



ATTRACTING AND RETAINING TALENT THROUGH INCLUSIVE FAMILY-FRIENDLY POLICIES

Guidance Note | **Principle 2**

THE ISSUE

Investing in family-friendly policies benefits both companies and families, as these policies ensure workers with care responsibilities are supported and valued. Family-friendly policies allow parents to combine unpaid care work with paid work, which results in healthier children, increased workforce productivity, and the ability for companies to achieve sustainable growth and contribute to gender equality.¹

Despite these apparent benefits, approximately 830 million women globally lack access to adequate maternity protection,² and only 41 per cent of new mothers around the world receive maternity benefits.³

A study by the International Labour Organization (ILO) of 185 countries and territories found that only 34 per cent of countries and territories fully meet the requirements of ILO Maternity Protection Convention, 2000 (No. 183) on key aspects.⁴ This includes providing at least 14 weeks of leave at a rate of at least two-thirds of previous earnings paid by social insurance or public funds.⁵

In addition to a lack of adequate maternity-leave provisions, few companies provide flexible work arrangements and support (for example, compressed work weeks, work from

home strategies and adequate support for breastfeeding mothers in the workplace) that help returning employees re-integrate into the workforce. In fact, only 39 per cent of businesses surveyed in a global study by the United Nations Children's Fund (UNICEF) were found to offer support for breastfeeding mothers, usually in the form of paid breaks.⁶

Box. 1 WEPs Tool Kit

This guidance note forms part of a toolkit to help companies implement the Women's Empowerment Principles (WEPs). It shows that investing in family-friendly policies, such as parental, maternity and paternity leave, make business sense and benefit both employers and employees. It specifically aims to support WEPs signatories in prioritizing, establishing and implementing family-friendly policies to ensure that everyone is treated fairly at work (Principle 2). Companies are offered concrete recommendations on how to implement these policies and support parents in the workplace, marketplace and community.

Corporate cultures, that mimic societal norms in which women are expected to bear the sole responsibility of care duties, impact the general use of these policies and often result in gender discrepancies in parental leave uptake. For example, after the 2004 California paid family leave law came into effect, evidence indicated that the percentage of men taking time off after a child's birth rose only modestly, with the average period of parental leave taken by men rising by a few days compared to the average rise of five weeks by women.⁷ Men who utilize paternity leave policies tend to be viewed as less committed employees.⁸ This stigmatization can deter men from taking advantage of existing policies.⁹

Families today do not take a single form. Diversity in family structures and relationships exists across regions and changes over time.¹⁰ The evolving understanding of "family" does not always fit the confines of a nuclear, binary, biparental family with biological children. Leave policies are inclusive when they reflect demographic and societal changes and take into account the circumstances of single parents, same-sex parents, parents who adopt or conceive via surrogacy, and families where the primary caregiver is male, among others. Companies that pay strong attention to intersectionality acknowledge that all individuals from diverse backgrounds with intersecting identities and abilities stand to benefit from leave provisions, supports, and overall health and safety measures implemented by the employer.

FAMILY LEAVE

- **Maternity leave** is related to the birth of a child and applies to the birth mother. The ILO Maternity Protection Convention, 2000 (No. 183) mandates a standard of a minimum 14-week leave period, while its Recommendation No. 191 calls for a duration of at least 18 weeks.¹¹ A gradual shift towards maternity leave periods that meet or exceed the ILO standard has been observed, and no country has reduced its duration of maternity leave since 1994.¹² The ILO Convention No. 183 also calls for mothers to have the right to adequate cash benefits paid by compulsory social insurance or public funds.¹³ It further calls for protection from work deemed potentially hazardous or harmful for pregnant and nursing mothers and their unborn or newborn child.¹⁴
- **Paternity leave** applies to fathers and occurs around the time of the birth or adoption of a child. A recent UNICEF survey of 307 companies in 14 countries and territories revealed that only 48 per cent of the surveyed businesses have a policy on paternity leave and, more often than not, paternity leave amounts to only a few days.¹⁵ Discrepancies exist in the duration of leave provided, and while some companies provide 52 weeks of leave for fathers, the average duration

among surveyed companies is 3.2 weeks, declining to as little as two days.¹⁶ In many instances, same-sex parents can take paternity leave provided that the other parent is the spouse, civil partner or partner of the mother/primary carer, and they have the main responsibility for the upbringing of the child.¹⁷

