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► **To cite this version:**

Olivier Giraud, Arnaud Lechevalier. Les femmes au cœur de l'éclatement de la norme d'emploi en Allemagne. Travail, genre et sociétés, 2013, n° 30, pp.189-194. 10.3917/tgs.030.0189 . halshs-03781905

**HAL Id: halshs-03781905**

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Submitted on 4 Oct 2022

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In **Travail, genre et sociétés** Volume 30, Issue 2, 2013, pages 189 to 194

Translated from the French by JPD Systems

ISSN 1294-6303

ISBN 9782707173201

DOI 10.3917/tgs.030.0189

Available online at:

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<https://www.cairn-int.info/journal-travail-genre-et-societes-2013-2-page-189.htm>  
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How to cite this article:

Olivier Giraud, Arnaud Lechevalier, «Women at the Center of the Break-Up of Employment Norms in Germany», *Travail, genre et sociétés* 2013/2 (No 30) , p. 189-194

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# Olivier Giraud Arnaud Lechevalier

## Women at the Center of the Break-Up of Employment Norms in Germany

Germany has long been thought of as an archetype of the unequal and differentiated gender regime (Walby 2003), with a “conservative” and “familialized” welfare state as its keystone. In the first place, public regulations, through fiscal and social policies, have long favored the male breadwinner model. Secondly, the private or market regulations and services remained fragmented. Local government agencies, rarely cared for the elderly, and even less for children, with little support from public preschool and school services. Faith and market actors traditionally provided these services with the exception of some *Länder* which are highly urbanized and marked by the social-democrat culture. Unions and employer associations had little influence on labor standards and measures favoring greater gender equality in employment. Finally, social roles remained largely differentiated between the sexes.

Given this backdrop, the work and gender reforms undertaken by successive political coalitions over the past fifteen years are all the more significant. They led to a sharp increase in female employment, so that the overall rate of employment (full-time or part-time) in Germany is now higher than in France and close to that in the Nordic countries. How can these changes be understood? What has set them in motion? What have they led to? In the context of an aging population and a scarcity of available labor, employers looked to hire women who had until then been “inactive” (at home or beneficiaries of social allowances). Political parties supported this trend which European labor strategies formalized by modifying employment legislation, unemployment benefits, and family policies. The resulting changes to labor standards need to be analyzed in light of gender equality as well as the inequalities within the female workforce in relation to their work.

### Employment and Family Policies: Substantial Reforms

The four Hartz laws, adopted at the initiative of the red-green coalition led by Chancellor Schröder between 2003 and 2004, reorganized public employment services. These laws reduced unemployment benefits to one year, which shifted the many long-term unemployed to welfare assistance and

reintegrated welfare recipients into active employment policies (assisted employment and training). The introduction of a severe means test at the household level was accompanied by a narrowing of the definition of acceptable employment. At the same time, the decentralization and weakening of collective bargaining, wage moderation policy, the absence of a minimum wage in the majority of sectors, and the significant increase of exceptional forms of employment—notably mini-jobs<sup>1</sup>—round out the changes to employment norms in Germany (Giraud and Lechevalier 2012).

Simultaneously, in the area of family policy, three important reforms were adopted with the goal of transforming the relationship of men and women to employment. The first came after the reelection of Gerhard Schröder in 2002. At that time, the government committed itself to using a portion of the expected savings from the unemployment benefits reform to subsidize 750,000 childcare centers for children under three years of age by 2013, in order to help the *Länder* attain a participation rate of 35% in these centers (Fleckenstein 2011). Second, with the broad support of employer associations, the Federal Minister of Family Affairs launched, a series of initiatives—called *Allianz für die Familie* [Alliance for the Family]—to promote arrangements, at the company or municipality level, which support a balance between professional and family life. The third reform was implemented by the coalition in power from 2005 under the leadership of Angela Merkel and the CDU. It marks an unprecedented rupture in the political agenda of the German conservative party. In addition to pursuing collective childcare for children under three, the main measure consisted in creating parental leave that guarantees a benefit amounting to 67% of the parent's salary—with a salary capped at 1,800 euros net per month—for twelve months, extended for two additional months if also used by a spouse. The stated objective was to promote the employment of women and the participation of fathers in care activities and to depart from the means-tested logic that had prevailed previously. But, in replacing the fixed sum benefit by a wage replacement benefit, the reform's real goal was to facilitate employment and encourage household fertility for medium and high-income households.

These three measures designed to modify gender relations in employment have been interpreted in three ways that are not mutually exclusive. For some, the transformation of gender policies is related to the specific need for employment (Seeleib-Kaiser and Toivonen 2011). The prospect of a deficit of skilled labor in Germany, and the imperative, articulated by the European Union, to increase the employment rate, especially for women, appear to be key issues. For others, it is above all the pro-birth rate swing of German family politics that is the key explanation (Henninger, Wimbauer, and

<sup>1</sup> Since their introduction in 1971, mini-jobs are exempt from employee contributions and tax up to the current limit of 450 euro a month, and, since the Hartz II law of 2003, are without a weekly hourly limit. They do not create a right to social security with the exception of modest retirement rights.

