

STUDY

Requested by the FEMM committee



Precarious work from a gender and intersectionality perspective, and ways to combat it



Policy Department for Citizens' Rights and Constitutional Affairs
Directorate-General for Internal Policies
PE 662.491 - November 2020



EN

Precarious work from a gender and intersectionality perspective, and ways to combat it

Abstract

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the FEMM Committee, explores the phenomenon of precarious work in the EU from a gender and intersectionality perspective. It finds that women, particularly young women, those with a migrant background and women with low levels of educational attainment, are especially vulnerable. This is a recurring trend across all of the Member States within the study's scope. One of the key factors behind this is the disproportionate amount of time that women spend in caregiving roles and domestic work, something that is reinforced by COVID-19.

This document was requested by the European Parliament's Committee on Women's Rights and Gender Equality.

AUTHORS

Sophie BUCKINGHAM, VVA
Camille FIADZO, VVA
Virginia DALLA POZZA, VVA
Laura TODARO, VVA
Claire DUPONT, Milieu
Kari HADJIVASSILIOU, The Tavistock Institute

ADMINISTRATOR RESPONSIBLE

Jos HEEZEN

EDITORIAL ASSISTANT

Sandrina MARCUZZO

LINGUISTIC VERSIONS

Original: EN

ABOUT THE EDITOR

Policy departments provide in-house and external expertise to support EP committees and other parliamentary bodies in shaping legislation and exercising democratic scrutiny over EU internal policies.

To contact the Policy Department or to subscribe for updates, please write to:

Policy Department for Citizens' Rights and Constitutional Affairs

European Parliament

B-1047 Brussels

Email: poldep-citizens@europarl.europa.eu

Manuscript completed in November 2020

© European Union, 2020

This document is available on the internet at:

<http://www.europarl.europa.eu/supporting-analyses>

DISCLAIMER AND COPYRIGHT

The opinions expressed in this document are the sole responsibility of the authors and do not necessarily represent the official position of the European Parliament.

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.

CONTENTS

LIST OF ABBREVIATIONS	5
LIST OF TABLES	6
EXECUTIVE SUMMARY	7
1. INTRODUCTION	9
1.1. Background to the study	9
1.2. Objective of the study	10
1.3. Methodology	11
2. LEGISLATIVE AND POLICY FRAMEWORK CONCERNING WOMEN IN PRECARIOUS WORK IN THE EU	12
2.1. International legal and policy standards	12
2.2. EU legislative framework	16
2.2.1. Binding EU standards	16
2.2.2. Non-binding EU standards	21
2.3. EU Policy framework	25
3. PRECARIOUS WORK IN THE EU: RECENT TRENDS, AFFECTED SECTORS AND VULNERABLE GROUPS	29
3.1. EU trends in precarious work and its prevalence among women	29
3.1.1. Factors affecting the disproportionate numbers of women in precarious work	30
3.1.2. Shift to more non-standard forms of employment	31
3.1.3. The effect of the COVID-19 pandemic on precarious workers	33
3.2. Sectors dominated by precarious work	36
3.3. How intersectionality affects exposure to precarious work	37
4. FOCUS ON THE SITUATION OF WOMEN IN PRECARIOUS WORK IN 8 EU MEMBER STATES	40
4.1. Definitions of precarious work	40
4.2. Legal and policy framework	42
4.3. Prevalence of precarious work	44
4.3.1. Evolution over the past decade	44
4.3.2. Part-time work and other types of atypical employment	45
4.3.3. Underemployment	46
4.4. Sectors dominated by precarious work	47
4.4.1. Care sector	47
4.4.2. Hospitality sector	48
4.4.3. New forms of work in female dominated sectors	48

4.5. How intersectionality affects exposure to precarious work	49
4.5.1. Women with an ethnic minority background	49
4.5.2. Women with a migration background	50
4.5.3. Women's age	51
4.5.4. Other factors that intersect with gender and affect exposure to precarious work	52
4.6. The effects of COVID-19 on precarious work	52
5. GOOD PRACTICES REGARDING IMPROVING THE SITUATION OF WOMEN IN PRECARIOUS WORK	55
5.1. Good practices in the legal area	55
5.2. Good practices in the policy area	57
6. RECOMMENDATIONS	60
6.1. Proposed legal recommendations	60
6.2. Proposed policy recommendations	62
6.2.1. Educational programmes and awareness-raising campaigns	62
6.2.2. Mobilisation of trade unions and other actors in the job market	62
6.2.3. Promotion of equal distribution of care and domestic work	63
6.2.4. Research and data collection	64
6.2.5. Ad-hoc measures to tackle COVID-19	64
7. CONCLUSIONS	66
REFERENCES	68
ANNEXES	76

LIST OF ABBREVIATIONS

COVID-19	Coronavirus disease of 2019
EES	European Employment Strategy
EIGE	European Institute for Gender Equality
ELA	European Labour Authority
EP	European Parliament
EPSR	European Pillar of Social Rights
EU	European Union
EWL	European Women's Lobby
FEPS	Foundation for European Progressive Studies
FRA	Fundamental Rights Agency
ILO	International Labour Organisation
SDGs	Sustainable Development Goals
STEM	Science, technology, engineering and mathematics
TFEU	Treaty on the Functioning of the European Union
UN	United Nations

LIST OF TABLES

Table 1: International standards relevant to precarious work	16
Table 2: EU Binding standards relevant to precarious work	20
Table 3: Non-binding EU standards relevant to precarious work	23
Table 4: Other EU policy initiatives relevant to precarious work	27
Table 5: Stakeholders interviewed at EU level	76
Table 6: Stakeholders interviewed at national level	76

EXECUTIVE SUMMARY

Background

For the purposes of this study, 'precarious work' is taken to mean employment that satisfies at least one of the following criteria: very low pay, very low intensity working hours, or low job security. The latter criterion is interpreted broadly to encompass not only temporary contracts, but also jobs with few training and career development opportunities, a lack of collective representation and an absence of social protection rights or employment-related benefits. Intersectionality, the ways in which sex and gender intersect with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination, is built into the core of this study's definition of precarious work. Discrimination in the form of 'intersecting inequalities' based on a person's age, country of origin, disability, level of education or sexual orientation, is a key determinant both of a person's exposure to and experience of precarious work. Although men are clearly affected by precarious work, it is women who are particularly vulnerable to this phenomenon.

Key findings

Achievements in the area of precarious work

Over the last decade, a range of standards has been adopted both at the international and EU levels to tackle precarious work, in particular that of women. Most notably, the EU Directives on 'transparent and predictable working conditions' and 'work-life balance for parents and carers' seek to prohibit the abuse of atypical contracts and to put women and men on a more equal footing by challenging perceptions as to the responsibilities attributed to the two sexes. These binding EU standards are complemented by two European Parliament resolutions on 'working conditions and precarious employment' and 'precarious women workers', as well as a range of policy initiatives targeting a reduction in the number of people in short-term contracts and unemployment, and challenging stereotypes relating to education and career paths.

Remaining challenges

Despite these achievements, precarious work remains an issue in both the EU as a whole and the eight Member States within this study's scope, where it is apparent that women are more likely to be affected by precarious work than men. This overrepresentation is due, among other factors, to the disproportionate amount of time that women spend in caregiving roles and domestic work, both of which are unpaid and largely unrecognised. Embedded stereotypes are another factor triggering female precarious work, with career choices being partially socially constructed and gender segregation a deeply entrenched feature of educational systems and occupations across the EU. This has resulted in a high prevalence of female precarious work in some sectors, notably the care sector, where women tend to experience less favourable pay and working conditions than in other sectors. Other female-dominated sectors such as education, cleaning, tourism, and personal services have particularly high shares of part-time work, often associated with exclusion from social benefits and disadvantages in terms of access to promotion.

Although it is not always possible to identify common gender patterns between particular groups of men and women, across all eight Member States non-EU born women and men and those with an ethnic minority background, young people, those with low qualifications and people with disabilities are all particularly vulnerable to precarious work. The outbreak of the COVID-19 pandemic is having a tangible impact on precarious workers. Women are particularly affected given that the sectors that have been hardest hit (e.g. the care sector, education and hospitality) are those in which women are overrepresented. The pandemic has also had negative repercussions on work-life balance and caring

responsibilities, with women's share of unpaid work increasing considerably with more time being spent at home. One result of this situation is that women are more likely than men to have either lost their job or quit it since national lockdowns began.

Good practices in tackling female precarious work

This study identifies a number of good practices which can potentially improve the conditions of women in precarious work. In the legal area, the introduction of a minimum wage has proven effective in lifting women out of precarious conditions in Germany and Spain. Moreover, pay transparency (Germany), the recognition of equal pay for equal work (Sweden), limitations to the duration of atypical contracts and the extension of workers' rights under such contracts (France, Germany, Italy and Poland) as well as parental leave measures (Italy) have also had a positive impact on the reduction of women's precarious work. Policy-wise, good practices include: equality certificates for companies implementing gender equality, programmes helping migrant women to enter the labour market, initiatives aimed at reconciling work and family life, campaigns enhancing women's IT skills, improving working conditions in the care sector, and measures to mitigate the work-related impact of the COVID-19 pandemic.

Recommendations

Building on the above findings, this study puts forward a number of recommendations for improving the situation of women in precarious work. Among them are propositions for EU legislation to be adopted, most notably a Directive on Pay Transparency, which would address the lifelong consequences of the gender pay gap in terms of the lack of women in high-paying, male-dominated professions and their overrepresentation in poorly paid precarious work situations. Moreover, amendments to existing EU legislation (e.g. the Directive on work-life balance) are proposed to enhance the protection of single parents, who are often in precarious jobs. The EU's ratification of the Istanbul Convention would guarantee greater protection for victims of both workplace violence (women in precarious jobs are often victims of harassment at work) and in the household, especially considering the increased amount of time women spend at home during the pandemic.

A range of policy measures is also recommended, including educational programmes and awareness raising campaigns to prevent and combat precarious work and challenge gender stereotypes in education. Given the extent to which women in the care sector are affected by precarious work, care should be a key priority for the EU and its Member States in the coming years, with significant investment being needed in the sector. The mobilisation of trade unions and other actors is also important in insuring the rights of workers in precarious conditions. Furthermore, more research on undeclared work and data collection on gender pay gaps should be undertaken to shed light on these precarious work-related aspects. Finally, it is of fundamental importance that gender is mainstreamed in national and EU COVID-19 recovery plans, and that gender budgeting is made commonplace.

1. INTRODUCTION

KEY FINDINGS

For the purposes of this study, 'precarious work', is understood as employment where workers experience at least one of three working conditions: very low pay, very low intensity working hours or low job security. The latter condition has a number of related characteristics, including few training and career development opportunities, a lack of collective representation and an absence of social protection rights or employment-related benefits. This definition is in line with the 2017 European Parliament Resolution on working conditions and precarious employment.

This study's definition of precarious workers includes those who experience discrimination as a result of 'intersecting inequalities'. These inequalities are based on the theory of intersectionality: the ways in which sex and gender intersect with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination.

1.1. Background to the study

Since the turn of the millennium, the notions of 'precarious work' and 'atypical employment' have become increasingly common in the EU. In 2016, a European Parliament study found that standard employment based on a traditional, full-time, permanent contract had decreased from 62% to 59% of total employment over the previous decade,¹ with atypical and precarious work taking up an increasingly prominent share.

There is no single, standardised definition of precarious employment across the EU, and its interpretation is constantly in flux. New variables and indicators are currently being elaborated which will consider the effects of the COVID-19 pandemic on precarious workers and the labour market in general.² That said, the 2017 European Parliament Resolution on working conditions and precarious employment sets out its understanding of precarious work as 'employment which does not comply with EU, international and national standards and laws and/or does not provide sufficient resources for a decent life or adequate social protection'.³

As the resolution underlines, atypical and precarious employment cannot be used synonymously. While precarious employment is almost always atypical, the same cannot be said in reverse. For example, although part time work can be precarious, much of this form of work complies with European and national standards and does not automatically entail insufficient resources for a decent standard of living or inadequate social protection, as referred to in the 2017 resolution's definition of precarious work. In contrast to the negative connotations associated with precarious work, atypical work can also offer certain opportunities, mainly related to increased flexibility. It is therefore important to examine the *nature* of the employment relationship in order to classify it as 'precarious'. Self-

¹ European Parliament, Briefing on Precarious Employment in Europe: Patterns, Trends and Policy Strategies, 2016, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/587285/IPOL_STU\(2016\)587285_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/587285/IPOL_STU(2016)587285_EN.pdf)

² Interview carried out on 08.09.2020 with a representative of EIGE

³ European Parliament resolution of 4 July 2017 on working conditions and precarious employment (2016/2221(INI)), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2017-0290_EN.html

employment for example is a perfectly recognised and legitimate form of atypical employment, yet it can be framed as bogus self-employment,⁴ a category of work which is precarious.