Box. 2 Motherhood penalty

Mothers tend to experience disadvantages in hiring, perceived abilities, labour market interruptions and their overall daily job experience compared to non-mothers.²² These disadvantages culminate in a wage penalty known as the "Motherhood Pay Gap" which refers to the unequal pay between mothers and non-mothers.²³ By implementing family-friendly policies that encourage the equal uptake of childcare between parents and support women's re-entry into the workforce upon returning from maternity and/or parental leave, companies can begin to eliminate barriers to equal pay and lessen the penalties mothers in workplace often face.²⁴

- **Parental leave** is available to either or both parents to allow them to care for their infant or young child, usually after maternity or paternity leave expires.¹⁸ In many countries, the compensation offered through parental leave is often lower compared to the compensation offered through maternity or paternity leave.¹⁹ Although parental leave is often offered as a shared entitlement, it is mainly taken by women.²⁰ This trend can weaken women's footing in the labour market and exacerbate gender inequalities both in the workplace and in the division of labour at home.²¹
- **Adoption leave** can be covered in either of the policies mentioned previously or may be defined independently in a separate policy. It is important to ensure adoptive parents have access to the same protection system offered to birth parents, especially regarding leave, benefits and employment protection.
- **Surrogacy leave** is for parents who conceive through surrogacy. It is important to ensure that parents who conceive through surrogacy have access to the same protection system offered to birth parents, especially regarding leave, benefits and employment protection.

THE BUSINESS CASE

Implementing family-friendly policies has strong business value as it increases employee retention, reduces absenteeism, and lowers overall recruitment costs.²⁵ Family-friendly policies enable working parents, especially mothers, to advance in their careers and employees with access to flexible work arrangements tend to be more committed and engaged, leading to innovation and productivity.²⁶ The adoption of adequate family-friendly policies is beneficial for families and businesses as well as the broader society.

MATCHING THE VALUES OF THE FUTURE WORKFORCE

Organizations that develop comprehensive paid leave provisions are best placed to adapt to the changing economy, sustain business growth and innovation, and maintain employee satisfaction. By 2025, it is expected that 75 per cent of the world's workforce will be made up of millennials.²⁷ Millennials bring with them a refreshed understanding of modern families and value parental leave more than previous generations. In a global generational study, some 83 per cent of millennial respondents in the U.S. stated that they would be more likely to join a company offering flexibility and paid parental leave.²⁸ Organizations that do not adapt to the desires of this new workforce risk losing out on young and diverse talent and may struggle with employee loyalty and retention.

BENEFITING FROM NEW OR STRENGTHENED SKILLS

During leave, parents develop transferable skills that are valuable, but not always recognized, in the workplace setting.²⁹ These can include conflict management, multi-tasking, time management, and financial responsibility, among others. The skills developed through parenthood are easily applicable to workplace environments, and companies that retain parents in the workforce benefit from these new or enhanced skills.

RETAINING WOMEN IN THE WORKFORCE

Businesses compete for talent. Offering better work-life balance and family-friendly policies can enhance competitiveness and attract talent. Studies show that when men take paternity leave, women are more likely to remain in full-time employment, the wage gap is smaller, and more women occupy leadership and board positions.³⁰ Paid parental leave is valuable for companies, as it reinforces market position in a modern, sustainable way and sets a precedent for attracting and retaining current and future talent.

Depending on the seniority of the employee, it can cost an employer up to 400 per cent of the employee's annual salary to replace them.³¹ The provision of parental leave and family-friendly policies increases employee loyalty and engagement, especially among women, and increases the likelihood that employees will return to their pre-birth employer.³² As such, the costs associated with employee turnover, including search, recruitment, loss of productivity, and training, can be avoided by implementing family-friendly parental leave policies and workplace flexibility.³³ Companies like Accenture and Google have reported a significant decrease in employment attrition rates among female employees as a result of extending the length of paid leave available for women.³⁴ Similarly, when Aetna expanded maternity leave, the percentage of women returning to work rose from 77 to 91.³⁵

When companies implement flexibility, they are strategically placed to adapt to economic shocks and changes to working structures such as those that have arisen from coping with COVID-19. These changes, if made while ensuring workers are properly equipped with the right skills and technology, and given the right environment to continue working externally, could be one of the pandemic's more positive legacies, and could attract employees looking to ensure long-term stability.

