compared with disabled men, and non-disabled men and women.⁹

Only 6% of jobs paid £20,000¹⁰ or more are advertised as being available on a flexible basis.¹¹ While all employees have the right to request flexible working, research by Close the Gap has found that there is no evidence of an increase in the use of formal flexible working in Scotland since 2010.¹² Pervasive presenteeism¹³ in many workplaces, and a cultural presumption against flexible working creates a significant barrier to women's progression and labour market equality. Promoting the

⁴ Skills Development Scotland (2018) *Skills investment plan for Scotland's early learning and childcare sector*

⁵ Fair Work Convention (2019) *Fair Work in Scotland's Social Care Sector 2019*

⁶ Close the Gap (2018) *Gender Pay Gap Statistics: Working Paper 20*

⁷ Close the Gap (2018) *Women, Work and Poverty: What you need to know*

⁸ Longhi, S., & Brynin, M. (2017) *The Ethnicity Pay Gap: Equality and Human Rights Commission Research Report 108*

⁹ Close the Gap (2018) *Response to the Scottish Government consultation on increasing the employment of disabled people in the public sector*

¹⁰ £20,000 full-time equivalent or more.

¹¹ Family Friendly Working Scotland (2017) *The Timewise Flexible Jobs Index Scotland*

¹² Close the Gap (Forthcoming 2018) *Flexible Working for All? The impact of the right to request regulations on women in Scotland*

¹³ Presenteeism is the practice of being present at work outwith one's normal hours, and for more hours than is required. Cultures of presenteeism negatively impact women because of their disproportionate caring responsibilities outwith work which makes it more difficult to be at work outside their normal hours.

importance of flexible working is therefore a vital aspect of ensuring fair work for women.

Intersectionality

While there are commonalities experienced by all women at work, disabled women¹⁴, Black and minority ethnic (BME) women¹⁵, lesbian, bisexual and trans women¹⁶, refugee women¹⁷, young women¹⁸, and older women¹⁹ experience different, multiple barriers to participation in the labour market, and to progression within their occupation.

For example, our newly-published research, *Still Not Visible: Research on Black and minority ethnic women's experiences of employment in Scotland*, highlighted that BME women continue to face high levels of racism, racial prejudice, discrimination and bias in the labour market which ultimately impacts their ability to secure, retain and progress within sustainable, good employment.²⁰ The research highlights that underemployment is a key issue for BME women with a third of respondents stating that their current job does not match their skill or qualification level and 42% of respondents reporting that they do not work the number of hours they wish.²¹ Of great concern is that 72% of respondents said they had experienced racism, discrimination, racial prejudice and/or bias in the workplace.²² It is therefore disappointing that these differing experiences of employment are not visible within the Fair Work Action Plan, due to the lack of intersectional analysis and data.

Conclusion

While the plan makes linkages to the Scottish Government's recently published Gender Pay Gap Action Plan²³, there are no explicit mentions of gender in the plan's actions. The Gender Pay Gap Action Plan is Scotland's first strategic plan to address the pay gap and has the potential to create meaningful change for women in Scotland. We welcome the publication of this ambitious plan. However, if Scotland is to achieve genuine inclusive growth, and to improve labour market outcomes for women, gender must be mainstreamed across all policies and action plans relating to employment and work.

¹⁴ Close the Gap (2018) *Response to the Scottish Government Consultation on Increasing the Employment of Disabled People in the Public Sector*

¹⁵ Close the Gap (2019) *Still Not Visible: Black and Minority Ethnic Women's Experiences of Employment in Scotland*

¹⁶ Stonewall (2014) *The Double-Glazed Glass Ceiling: Lesbians in the workplace* and House of Commons Women and Equalities Committee (December 2015) *Transgender equality*

¹⁷ Scottish Refugee Council (2014) *One Step Closer*

¹⁸ YWCA Scotland (2016) *Status of Young Women in Scotland*

¹⁹ Scottish Commission on Older Women (2015) *Older Women and Work: Looking to the future*

²⁰ Close the Gap (2019) *Still Not Visible: Research on Black and minority ethnic women's experience of employment in Scotland*

²¹ *ibid*

²² *ibid*

²³ Scottish Government (2019) *A Fairer Scotland for women: gender pay gap action plan*

If the Fair Work Action Plan is to promote fair work for women, it is necessary that an intersectional gendered analysis is adopted throughout the design, delivery and evaluation of the plan. Policies and action plans which do not actively consider women and do not utilise gender disaggregated data in design, delivery and evaluation are very unlikely to improve labour market outcomes for women, and instead sustain existing inequalities.