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# SWP 10/93 EQUAL OPPORTUNITIES POLICIES AND DEVELOPMENTS IN HUMAN RESOURCE MANAGEMENT: A COMPARATIVE EUROPEAN ANALYSIS

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# EQUAL OPPORTUNITIES POLICIES AND DEVELOPMENTS IN HUMAN RESOURCE MANAGEMENT: A COMPARATIVE EUROPEAN ANALYSIS

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Introduction

Equal opportunities policies in Europe are in the middle of a paradox. Without wanting to overstate the effectiveness of equal opportunity programmes in practice, particularly in improving working conditions for women and black people in lower paid or skilled jobs, there appears at the beginning of the 1990s a relatively favourable institutional base from which to fight discrimination in employment. After years of campaigning, the European Community and the Treaty of Rome have insured a legal framework for equality of opportunity for men and women which exceeds what would have been likely to have been achieved in most national states on their own. Apart from legal and institutional initiatives, the number of employing organisations proclaiming themselves as equal opportunities employers and introducing measures to counter sex discrimination has never been higher. Initiatives in the field of race discrimination are less widespread and suffer from the absence of an EC social policy remit in this area. However, at least in some European countries such as Britain and the Netherlands, employers initiatives on equal opportunities are beginning to address race discrimination more seriously.

At the same time as there has been progress at the institutional level, European economies have been subject to recession and economic restructuring. Within personnel management this has led to a new emphasis on people management, or

human resource management, stressing the need for strategic personnel management, flexibility, quality, and devolution of responsibilities to line management. While there is little evidence of moves of an overall shift towards strategic human resource management, there is substantial evidence of moves towards flexibility, individualisation of employment contracts and rewards and of decentralisation of policy making to line managers. While in theory human resource management as a school might be interpreted as being supportive of equality of opportunity, given its emphasis— at least in some guises— on personnel development, quality and commitment, in practice these changes in employment and personnel policies are running counter to the conditions needed for successful implementation of equal opportunities policies.

This paper will draw on the findings of the Price Waterhouse Cranfield Project on International Strategic Human Resource Management, based on responses of 5,500 employers from ten European countries: Denmark, France, Germany, Italy, the Netherlands, Norway, Spain, Sweden, Switzerland and the UK. After briefly charting the development of the framework for equal opportunities policies in the European Community the paper will examine equal opportunities practices in employing organisations, setting national differences in the context of legal and labour market developments. The paper will then contrast these developments with changes in employment practices, particularly in the fields of flexible employment contracts, remuneration and line management responsibility for personnel management.

#### The European Community and equality

Equal treatment of men and women is an important principle of the European Community and is the subject of several directives and related activities under the social programme of the EC. Even if the inclusion of the principle of equal treatment in the Treaties of Rome (in the form of article 119) was mainly motivated

by economic interests (mainly to protect "good" German employers from unfair competition through low wages, in the guise of French textiles producers), it nevertheless was the foundation for EC initiatives in the field which often far exceeded national legislation.

Article 119 puts an obligation on member states to "ensure and subsequently maintain the application of the principle that men and women should receive equal pay for equal work" (quoted in Hall- Smith et al 1983 p46); it moreover gives every woman in the EC the legal right to equal pay irrespective of national legislation, a provision that was particularly important to British women during the last decade. Article 119 also served as the foundation for a more extensive definition of the equality remit of the EC. During the 1970s and 1980s five equal treatment directives have further extended these principles of equality and have led, at least in some member states such as Britain, to the adoption of national legislation such as the Equal Pay Act. Apart from the fourth and fifth directives that were passed in 1986, on occupational social security schemes and on self employment, further developments in this field during the 1980s were largely blocked by a shift to the right of some of the member state governments, most notably the British, who blocked the passing of any further directives or regulations in the field. The 1980s has seen more of a consolidation of these rights through a series of relatively favourable judgements by the European Court of Justice (see also Hörberger, 1990, p.34; Lockhart and Brewster 1992, p34).

I do not want to over-emphasize the importance of EC equality measures. Persistent occupational segregation, pay inequality and the growing concentration of women in precarious employment show how little has been achieved (see for example Commission of the EC 1992). Moreover, many of the rights that were gained depend on the ability of individual women to take up legal cases, a process increasingly constrained by lack of financial resources even of organisations such as the EOC, as well as on an advantageous interpretation of the law by the judges at the European

Court of Justice. However, while the EC clearly does not guarantee equality for men and women, the Treaties of Rome and the equality directives provide a platform from which to organise for greater equality and an instrument for the promotion of equal opportunities. How far these instruments can be effectively used in the interest of women not least depends on the political presence of people favourable to women's equality within the institutions of the EC and on the pressure which the women's and the labour movement can exert on these institutions.

Another aspect which at least indirectly illustrates the importance of EC legislation for women is the lack of a race dimension in the EC social policy remit. The issue of race is only dealt with indirectly through the labour migration and the right of EC citizens to work on an equal footing in other Community states. But racism as such in employment is not included in this. Moreover because there is no clause on race discrimination in the original treaties, black people do not have the right to take a grievance directly to the European level. Thus during the 1980s when the British government was generally unfavourable towards a reform or improvement of race discrimination legislation, there were no external institutions or regulations which could have been used to exert pressure in the domestic arena.