WHAT CAN COMPANIES DO?

PROVIDE COVERAGE FOR ALL WORKERS AND ALL FAMILY TYPES

When establishing a comprehensive and integrated leave policy, employers are advised to consider a wide range of leave options to ensure full employee coverage with, at least, the minimum of guaranteed paid maternity protection set out by the ILO Maternity Protection Convention No. 183 (see Box 3).³⁶

Over the last few decades, the occurrence of non-standard employment, including temporary contracts, self-employment, and part-time work, among others, has grown significantly.⁴² Among EU member States, women, young people, foreign-born workers, and those with low educational attainment have been more likely to have temporary contracts.⁴³

Box 3 ILO Convention No. 183 on Maternity Protection

ILO Convention No. 183 states that women are guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of their maternity leave.³⁷ Furthermore, cash benefits paid during maternity leave should be at least two thirds of the woman's previous earnings.³⁸ The guiding principle is that the level of benefits should ensure "that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living."³⁹ Recommendation No. 191 calls for the full replacement of the woman's previous earnings.⁴⁰ A recommended good practice is to grant pay increases similar to any increases paid to other employees during the time the parental leave is taken.⁴¹

In countries where eligibility for leave policies is dependent on strict conditions, based on narrow definitions of the employment relationship, it is likely that there will be growing inequalities between citizens with and without access to paid leave.⁴⁴

Companies can broaden leave eligibility to part-time, short-term, contract, seasonal, temporary workers. Companies, such as Microsoft, have developed policies that recognize various contract types and therefore offer paid parental leave to sub-contractors.⁴⁵

Not all families follow the biparental, nuclear family model. There is an evolving understanding of “family” and, as such, companies and employers can adopt policies that include all family models and use gender transformative language when referring to care responsibilities. By removing gender from caregiving roles, the responsibilities of caregiving become inclusive and foster greater equality among parents. For example, parents can be equal caregivers as opposed to prescribed primary and secondary caregivers which tend to reinforce gender stereotypes. By striving for an inclusive, non-discriminatory workplace culture that eliminates gender stereotypes and recognizes all family models, companies ensure that no one is left behind.

OFFER ADEQUATE INCOME REPLACEMENT DURING LEAVE

Companies support women in the workplace when they ensure that a mother’s employment and financial security is guaranteed and they uphold the right for women to return to the same job with the same pay earned prior to taking maternity leave.⁴⁶

Adequate income replacement is one of the strongest predictors of uptake of either paternity leave or parental leave by fathers.⁴⁷ As parental leave decisions are often based on economic security, it is often the case that the lowest income-earning parent will take the longest leave to minimize the overall financial loss of the family. Through the implementation of paid leave policies for both mothers and fathers, organizations play an integral role in deconstructing rigid, gender-based roles within society.

Efforts to incentivize men to take parental leave can include making entitlements individual, non-transferable or compulsory, and ensure that fathers receive adequate income-related compensation during leave.⁴⁸ High uptake rates of parental leave are strongly related to the level of compensation for lost earnings while on leave and the availability of job protection.⁴⁹ Research suggests that workers prefer better-paid leave for everyone during shorter periods, followed by family-friendly working arrangements and good quality, affordable childcare services responsive to the needs of both working parents and children, rather than extended leave periods with little or no compensation.⁵⁰

There are companies that have made the shift towards fully paid leave policies, including the French luxury brand group Kering which, from January 2020, has provided a minimum of 14 weeks of maternity, paternity, adoption, or partner leave on full pay.⁵¹ Similarly, global beverage company Diageo introduced a global policy offering women employees in all markets a minimum of 26 weeks of fully paid maternity leave, and four weeks paternity leave of full pay in all markets.⁵² Indeed, many of Diageo’s businesses are moving to 26 weeks of fully paid paternity leave in countries across Asia, Australia, Europe, North America, and South America.⁵³

PROMOTE EQUAL SHARING OF CARE RESPONSIBILITIES

Earmarking specific time for each parent to take time off after the arrival of a child promotes equal sharing of care and gender equality. Fathers can be offered an individual entitlement for leave on a use-it-or-lose-it basis.⁵⁴ In Germany, for example, fathers’ uptake of parental leave rose from 3.3 per cent to 29.3 per cent within six years after the introduction of a two-month leave entitlement for fathers.⁵⁵ In Norway, parental leave uptake by fathers increased from 3 per cent in 1993 to 70 per cent in 2000 after the introduction of individual entitlement.⁵⁶ While these policies were implemented by the Government, private sector employers can proactively support the implementation of these policies and even go beyond the legal requirements. Policies that specifically offer benefits to fathers, or make them compulsory, remove the need for fathers to negotiate with employers for leave. Granting parents the same duration of leave neutralizes women’s care penalty and recognizes men’s care rights and responsibilities.