It is therefore necessary to break the notion of precarious work down into its constituent elements in order to understand what differentiates precarious work from atypical work. In this regard, while acknowledging the numerous existing definitions of precarious work, this study builds upon the definition used by the European Institute for Gender Equality (EIGE) in its 2016 study on 'Gender, skills and precarious work in the EU'.⁵ EIGE associates precarious employment with at least one of three working conditions:

- i. Very low pay, where take-home pay from a worker's main job is below the first quintile.
- ii. Very low intensity working hours (including mini-jobs⁶ and zero-hour contracts⁷).
- iii. Low job security (either a temporary contract or a permanent one with a high risk of loss or termination).

Building on EIGE's definition, this study adopts a broad interpretation of 'very low job security' to cover employment with few training and career development opportunities, employment in which workers lack a voice or are not collectively represented, employment where workers do not have social protection rights or employment-related benefits, and working environments that fail to meet minimum health and safety standards. When combined with employment which is 'non-standard', these features of precarity fall within the characteristics associated with precarious work in the European Parliament's 2010 Resolution on precarious women workers.⁸

In addition, this study includes in the category of 'precarious workers' those who experience discrimination as a result of 'intersecting inequalities'. These inequalities are based on the theory of intersectionality, which looks at the ways in which sex and gender intersect with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination.⁹ It is apparent throughout the study that intersectionality and the overlap of elements in addition to sex and gender, including age, country of origin, disability, educational attainment and sexual orientation, have a key impact on the likelihood of a person to first find themselves in a precarious job, and secondly on how they experience that situation. Rather than being one of the three core constitutive elements of precarious work described above, intersecting inequalities are therefore cross-cutting.

1.2. Objective of the study

The main purpose of this study is to present an up-to-date overview of the situation concerning precarious work in the EU, taking the cross-cutting stance of a gender and intersectionality perspective.

⁴ 'Bogus self-employment', often referred to as false self-employment or dependent self-employment, involves persons/workers registered as self-employed whose conditions of employment are de facto those of an employee. This employment status is frequently used to circumvent tax and/or social insurance liabilities, or employers' responsibilities. See: <https://ec.europa.eu/social/main.jsp?catId=1323&langId=en>

⁵ EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016, pp. 21-22

⁶ *Ibid*, 'Mini-jobs' are those that entail fewer than 10 hours of employment per week

⁷ 'Zero-hour contracts' are a form of flexible working that specify no minimum number of working hours a week. While the employee may sign an agreement to be available for work as and when required, the employer is not necessarily obliged to give the worker any work and the employee is not obliged to accept the work offered. The employee is expected to be on call and receives compensation only for hours worked. See: Eurofound, 'Zero-hour contracts', available at: <https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/zero-hours-contracts>

⁸ European Parliament resolution of 19 October 2010 on precarious women workers (2010/2018(INI)), available at: <https://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0365&language=EN&ring=A7-2010-0264>

⁹ EIGE, Glossary and Thesaurus, 'Intersectionality', available at: <https://eige.europa.eu/thesaurus/terms/1263>

While the study covers the whole EU, a special focus is put on eight Member States: Croatia, France, Germany, Italy, Poland, Slovakia, Spain and Sweden. The study was undertaken in the period June-October 2020.

The report is structured as follows:

Chapter 1: Describes and defines both 'precarious work' and 'intersectionality'.

Chapter 2: Examines the legislative and policy framework concerning precarious work, both at the international and EU level.

Chapter 3: Explores trends in precarious work in the EU, namely why women tend to be more affected by precarious work, the types of precarious jobs that are largely concerned, and how the recent outbreak of the COVID-19 pandemic has impacted the situation. This Chapter also assesses in which economic sectors women are most likely to be found in precarious conditions, as well as examining how intersectionality affects exposure to precarious work.

Chapter 4: Focuses on the situation of women's precarious work in eight EU Member States: Croatia, France, Germany, Italy, Poland, Slovakia, Spain and Sweden. It looks at similarities and differences across countries in terms of the definition of precarious work, the legal and policy frameworks, the prevalence of the phenomenon, the main sectors concerned, the effect of intersectionality on exposure to precarious work, and the effects of the COVID-19 pandemic.

Chapter 5: Presents examples of good practices from the eight selected Member States as to improving the situation of women in precarious work, or ultimately lifting women out of precarious jobs.

Chapter 6: Provides recommendations aimed at structurally improving the situation of women in precarious work in the EU. These take the form of options for legislative as well as policy measures.

1.3. Methodology

A dual approach to data collection has been used in this study: desk-based research and stakeholder consultation. The study has been carried out in two phases. In the first phase the study team conducted research at EU level: analysing the EU legislative and policy framework as well as interviewing EU-level stakeholders (European bodies, think tanks and NGOs). In parallel to this, a team of national experts analysed the precarious work of women in eight Member States: Croatia, France, Germany, Italy, Poland, Slovakia, Spain and Sweden. As part of the national level research, the national experts held interviews with government ministries, stakeholders working in NGOs and the third sector, and leading academics in the field. As part of the national level research, the experts held interviews with government ministries, stakeholders working in NGOs and the third sector, and leading academics in the field. In the second phase, the findings from the research at EU and national level were analysed and triangulated by the study team, the results of which fed into this evidence-based study.

2. LEGISLATIVE AND POLICY FRAMEWORK CONCERNING WOMEN IN PRECARIOUS WORK IN THE EU

KEY FINDINGS

Significant progress has been made both internationally and at EU level to tackle precarious work of women by adopting a range of key standards. At the international level, the **Beijing Declaration and Platform for Action** remains the most comprehensive global agenda for promoting gender equality and the empowerment of women in the economy, including via employment.

At EU level, the recently adopted **Directive (EU) 2019/1152 on transparent and predictable working conditions** is the first Directive to refer explicitly to precarious work, stating that employment relationships that lead to precarious working conditions are to be prevented, including by prohibiting abuse of atypical contracts. **Directive (EU) 2019/1158 on work-life balance for parents and carers** promotes women's participation in the labour market and strives for a more equal sharing of parental leave between men and women, changing perceptions of the responsibilities attributed to the two sexes. However, concerns remain about the uptake of the paternity rights to which men are entitled. In addition to binding standards, a number of non-binding legislative instruments directly regulate precarious work, including from a gender perspective, notably the **European Parliamentary resolutions of 19 October 2010 on precarious women workers and of 4 July 2017 on working conditions and precarious employment**.

In terms of European policy initiatives, the **New Skills Agenda for Europe** aims to reduce the number of people in short-term contracts or unemployment and seeks to increase the share of women who are STEM graduates. By promoting digital education, the **Digital Europe Programme** can be considered a useful tool in addressing the underrepresentation of women in ICT-related sectors. The **Gender Equality Strategy for 2020-2025** sets out key targets, including challenging gender stereotypes, closing gender gaps in the labour market, achieving equal participation across different sectors of the economy and addressing the gender pay and pension gaps.

This section provides an overview of the international and EU legal and policy standards relevant to precarious work, with a focus on women. It also presents the views of EU stakeholders consulted for this study on the legal and policy framework.

2.1. International legal and policy standards

At the international level, there are a number of standards which address precarious work, directly or indirectly. With the **European Social Charter**¹⁰ (adopted in 1961 to guarantee social and economic rights), the Council of Europe placed particular emphasis on rights in the workplace. Part I of the Charter stipulates that all workers have the right to just conditions of work, to a fair remuneration sufficient for a decent standard of living for themselves and their families, to freedom of association in national or

¹⁰ Council of Europe, The European Social Charter 1961, available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168006b642>

international organisations for the protection of their economic and social interests, to social security, and to a range of other rights that are often lacking when it comes to those in precarious work situations. The Charter also states that employed women, especially in the case of maternity, have the right to special protection in their work.¹¹

The **Beijing Declaration and Platform for Action**,¹² adopted at the UN's Fourth World Conference on Women in 1995, aimed to remove obstacles to women's active participation in public and private life by ensuring that women have a full and equal share in economic, social, cultural and political decision-making. Governments, the international community, the private sector and civil society, including non-governmental organisations, were called upon to take strategic action in twelve critical areas of concern for women.

One of the 'actions to be taken' within the critical area of 'women in power and decision-making' was for governments to adopt appropriate measures to recognise that shared work and parental responsibilities between women and men promote women's increased participation in public life and the labour market generally.¹³ Even twenty-five years on from its elaboration, the Beijing Declaration and Platform for Action can still be regarded as the most comprehensive global agenda for promoting gender equality and the empowerment of women in the economy, including via employment and their economic independence.

As the UN agency aiming to promote rights at work, encourage decent employment opportunities and enhance social protection for all women and men, the **International Labour Organisation (ILO)** has set a number of labour standards to achieve these objectives.¹⁴ While these standards do not explicitly focus on precarious work, they touch on elements of 'non-standard forms of employment',¹⁵ notably part-time work and working from home.

In particular, the **Part-Time Work Convention**¹⁶ calls for measures to ensure that part-time workers receive the same protection as that accorded to comparable full-time workers. This concerns the right to organise, bargain collectively and act as workers' representatives, the right to occupational safety and health rights, and the right to be free from discrimination in employment and occupation.¹⁷ Meanwhile, the **Home Work Convention**¹⁸ encourages national policies on home work to promote equality of treatment between homeworkers and other wage earners, particularly in relation to remuneration, statutory social protection, access to training and maternity protection,¹⁹ in addition to those rights promoted by the Part-Time Work Convention.

¹¹ *Ibid*, Part 1, para 8

¹² The Beijing Platform for Action, 1995, available at: https://beijing20.unwomen.org/~media/headquarters/attachments/sections/csw/pfa_e_final_web.pdf

¹³ *Ibid*, para. 190(i)

¹⁴ See: <https://www.ilo.org/global/about-the-ilo/lang--en/index.htm>

¹⁵ These general standards include the Migration for Employment Convention (Revised), 1949 (No. 97); the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); the Workers with Family Responsibilities Convention, 1981 (No. 156); the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159); the Maternity Protection Convention, 2000 (No. 183); the Domestic Workers Convention, 2011 (No. 189).

¹⁶ C175 - Part-Time Work Convention, 1994, available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C175

¹⁷ *Ibid*, Article 4

¹⁸ C177 - Home Work Convention, 1996, available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312322

¹⁹ *Ibid*, Article 4

The ILO has worked specifically on the phenomenon of precarious work in its 'policies and regulations to combat precarious employment'.²⁰ Its report notes the difficulties in finding any one definition of precarious work, but focuses on contractual arrangements which are either limited in duration or disguised employment relationships/bogus self-employment, together with four precarious conditions: low wage, poor protection from termination of employment, lack of access to social protection and other benefits, and limited ability to exercise rights at work.²¹ The ILO recommends restricting the circumstances in which precarious contracts can be used and limiting the length of time that workers can be employed on successive contracts of this kind, after which they should be given the option of a permanent contract.