#### Equal opportunities and labour market developments

In most European countries, equality legislation is limited to a prohibition of discrimination. The exception here is the employment of people with disabilities were several countries impose a quota system on employers, although this is often not very strictly enforced. Only in Sweden has there been an obligation on employers since 1978 to vet the personnel policies and introduce positive action to remedy gender inequalities. In France in 1983 the "Roudy law" (after the then minister for women) was passed, to bring French legislation in line with the 1976 equal treatment directive. The law introduces the concept of 'equal pay for work of equal value' and

also obliges all employers above a certain size to prepare annual audits on recruitment, training, promotion, job qualifications and grade, and pay and employment conditions; the reports further have to detail any measures taken to improve the position of women (Income Data Service 1991, p56). However, French employers have largely been left free to ignore the legislation. Other legislative frameworks may allow positive action but do not oblige employers to positively achieve equality. The introduction of equal opportunities measures is therefore largely left to the initiative of individual employers.

Since the late 1970s, but particularly in the second half of the 1980s more and more organisations have set up equality programmes and even employed equal opportunities officers. At least in the second half of the 1980s in Britain this emphasis on equal opportunities policies was very much linked to concerns over demographic changes in the labour market, even if for the time being these have diminished against the background of the recession. In other countries, such as Germany for example, this link to demography was much less clearly drawn. General social and democratic concerns, pressure from the women's movement and the taking up of equality issues by parts of the labour movement and political parties are cited as more important by employers than a simple reaction to looming labour shortages. This is inspite of the fact that demographically induced changes to the labour force are less severe in Britain than in several other European countries such as Italy, Belgium or Germany (see table 1).

| Tabl | e l Ave | erage nui | mber | of birt | h per w | oman, | 1988 |     |     |     |     |  |
|------|---------|-----------|------|---------|---------|-------|------|-----|-----|-----|-----|--|
| В    | D#      |           |      |         |         | I     |      |     |     |     | UK  |  |
| 1.5  | 1.4     |           |      |         |         | 1.3   | 2.1  | 1.4 | 1.5 | 1.5 | 1.8 |  |
| * 19 | 87;     | + 198     | 86   | #Wes    | it<br>  |       |      |     |     |     |     |  |

Source: Eurostat 1989; Statistique Rapides

As in Britain, most European economies during the 1980s have seen an increase in women's participation in paid employment and in women's share of the labour force (see tables 2 and 3) both due to the employment growth of those sectors where women were traditionally employed and through the overproportional increase in part time employment (Commission of the EC 1992).

|                      |              | force partici | pation in the European |
|----------------------|--------------|---------------|------------------------|
| Community, 1979; 198 | 87; 1995*    | **            |                        |
|                      | <u> 1979</u> | <u>1987</u>   | <u>1995</u> *          |
| Belgium              | 47.4         | 52.0          | -                      |
| Denmark              | 69.9         | 75.9          | 82.6                   |
| France               | 54.2         | 55.7          | 61.0                   |
| (West)Germany        | 49.6         | 51.9          | 51.3                   |
| Greece               | 32.8         | 41.7          | -                      |
| Ireland              | 35.2         | 38.5          | 39.8                   |
| Italy                | 38.7         | 43.4          | 47.7                   |
| Luxemburg            | 39.8         | 44.3          | -                      |
| Netherlands          | 33.4         | 41.9          | 52.3                   |
| Portugal~            | 57.3         | 57.4          | 58.5                   |
| Spain                | 32.2         | 37.5          | -                      |
| UK                   | 58.0         | 62.6          | 62.2                   |
| Sweden@              | 53% (1963)   | 85% (1989     | )                      |
| *Estimate            | ~includes 15 | year olds     |                        |

Source: Conroy Jackson, p5; @ Statistics Sweden

| Table :             | 3: Women   | 's share of | the labour | force, 198 | 37 to 1990 |      |      |  |
|---------------------|------------|-------------|------------|------------|------------|------|------|--|
|                     | <b>B</b> * | DK          | D(W)       | GR**       | E          | F    | IRL* |  |
| <u>Year</u><br>1987 | 39,3       | 45,4        | 39,7       | 34,4       | 30,5       | 42,0 | 32,4 |  |
| 1990                | 40,2       | 45,9        | 40,8       | 34,9       | 32.3       | 42,4 | 31,6 |  |

|                     | I*        | L    | NL*  | P    | UK   | EUR 12* |  |
|---------------------|-----------|------|------|------|------|---------|--|
| <u>Year</u><br>1987 | 34,2      | 34,3 | 36,4 | 41,3 | 45,5 | 39,3    |  |
| 1990                | 34,7      | 35,2 | 37,6 | 42,6 | 44,3 | 39,6    |  |
| * 1989              | ; ** 1988 |      |      |      |      |         |  |

Source: Eurostats 1991,11

# Recruitment targeting

These developments, together with a growing awareness of demographic changes and tight labour markets at the end of the 1980s led employers to focus on women as an untapped source of labour. This focus on women is demonstrated in employers' efforts in recruitment. As can be seen from table 4, school leavers continue to be the major target in employers recruitment efforts, partly because these are a traditional source of labour, partly because, given their falling numbers, employers have to make greater efforts secure their share. Women are the second most frequently targeted group. Other groups in the labour market, such as the black and ethnic minority people, the long term unemployed, older people or people with disabilities, who, because of their position in the labour market, might have presented a reserve of labour, were largely ignored.