ENSURE THAT CORPORATE CULTURE VALUES FAMILY-FRIENDLY POLICIES

Even with adequate family-friendly policies in place, the uptake of policies can remain low, especially among men. Many men do not take leave due to fears of unspoken disapproval and a perceived lack of dedication to the workplace.⁵⁷ This results in a greater risk of work penalty (being demoted or downsized).⁵⁸ By fostering a corporate culture that values family responsibilities and the equal uptake of leave between parents companies encourage employees to utilize family-friendly policies. This can include encouraging parental leave uptake among fathers, encouraging men who have taken leave to act as ambassadors, and a commitment from senior company officials guaranteeing company commitment to dismantling gender stereotypes and corporate cultures that view those who undertake family responsibilities as less committed employees.

DEVELOP AWARENESS-RAISING CAMPAIGNS

The private sector can develop national level awareness raising campaigns to encourage fathers to use the paternity leave offered by employers. For example, since the launch of Dove Men+Care in 2010, the brand has launched several campaigns including #DearFutureDads globally, #TakeTheTime in Canada, and #PaternityLeavePledge in the U.S using authentic portrayals of men and dads in communication materials to create a cultural shift.⁵⁹ Further, Dove Men+Care and Promundo have joined together to co-convene a Paternity Leave Global Task Force along with Bank of America, Deloitte, Facebook, Twitter, and Women Deliver, and UNICEF as a technical advisor, to identify and promote solutions that will result in improved access to and uptake of paternity leave for all men.⁶⁰ The Task Force brings progressive companies, experts, public and non-profit organisations to identify, promote, accelerate sustainable solutions that will help improve access to and uptake of paternity leave for all men.⁶¹ The Task Force focuses on three key areas: corporate policy, workplace culture, and social norms and expectations.⁶² Companies that openly value family friendly policies uplift men in their roles as fathers and contribute towards normalizing the equal sharing of care responsibilities.

ESTABLISH CLEAR COMMUNICATION PLANS

Parents on leave are still essential members of their organization. Some parents will want to continue to have some level of engagement with their employer while away to smooth the eventual transition back, while other parents will want minimal communication while on leave. Companies can help set clear guidelines and expectations about what will be discussed, plus the frequency and mode of communication, while employees are on leave.⁶³ When managers acknowledge that employees are valued as integral members of the team both while on leave and when welcomed back to the workplace, parents are further encouraged to take advantage of family-friendly leave policies.

ESTABLISH HEALTH AND SAFETY MEASURES FOR NEW AND EXPECTANT MOTHERS

Companies support new and expectant mothers in a variety of ways. Apart from preventing their exposure to health and safety hazards, they can, as outlined above, give them paid maternity leave, adequate maternal and child health care, breastfeeding breaks and protection against discrimination.⁶⁴

Facilitating ongoing health and safety risk assessment to ensure that workplace health and safety standards match employee's needs is integral to supporting parents in the workplace.⁶⁵ This can include addressing concerns of whether required tasks (such as heavy lifting or exposure to chemicals) would pose a risk to the parent or the child. Critically evaluating concerns through open dialogue between employer and employee with immediate actions to address workplace health and safety risks is a key element in providing a safe work environment for parents.⁶⁶

Temporary work modifications to accommodate pregnant employees can include physical adaptations allowing employees to stop carrying out strenuous physical tasks, implementing flexible work arrangements to account for doctor appointments and periodic resting, and permitting environmental/individual modifications to allow uniform alterations, relaxed food and drink policies, and a relaxation of no-sitting policies.⁶⁷