The ILO has also developed a **Decent Work Agenda**, in which gender equality features as a crosscutting objective.²² The Agenda's four pillars (employment creation, social protection, rights at work and social dialogue) subsequently became an integral part of the **2030 Agenda for Sustainable Development**²³ and the **United Nations Sustainable Development Goals (SDGs)**. Goal 8 of the SDGs is particularly relevant in the context of precarious work in that it promotes inclusive and sustainable economic growth, employment, and decent work for all.²⁴ At the time of its coming into force in 2016, 61% of all workers were engaged in informal employment, and the global gender pay gap stood at 23%.²⁵ Goal 8 therefore seeks to achieve decent work and equal pay for work of equal value for all women and men, as well as protecting labour rights and promoting safe and secure working environments for all workers, particularly female migrant workers and those in precarious employment.²⁶

Goal 5 of the SDGs is also of interest for women in precarious work, as it aims to achieve gender equality and to empower all women and girls.²⁷ It lists a series of specific targets, one of which is to recognise the value of unpaid care and domestic work through the provision of public services, infrastructure and social protection policies, and the promotion of shared responsibility within the household.²⁸ Goal 5 also seeks to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life.²⁹

In light of the current global situation, the UN has released a framework for the immediate socio-economic response to COVID-19 as a roadmap to supporting countries on their way to social and economic recovery.³⁰ The roadmap underlines that those providing care (e.g. social workers, women caring for family members, migrant domestic workers), those working in food production and supply chains (including migrant agricultural workers), and those working in the informal sector, service sector

²⁰ ILO, 'Policies and regulations to combat precarious employment', 2011, available at:

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/meetingdocument/wcms_164286.pdf

²¹ *Ibid*, p. 7

²² See: <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm#:~:text=The%20ILO%27s%20Decent%20Work%20Agenda%20Productive%20employment%20and,dialogue%2C%20with%20gender%20equality%20as%20a%20crosscutting%20objective>

²³ See: <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm#:~:text=The%20ILO%27s%20Decent%20Work%20Agenda%20Productive%20employment%20and,dialogue%2C%20with%20gender%20equality%20as%20a%20crosscutting%20objective>

²³ See: <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

²⁴ See: <https://www.un.org/sustainabledevelopment/economic-growth/>

²⁵ *Ibid*

²⁶ *Ibid*, Targets 8.5 and 8.8

²⁷ See: <https://www.un.org/sustainabledevelopment/gender-equality/>

²⁸ *Ibid*, Target 5.4

²⁹ *Ibid*, Target 5.5

³⁰ United Nations, 'A UN framework for the immediate socio-economic response to COVID-19', April 2020, available at: https://www.un.org/sites/un2.un.org/files/un_framework_report_on_covid-19.pdf

and gig economy for transport and delivery of goods, are working in precarious conditions and will face a severe socio-economic impact from the crisis.³¹

Similarly, the ILO has published key provisions of international labour standards relevant to the evolving COVID-19 outbreak.³² This document refers to the **Employment and Decent Work for Peace and Resilience Recommendation**, which calls for applying a gender perspective in all crisis response design, implementation, monitoring and evaluation activities.³³ The ILO acknowledges that as women still carry out more caregiving, they will likely bear the brunt of the social and economic disruption caused by the pandemic, thus putting an additional strain on existing inequalities. As will be discussed in more detail in Chapter 6, crisis response should therefore include a clear gender perspective.

Given the increase in non-standard forms of employment that has occurred in recent years and the emergence of the gig or platform economy, whereby digital labour platforms outsource work either to a geographically dispersed group ('crowdwork') or to a group of individuals in a particular geographical area, since 2015 the ILO has placed increasing focus on studying digital labour platforms in order to better understand the implications of this new style of work on individuals and the labour market generally³⁴, including the risk of precariousness.

Finally, it is important to consider the work of the **OECD** on the matter, in particular its **Gender Initiative**, designed to provide insights into the remaining barriers to gender equality in education and employment (including precarious employment) and entrepreneurship.³⁵ The initiative monitors the progress made by governments of both OECD and non-OECD countries in promoting gender equality, and provides good practice examples based on empirical data. As part of the initiative, the OECD publishes annually **Labour Force Statistics** on employment and unemployment broken down by sex as well as sector of activity and part-time employment.³⁶ This data is interesting in the context of precarious work as it provides statistics such as female part-time employment as a percentage of female employment (26.3% as the EU-28 average in 2019 as compared to 8% for men).³⁷

Among its other goals, the Gender Initiative aims to reduce the gender gaps in low-paid work, part-time work and access to both managerial jobs and leadership positions. Issued in collaboration with the ILO, the **OECD report on 'Women at Work in G20 countries: Progress and policy actions'** provides policy recommendations to foster gender equality in the labour market.³⁸ This is notably achieved through strengthening long-term care and care leave provisions for both women and men by reducing the bias against male caregiving, ensuring that non-standard forms of employment do not weaken employment rights, enabling more women to reach leadership positions, and tackling the persisting gender pay gap.³⁹ On this latter point, together with the ILO and UN Women, the OECD has

³¹ *Ibid*, p. 6

³² See: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/genericdocument/wcms_739937.pdf

³³ Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3330503

³⁴ See: <https://www.ilo.org/global/topics/non-standard-employment/crowd-work/lang--en/index.htm>

³⁵ See: <https://www.oecd.org/gender/>

³⁶ See: https://www.oecd-ilibrary.org/employment/oecd-labour-force-statistics-2020_5842cc7f-en

³⁷ OECD, Labour Force Statistics 2020, available at: https://read.oecd-ilibrary.org/employment/oecd-labour-force-statistics-2020_5842cc7f-en, pp. 33-34.

³⁸ OECD and ILO, 'Women at Work in G20 countries: Progress and policy actions', 2019, available at: <https://www.oecd.org/q20/summits/osaka/G20-Women-at-Work.pdf>

³⁹ *Ibid*.

established an **Equal Pay International Coalition**,⁴⁰ striving to achieve equal pay for women and men globally.

In addition to the above, other standards relevant to precarious work are outlined in **Error! Reference source not found.** below.

Table 1: International standards relevant to precarious work

Standards/Initiatives	Description
Council of Europe gender standards ⁴¹	The Council of Europe's standards on gender equality aim to bring Member States closer to equality between women and men. Moreover, the Convention on preventing and combating violence against women ⁴² is relevant to women who are victims of various forms of violence, including financial abuse, and are not economically independent.
Council of Europe Gender Equality Strategy for 2018-2023 ⁴³	The Gender Equality Strategy for 2018-2023 outlines the priorities of the Council of Europe on gender equality for the upcoming years. These include the equal sharing of unpaid household and care work to break down gender stereotypes, work life balance, and the fight against intersectional discrimination on the grounds of ethnicity, age, disability, sexual orientation or gender identity.
The United Nations Convention on the Elimination of All Forms of Discrimination against Women ⁴⁴	Adopted in 1979, this Convention requires States to take all appropriate measures to eliminate prejudices and all other practices which are based on stereotyped roles for men and women.

2.2. EU legislative framework

2.2.1. Binding EU standards

In line with the international standards described above, the EU has a comprehensive legal framework in place to provide rights for workers. Title IX of the Treaty on the Functioning of the European Union (TFEU) relates to employment policy, requiring Member States and the EU to develop a coordinated strategy for employment, particularly in terms of promoting a skilled, trained and adaptable workforce and labour markets responsive to economic change.⁴⁵ The subsequent Title on

⁴⁰ See: <https://www.equalpayinternationalcoalition.org/>

⁴¹ Relevant standards include: Recommendation CM/Rec (2019)1 of the Committee of Ministers to Member States to prevent and combat sexism, Recommendation CM/Rec(2012)6 of the Committee of Ministers on the protection and promotion of the rights of women and girls with disabilities, Recommendation No. R (98) 14 of the Committee of Ministers to Member States on Gender Mainstreaming; Recommendation R (85) 2 of the Committee of Ministers on legal protection against sex discrimination.

⁴² Council of Europe, Convention on preventing and combating violence against women and domestic violence, (The 'Istanbul Convention'), CETS No.210, Entry into force 01/08/2014, available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>

⁴³ Council of Europe, Gender Equality Strategy for 2018-2023, available at: <https://rm.coe.int/strategy-en-2018-2023/16807b58eb>

⁴⁴ United Nations, Convention on the Elimination of All Forms of Discrimination against Women, New York, 18 December 1979, available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

⁴⁵ Treaty on the Functioning of the European Union (TFEU), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

social policy, in particular Article 153 TFEU, delineates EU competences in the field. It stipulates that⁴⁶ the EU shall support and complement Member States' activities in the field of the integration of persons excluded from the labour market, as well as equality between men and women with regard to labour market opportunities and treatment at work.⁴⁷

Article 157 TFEU goes on to enshrine the right to equal pay,⁴⁸ requiring Member States to ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied.⁴⁹ The Article also calls for the European Parliament and Council to adopt measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, including the principle of equal pay.⁵⁰

Fair working conditions are considered a fundamental right, guaranteed by Article 31 of the **EU Charter of Fundamental Rights**.⁵¹ This includes the right to working conditions which respect one's health, safety and dignity. Each worker is entitled to a limited maximum number of working hours, to daily and weekly rest periods, and to paid annual leave.⁵²

In addition to EU primary law, labour rights are defined in EU secondary law, as presented in the following paragraphs. While some of this secondary legislation makes express reference to precarious work, other legislative acts do not refer to it directly but are applicable to workers in precarious work conditions.

Directive (EU) 2019/1152 on transparent and predictable working conditions in the European Union⁵³ has recently been adopted to define new rights for all workers, including those in precarious work situations. This is the first Directive to refer explicitly to precarious work, stating that employment relationships that lead to precarious working conditions are to be prevented, including by prohibiting abuse of atypical contracts.⁵⁴ The preamble to the Directive establishes that any probationary period shall be of a reasonable duration, thereby helping to address concerns regarding precariousness in terms of low job security.

Moreover, the Directive guarantees all workers in the EU the right to a minimum predictability of work, in that it should take place within predetermined reference hours and days, and the worker should be informed of a work assignment within a reasonable notice period.⁵⁵ In terms of zero-hour and on-demand contracts, Member States allowing for the use of such contracts must take measures to ensure effective prevention of abusive practices and inform the Commission of these measures.⁵⁶ Finally, the Directive requires that workers who have completed at least six months' service with the same employer and who have concluded their probationary period may request a form of employment with

⁴⁶ It should be noted that by means of [Regulation 2019/1149](#), the [European Labour Authority](#) (ELA) was established. The ELA addresses issues such as undeclared work and posted workers, a large share of whom are likely to be in precarious jobs.

⁴⁷ TFEU, Article 153.

⁴⁸ Article 157 of TFEU has provided the legal basis for positive action on gender equality in EU law, both in legislation and in the case law of the CJEU. The latter has adopted a wide interpretation of the concept of equal pay, broadening the possibilities to combat both direct and indirect pay discrimination based on sex and to narrow the gender pay gap.

⁴⁹ TFEU, Article 157(1).

⁵⁰ *Ibid*, Article 157(3).

⁵¹ Charter of Fundamental Rights of the European Union, 2012/C 326/02, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012P/TXT&from=EN>

⁵² *Ibid*.

⁵³ Directive (EU) 2019/1152 of 20 June 2019 on transparent and predictable working conditions in the European Union, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L1152>

⁵⁴ *Ibid*, para. 2 of preamble.

⁵⁵ *Ibid*, Article 10.

⁵⁶ *Ibid*, Article 11.

more predictable and secure working conditions where available, and are entitled to receive a reasoned written reply.⁵⁷

Member States are required to transpose the Directive into their national legislation by 1st August 2022. While the Directive represents a landmark achievement in promoting the rights of workers in precarious situations, it does not expressly refer to women and the specificities of their working conditions. Although Directive 2019/1152 is the only one to explicitly refer to the phenomenon of precarious work, there are many other binding EU standards that merit discussion here in that they regulate aspects relevant to precarious work, namely part-time work, equal treatment between persons, and work-life balance. The most pertinent Directives are described further in the subsequent paragraphs.

Directive (EU) 2019/1158 on work-life balance for parents and carers⁵⁸ is another fundamental act to consider in relation to precarious work. The Directive aims to increase the participation of women in the labour market, to encourage a more equal sharing of parental leave between men and women and to better support work-life balance for parents and carers.⁵⁹ This is especially important in the context of precarious work, as the current status quo of women as primary caregivers prevents equal access of men and women to the labour market, often resulting in women having contracts and working conditions which are precarious in nature. The Directive's preamble points out that work-life balance remains a considerable challenge for many parents and workers with caring responsibilities, in particular because of the increasing prevalence of extended working hours and changing work schedules, which has a negative impact on women's employment.