National differences in the targeting of women in the recruitment process are partly explained by variations in women's participation rates (see also table 3), and partly

by general labour market developments. Countries such as Germany, the Netherlands and Switzerland share the UK's poor availability of public childcare and, to some extent, of elder care; therefore even though female labour force participation is higher in Britain than in most other European Community member states, typical participation pattern of women is bimodal as in the above countries with lower participation rates, with a break of paid employment during childbearing years (compare also Women in Europe, 1992, p.6) and often a return to paid employment on a part time basis. Thus in spite of the comparatively high level of part time employment and of women's participation rates in Britain there still are many women who are currently prevented from taking up paid employment. This is much less the case in Denmark, with the highest participation rates and part time working within the European Community, or other Scandinavian countries such as Sweden or Norway. The proportion of women who work is almost as high as those of men, and in general labour force participation for both sexes is higher. Sweden and Norway at the time of the survey also were faced with very tight labour markets and rates of unemployment lower than 5%.

|                  | СН | D  | DK | Е  | F  | I  | N  | NL         | S  | UK |
|------------------|----|----|----|----|----|----|----|------------|----|----|
| School leavers   | 61 | 55 | 23 | 74 | 67 | 81 | 22 | <b>5</b> 9 | 4  | 48 |
| Women            | 60 | 35 | 14 | 37 | 27 | 32 | 30 | 58         | 30 | 42 |
| Black/ Ethnic    |    |    |    |    |    |    |    |            |    |    |
| minorities       | 35 | 2  | 17 | 2  | @  | 4  | 2  | 37         | 9  | 20 |
| Older workers    | 16 | 10 | 3  | 12 | 4  | 0  | 1  | 10         | 8  | 28 |
| Disabled workers | 7  | 11 | 5  | 10 | 17 | 10 | 23 | 3          | 30 | 18 |
| Long term        |    |    |    |    |    |    |    |            |    |    |
| unemployed       | 3  | 16 | 13 | 15 | 9  | 2  | 8  | 26         | 4  | 10 |

Source: Price Waterhouse Cranfield Project 1991

Sweden, for example, saw the introduction of a right of parents to a reduction of the working week to 75% of the collectively agreed full-time working time in 1978. This initially led to an increase in labour force participation by encouraging women to reenter the labour market; however, the second increase in part time work came from full time women (the uptake among men continues to be low) converting their hours to part time (Sundström 1991). Thus instead of increasing it reduces available working time. In circumstances such as these, therefore, where participation is already very high, the targeting of women is less likely to be a response to labour market reasons and be more directly a reflection of equalities targeting.

The situation of women in the labour market has also influenced the general discussions and understanding of working patterns and 'women friendly' solutions at work. In Germany and Switzerland, as in the UK, the tight labour market in the late 1980s had resulted in a renewed discussion about structural impediments to women's paid work. Buzz words such as flexibility or flexible working are closely associated with the field of women and work, and are often presented as, or confused with, equality measures. This is much less the case in France; in discussions with personnel directors (as part of the Price Waterhouse Cranfield Project panel discussions) flexible working were seen as responses to more general changes in employee expectations and demands for greater quality of the working life; the link between flexible working and demographic changes or women's work, arguably now common place to most British personnel managers, was not obvious to them. Whereas at least two thirds of those employers who targeted women in recruitment saw part time employment as an aid to recruitment, in France this proportion was only 35%. This is also a reflection of France's special position in the labour market, where a relatively high participation rate of women is combined with relatively low levels of part time work. (For a more detailed discussion of the debates on part time work and women's employment in Europe see Bruegel and Hegewisch 1992).

## Equal opportunities policies at employer level

While sectoral and demographic changes have increased women's access to paid work, it has done little to change either horizontal or vertical gender segregation (see Commission of the EC, 1992, Ch.II, for a European overview). It has however increased the focus on inequality at work and has raised the public profile of demands for more concerted efforts by employers to address discrimination in employment. In order to assess whether employers were taking up equal opportunities programmes, the survey asked whether employers were monitoring the composition of their workforce according to gender, race or disability, and with regards to recruitment, training or promotion. Equality monitoring is only part of an equal opportunities programme and as such no guarantee that employers are seriously concerned with achieving greater equality in their workforce. Arguably though it is an important precondition for the successful introduction of equalities measures and an indication that employers are actively involved in trying to change the existing composition of their workforces, particularly when it is not limited to recruitment and includes training or promotions; it thus should be a better indicator of activities in this field than the adoption of an equal opportunities policy alone.