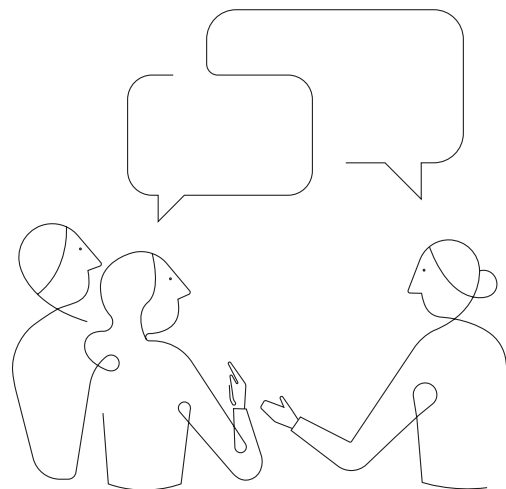
According to ILO Maternity Protection Recommendation, 2000 (No. 191), if risks cannot be eliminated and accommodations cannot be made, employers should offer paid leave in accordance with national laws, regulations or practice.⁶⁸ In Quebec, for example, employees are able to submit a Preventive Withdrawal and Reassignment Certificate (written by a doctor) confirming that the workplace is hazardous, thus qualifying them to withdraw temporarily from the workforce with income replacement benefits.⁶⁹

Providing paid breaks or reducing daily working hours for lactating mothers is essential, however companies can offer more comprehensive support through increased family-friendly policy development or modification. Supporting breastfeeding mothers includes providing a clean and private environment for mothers to breastfeed, flexible work arrangements and hours to better accommodate breastfeeding mothers.⁷⁰ It also includes creating a workplace culture that values breastfeeding and that abides by non-discrimination and anti-sexual harassment regulations to ensure that women returning to work feel supported.⁷¹

OFFER ROBUST PRE-LEAVE AND RE-ENTRY PROGRAMMES

Our society and economy evolve at such a rapid rate that a period away from work can become an alienating experience for a new parent. For full-time working parents, the transition from meeting-to-meeting working days to diaper-to-diaper child-caring days can be difficult. Employers can offer pre-leave programmes that allow employees to reduce their workload gradually, allowing for a smoother transition prior to the child's arrival. For example, employers can offer employees the chance to begin their leave a few weeks before the child's arrival, or give them an opportunity to telework, or work part-time. Not only would this allow employees to adapt to spending more time away from work, it also enables them to prepare for the child's arrival, while preparing colleagues for their departure.

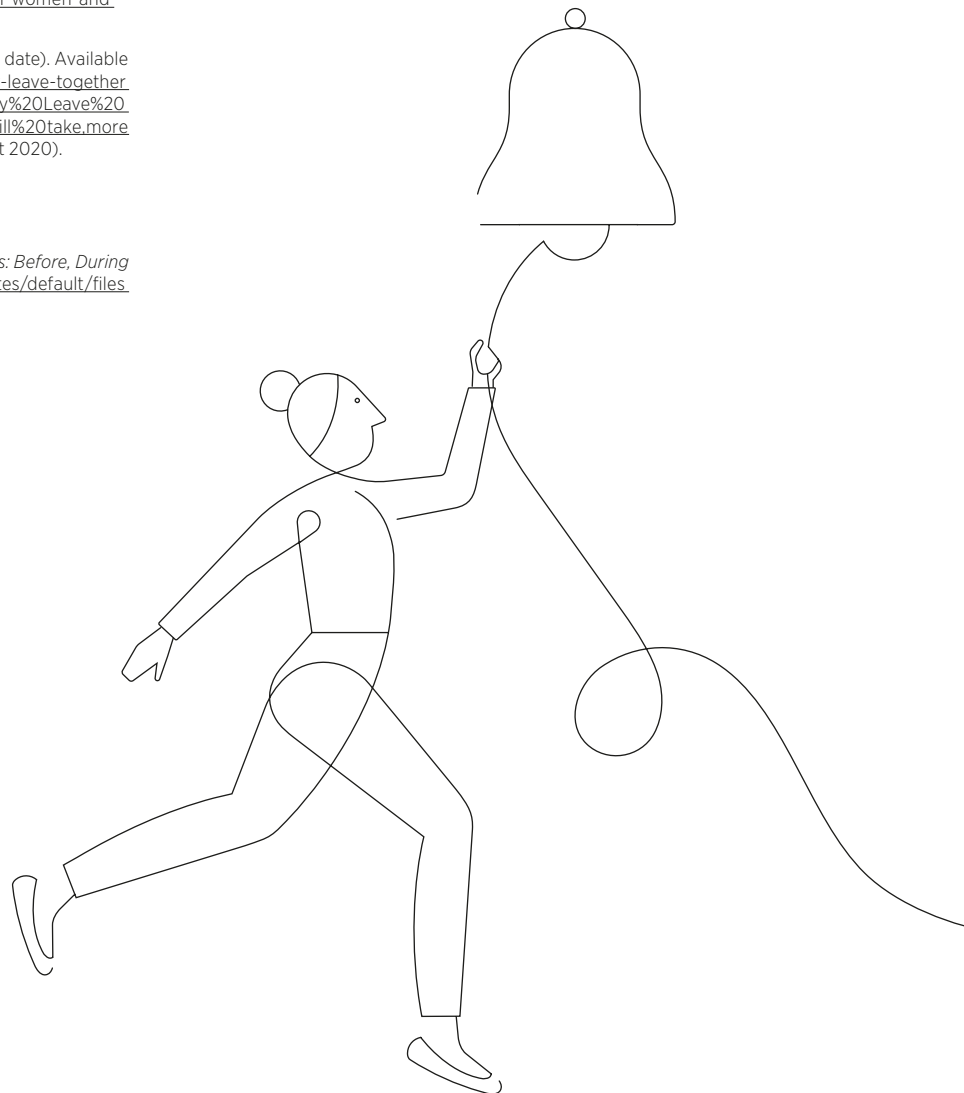
The transition back from full-time childcare to full-time work is equally difficult, and re-entry programmes can help to ease the anxiety that many new parents experience when leaving their child in care. Re-entry programmes also allow parents to come back to work at an agreed pace or rate.⁷² This may include a staggered return with remote working for a couple of days per week or part-time working for the first couple of weeks and using flexible time arrangements. Re-entry programmes can offer skills-building and training available to employees to ensure that employees are up to date on new work developments (such as developments in the fast-paced tech industry) that may have arisen while on leave, and provide re-integration support services such as a buddy system (partnering a returning parent with a parent who has successfully returned to work after parental leave) to assist parents in re-adjusting to the workforce and re-integrating into a workflow with colleagues.⁷³