One of the concrete issues addressed by the Directive is the lack of paternity leave in many Member States. In this regard, stakeholders consulted for this study pointed out that the absence of paternity leave and the subsequent imbalance in the design of work-life policies between women and men reinforces gendered stereotypes, particularly when it comes to the cliché of the male breadwinner and the female carer. As the preamble to the Directive highlights, the use of work-life balance arrangements by fathers, including leave or flexible working arrangements, has been shown to have a positive impact in reducing the relative amount of unpaid family work undertaken by women, thus creating more time for paid employment.⁶⁰

The Directive lays down minimum requirements for paternity leave of 10 working days,⁶¹ and requires Member States to ensure that each worker has an individual right to parental leave of four months, that is to be taken before the child reaches an age specified by each State (up to the maximum age of eight).⁶² Compared to the existing situation in many Member States where paternity leave was little to non-existent (in 2017 in Italy for example, fathers benefited from only two days of paternity leave that was exclusive to them),⁶³ the entry into force of the Directive has encouraged some men to take the leave that they are entitled to. In the view of stakeholders, this represents an important step in changing perceptions of the responsibilities attributed to women and men.⁶⁴

⁵⁷ *Ibid*, Article 12.

⁵⁸ Directive (EU) 2019/1158 of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019L1158>

⁵⁹ See: <https://ec.europa.eu/social/main.jsp?catId=89&furtherNews=yes&langId=en&newsId=9438>

⁶⁰ Directive (EU) 2019/1158 of 20 June 2019 on work-life balance for parents and carers, para. 11 of preamble.

⁶¹ *Ibid*, Article 4.

⁶² *Ibid*, Article 5.

⁶³ European Commission, 'Country report, gender equality – Italy, 2018', p. 30.

⁶⁴ Interview carried out on 08.09.2020 with a representative of FEPS.

That said, there is still work to be done to encourage people to make use of the rights to which they are entitled, as- many men still do not actually take paternity leave.⁶⁵ Furthermore, as was noted by one interviewee, there is an issue of eligibility in that many workers with precarious contracts may not have actual access to the benefits the Directive proposes.⁶⁶

In addition to the above standards, other EU binding acts regulate aspects relevant to precarious work, namely part-time work, equal treatment between persons, and work-life balance. These acts seek to curb the risk of precariousness of certain types of employment relationships by means of equal treatment of workers on standard contracts, or by guaranteeing a number of employment rights and protections.

Among them, **Directive 2000/43/EC⁶⁷ (Racial Equality Directive)** establishes minimum requirements for implementing the principle of equal treatment between persons in the EU, irrespective of their racial or ethnic origin. It applies not only to all persons, but also to all sectors of activity (access to employment, vocational training, education, healthcare, social advantages, etc.). The Directive forbids direct and indirect discrimination, as well as harassment.⁶⁸ It recognises social partners as key players in ensuring the promotion of equal treatment by monitoring practices in the workplace, producing codes of conducts and concluding collective agreements.

Equality in the workplace is guaranteed by **Directive 2000/78/EC, (Employment Equality Directive)**, which sets out a general framework for equal treatment in employment and occupation.⁶⁹ The Directive aims to ensure that persons of a particular religion or belief, disability, age or sexual orientation do not suffer from direct and indirect discrimination and enjoy equal treatment in the workplace. It applies to all individuals, whether they are working in the public or the private sector. Equality is considered in relation to conditions of access to employed or self-employed activities (including selection criteria, recruitment conditions and promotion), vocational training, employment, and working conditions (including dismissals, pay, as well as membership of workers' or employers' organisations). The Directive is a major step in EU labour law in that it obliges EU Member States to ensure that judicial and/or administrative procedures are available to all people who consider themselves victims of a violation of the principle of equal treatment.

Building on Directive 2000/78/EC, **Directive 2006/54/EC⁷⁰ (Recast Directive)** consolidates the existing framework on gender equality by simplifying and improving EU legislation in the area of equal treatment for men and women in employment.⁷¹ The Directive ensures that the principle of equal treatment in relation to access to employment, working conditions and social security schemes is implemented through appropriate procedures. The equality principle also applies to job classification

⁶⁵ The Independent, 'Fewer than third of new fathers take paternity leave, research suggests', 08/07/2019, available at: <https://www.independent.co.uk/life-style/health-and-families/paternity-leave-new-fathers-less-third-not-taking-a8992086.html>

⁶⁶ Interview carried out on 03.09.2020 with a representative of EWL.

⁶⁷ Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, available at: <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32000L0043>

⁶⁸ *Ibid*, Article 2.

⁶⁹ Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32000L0078>

⁷⁰ Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0054>

⁷¹ The CJEU has been a key player in the area of non-discrimination law. For example, it has repeatedly been asked to determine the scope of protection afforded by EU law against gender-based discrimination, mostly in the area of working life.

systems used for determining pay. However, different treatment for men and women may be justified by reason of the nature of the particular occupational activity, if the measures taken are 'legitimate' and 'proportionate'.

Despite the adoption of Directives 2000/78/EC and 2006/54/EC targeting equal treatment in employment and occupation, the gender pay gap in the EU is currently around 16%,⁷² a figure that has changed little over the last decade. According to the consulted stakeholders, several of the factors behind this gender pay gap coincide with those explaining why there are more women than men in precarious employment. These include an overrepresentation of women in relatively low-paying sectors where precarious contracts are commonplace, especially the care sector, and women spending on average fewer hours than men in paid work but more in unpaid work.⁷³ As discussed in Chapter 6 on recommendations, the gender pay gap is an issue that the Commission is now actively considering in terms of an upcoming Directive.⁷⁴

Moreover, **Directive 2010/41/EU on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity** further elaborates upon the equal treatment framework to focus specifically on the rights of the self-employed. This stemmed from the recognition that the rights related to motherhood and fatherhood of self-employed workers needed to be safeguarded. The Directive obligates Member States to adopt positive action, such as promoting business initiatives among women, and to take measures to ensure that female self-employed workers are granted a sufficient maternity allowance enabling interruptions in their occupational activity owing to pregnancy or motherhood for at least 14 weeks.

However, one interviewee expressed the concern that a lot of precariousness is hidden behind pseudo self-employment (where a worker is registered with self-employed status instead of that of an employee in order to reduce tax and social security contributions, potentially in addition to that worker's rights) and that Directive 2010/41/EU does not combat this phenomenon.

Error! Reference source not found. below lists other EU binding standards that are important to consider in the overall legal framework relating to precarious work, given the implications they have on how employees organise their working time, the kind of contracts they have, and the rising phenomenon of platform work.

Table 2: EU Binding standards relevant to precarious work

Legal act	Description
Directive 97/81/EC concerning the Framework Agreement on part-time work ⁷⁵	By implementing the Framework Agreement on part-time work, this Directive sets out to remove unjustified discrimination of part-time workers and improve the quality of part-time work, allowing employees and employers to organise working time in a way which suits both parties' needs. ⁷⁶

⁷² See: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay/gender-pay-gap-situation-eu_en

⁷³ EIGE, 'What lies behind the gender pay gap?', 31 October 2019, available at: <https://eige.europa.eu/gender-statistics/dqs/data-talks/what-lies-behind-gender-pay-gap>

⁷⁴ Interview carried out on 08.09.2020 with a representative of FEPS.

⁷⁵ Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31997L0081>

⁷⁶ See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Ac10416>

Legal act	Description
Directive 1999/70/EC concerning the framework agreement on fixed-term work ⁷⁷	This Directive aims to ensure that workers with fixed-term contracts do not suffer undue discrimination, as well as to prevent the abuse of successive fixed-term contracts between the same employer and employee for the same work.
Directive 2003/88/EC concerning certain aspects of the organisation of working time ⁷⁸	This Directive requires Member States to guarantee all workers a limit to weekly working hours, minimum daily and weekly rest periods, paid annual leave, and additional protection in case of night work. ⁷⁹
Directive 2008/104/EC on temporary agency work ⁸⁰	The Directive aims to guarantee a minimum level of effective protection to temporary workers and to contribute to the development of the temporary work sector as a flexible option for employers and workers. ⁸¹
Regulation (EU) 2019/1150 on promoting fairness and transparency for business users of online intermediation services ⁸²	This Regulation on platform-to-business relations establishes rules creating a fair, transparent and predictable business environment for smaller businesses and traders on online platforms. ⁸³ Given the rise in platform work, much of which can be precarious in nature, this Regulation targets unfair contracts and trading practices in platform-to-business relations.

2.2.2. Non-binding EU standards

In addition to the binding legislative measures at EU level, several non-binding standards have been elaborated which directly regulate precarious work, including from a gender perspective. One of the most pertinent is the **European Parliament resolution of 19 October 2010 on precarious women workers**.⁸⁴ This resolution notes the general shift in the labour market from standard to non-standard types of employment, making it necessary to prevent the latter from becoming precarious work in the first place.⁸⁵ It also clearly highlights the gendered nature of precarious work, whereby sectors such as paid domestic work and care work remain largely invisible on the labour market and dominated by women. Moreover, despite the existing legislative framework, there continue to be major differences

⁷⁷ Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A31999L0070>

⁷⁸ Directive 2003/88/EC of 4 November 2003 concerning certain aspects of the organisation of working time, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0088>

⁷⁹ See: <https://ec.europa.eu/social/main.jsp?catId=706&langId=en&intPagId=205>

⁸⁰ Directive 2008/104/EC of 19 November 2008 on temporary agency work, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008L0104>

⁸¹ See: <https://ec.europa.eu/social/main.jsp?catId=706&langId=en&intPagId=207>

⁸² Regulation (EU) 2019/1150 of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1150>

⁸³ See: <https://ec.europa.eu/digital-single-market/en/business-business-trading-practices#:~:text=The%20regulation,and%20traders%20on%20online%20platforms.>

⁸⁴ European Parliament resolution of 19 October 2010 on precarious women workers (2010/2018(INI)), available at: <https://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0365&language=EN&ring=A7-2010-0264>

⁸⁵ *Ibid*, para 1.

in the EU between women and men when it comes to employment opportunities, quality of work, living income and equal pay for equal work, and work of equal value.⁸⁶

Concerning this last point, the resolution urges the Commission to submit a proposal relating to the application of the principle of equal pay for men and women.⁸⁷ As discussed in Chapter 6, this is something that is still being called for today. In addition to concrete issues such as the gender pay gap, the resolution also calls for more structural change in the form of breaking down professional and sectoral segregation on the labour market through awareness-raising and education from an early age.⁸⁸ This can be achieved, for instance, by promoting jobs associated with female skills to men and, vice versa, by encouraging female students towards the sciences, as well as by combating the perception of women as secondary earners, thereby challenging the traditional male breadwinner paradigm.

Moreover, the resolution focuses on two particularly vulnerable groups of female precarious workers: domestic workers and migrant workers. In terms of the former group, the European Parliament calls on the Commission to encourage Member States to exchange best practices and make full use of the co-financing opportunities offered by the Structural Funds, particularly the European Social Fund, to ensure broader access to affordable, quality childcare and elderly care facilities. This would enable women, who remain the main providers of domestic care, to not be forced into undertaking these duties on an informal basis.⁸⁹

Migrant women are the second key group that is focused on in the resolution, given the intersecting inequalities that they face in terms of being both women and having a migrant background. The need to better socially integrate this group is the driving force behind the Parliament's call on the Commission to strengthen its commitment to promoting gender equality in migration and integration policies - in particular with a view to fully utilising migrant women's employment potential - in its new gender equality strategy.⁹⁰

The second key piece of non-binding legislation on the topic is the **European Parliament resolution of 4 July 2017 on working conditions and precarious employment**.⁹¹ This resolution is centred around a number of definitions and indicators of precarious work, notably the ILO's indicators for determining the existence of an employment relationship and their definition of 'decent work',⁹² and Eurofound's definition of 'atypical work'.⁹³ The resolution understands precarious employment to mean employment which does not comply with EU, international and national standards and laws and/or does not provide sufficient resources for a decent life or adequate social protection.⁹⁴

⁸⁶ *Ibid*, preamble.

⁸⁷ *Ibid*, para 9.

⁸⁸ *Ibid*, para 11.

⁸⁹ *Ibid*, para 21.

⁹⁰ *Ibid*, para 24.