Table 5: The monitoring of the share of women in the workforce regarding recruitment, training and promotions (percentage of employers) CH D DK E F I NL N S UK 39 37 11 24 29 Recruitment 25 50 41 41 53 **Training** 28 18 8 14 22 14 31 33 37 27 **Promotions** 32 14 11 16 24 17 34 31 39 33

Source: Price Waterhouse Cranfield Project 1991

Table 5 considers the monitoring of the gender distribution of employment and shows that a substantial number of employers have at least begun to monitor recruitment and selection. Over half of all British employers and over a third to half

of Dutch, German, Norwegian, Swedish and Swiss employers monitor the share of women in recruitment. The low response rates for French organisations data also illustrates the lack of enforcement of the French equality legislation mentioned above. The number of British employers who also monitor what happens to women in their workforce once they have been recruited, by looking at the distribution of training or promotions, is substantially lower and much more in line with some of the other countries where differences are not as great. Still, the fact that a third of employers in the Netherlands, Norway, Sweden, Switzerland and the UK analyse promotion by gender might be read as an encouraging sign that employers have begun to address the absence of women in more senior positions.

In most European countries discrimination against black and ethnic minority workers is much less of an issue than in the UK. The term 'equal opportunities' in the UK now is generally understood to include at least discrimination based on gender, disability and race or ethnic origin, as for example expressed in the code of practice on equal opportunities of the Institute of Personnel Management (Liff, 1989,p27). Both the term and the concept of equal opportunities are often hard to translate into other European contexts or languages, as is the term "ethnic minorities". The Netherlands appears to be the only country where debates and public awareness are comparable to those in the UK. In both France or Germany, who have similar if not higher proportions of ethnic minority employees in their workforces than Britain, the concept of equal opportunity is firmly limited to gender issues. The French partners of the research project for example refused to include a question about ethnic monitoring in the French questionnaire, arguing that this in itself would be seen as racist and as a breach of civil liberties by French trade unions and employers. In Germany on the other hand linguistically there is so far no comparable term for 'black and ethnic minorities'; German partners decided that the closest approximation to the term would be 'foreigner' (given that the German government has never accepted that it is a country of immigration). Thus, even if it is likely that many employers know what this term refers to, the figures on the monitoring of recruitment in Table 6 are not fully comparable between countries. In this context the monitoring of recruitment might also be understood as a checking of working permits, unrelated to concerns over equality. In the UK and the Netherlands, however, a not unsubstantial minority of employers appear to have broader concerns regarding the share and distribution of black and ethnic minority people in the workforce, by also being concerned with the distribution of training or promotions.

| Table 6: The m<br>workforce regar<br>employers) |    |    |    |   |     |   |    |   |   |    |  |
|---|----|----|----|---|-----|---|----|---|---|----|--|
|   | СН | D  | DK | E | F*  | I | NL | N | S | UK |  |
| Recruitment                                     | 33 | 25 | 3  | 4 | n/a | 9 | 39 | 3 | 9 | 52 |  |
| Training  | 15 | 7  | 0  | 2 | n/a | 2 | 19 | 5 | 5 | 20 |  |
| Promotions                                      | 7  | 3  | 0  | 1 | n/a | 1 | 14 | 2 | 1 | 23 |  |

<sup>\*</sup> Question not included in France

Source: Price Waterhouse Cranfield Project 1991

Turning now to people with disabilities, many countries in Europe have legislation setting quotas for the employment of people with disabilities and levy fines if these quotas are not upheld, as is done in Britain though without very stringent enforcement. In Germany for example, 6% of the workforce should be people with disabilities, and employers have to pay the equivalent of £70 per month for each job that they fall short of the quota. In Italy the quota is 15%, although there is little enforcement. Employers thus have an incentive, if not a legal obligation to monitor the share of people with disabilities in their workforce, and this explains the relatively high responses in some of the countries in the study (see table 7). However, neither at EC level or at national level is there legislation which makes discrimination in employment on the grounds of disability illegal and few employers appear to address this issue voluntarily: equal opportunities measures appear to end at the level of recruitment.

Table 7: The monitoring of the share of people with disabilities in the workforce regarding recruitment, training and promotions (percentage of employers)

|             | СН | D  | DK | E  | F  | I  | NL | N | S  | UK |
|-------------|----|----|----|----|----|----|----|---|----|----|
| Recruitment | 18 | 42 | 6  | 17 | 33 | 72 | 36 | 8 | 14 | 62 |
| Training    | 8  | 8  | 1  | 6  | 11 | 4  | 16 | 9 | 6  | 19 |
| Promotions  | 4  | 4  | 0  | 3  | 6  | 2  | 8  | 1 | 2  | 17 |