Dombrowski 2008). Finally, if the shift in German family policy was initiated by a government dominated by the Social Democrats, traditionally more in favor of the equality of the sexes, its implementation by the German Christian Democrats can be understood primarily as the result of electoral strategy (Fleckenstein 2011). What do the consequences of this set of measures teach us about the employment of women, both in terms of volume and distribution?

### **Employment Growth: An Unregulated Division of Labor between Women**

Since the 1990s, the employment of women has been the driving force behind changes in the German labor market and public labor policies. While the employment rate of women in (West) Germany was traditionally low, in 2009 the gross overall rate of employment of women aged between 15 and 64 years reached 66.2%, nearly 8 points higher than the European Union average, which is an increase of 11 points since 1995, compared to 4.3 points on average in the EU. Germany, along with Sweden, are the only European countries where employment continued to grow during the crisis.

Over the past fifteen years, female employment growth, in particular part-time employment, has been driving labor market changes. From 1995 to 2011, total employment grew by 10% in Germany (compared to 17% in France), or 3.5 million. Of the jobs created, close to 3.1 million were held by women. Since the total number of full-time jobs fell by 800,000, the total job creation is due to part-time work, which grew by 3.1 million for women (over 62%) and 1.2 million for men. This means that all new jobs for women were part-time. The unique aspect of female employment growth in Germany, especially since 2003, is that it has primarily affected low to medium-skilled women, growing by more than 8.4 percentage points, to 46% for the former and 7.6 points, to 72% for the latter.<sup>2</sup>

Now 45% of German women work part-time. The average duration of part-time work in Germany is the shortest of the European Union (18.1 hours per week in 2011) and it has decreased since 1995, unlike the Scandinavian countries or France where the share of part-time work decreased and the average duration increased. Germany is one of the countries where the gap between the average weekly workweek of men and women is the most pronounced (8.6% in 2008) and it is, moreover, the country where this gap has grown the most since 2000 (1.9 hours) (Lehndorff, Wagner, and Franz 2010). There has thus been a polarization of working time by gender. Consequently, the equivalent full-time employment rate of German women in reality grew at the same pace as in France between 2000 and 2009 (4.6 points) while remaining,

<sup>2</sup> Source: Eurostat.

in 2009, inferior to that of France (50.7 against 53.4%). The difference with the male employment rate remained greater than 22 points (13.6 in France). In other words, female employment growth was accomplished by creating different forms of part-time jobs and thus redistributing the same volume of work between more women (Deutscher Bundestag 2011).

### The Main Explanatory Factors

The first factor that explains this change in female employment in Germany is related to having children, which weighs on employment rates more than elsewhere in the EU, particularly for low-skilled women (European Commission 2009), as well as on the duration of work. More than half of the women who work part-time say that they do so for family reasons. After interrupting their career for the birth of a child, the proportion of German women who continue to keep the same working hours after childbirth is the lowest in the European Union (20% compared to 50% in France); 55% (24% in France) of women work part-time and 18% (8% in France) completely stop their work activity. This decrease in the working time of women after giving birth is greater in Germany, marking the life cycle in a lasting manner, and increases gender disparities, as shown by comparing working time and time spent outside of work in Germany and Sweden (Franz *et al.* 2012). Updating German family policies occurred late and remained partial.

In parallel, women were the first to be caught up in the external flexibilization of the labor market driven by employer policy in the post-reunification context and amplified by the Hartz legislation. While the Hartz reforms did little to decrease unemployment (Fehr and Vobruda 2011), they disadvantaged women due to the relaxation of working conditions for mini-jobs and temporary work at the discretion of the employer. The number of mini-jobs held as sole employment increased, between 2003 and 2010, from 4.4 to 4.9 million, while those held as secondary employment, two thirds of which were occupied by women, exploded from 1.2 to 2.5 million over the same period. With the institutionalization of the auxiliary wage model (where rights to social security and tax exemptions derive from the main provider of resources), the trapping effects of these atypical jobs (primarily mini-jobs) are long lasting (Genschke *et al.* 2010). In 2010, close to a third of employed women received a low salary in comparison with 14% of men. Add to this the fact that the hourly pay of these part-time jobs is lower, which increases the gender gap, already particularly pronounced in Germany.

The goal of putting “inactive” women to work, called for by employers and promoted by the Hartz legislation, and family policy reforms, has therefore largely been achieved. But this increase in female employment, especially low skilled,

part-time, and poorly paid, has resulted in an increase in gender inequalities and increasing disparities between women in the labor market. If women were the driving force in major changes in German labor standards, the economic downturn demonstrated that, inversely, in industry, which still employs more than four out of ten German heads of household, the West German social model, where flexibility is achieved through collective bargaining, could be revived. In sum, the nature of inequalities between men and women in Germany has changed. Women, in particular least-skilled women who formerly were assigned to household chores, are now underemployed or receive “pin money.” The other alleged goal of the Hartz legislation, i.e., greater equality in the distribution of domestic tasks and employment, was obviously not a real priority.

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