⁹¹ European Parliament resolution of 4 July 2017 on working conditions and precarious employment (2016/2221(INI)), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2017-0290_EN.html

⁹² Decent work is work that is productive and delivers a fair income, with a safe workplace and social protection, better prospects for personal development and social integration, freedom for people to express their concerns, organise and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men. See: <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm>

⁹³ Atypical work refers to employment relationships that do not conform to the standard or 'typical' model of full-time, regular, open-ended employment with a single employer over a long-time span. See: <https://www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/atypical-work>

⁹⁴ European Parliament resolution of 4 July 2017, para 3.

In addition to building upon the definition of precarious work, the resolution reiterates that digital platform workers and other intermediaries, who are often in precarious work conditions, should be guaranteed adequate social protection and health coverage. Digitalisation must be recognised as affording opportunities for the development and extension of an individual's skills, as opposed to something that destroys jobs.⁹⁵

Concerning women specifically, the resolution urges the Commission and the Member States to take effective action to combat discrimination against women in the labour market, with particular emphasis on work-life balance and eliminating the gender pay gap.⁹⁶ Legislation on maternity rights should also be enforced, so that women do not suffer disadvantages in terms of pensions because they have been mothers during their working lives.

As with the binding EU standards, there are a number of other resolutions and declarations that relate more indirectly to precarious work, as detailed in Table 3 below.

Table 3: Non-binding EU standards relevant to precarious work

Legal act	Description
European Parliament Resolution of 10 July 2020 on the proposal for a Council decision on guidelines for the employment policies of the Member States ⁹⁷	In this resolution, the Parliament recommends that Member States tackle all forms of precarious work and bogus self-employment, and ensure that employment relationships stemming from new forms of work are in line with Europe's social model (values that include democracy and individual rights, free collective bargaining, the market economy, equal opportunities for all, and social protection and solidarity). ⁹⁸ This is particularly true in light of the COVID-19 crisis, where many of the workers indispensable to the functioning of the economy are in low paid and precarious jobs. ⁹⁹ The resolution highlights that employment relationships that lead to precarious working conditions and wage competition should be prevented, including in the case of platform workers, while there should be no abuse of atypical contracts. ¹⁰⁰
European Parliament Resolution of 30 January 2020 on the gender pay gap ¹⁰¹	The resolution recalls that equal pay for equal work is one of the EU's founding principles. It calls on the Commission to come forward with an ambitious new EU Strategy for Gender Equality, including binding measures on the gender pay gap and pay transparency. It also calls on the Member States to unblock the negotiations in the Council on the proposed 'Women on Boards Directive', as this could help to eliminate

⁹⁵ *Ibid*, paras 11-12.

⁹⁶ *Ibid*, para 45.

⁹⁷ European Parliament legislative resolution of 10 July 2020 on the proposal for a Council decision on guidelines for the employment policies of the Member States, P9_TA-PROV(2020)0194, available at: https://www.europarl.europa.eu/doceo/document/TA-9-2020-0194_EN.pdf

⁹⁸ European Commission, White Paper on 'European Social Policy – A Way Forward for the Union', 27 July 1994, available at: http://aei.pitt.edu/1118/1/social_policy_white_paper_COM_94_333_A.pdf

⁹⁹ *Ibid*, Amendment 9.

¹⁰⁰ *Ibid*, Amendment 21.

¹⁰¹ European Parliament resolution of 30 January 2020 on the gender pay gap, 2019/2870(RSP), available at: https://www.europarl.europa.eu/doceo/document/TA-9-2020-0025_EN.html

Legal act	Description
	the glass ceiling (an issue in that hierarchical position influences the level of pay, and less than 10% of top companies' CEOs are women). ¹⁰²
European Parliament Resolution of 26 May 2016 on poverty: a gender perspective ¹⁰³	The resolution notes that women are more often employed in precarious and low-paid work and on non-standard employment contracts. Involuntary part-time work is another important aspect of the precarious work of women, a phenomenon which is taking up an increasing share of total employment and is contributing to the risk of poverty. The resolution calls on Member States to increase their efforts to combat undeclared work (particularly the high levels of undeclared work performed by women, which negatively impact on women's income and social security coverage and protection), precarious jobs and the abuse of atypical forms of contract, including zero-hour contracts in some Member States. It also urges Member States to consider implementing the ILO's Recommendations intended to reduce the scale of precarious work.
European Parliament Resolution of 28 April 2016 on gender equality and empowering women in the digital age . ¹⁰⁴	The resolution urges the Commission and the Member States to protect fundamental workers' rights, ensure the social protection of employees and combat precarious working conditions.
European Parliament Resolution of 28 April 2016 on women domestic workers and carers in the EU ¹⁰⁵	The resolution stresses the need for common EU recognition of the profession and the value of domestic work and care as real work, since recognition of this professional sector is likely to reduce undeclared work and promote social integration (particularly for women, who undertake the vast majority of domestic and care work). It calls on the Commission to introduce a general framework for the professionalisation of domestic work and care, as well as to propose a Carers' Leave Directive.
European Parliament Resolution of 9 June 2015 on the EU Strategy for	The resolution urges Member States to combat the precarious work and undeclared employment of women, which contribute to the total deregulation of women's pay structures, causing increased poverty among women.

¹⁰² See: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay/gender-pay-gap-situation-eu_en

¹⁰³ European Parliament resolution of 26 May 2016 on poverty: a gender perspective, 2015/2228(INI), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2016-0235_EN.html

¹⁰⁴ European Parliament resolution of 28 April 2016 on gender equality and empowering women in the digital age (2015/2007(INI)), available at https://www.europarl.europa.eu/doceo/document/TA-8-2016-0204_EN.html

¹⁰⁵ European Parliament resolution of 28 April 2016 on women domestic workers and carers in the EU, 2015/2094(INI), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2016-0203_EN.html

Legal act	Description
equality between women and men post 2015 ¹⁰⁶	
Paris Declaration on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education ¹⁰⁷	The Ministers for Education agree in the Declaration to strengthen their actions with a view to ensuring inclusive education for all children and young people which combats racism and discrimination on any ground (including gender).

2.3. EU Policy framework

The EU has a range of policy initiatives, which intersect and inform each other, to boost job creation and skills formation in Europe. While not exclusively designed around precarious work, they nevertheless aim at tackling this issue. The **New Skills Agenda for Europe**,¹⁰⁸ presented by the Commission on 1 July 2020, follows the previous **European Skills Agenda of 2016**¹⁰⁹ and lays down the Commission's highest political priority: 'a new boost for jobs, growth and investment'. The Agenda's goal is to improve the quality and relevance of skills formation and information for better career choices. It addresses the work of women through its twelve flagship actions which include increasing the number of women who are STEM graduates (Science, technology, engineering, and mathematics) and/or entrepreneurs and supporting adult learning. Among other objectives, the agenda promotes social fairness and aims to reduce the number of people in short-term contracts or unemployment through up-skilling and providing access to job opportunities to all people, regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

The New Skills Agenda for Europe builds on the **2017 European Pillar for Social Rights (EPSR)**¹¹⁰ which lays out the basic social rights that EU Member States shall provide to their citizens.¹¹¹ The EPSR is structured around three categories: equal opportunities and access to the labour market; fair working conditions; and social protection and inclusion. According to EPSR, employment relationships that lead to precarious working conditions must be prevented, including by prohibiting abuse of atypical contracts. Any probation period should be of reasonable duration. Moreover, the Pillar promotes equality of treatment and opportunities between women and men in all areas, including regarding

¹⁰⁶ European Parliament resolution of 9 June 2015 on the EU Strategy for equality between women and men post 2015 (2014/2152(INI)), available at https://www.europarl.europa.eu/doceo/document/TA-8-2015-0218_EN.html

¹⁰⁷ Paris Declaration of 17 March 2015 on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education, available at:

https://ec.europa.eu/assets/eac/education/news/2015/documents/citizenship-education-declaration_en.pdf

¹⁰⁸ See: <https://ec.europa.eu/social/main.jsp?catId=1223>

¹⁰⁹ See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016DC0381>

¹¹⁰ See: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en

¹¹¹ The Commission uses its [Social Scoreboard](#) to monitor Member States' performance in relation to the European Pillar of Social Rights. It is structured around three dimensions (social; labour markets & fair working conditions; public support & social protection and inclusion). These are accompanied by 12 indicators as regards labour market access, poverty and social exclusion, inequality (including gender-based discrimination), living conditions, childcare, healthcare and digital access.

participation in the labour market, terms and conditions of employment and career progression. It reaffirms the right to equal pay for work of equal value, it upholds work-life balance as one of its main principles, and it stresses the importance of men and women's equal access to parental leave. Finally, the pillar aims at preventing in-work poverty.

In the area of skills assessments and in line with the New Skills Agenda for Europe, the **2021 Digital Europe Programme**¹¹² aims at supporting a range of initiatives to increase training in digital skills for the workforce in response to the changing structure of employment and the automation of routine tasks.¹¹³ The programme mobilises national, regional, public and private stakeholders, including civil society, to tackle the digital skills gap. It supports the **Digital Skills and Jobs Platform** to provide training and education for young people to better suit the needs of today's labour market. By enhancing digital education, the Programme strives to encourage better learning outcomes and more equality opportunities. The Digital Programme can, thus, be considered a useful tool to address the precarious work of women, namely due to the underrepresentation of women in ICT-related sectors, where they are approximately three times less represented than men.¹¹⁴

In line with the European Pillar of Social Rights and UN Sustainable Development Goal 5 on gender equality (see Section 2.1.1), the **Gender Equality Strategy for 2020-2025**¹¹⁵ formulates a series of policy objectives, among which: challenging gender stereotypes, closing gender gaps in the labour market, achieving equal participation across different sectors of the economy, and addressing the gender pay and pension gaps. To achieve these goals, the Commission will launch an EU-wide communication campaign to combat gender stereotypes, using an intersectional approach.¹¹⁶

The Gender Equality Strategy includes various initiatives such as the **Women in Digital Scoreboard**¹¹⁷ and the **Youth Guarantee**.¹¹⁸ The first one is a tool to measure and assess the participation of women in the digital economy across Member States. It uses a set of 13 indicators, that can be regrouped in three areas: internet use, internet user skills, and specialist skills and employment, to address the declining number of women in ICT related areas and STEM fields over the past years in Europe.¹¹⁹ In turn, the Youth Guarantee is a commitment by Member States to ensure that young people under 25 have access to quality job offers, education, apprenticeships and traineeships within four months after becoming unemployed. It also covers women who are not in education, employment or training to ensure equal opportunities.

¹¹² See: <https://ec.europa.eu/digital-single-market/en/policies/digital-skills#:~:text=The%20new%20Digital%20Europe%20Programme,technology%20in%20business%20throughout%20Europe>

¹¹³ In this field, the [Digital Skills and Jobs Coalition](#) is also relevant. The Coalition seeks to address the digital skills deficit at EU and national level. Through its education-related actions, it tackles the digital gender divide and attract more girls and women to STEM careers (which are typically much better paid, have good employment and career prospects and are much less likely to be precarious). The Commission estimates that, in 2019, vacancies for ICT specialists across the EU will exceed one million (see European Commission, (2019), [Annual Sustainable Growth Strategy](#) 2020, SWD(2019) 444 final, Brussels, 17.12.2019).

¹¹⁴ See: DG Communications Networks, Content & Technology, 'Women in the Digital Age', 2018.

¹¹⁵ European Commission, 'A Union of Equality: Gender Equality Strategy 2020-2025', 05/03/2020, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0152&from=EN>

¹¹⁶ This is defined by the Commission as the combination of gender with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination.

¹¹⁷ See: <https://ec.europa.eu/digital-single-market/en/women-digital-scoreboard>

¹¹⁸ See: <https://ec.europa.eu/social/main.jsp?catId=1079&langId=en>; On 1st July 2020, the Commission launched the [Youth Employment Support package](#), built around four strands that together provide a bridge to jobs for young people.

¹¹⁹ See: <https://ec.europa.eu/digital-single-market/en/news/increase-gender-gap-digital-sector-study-women-digital-age>

Furthermore, as part of the Gender Equality Strategy, the Commission, in response to the unequal share of care responsibilities at home, supports Member States that work to improve the availability and affordability of quality care services through different funds.¹²⁰

The Gender Equality Strategy plays a key role in the coordination and implementation of a range of tools that have a direct impact on women in precarious working conditions. By supporting initiatives that aim at balancing women's and men's care roles in the household but also through more targeted initiatives such as the Women in Digital Scoreboard and the Youth Guarantee described above, the strategy tackles the different barriers that women face when entering and remaining in the labour market.