Source: Price Waterhouse Cranfield Project 1991

Regarding women's employment at least then there is a substantial minority of employers who appear to be actively engaged in equality plans. So far these programmes appear to have little impact on a broader scale; progress, if at all, has been made in understanding the barriers to further equality rather than in finding ways to overcome these barriers. Results from the few organisations who are publicly and seriously committed to greater equality are not encouraging particularly once the success of equal opportunities policies is not narrowed to a reduction in vertical segregation. Cockburn, for example, in her study of equal opportunities policies in 'leading edge' organisations found the equalities officers in these organisations "coherent and united in their disappointment in the achievements of 'equal opportunities' (Cockburn, 1991. p215). However, even if anti-discrimination legislation has been in place for almost twenty years now, arguably it has only been recently that there has been a broader acceptance and interest among employers in remedying at least some aspects of under-representation. It might therefore be too early to judge the effectiveness of these measures. As with equality measures at a national or European level, the success of institutional equalities programme at employer level is to some extent dependent on how far there is pressure and interest among employees and commitment to enforcement from policy makers at national and enterprise level for their effective introduction, and not just on the legislative or institutional structures.

## Equal opportunities policies and human resource management

There has been some discussion in the literature about the association between the introduction of equal opportunities policies and a bureaucratic, centralised approach to personnel management in general (Jewson and Mason 1986; Liff 1989; Parker and Ramsey 1992). These approaches in general tend to be rather critical of a bureaucratic, rule oriented approach to the introduction of equal opportunities programmes. They highlight the potential resistance it might evoke in implementation as part of a general attempt of line managers to avoid greater control or interference, and with it the implicit encouragement to evade regulations (Liff, Jewson and Mason), or stress the necessarily limited nature of bureaucratic approaches in dealing with organisational cultures (Parker and Ramsey 1992). By implication - even if these are not explicitly drawn- a human resource management approach (in its textbook appearance as concentrating on commitment rather than rules, on flexibility, the development of people, quality and line management responsibility for personnel management issues (Guest 1987, Legge 1989)) might be more successful in achieving equality. Such criticisms, while highlighting important limitations to a purely bureaucratic approach to the enforcement of equal opportunities, appear to underestimate the conflict of interests that is bound to arise between those groups who are in a dominant position in the workforce, ie in the main white men, and those who will gain if the equal opportunities policy is successful. In other words there needs to be an element of enforcement and control to promote equal opportunities. An important element of equal opportunities policies, without wanting to ignore or diminish systemic capitalist and/or patriarchal reasons for inequality, is the systematisation and regulation of personnel practices in order to exclude the direct or indirect discrimination in favour of men. To some extent bureaucratic and centralised environments therefore can be said to be more conducive to the promotions of equality.

# The public sector and equality

Public sector employers, in the social democratic tradition of "the good employer" to some extent might be said to be prototypes of the patriarchal centralised personnel management systems. It is not only in Britain that the public sector is playing a leading role in the introduction and promotion of equal opportunities measures (see Graph 1). In Germany for example in 1987 130 local authorities had equalities units who were, as is common in the UK, responsible for internal personnel policies as well as aspects of service delivery (Meuser, 1989, p1). In the Netherlands, the number of organisations who have introduced equalities monitoring is almost twice as high in public administration as it is in the private sector, and this also applies to race monitoring. So far the position of women in the public sector regarding promotions is not significantly better than in the private sector (see Commission of the EC, 1992, p19). However, the public sector is also better at providing benefits for parents; according to the Price Waterhouse Cranfield Project in the UK in 1990/91 29% of public sector employers provided at least some childcare for employees, compared to only 3% of private employers. Similarly career break schemes, arguably considerably cheaper to organise, were provided by only 9% of private employers and by 28% of public employers. Budget cuts and public sector reforms are, however, now threatening the continuation of these programmes.

#### Equal opportunities and trends in personnel management

To some extent equal opportunities programmes at enterprise level, as well as at European level, might be called "a product of the era of welfare capitalism" Cockburn 1991 p.35), of Fordism, mass production, low levels of unemployment and social democracy. At enterprise level this period was characterised by large units of productions, centralised personnel management and centralised industrial relations,

and the growth of the welfare state, and with it of low paid but relatively secure jobs for women. The most extensive growth in the provision of equalities measures, however, has occurred in the last decades when the economy, personnel management practices included, were increasingly moving away from these patterns. Personnel or human resource management in the 1980s varies considerably throughout Europe. However, in most countries it is increasingly characterised by decentralisation of decision making, including the introduction of profit centres, fragmentation of production units, sub contracting and a greater individualisation of terms and conditions. These are developments which, if it is accepted that the success of equal opportunities policies at least partly depends on rule orientation and monitoring, can undermine the success of equalities measures. This is particularly so when equal opportunities is defined as an improvement in living and working conditions of the majority of those who now face discrimination and is not limited to a focus on a more equal distribution of the most senior positions.