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Promoting Economic Empowerment of Women at Work through Responsible Business Conduct in G7 Countries (WE EMPOWER—G7 Programme) is funded by the European Union (EU) and jointly implemented with the International Labour Organization (ILO). The Programme (2018-2020) will convene stakeholder dialogues in the EU, Canada, Japan and the US to exchange knowledge, experiences, good practices and lessons learned in the context of the changing world of work. Under the Women's Empowerment Principles (WEPs), WE EMPOWER is working to equip companies to go beyond making commitments on gender equality and women's empowerment, to strengthening their implementation, data collection and reporting on the WEPs.

Win-Win Programme: Gender Equality means Good Business (Win-Win Programme) is funded by the European Union (EU) and jointly implemented with the International Labour Organization (ILO), runs from 2018 to 2020 in six Latin American and Caribbean (LAC) countries: Argentina, Brazil, Chile, Costa Rica, Jamaica and Uruguay, in partnership with the EU countries. Win-Win Programme promotes women's economic empowerment of women, recognising them as beneficiaries and partners of growth and development, increasing the commitment of private sector-companies, entrepreneurs and employers' organizations to gender equality.

Promoting Economic Empowerment of Women at Work in Asia (WeEmpower—Asia Programme) is a collaborative effort between UN Women and the European Union (EU) over a three year period (2019–2021) in China, India, Indonesia, Malaysia, Philippines, Thailand and Vietnam to enable more women to lead, participate and have access to enhanced business opportunities and leadership within the private sector to advance sustainable and inclusive growth.

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WOMEN'S EMPOWERMENT PRINCIPLES

 weps.org
 [@WEPrinciples](https://twitter.com/WEPrinciples)
 empowerwomen.org
 [@Empower_Women](https://twitter.com/Empower_Women)

- Principle 1  Establish high-level corporate leadership for gender equality.
- Principle 2  Treat all women and men fairly at work- respect and support human rights and nondiscrimination.
- Principle 3  Ensure the health, safety and well-being of all women and men workers.
- Principle 4  Promote education, training and professional development for women.
- Principle 5  Implement enterprise development, supply chain and marketing practices that empower women.
- Principle 6  Promote equality through community initiatives and advocacy.
- Principle 7  Measure and publicly report on progress to achieve gender equality.

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