In addition to the initiatives described above, the following policy initiatives are important to consider in relation to precarious work.

Table 4: Other EU policy initiatives relevant to precarious work

Policy initiative	Description
European Semester	The European Semester is an annual cycle of economic policy coordination within the EU where Member States discuss their economic budget and monitor their progress in specific areas. It issues recommendations both at EU (Annual Sustainable Growth Strategy) ¹²¹ and Member States level in seven areas, including labour markets, skills, social protection and cohesion. As part of the Semester, the Commission draws up a Labour Market Factsheet ¹²² , in which it identifies some active labour market policies to boost employment, for example by promoting the support of a job-searching assistance and more subsidies to employers. The Semester addresses unemployment, which is a contributing factor to precarious work in that the less job offers there are on the labour market, the more likely people will be willing to accept precarious working conditions. The Commission also prepares the Addressing Inequalities Factsheet ¹²³ stressing the importance of addressing inequalities to increase employment rates in Member States.
European Employment Strategy ¹²⁴	The European Employment Strategy (EES), created in 1997 to set common targets for the employment policy, is now a part of the Europe 2020 Strategy, and is implemented through the European Semester (see above). The EES aims to ensure that EU workers have minimum rights in health and safety at work; have equal opportunity; are protected against discrimination and are protected by labour law.

¹²⁰ These include: the European Social Fund Plus, the European Regional Development Fund, the 'InvestEU' programme and the European Agricultural Fund for Rural Development.

¹²¹ See: <https://eur-lex.europa.eu/legal-content/en/TXT/?qid=1600708827568&uri=CELEX:52020DC0575>

¹²² See: https://ec.europa.eu/info/sites/info/files/european-semester_thematic-factsheet_active-labour-market-policies_en_0.pdf

¹²³ *Ibid.*

¹²⁴ See: <https://ec.europa.eu/social/main.jsp?catId=101&langId=en>

Policy initiative	Description
Mutual Learning Programme ¹²⁵	The Mutual Learning Programme (MLP) operates under the European Employment Strategy and seeks to coordinate and encourage mutual learning between Member States to assist progress towards the goals of the European Employment Strategy.
Europe 2020 Strategy ¹²⁶	The Strategy was launched in 2010 to create the conditions for smart, sustainable and inclusive growth; it sets targets in the areas of employment and education and, thus, has implications for precariousness in employment. As part of the Strategy, Eurostat has defined indicators to measure the achievement of the targets which are monitored during the European semester. In the area of employment, the Strategy aims at increasing employment rates of the population from 69% to 75%, including through the greater involvement of women, and the better integration of migrants in the work force. Moreover, the Strategy aims for example to facilitate the reconciliation of work and family life.
European Pact for Gender Equality ¹²⁷	Originally adopted in 2006, a new Pact for Gender Equality was adopted by the Commission for 2011-2020 to encourage Member States to take measures to eliminate gender stereotypes and ensure equal pay for equal work; improve the supply of affordable and high quality childcare services and promote flexible working arrangements, thus addressing some key elements to lift women out of precarious work conditions.
EU Action Plan 2017-2019: Tackling the gender pay gap	The 2017 Action Plan, prioritised eight areas for action to address the underlying causes of the gender pay gap including improving the application of the equal pay principle and combating segregation in occupations and sectors.

¹²⁵ See: <https://ec.europa.eu/social/main.jsp?catId=1047>

¹²⁶ See: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:2020:FIN:EN:PDF>

¹²⁷ See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52011XG0525%2801%29>

3. PRECARIOUS WORK IN THE EU: RECENT TRENDS, AFFECTED SECTORS AND VULNERABLE GROUPS

KEY FINDINGS

Over the last decade, the number of people, especially women, in precarious work has increased. This is in part due to the fallout of the 2008 financial crash, with cutbacks in the public sector pushing many women from good quality employment into precarious work.

In 2014, 26.5% of female and 15.1% of male employees aged 15-64 in the EU had a precarious job. One of the main factors behind the higher numbers of women in precarious work is the disproportionate amount of time that women spend in caregiving roles and domestic work, both of which are unpaid and largely unrecognised. Embedded stereotypes are another factor contributing to female precarious work, with career choices being partially socially constructed and gender segregation a deeply entrenched feature of educational systems and occupations across the EU.

Moreover, recent years have seen a shift away from standard employment contracts to more atypical forms of employment, notably part-time work, where women are especially over-represented, and zero-hour contracts. The female share of part-time employment in the EU in 2019 was 73.8%, in part due to the greater caregiving role that women play.

The outbreak of COVID-19 has disproportionately affected women, especially when it comes to work-life balance and caring responsibilities. This has brought about a return to more traditional gender roles at home. Women are more likely to have either lost their job or quit since the start of the pandemic.

In terms of the sectors dominated by precarious employment, workers in the care sector, predominantly women, tend to experience pay and working conditions below those of the rest of the economy. Other female-dominated occupations like cleaning, tourism and personal services have particularly high shares of part-time work, the latter often associated with exclusion from social benefits and disadvantages in terms of access to promotion.

Although gender is one key factor affecting exposure to precarious work, it is not always possible to identify common gender patterns between particular groups of men and women. Non-EU born women and men, those aged 20-24, people with low qualifications and disabled people are all particularly vulnerable to precarious work.

3.1. EU trends in precarious work and its prevalence among women

EU stakeholders interviewed for the purpose of this study pointed to the fact that since 2008, the number of people, especially women, in precarious work has increased. Historically, this is in part due to the fallout from the 2008 financial crisis, which set in place an austerity context. A 2012 report by the European Women's Lobby found that cutbacks in the public sector following the crisis led to a significant loss of good-quality employment for women.¹²⁸ Although many women were able to find new jobs in the private sector, these positions were frequently coupled with a deterioration in working conditions in terms of work-life balance, pension rights and salary. This pushed many women into precarious employment, including temporary contracts and other forms of marginal employment such as 'mini-jobs'.

¹²⁸ EWL, 'The price of austerity - the impact on women's rights and gender equality in Europe', 2012, p. 7.

In 2014, 26.5% of female and 15.1% of male employees aged 15-64 in the EU had a precarious job.¹²⁹ These statistics are according to EIGE's typology of precarious work, namely a job with either one or a combination of the following factors: very low pay, very short working hours, or low job security. Although there are no more recent statistics based on this typology (upon which this study's definition of precarious work is grounded) providing data as to the current percentage of employees in precarious work, the current magnitude of precariousness is likely to be similar nowadays.¹³⁰

Of the three factors of precariousness defined in EIGE's typology (low pay, low intensity and low job security), the largest gender difference can be seen in terms of low pay. Among EU employees in 2014, 19% of women compared to 8% of men received very low pay.¹³¹ Women in the EU earned on average 16% less per hour than men in 2017¹³² and 14.8% less in 2018.¹³³ This significant gender pay gap, still very much an issue today, reflects the persisting inequalities that place women at a disadvantage in both economic development and independence.¹³⁴

3.1.1. Factors affecting the disproportionate numbers of women in precarious work

Given that women are clearly disproportionately affected by the phenomenon of precarious work in the EU as a whole, it is important to understand the factors behind this.

Interviewed stakeholders were of the unanimous view that caregiving roles need to be placed at the centre of the discussion as to women's involvement in precarious work. Women are still seen as primary caregivers, whether that be for children, dependant family members or the elderly. Statistics from EIGE show that 15% of women aged 15-64 who are inactive in the labour market are inactive for caregiving reasons (looking after children and/or incapacitated adults), compared to only 1.4% of men.¹³⁵ Women also spend much more time on average in unpaid work, including routine housework. On average, women in OECD countries spend almost double the amount of time per week than men in unpaid work, with men in Portugal spending less than 30% of the time women spend in unpaid work.¹³⁶ Women therefore bear the brunt of domestic and family responsibilities, both of which are unpaid and largely unrecognised forms of labour. This in turn means that many skilled women are kept out of the labour market. Meanwhile, part-time and self-employed work are prominent among women and these are two forms of employment which are often linked with precarious working conditions.

Historically, the 'Golden Age of Capitalism' period saw the vast majority of women not working full time, instead taking up almost the entirety of unpaid domestic work. A shift in the 1970s meant that women increasingly undertook professional employment, yet still maintained the responsibility for domestic work. By the turn of the millennium, the male breadwinner model was largely acknowledged to be outdated, and it was recognised that women and men should be on an equal footing when it comes to care responsibilities and pay. Indeed, the high levels of undeclared work typically carried out by women result in a negative impact on women's income and social security coverage. Moreover, given the periods of absence from the labour market that many women experience (e.g. due to maternity and caregiving), combined with lower pay and wage discrimination, the gender pension gap

¹²⁹ EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016, p. 37.

¹³⁰ Interview carried out on 08.09.2020 with a representative of EIGE.

¹³¹ EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016, p. 21.

¹³² See: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay/gender-pay-gap-situation-eu_en

¹³³ See: https://ec.europa.eu/eurostat/statistics-explained/index.php/Gender_pay_gap_statistics

¹³⁴ *Ibid*, p. 22.

¹³⁵ EIGE, Gender Statistics Database, 'What lies behind the gender pay gap?', 31 October 2019, available at: <https://eige.europa.eu/gender-statistics/dgs/data-talks/what-lies-behind-gender-pay-gap>

¹³⁶ See: <https://stats.oecd.org/index.aspx?queryid=54757#>

in the EU stands at around 37%.¹³⁷ The risk of poverty for women therefore rises along the life-course, a factor which explains the rise in precarious employment among those aged 60-64 compared to those in the 55-59 age bracket.¹³⁸

The lack of sufficient care services, both in terms of available and affordable childcare and care for the elderly, and the need for major investments in the sector exacerbates the situation of women as caregivers. According to one interviewed stakeholder, the care sector is potentially one where a vast number of jobs could be created, as well as one in which there is real potential to tackle engrained and embedded stereotypes on gender roles.¹³⁹

In addition to challenging the paradigm of women as carers, it has become clear that other embedded stereotypes linked to women's role in society need to be challenged in order to avoid future generations of women being at an increased risk of finding themselves in a precarious work situation. One of the major areas where this is needed is education. As highlighted by EIGE, gender segregation is a deeply entrenched feature of educational systems and occupations across the EU.¹⁴⁰ This narrows the life choices, education and employment options of women and men, reinforcing gender stereotypes, exacerbating the gender pay gap and perpetuating unequal gender-power relations and a gendered hierarchy in all spheres of work.¹⁴¹

3.1.2. Shift to more non-standard forms of employment

Starting in the early 2000s and continuing in the last decade, there has been a general shift in the EU away from standard employment contracts to more atypical forms of employment, such as part-time work, zero-hour contracts, platform work or bogus self-employment. While non-typical work contracts do not pose a problem per se, they are often linked to precarious working conditions, low-quality employment and uncertainty.

Given that there is no single accepted EU-wide definition of precarious work and that statistics vary according to the notion of precariousness that is taken into account, it is necessary to examine some of the constituent elements of precarious work in order to identify trends in the phenomenon of such work overall.

Concerning part-time work, in 2019 18.5% of the EU-28 population worked in a part-time job.¹⁴² The EU-28 average part-time employment rate peaked at 19% in 2013 to 2015, while ever since there has been a gradual decline in the percentage of the workforce engaged in part-time employment. Member States such as Spain have seen a similar minor decline. That said, Germany, for example, witnessed its highest rate of part-time employment in 2019, with 27.2%.¹⁴³

Statistics from the OECD indicate that the female share of part-time employment in the EU in 2019 was 73.8%.¹⁴⁴ This clearly shows the extent to which women are affected by the phenomenon of part-time work, in part due to the greater share of caregiving responsibilities they undertake. Furthermore, female part-time employment as a percentage of overall female employment stood at 26.3% as the EU-

¹³⁷ European Parliament resolution of 30 January 2020 on the gender pay gap, paras. K & L.

¹³⁸ EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016, p. 2.