# Flexibility

An important development in the last decade has been the growth of the use of contract flexibility. In the British debates about the increase in flexible contracts the major focus has been on whether the increase in flexibility is a sign of a strategic and fundamental shift in employers' behaviour or whether it rather reflects traditional short term responses by employers, which moreover are of a more limited nature than the pro-strategic shift literature suggests (Atkinson, 1985; Hakim 1990; Marginson 1991, Pollert 1991, AcGregor and Sproull 1991). To some extent the focus of British debates on the issues of strategy might have partly obscured the broader implications for quality and equality of employment, particularly as the lack of strategic behaviour in personnel management does not appear to be limited to the use of flexible contracts (Purcell 1989, Storey and Sisson 1989, Guest 1991). At a more macro economic level the growth in Britain and in many other European countries of

part time and self employment and, to a lesser extent, of temporary or fixed term employment is not challenged, nor that this is leading to a casualisation of the employment conditions of a growing number of women (Rudolph et al 1987, Marshall 1989; Herve 1991; Krannich 1991; Commission of EC 1992). This worsening of employment conditions has been a major concern of reform efforts by the European Community. Their attempts at getting greater protecting for these workers, although the introduction of directives or regulations in this area have so far been blocked mainly by the British government.

At European level the major source of data on flexible labour use arises fromt the Labour Force Survey which is based on the employment situation of individuals. The Price Waterhouse Cranfield Project looks at changes flexible labour use from the employer's perspective, in the three year preceding 1991; the survey only includes employers with at least 200 employees, and thus excluded small employers who are generally seen as having particularly increased the use of flexible or more casualised labour. In the UK, Germany, Italy, the Netherlands and Switzerland part time employment has increased in the majority of employers (see Table 8). Significant decreases in the employment of part time labour have only taken place in the Scandinavian countries, for reasons also explained above. Part time employment almost everywhere is linked to less career opportunities, lower benefits and less access to training and development. While schemes such as job sharing are trying to combine part time employment with full time opportunities, the uptake so far is rather limited. In any case as McDougall and Sproull's survey shows for Britain, the introduction of part time employment in the large majority of cases is linked to job prerogatives, rather than to the requirements of the job holder, and is linked to a further deskilling of certain types of work.

The growth of temporary and fixed term employment in Europe is quantitatively less significant; nevertheless, a substantial number of employers have increased their use

of these contracts. Apart from Britain, Denmark and Ireland most countries in the European Community limit and regulate the use of these contracts. However, during the 1980s many governments including those in Belgium, France, Germany and Spain, relaxed regulations in a belief that this would encourage employers to take on additional staff and thus alleviate unemployment. There is little evidence that this strategy was successful (see for example Büchtemann 1991) in creating additional jobs but that instead it has lead to some worsening of contract conditions.

Public sector increases in the use of flexible employment contracts are consistently larger than in the private sector; whereas in the private sector the increased used of temporary or part time employment is often linked to increased demand, in the public sector this is more often a response to budget cuts and restrictions on recruitment to permanent positions. (For a fuller exploration of sectoral differences in the use of flexible contracts see Bruegel and Hegewisch, 1992). The impact of subcontracting and compulsory competitive tendering on employment conditions in Britain has also been widely discussed. While other countries have not imposed as stringent regulations on local and central government services as the British government, elsewhere there also has been an increase in the subcontracting of low paid service jobs, many of which are being done by women. Sub contracting has not only led to a reduction in direct benefits and employment conditions. It deprives employees of the indirect benefits provided by large employers, such as the greater scope for career progression and development. Overall these changes threaten the 'good employer' bargain where women got job security, and lately, a commitment to greater equal opportunities in exchange for low wages.<sup>2</sup>

| Country<br>K          | СН | D  | DK | E  | F  | I  | NL | N  | S  | U  |
|-----------------------|----|----|----|----|----|----|----|----|----|----|
| Part time employment  | 80 | 58 | 18 | 22 | 49 | 47 | 58 | 30 | 17 | 48 |
|                       | 1  | 5  | 14 | 8  | 7  | 6  | 3  | 11 | 24 | 6  |
| Temporary employment  | 58 | 31 | 20 | 51 | 40 | 19 | 66 | 35 | 25 | 40 |
|                       | 5  | 11 | 24 | 9  | 14 | 6  | 5  | 26 | 15 | 12 |
| Fixed term employment | 43 | 54 | 16 | 49 | 46 | 43 | 20 | 43 | 24 | 20 |
|                       | 23 | 7  | 2  | 7  | 12 | 5  | 20 | 17 | 1  | 4  |
| Subcontracting.       | 35 | 41 | 24 | 37 | 33 | 21 | 20 | 12 | 13 | 36 |
|                       | 5  | 2  | 4  | 6  | 6  | 4  | 1  | 19 | 2  | 5  |

Source: Price Waterhouse Cranfield Project 1991 <sup>2</sup>

Developments in remuneration policies

One of the most persistent signs of inequality between men and women is the unequal distribution of pay or earnings. Only Britain and Ireland have extensive legislation on equal pay for work of equal value, and even if the cumbersome nature of the legislation has made a wide uptake of its provision more difficult, it has led to a much higher profile of pay equity and equal value than in other European countries. Other European Community member states are bound by the Equal Pay directive but there has been little activity by either legislators or the labour movement to make use of the provisions. As can be seen from table 9, pay inequalities are particularly marked in Britain.

