**2nd Hemispheric Dialogue between Gender Units of Ministries of Labor**

**“Telework and caregiving co-responsibility for a gender-responsive recovery."**

May 26, 2021 – Virtual

**MAIN CONCLUSIONS AND RESULTS**

*(Preliminary version open to comments from participants until July 15, 2021. Kindly send comments to trabajo@oas.org)*

**Introduction**

The Hemispheric Dialogue “Telework and caregiving co-responsibility for a gender-responsive recovery” held on May 26, 2021, brought together representatives of 26 Ministries of Labor of the Americas, the Ministry of Labor of Spain, and, as observers, specialists from the International Labor Organization, the Inter-American Development Bank, and EUROsociAL. It was jointly organized by the Executive Secretariat for Integral Development of the Organization of American Sates (OAS) and the Inter-American Commission of Women (CIM) and had resources from the Government of Canada for the Inter-American Network for Labor Administration (RIAL).

Similar to the first Hemispheric Dialogue, held in November 2020, this event responded to commitments of the OAS Inter-American Conference of Ministers of Labor regarding the effective reduction in the disparities that exist between men and women in the world of work, eradicate discrimination, harassment, and violence based on gender, and "continue to work towards mainstreaming a gender perspective into employment and labor policies, as well as into our ministries’ operations and structures" (Arts. 23 and 24, Declaration of Bridgetown, adopted by the XX IACML in 2017).

The event shared both regulations and responses from governments, as well as reflections on the issues discussed. It was found, as a common denominator, that in the last year, countries have increasingly legislated and / or adopted regulations on telework. Indeed, the COVID-19 pandemic and the containment measures have revealed the urgency and validity of this working modality, as well as the need to regulate it. Accordingly, this is the right time to discuss and seek a common ground to ensure that telework does not become another venue for gender discrimination but, rather, fuels positive changes in gender relations within the framework of equal opportunities and non-discrimination, both in the workplace and at home. This was precisely the objective of this hemispheric dialogue.

**Telework and caregiving co-responsibility: two issues to be dealt with simultaneously.**

One of the great advantages of telework is the opportunity to reconcile and balance work and personal responsibilities; this is true, in principle, but it carries risks since that **"balance" starts from an unequal distribution of work at home**. This unequal burden originated in the care crisis that began to develop in the 1980s, with the strong emergence of women into the region’s labor force. Unfortunately, the increasing participation of women in the labor market has not been matched either by structural changes -at the level of social, labor, economic and

business policies-, nor domestically, in order to promote a balance between productive and reproductive tasks.

Therefore, the discussion and regulation on telework must necessarily contemplate the issue of caregiving co-responsibilities, including investments in infrastructure and caregiving services for minors and dependent persons. **These are issues that must be dealt with simultaneously and with the participation of multiple actors** given that they require actions from the state, within families and within companies. This is essential for achieving telework policies that instead of widening gender gaps contribute to equality.

**Reflections and challenges identified.**

* During the Dialogue, there was broad agreement that gender equality and the particular situation of women in telework should be analyzed and addressed under a **broader framework of equal opportunities** given thatit is mediated by cultural, political and social vectors beyond the workplace.
* The importance of **Social Dialogue** - between government, workers, and employers – was highlighted. It should be part of the design and development of telework policy and the promotion of caregiving co-responsibility. Social Dialogue allows policies to have greater legitimacy, sustainability, and impact. As a promising practice and a product of collective bargaining, the incorporation of clauses related to work-life balance in collective labor agreements was mentioned.
* The need for more **analysis, diagnosis, and statistics** to help design and develop evidence-based telework policies was recognized. In order for both the laws to be enacted and the policies formulated to be sustainable, the need for diagnoses about the ongoing reality in different countries in relation to telework was repeatedly raised.
* The **differentiated impact** of telework on women and men is a key issue that needs to be considered in diagnoses/analysis. Surveys should incorporate, in particular, how tasks are being distributed within the household and the time that both women and men spend on them. On the other hand, special care is needed in the interpretation of the studies carried out under the new conditions. For example, the methodology of time-use surveys must be adapted to consider the overlaps in time resulting from performing paid and unpaid work simultaneously at home.
* Alongside the gaps that exist between men and women at work, **gaps between women** also need attention. In this regard, the vertical segregation by gender of the labor market makes it possible to foresee that those in management and leadership positions, in which the presence of women is lower, are more likely to be able to telework compared to administrative staff where the presence of women is greater. On the other hand, by horizontal segregation, there are more working women than men who can telework in feminized activities such as education, service activities (administrative, financial), trade, or health.
* In the Dialogue there was also a crucial agreement on the need to continue generating a **cultural change** that avoids the perpetuation of gender roles and stereotypes in relation to caregiving responsibility. It was recognized that telework legislation and policies can have a positive or negative impact on this cultural change.
* Concerns about **gender-based violence** occupied a prominent place given the increased violence experienced in situations of confinement during the pandemic, and the new types of violence derived from telework including online harassment or excessive demands for work.
* During the Dialogue some **risks and potential negative consequences** of telework for women were identified:
* There is a risk that women become "invisible" in the workplace and, to that extent, be more absent in the spaces of decision-making and power, and/or see their professional and career development affected.
* Reduced access to vocational training for women and possible widening of the wage gap.
* Risks linked to health and well-being, such as increased situations of harassment and violence, and mental health problems due to stress.
* In a generic way and in response to the points mentioned above, the possibility that telework might become a tool of indirect discrimination against women was mentioned.
* Unable to reconcile paid and unpaid work within the household, some women have abandoned their jobs - this has been seen during the pandemic - and have become inactive. This is a latent risk that could generate significant setbacks in female labor participation.