¹³⁹ Interview carried out on 03.09.2020 with a representative of EWL.

¹⁴⁰ EIGE, 'Gender segregation in education, training and the labour market', June 2017, available at: <https://data.consilium.europa.eu/doc/document/ST-12709-2017-ADD-2/en/pdf>

¹⁴¹ EIGE, Research Note on 'Women and men in ICT: a chance for better work-life balance', 2018.

¹⁴² Eurostat, 'Part-time employment rate', available at:

<https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tesem100&plugin=1>

¹⁴³ *Ibid.*

¹⁴⁴ OECD, Labour Force Statistics 2020, p. 32.

28 average in 2019, compared to 8% of male part-time employment as a percentage of male employment.¹⁴⁵

Zero-hour contracts that do not specify a minimum number of working hours, meaning that an employer is not obliged to ever call upon the services of a worker, emerged as a growing phenomenon in this period, particularly in Ireland, Italy, the Netherlands, Sweden and the UK.¹⁴⁶ Although no EU-wide statistics exist for zero-hour contracts, figures from the UK show a sharp increase in the incidence of these contracts since 2007. In 2019 there were 896,000 workers in the UK on a zero-hour contract, compared to only 252,000 in 2012.¹⁴⁷ These figures are particularly concerning given that employers might use the threat of reduced hours to exert undue pressure on workers. It also makes it very difficult for workers to plan ahead, particularly for those who also have caregiving responsibilities.

Indeed, women are more likely to be on a zero-hour contract than men. In 2017, 54.7% of workers on zero-hour contracts in the UK were women.¹⁴⁸ From an intersectionality perspective, such contracts are particularly common among young people; 36% of those on zero-hour contracts were aged 16-24.¹⁴⁹ Moreover, between 2007 and 2018, the number of single parents (mostly women) on zero-hour contracts in the UK increased tenfold.¹⁵⁰ This has also obvious adverse implications for growing child poverty.

Platform work,¹⁵¹ another kind of atypical employment in which workers can easily find themselves in a precarious situation, is steadily increasing as a phenomenon in Europe according to a recent JRC report.¹⁵² Only a small proportion of those surveyed from the sixteen EU Member States participating in the study listed platform work as their main occupation (in 2018, 1.4% of respondents claimed to work more than 20 hours a week providing services via digital labour platforms or earning at least 50% of their income doing so). However, the proportion of secondary platform workers (those who provide services via digital labour platforms more than ten hours a week and earn between 25% and 50% of their income from platform work) increased by 0.5% compared to the previous year.¹⁵³

¹⁴⁵ *Ibid*, pp. 33-34.

¹⁴⁶ Eurofound, 'New forms of employment', 2015, available at:

https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1461en_3.pdf, p. 46

¹⁴⁷ Statista, 'Number of people on a zero hours contract in the United Kingdom (UK) from 2000 to 2020', available at:

<https://www.statista.com/statistics/414896/employees-with-zero-hours-contracts-number/>

¹⁴⁸ UK Office for National Statistics, 'Contracts that do not guarantee a minimum number of hours: April 2018', available at:

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/contractsthatdonotguaranteeaminimumnumberofhours/april2018#ons-business-survey>

¹⁴⁹ *Ibid*.

¹⁵⁰ Gingerbread, 'Centenary report shows more single parents working, yet poverty still rising', 21 February 2018, available at: <https://www.gingerbread.org.uk/what-we-do/news/centenary-report-shows-single-parents-working-yet-poverty-still-rising/>

¹⁵¹ The main characteristics of 'platform work' are the following:

- Paid work is organised through an online platform.
- Three parties are involved: the online platform, the client and the worker.
- The aim is to carry out specific tasks or solve specific problems.
- The work is outsourced or contracted out.
- Jobs are broken down into tasks.
- Services are provided on demand.

Eurofound, 'Employment and working conditions of selected types of platform work', 2018, available at:

https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef18001en.pdf

¹⁵² JRC, 'New evidence on platform workers in Europe', 2020, available at:

https://publications.jrc.ec.europa.eu/repository/bitstream/JRC118570/jrc118570_jrc118570_final.pdf

¹⁵³ *Ibid*, pp. 15-17.

As the JRC report notes, platform workers are often also precarious workers given the longer overall work schedules and more frequently atypical or unsocial working times that they face.¹⁵⁴ Moreover, they are exposed to psychosocial risks because of the precariousness of their work, mostly resulting from the customer rating system, tight deadlines, and the psychological toll that may derive from having to tag offensive content on the internet.¹⁵⁵ Although the report found that platform work is more frequently carried out by men than women, it is gradually becoming a less male-dominated sector. This is perhaps due to the fact that the prevalence of platforms catering for stereotypically more “feminised” tasks, such as translation or interactive services, has also increased.¹⁵⁶

One of the EU stakeholders consulted for this study noted that given that many clerical jobs (a typically female-dominated sector) are likely to be replaced by some kind of platform work in the future, many women will be placed in a situation where they are at risk of losing their job as a result of digitalisation.¹⁵⁷ This could be counterbalanced by the fact that record numbers of women, including those from underrepresented minority groups, are now graduating with computer science degrees,¹⁵⁸ digitalisation therefore providing an opportunity for them to use computer skills. This is something that is actively supported by the European Parliament in its resolution on empowering women and girls through the digital sector.¹⁵⁹ However, for this to materialise, many more women would have to break into what is currently a highly male-dominated profession (in 2018 only 17% of the 8 million IT specialists in the EU were women).¹⁶⁰

Finally, it is worth noting that, as the recent **European Parliament Briefing on the platform economy** highlighted, the unclear employment status of the platform worker (either worker/employee or self-employed) remains the main challenge in platform work.¹⁶¹ Regardless of their status though, these workers face a number of risks related to their contractual terms and working conditions, among them limited access to social protection through their platform work activities.¹⁶² This is the case both in terms of formal coverage (where protection levels are generally lower for self-employed people than for employees) and effective coverage (platform workers frequently finding it difficult to prove that they have worked a minimum number of hours in a certain period to qualify for a particular social benefit).

3.1.3. The effect of the COVID-19 pandemic on precarious workers

The gender segregated nature of the labour market is a key factor to consider when it comes to the impact of the COVID-19 pandemic on precarious workers. The latest EIGE figures show that 30.3% of women compared to only 8.3% of men in the EU are employed in education, health and social work activities.¹⁶³ These are some of the sectors, along with tourism/hospitality, the arts, transport and

¹⁵⁴ *Ibid*, p. 44.

¹⁵⁵ *Ibid*, p. 12.

¹⁵⁶ *Ibid*, p. 21.

¹⁵⁷ Interview carried out on 08.09.2020 with a representative of EIGE.

¹⁵⁸ See: <https://medium.com/@codeorg/women-computer-science-graduates-finally-surpass-record-set-17-years-ago-20a79a76275>

¹⁵⁹ European Parliament Resolution of 17 April 2018 on empowering women and girls through the digital sector (2017/3016(RSP)), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2018-0102_EN.pdf

¹⁶⁰ EIGE, Research Note on ‘Women and men in ICT: a chance for better work–life balance’, 2018.

¹⁶¹ European Parliament, ‘Platform economy and precarious work: Mitigating risks’, June 2020, available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/652721/IPOL_BRI\(2020\)652721_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/652721/IPOL_BRI(2020)652721_EN.pdf)

¹⁶² *Ibid*, pp. 3-4.

¹⁶³ EIGE, Gender Equality Index, Work in the European Union for 2019, available at: <https://eige.europa.eu/gender-equality-index/2019/domain/work>

retail,¹⁶⁴ that have been hardest hit by the pandemic. While the outbreak of COVID-19 has given visibility to the fundamental work that largely women are conducting in these sectors and the public is more aware of the poor pay conditions in these areas, the question as to how long this awareness will last remains.¹⁶⁵

The outbreak of COVID-19 has not only been harder on women than the 2008 financial crisis due to the fact that the sectors most hit are those where a large proportion of women work, but also because the pandemic has disproportionately affected women when it comes to work-life balance and caring responsibilities.¹⁶⁶ As mentioned previously, even prior to the pandemic, women bore the brunt of domestic and caring activities. With lockdowns causing children to be out of school and elderly dependants needing more care, women's share of unpaid work has increased considerably.

A concentration of home-based activity due to teleworking is burdensome for anyone, but particularly so for working mothers who are simultaneously balancing paid work, home-schooling, care and domestic work.¹⁶⁷ Indeed, these women are at particular risk of becoming financially dependent and/or finding themselves in precarious living and working conditions. A study by the UK Institute for Fiscal Studies found that, of parents who were in paid work prior to the lockdown in the UK, mothers are one-and-a-half times more likely than fathers to have either lost their job or quit since the lockdown began.¹⁶⁸ From an intersectionality perspective, EU-wide data shows that young women aged 18–34 were most likely to lose their job (11% – compared to 9% of young men), and men aged 35–49 were the least likely (6% – compared to 9% of women in the same age group).¹⁶⁹

Early statistics from June 2020 show that there has been a general deterioration of work-life balance among workers in Europe, particularly those with children up to the age of twelve.¹⁷⁰ Twenty-nine per cent (29%) of women compared to 16% of men reported finding it hard to concentrate on their job because of family commitments, while family responsibilities have prevented more women (24%) than men (13%) from dedicating the time they wanted to work.¹⁷¹ The UK Institute for Fiscal Studies found that since the crisis began, mothers are doing two hours less paid work per day than fathers, but four hours more childcare and housework each day.¹⁷² A similar picture presents itself in a study by The Vienna University of Economics and Business and the Vienna Chamber of Labour, where a return to more traditional gender roles at home is apparent.¹⁷³ This poses a clear risk of regression in terms of a move towards an 'equal earner, equal carer' model.

The outbreak of COVID-19 is thus accentuating existing structural problems in the labour market and in gender roles. First, the fact that women are more likely to have either lost their job or quit since the

¹⁶⁴ European Commission, 'Identifying Europe's recovery needs, Europe's moment: Repair and Prepare for the Next Generation', 27 May 2020, available at: https://ec.europa.eu/info/sites/info/files/economy-finance/assessment_of_economic_and_investment_needs.pdf

¹⁶⁵ Interview carried out on 03.09.2020 with a representative of EWL.

¹⁶⁶ FRA, Bulletin no. 4, Coronavirus pandemic in the EU – Fundamental Rights implications, June 2020, p. 22, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-july_en.pdf

¹⁶⁷ Eurofound, 'COVID-19 fallout takes a higher toll on women, economically and domestically', 03 June 2020, available at: <https://www.eurofound.europa.eu/publications/blog/covid-19-fallout-takes-a-higher-toll-on-women-economically-and-domestically>

¹⁶⁸ Institute for Fiscal Studies, 'How are mothers and fathers balancing work and family under lockdown?', 27 May 2020, available at: <https://www.ifs.org.uk/publications/14860>

¹⁶⁹ Eurofound, 'Living, working and COVID-19', COVID-19 Series, 28 September 2020, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef20059en.pdf

¹⁷⁰ Eurofound, 'Living, working and COVID-19', 2020, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef20059en.pdf

¹⁷¹ Eurofound, 'COVID-19 fallout takes a higher toll on women, economically and domestically'.

¹⁷² Institute for Fiscal Studies, 'How are mothers and fathers balancing work and family under lockdown?'.

¹⁷³ See: FRA, Bulletin no. 4, Coronavirus pandemic in the EU – Fundamental Rights implications, June 2020, p. 22.

start of the pandemic shows that in times of crisis when there is a need to readjust working and caring capacities, it is more often women who will make this change. This is partially due to the fact that the opportunity cost for men in terms of quitting their job is higher than for women: a result of the 16% EU gender pay gap and the domination of women in part-time employment which consigns them to jobs with poorer pay and career progression.¹⁷⁴ A 'life course' perspective is needed here: although young women are increasingly as equally qualified as their male peers, after the birth of a first child, women's remuneration starts to fall behind and never catches up with men's.¹⁷⁵ In Italy for example, one in every three women leaves her job at the birth of her first child, this exit from the labour market being definitive in a majority of cases.¹⁷⁶ Moreover, unequal parental leave may further entrench women in their roles as primary caregivers.¹⁷⁷ Second, the traditionalisation of gender roles that has become apparent with the far greater time that women are spending on childcare and domestic work each day paints a worrying picture about current societal attitudes to men's and women's work.