In spite of greater female labour force participation and, arguably, a greater public commitment to women's equality, pay differences between men and women are also

commonplace. The difference between male and female earnings in Swedish local authorities for example is 70%. (Unit for Equal Opportunities Statistics 1991) In Norway, too, the undervaluation of work done traditionally by women has been taken up by women dominated unions. However, a major claim by nurses to compare themselves with engineers in the health service was thrown out of court because Norwegian law did not have an equal value provision. This might change with the introduction of the European Economic Area (the cooperation of the EC and EFTA countries) under which EFTA countries such as Finland and Sweden would, if ratified, agree to introduce equivalents to EC employment legislation.

Table 9: Female Earnings as a percentage of male earnings in selected EC counties for full-time workers, April 1989 (\*1988);

|              | Manual (hourly) | Non-manual (monthly) |
|--------------|-----------------|----------------------|
| Belgium      | 74%             | 64.1                 |
| Denmark      | 84.5            | n.a.                 |
| France*      | 79.5            | 65.0                 |
| Germany (W)  | 73.2            | 66.5                 |
| reland*      | 68.4            | n.a.                 |
| Netherlands* | 75.4 (Oct.)     | 63.7 (Oct.)          |
| Portugal     | 68.0            | 71.5                 |
| UK           | 68.1            | 55.1                 |

Source: EOC; National Pay Equity Campaign

The limited progress that has been achieved in the area of pay discrimination in the 1980s was made through the review of collective agreements, such as of manual workers in the public sector in Britain. The scope of further developments in this direction is increasingly limited by the trend towards decentralisation of pay bargaining to company, or even, individual level. Developments away from centralised collective bargaining are particularly strong in France and the UK; in the private sector only a minority of employers continue to bargain at national or industry level, and this includes manual workers, the group where centralised bargaining traditionally has been most important. These developments are less marked

in other European countries, but here, too, the importance of industrywide or national agreements has generally declined(see Hegewisch 1991). Wage differences between men and women are least marked in Denmark which continues to have a relatively centralised bargaining system and one which has emphasised general pay equality, indirectly benefiting women. Centralised bargaining in any case is less common in those private sector industries where most women work although it continues to dominate in the public sector.

At the same time as centralised bargaining has decreased more than half of all employers in Germany, France, Italy, Spain, Sweden and Switzerland had increased the share of variable pay elements in the total remuneration package (Hegewisch 1991 p.32). Particularly important in this context is the use of merit/ performance related pay, that is remuneration which at least partly depends on the assessment of individual performance by a line manager. Apart from Denmark and Norway, at least a quarter two thirds of employers are using merit/ performance related pay; almost 40% of employers in Germany, Spain and the UK and over half of employers in France, Italy and Switzerland use it in the remuneration of clerical staff (see Table 10).

A study by the IRS/ EOC found that women had overall less access to merit/ performance related pay schemes, mainly because these are more frequent in managerial positions, where women are underrepresented (IRS/EOC 1991). The evidence of the effect of performance related pay on women's earning, where women are included in schemes in Britain, is so far limited to a few case studies. A MSF study of an insurance company found some, though minor, differences between the awarding of merit increases to male and female full time employees; the differences were significantly larger for part time workers. Other studies found that the real impact on pay inequalities comes through wage increases through promotions which women get more than men, but that performance ratings were not significantly

different. However, this is circumstantial evidence and more detailed information will hopefully be available shortly<sup>3</sup>.

| Table 10: The use of    | Merit/ P | Perfori | nance | relate | ed pay, | 1990 | /1 (% | of org | anisat | ions) |
|-------------------------|----------|---------|-------|--------|---------|------|-------|--------|--------|-------|
|                         | СН       | D       | DK    | E      | F+*     | I    | N     | NL     | S      | UK    |
| Management+             | 65       | 24      | 14    | 48     | 70      | 85   | 18    | 27     | 13     | 68    |
| Professional/ Technical | 66       | 42      | 18    | 58     |         | 86   | 16    | 29     | 12     | 58    |
| Skilled Manual@         | 62       | 41#     |       |        |         |      |       |        | 12     |       |
| Clerical staff          | 57       | 38      | 13    | 39     | 60      | 72   | 11    | 27     | 11     | 46    |
| Manual                  | 56       | 32      | 19    | 33     | 41      | 32   | 15    | 27     | 32     | 23    |

<sup>\*</sup> French results for 1989/90

The decentralisation of personnel management responsibility

Parallel to the increase in variable and performance related pay there has been an increase in the responsibility of line managers for remuneration decisions (see Table 11). Table 11 also demonstrates the considerable change that is taking place in the public sector in several countries. In a situation where the majority of line managers are male, this increases the likelihood of wage discrimination in pay decisions. This danger is exacerbated by the way in which, at least in Britain, performance related pay is often introduced: without training, systematic back up or monitoring (Whyatt 1991).