In light of the above, there was broad consensus on the need to ensure that telework regulations and their implementation **do not lead to a setback in the distribution of family responsibilities, nor a setback in the situation of women at work**, and their participation in the labor market. It was stressed that concrete actions must be taken so that telework does not end up generating **unwanted effects such as becoming a new obstacle in both the access and permanence** of women in the labor market, given the difficulty to reconciling work and caregiving tasks.

**Elements for a gender-responsive telework policy**

The experiences of Argentina and Spain, which have legislated on telework with a gender perspective and co-responsibility, were presented during the event and they framed the exchange of experiences among the different delegations. From all the interventions, a series of recommendations emerged on the elements that a telework policy should have in order to promote equality, as well as some aspects that, although are strictly outside a telework policy, are essential to mitigate the risks mentioned above and to level the playing field between men and women in this working modality.

1. **Elements that a gender-responsive telework policy must contain:**

* **Equality and non-discrimination** - Equal rights between those who work remotely and those who do so in person in terms of working hours, compensation, professional development, and opportunities and access to training and development.
* **Voluntariness and reversibility** – The worker must be able to freely decide both if and when to enter and when to leave this working modality.
* **Flexibility** - Possibility of making working hours more flexible for those who care for people who require specific assistance.
* **Right to disconnect** - Explicitly contemplate this right given that in telework there is a tendency to work longer hours and without established schedules, prompting a greater risk of job exhaustion.
* **Distribution of caregiving tasks** - Explicit mention of the distribution of caregiving tasks and promoting co-responsible participation of men in them.
* **Addressing new forms of harassment** – Introduce the prevention and treatment of new forms of sexual and workplace harassment caused by this modality, such as online harassment.
* **Awareness** – Include an awareness component on issues of co-responsibility and cultural change for both supervisors and supervisees.
* **Differentiated impact** – Include impact assessment with a gender perspective.
* **Measures to ensure compliance** – The need to sensitize and train the labour inspectorate to properly oversee this working modality was mentioned.

**b) Conditions or pre-requisites for a telework policy to promote gender equality**

In addition to specific elements of telework legislation and regulation, some conditions or prerequisites that are necessary for this working modality to effectively impact gender equality and caregiving co-responsibility were also identified during the dialogue. These are:

* **Caregiving services** – The most important requirement for telework to work equally for men and women is availability, accessibility, and affordability of caregiving services for children and dependents.
* **Connectivity** - Ensure equal connectivity conditions and take steps to mitigate the initial connectivity gap that affects mostly women, particularly rural women.
* **Training in technology and digital skills** – Ensure training in new technologies and development of digital skills, where currently there is a marked lag among women.

1. **Other recommendations**

Some additional actions that are valuable for progress towards gender equality and caregiving co-responsibility were mentioned.

* **Training and awareness-raising actions** – It is important to train and sensitize all sectors of society on equality at work to promote cultural changes that allow progress in caregiving co-responsibility.
* **Guidelines for occupational health and psychosocial aspects in telework**. Studies show that there is an increased risk to women's physical and mental health due to the overload of work at home, the difficulty of establishing caregiving co-responsibility tasks and combining paid and unpaid work simultaneously. One of the measures proposed was the development of guidelines for occupational health and psychosocial aspects in telework.
* **Actions for the prevention, treatment, and punishment of gender-based violence**. This is a priority issue considering the increase in gender-based violence during the pandemic and confinement, as well as the existence of new types of violence derived from telework, such as online harassment.

**Future actions**

This Dialogue responds to commitments of the OAS Inter-American Conference of Ministers of Labor of with respect to gender equality at work and to achieve greater institutionalization of gender in the Ministries of Labor of the Americas. Here are some future actions regarding this issue:

1. **Continue the systematization and exchange on telework through the RIAL/OAS**: A space will be dedicated on the RIAL website to systematize legislation and regulations on telework, and exchange and cooperation among the Ministries of Labor in this area will continue to be promoted; for example, during the annual call for proposals for bilateral cooperation of the RIAL.
2. **Submit recommendations to the Inter-American Conference of Ministers of Labor (IACML)**: The recommendations that emerged from this dialogue will be shared with the Ministers of Labor of the region with the goal of informing actions at the national and regional levels on gender-responsive telework policies.
3. **Creation of a Manual or ABC for Gender Units**: This was a specific recommendation of the First Hemispheric Dialogue in November 2020 in order to support the creation of these units and the consolidation of existing ones. The Manual will contain justification, model objectives, functions and general activities of the gender units, and a matrix of a typical work plan for a unit. The preliminary version of such Manual will be sent for consultation to the gender units during the month of July.
4. **Virtual course on gender-based violence at work**: Developed jointly with the Inter-American Commission of Women and the Educational Portal of the Americas will be available to officials of the Ministries of Labor in the second half of 2021, after having conducted a pilot course. The course is composed of three main modules: Conceptual framework of gender-based violence in the workplace; the role of the Ministries of Labor in the identification, prevention, and punishment of gender-based violence; and good practices to prevent and address violence against women in the workplace. It will last 8 weeks with an average commitment of 5 hours per week.
5. **Third Hemispheric Dialogue between the Gender Units of the Ministries of Labor in November, 2021**: In this second Dialogue it was possible to confirm once again the interest of the gender units in continuing to exchange experiences, analyzing and proposing recommendations on the issues that are most pressing for their institutional work. The third Dialogue will be held in November, and its theme will be defined again in consultation with the gender units.