<sup>+</sup> In France 'Management' (Cadre) includes some professional staff; clerical includes (ETAM) includes some technical and professional staff.

<sup>@ &#</sup>x27;Technical workers' for Sweden and Switzerland; craft workers in Germany Source: Hegewisch 1991, p. 34

Table 11: The increase in line management responsibility for pay policy decisions in private and public sector organisations during the last three years; 1990/91 (in percent)

|               | Private | Public |  |
|---------------|---------|--------|--|
| Denmark       | 16      | 21     |  |
| France        | 45      | 21     |  |
| (West)Germany | 15      | *      |  |
| Italy         | 35      | *      |  |
| Netherland    | 30      | 39     |  |
| Norway        | 30      | 29     |  |
| Spain         | 40      | *      |  |
| Sweden        | 55      | 87     |  |
| Switzerland   | 38      | *      |  |
| UK            | 23      | 39     |  |

<sup>\*</sup> sample insufficient

Source: Price Waterhouse Cranfield Project

The responsibility of line managers has also increased in other area of personnel management, such as in recruitment and training and development. This decentralisation is often taking place without the support of explicit personnel strategies or central control and monitoring mechanisms and increases the scope for discrimination. The increase in the financial responsibility of managers, through the introduction of profit or cost centres (Kinnie 1989), is also leading to a more critical or hostile approach to the costs involved in some equality measures.

#### Conclusion

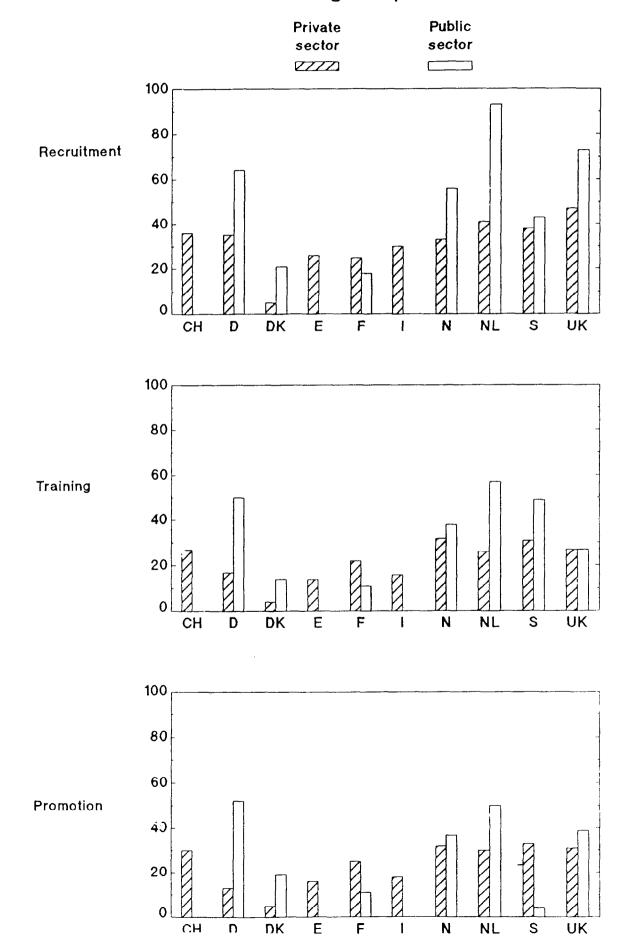
Developments in human resource management over the last decade, such as the increasing flexibilisation of employment contracts, the performance orientation and decentralisation of pay determination and the decentralisation of personnel management to line management, are undermining the chances for success of employers equal opportunities initiatives which have also spread during the last decade. Thus at a time when the legal and institutional conditions for equal

opportunity are probably better than ever, broader changes in employment conditions undermine their effectiveness. These developments are not limited to the UK even if levels and trends in Britain exceed those of most other European countries in relation to both the uptake of equalities measures and to the flexibilisation and individualisation of employment contracts. The contrast is particularly stark in the public sector; budget cuts and public sector economies have in almost everywhere led to a deterioration of public sector employment conditions and an increasing erosion of the 'good employer principle' which has dominated public sector HRM in many European countries. These changes in employment conditions are likely to have a much larger effect on employment equality than the introduction of equal opportunities programmes. It is likely however that employers are going to become more concerned with, and possibly more sophisticated in the monitoring and controlling of the processes that have now been decentralised. It is important that equal opportunities objectives are pushed onto the agenda of new forms of performance evaluation.

## Notes

- 1. The period covered by the survey, moreover coincided with a relatively buoyant economy in most countries in the survey; the results for the 1992 survey, when the recession was more widespread, show a decline in the area.
- 2. The Northern Irish Equal Opportunities Commission are considering to take the British government to court over the introduction of compulsory competitive tendering because it has a proportionately greater effect on women than on men, and therefore arguably is indirectly discriminatory (NPEC 1992).
- 3. A study by the IMS, funded by the EOC, is due to be published in September.

# Monitoring of the share of women in recruitment, training and promotion



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