Another effect of the COVID-19 pandemic is that many precarious workers, including domestic workers, those on zero-hour contracts, platform workers and seasonal workers, struggle to access some of the financial support measures that have been put in place by governments.¹⁷⁸ This has left many vulnerable people, often those already finding it difficult to access social protection such as health benefits, pensions or the payment of maternity or paternity leave, in an even more precarious situation. To counter this, some Member States introduced follow-up programmes in an effort to support groups such as seasonal and self-employed workers, these people having often been excluded from initial COVID-19 related governmental support measures.¹⁷⁹ Some of these national programmes are discussed in more detail in Chapter 4.6.

Finally, it is necessary to consider the so-called 'pandemic within a pandemic', namely the rise in intimate partner violence and the fact that many victims were unable to safely connect with support services.¹⁸⁰ In the first months of the pandemic (prior to May 2020), a 60% increase in emergency calls from women subjected to violence by their intimate partner was reported among World Health Organization Europe Member States.¹⁸¹ Many of these services to assist victims were not considered to be essential during national lockdowns, and so were forced to temporarily close down or to refuse victims, leaving highly vulnerable people (predominantly women) with nowhere to turn and spending even greater periods of time than usual in the home.

The aforementioned gender-based inequalities and discrimination that women face in both paid and unpaid work increase precarity and uncertainty of continuous employment. This has a negative impact on women's economic autonomy, making women more vulnerable to gender-based violence. The reasoning behind this is twofold: a lack of financial independence creates a power imbalance within

¹⁷⁴ See: <https://eige.europa.eu/publications/gender-equality-index-2019-report/women-dominate-part-time-employment-consigning-them-jobs-poorer-career-progression>

¹⁷⁵ Interview carried out on 27.08.2020 with a representative of Eurofound.

¹⁷⁶ Italian Department for Equal Opportunities, 'Women for a new Renaissance', 2020, p. 7 (data collected by ISTAT from 2018)

¹⁷⁷ Eurofound, 'Sustainable work throughout the life course: national policies and strategies', 2016, p. 53, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1610en_4.pdf

¹⁷⁸ FRA, Bulletin no. 3, Coronavirus pandemic in the EU – Fundamental Rights implications: with a focus on older people, May 2020, p. 22, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-june_en.pdf

¹⁷⁹ FRA, Bulletin no. 2, 'Coronavirus pandemic in the EU – Fundamental Rights implications: with a focus on contact-tracing apps', 21 March – 30 April 2020, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-may_en.pdf

¹⁸⁰ The New England Journal of Medicine, 'A Pandemic within a Pandemic — Intimate Partner Violence during Covid-19', 16 September 2020, available at: <https://www.nejm.org/doi/full/10.1056/NEJMp2024046>

¹⁸¹ British Medical Journal, 'Covid-19: EU states report 60% rise in emergency calls about domestic violence', 11 May 2020, available at: <https://www.bmj.com/content/369/bmj.m1872>

the household that makes it more difficult for women to remove themselves in cases of intimate partner violence, while precarious working conditions often make women more vulnerable to violence at work.¹⁸² Indeed, studies have shown that sexual harassment at work is sadly a phenomenon that is rife, yet very rarely reported.¹⁸³

In terms of ongoing research into the effects of the pandemic on precarious work, it is important to note EIGE's upcoming report on the economic impact of COVID-19 from a gender perspective, as well as the COVID-focused Gender Equality Index of 2022.¹⁸⁴

3.2. Sectors dominated by precarious work

As mentioned in Chapter 3.1, the EU labour market is highly segregated along gender lines, meaning that there is a concentration of one gender in certain occupations. For example, pre-primary education, nursing, midwifery, secretarial and domestic work are still largely considered to be 'women's work'.¹⁸⁵ A recent study¹⁸⁶ found that on average in the EU in 2018, only 7% of childcare and early years workers were male, with men making up only 13% of elderly care and disability workers.¹⁸⁷ This is particularly problematic for women given that care work is often underpaid and undervalued. Indeed, carers in the EU earn on average 65% of the national average of employee income.¹⁸⁸

The same study examines the proportion of care workers who experience precariousness; the latter term defined for the purposes of their research as involuntary part-time employment, variable hours work and temporary contract work. Reported experiences of precariousness vary considerably between Member States, with almost 70% of Croatian care workers in 2018 experiencing some form of precariousness, compared to only 5% of care workers in Latvia.¹⁸⁹ What is apparent is that in almost every country, the share of care workers who experience precariousness is greater than the share of non-care workers.¹⁹⁰ As recognised by the 2019 European Parliament resolution on women domestic workers and carers in the EU,¹⁹¹ those in the care sector, predominantly women, therefore tend to experience pay and working conditions below those of the rest of the economy.

One of the issues with gender segregation is that it acts as a barrier to increasing women's participation in the labour market. Given that women have on average lower earnings than men, they face higher pressure to fully or partially withdraw from the labour market to respond to domestic needs, including childcare. Indeed, statistics for 2019 show that women in OECD countries spend on average 262 minutes per day in unpaid work, compared to 136 minutes for men.¹⁹² Being primarily responsible for domestic work and caring activities, women's working options are necessarily narrowed, forcing many

¹⁸² Open Democracy, 'Precarious work makes women more vulnerable to gender-based violence', 14 November 2019, available at: <https://www.opendemocracy.net/en/oureconomy/precarious-work-makes-women-more-vulnerable-gender-based-violence/>

¹⁸³ FEPS, European Observatory on sexism and sexual harassment at work, October 2019, available at: https://www.feps-europe.eu/attachments/publications/survey%20sexism%20and%20sexual%20harassment%20at%20work%20feps%20fj%202019_en%20.pdf

¹⁸⁴ Interview carried out on 08.09.2020 with a representative of EIGE.

¹⁸⁵ EIGE, 'Gender segregation in education, training and the labour market', p. 9.

¹⁸⁶ FEPS & TASC, 'Cherishing All Equally 2020: inequality and the care economy', October 2020, available at: https://www.feps-europe.eu/attachments/publications/report-care%20economy_tasc-feps.pdf

¹⁸⁷ *Ibid*, p. 29.

¹⁸⁸ *Ibid*, p.30.

¹⁸⁹ *Ibid*, p.31.

¹⁹⁰ *Ibid*.

¹⁹¹ European Parliament resolution of 28 April 2016 on women domestic workers and carers in the EU (2015/2094(INI)), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2016-0203_EN.pdf

¹⁹² See: <https://stats.oecd.org/index.aspx?queryid=54757#>

women into precarious employment. This also explains the high numbers of women working in public sector jobs, which offer more predictable working hours, thereby guaranteeing both a revenue and the stability needed to plan around domestic and caring obligations.¹⁹³

Aside from care and domestic work, other female-dominated occupations like cleaning, tourism and personal services have particularly high shares of part-time work, the latter often associated with exclusion from social benefits and disadvantages in terms of access to training and career progression.¹⁹⁴ Indeed, current data shows that interactive service workers (ISWs) generally, including sales workers, tour guides, flight attendants and hairdressers, are mainly female (61%).¹⁹⁵ These workers are often in precarious jobs and are not covered by the full range of employment-related entitlements.¹⁹⁶

Although the sectors discussed above are those in which it is women who are primarily adversely affected by precarious employment, the question of which sectors are dominated by such work should arguably be viewed more as a *gendered* issue given that there are clearly different risk groups, including along gender lines, for different sectors. For example, a report by the Fundamental Rights Agency (FRA) shows that men in rural labour work are exploited to a greater extent than women.¹⁹⁷ Additionally, in 2016-17, crowd workers in the EU were predominantly male (56%).¹⁹⁸ Although this is the case, women may experience platform work differently to their male counterparts. While the contracts involved in this kind of work are often flexible, this flexibility is a double-edged sword when it comes to women who are able to carry out such work from their home, but who are also expected to juggle this with the bulk of domestic work.¹⁹⁹

3.3. How intersectionality affects exposure to precarious work

As explained in Chapter 2, intersectionality refers to the ways in which sex and gender intersect with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination.²⁰⁰ When considering EU trends in the groups of people who are most affected by precarious work, it is fundamental to take an intersectionality perspective and to recognise that, due to national specificities and an individual's personal identity and characteristics, it is not always possible to identify common gender patterns between particular groups of men and women.²⁰¹

Country of birth is an important determinant in terms of exposure to precarious work. In their 2016 study on 'Gender, skills and precarious work in the EU', EIGE found that more than one in three non-EU born women (35%) and almost one in four men (24%) work in precarious jobs, compared to 25% of native born women and 14% of native born men.²⁰² In a recent study, Eurofound also concluded that

¹⁹³ Interview carried out on 27.08.2020 with a representative of Eurofound.

¹⁹⁴ Eurofound, 'Women, men and working conditions in Europe', 2013, available at:

https://www.eurofound.europa.eu/sites/default/files/ef_files/pubdocs/2013/491/en/1/EF13491EN.pdf

¹⁹⁵ Eurofound, 'At your service: working conditions of interactive service workers', European Working Conditions Survey 2015 series, 2020, available at:

https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef20016en.pdf

¹⁹⁶ *Ibid.*

¹⁹⁷ FRA, 'Protecting migrant workers from exploitation in the EU: boosting workplace inspections', 2018, available at:

<https://fra.europa.eu/en/publication/2018/protecting-migrant-workers-exploitation-eu-boosting-workplace-inspections>

¹⁹⁸ FEPS, 'Work in the European gig economy', available at: https://www.feps-europe.eu/Assets/Publications/PostFiles/579_2.pdf

¹⁹⁹ Interview carried out on 03.09.2020 with a representative of EWL.

²⁰⁰ EIGE, Glossary and Thesaurus, 'Intersectionality', available at: <https://eige.europa.eu/thesaurus/terms/1263>

²⁰¹ Eurofound, 'Women, men and working conditions in Europe', A report based on the fifth European Working Conditions Survey, 2013, p. 14, available at:

https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1349en.pdf

²⁰² EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016, p. 23

the labour market disadvantage women face is exacerbated by having a foreign background.²⁰³ This is a clear example of how the intersection of several identities results in heightened vulnerability: migrant women may be disadvantaged due to their migrant background, in combination with being subjected to gender discrimination or difficulties arising from traditional gender roles and the effect of these on work-life balance and the conditions and stability of their jobs.²⁰⁴

In its 2010 Resolution on precarious women workers, the European Parliament underlined that migrant women in particular are often exposed to double discrimination in that, in addition to their work in frequently low-paid, irregular and sometimes illegal conditions, they are more likely to be mistreated or subjected to violence or sexual abuse.²⁰⁵ Similarly, the Fundamental Rights Agency (FRA) has shown that too many employers exploit the weak position of migrant workers by forcing them to work too long, with little or even no pay, often in dangerous settings and without respecting legal safety requirements.²⁰⁶

A further layer of intersecting inequalities becomes apparent with the situation of migrant women in sectors traditionally dominated by women, namely domestic and care work. According to the FRA, female migrant domestic workers experience particularly exploitative and precarious working conditions, frequently characterised by humiliating or degrading treatment and a lack of privacy, abuse and maltreatment from their employer, little pay and long working hours.²⁰⁷ The main risk factors behind this exploitation include a migrant's need to make a living in order to support family members in their country of origin, fear of either losing their job or of deportation, uncertain or irregular residence or migrant status, and a lack of knowledge as to their rights or to whom they can turn for support.²⁰⁸

In the care sector, where precarious work tends to be high, the representation of migrant women varies significantly across the EU. In Eastern Europe, the share of non-native born workers in the care sector is negligible (particularly in Bulgaria, Poland, Romania, Slovakia and Slovenia). Among Western and some Southern European Member States, care work is highly reliant on immigrant labour: in Italy and Luxembourg in 2018, over 40% of care workers were non-native.²⁰⁹ It is thought that undocumented migration means that there are many more migrants working in the care sector than these figures indicate.²¹⁰

Age is another key factor affecting the likelihood of a person to be in precarious work. The intersection of age, sex and country of origin is again very important in the care sector: much care work is carried out by women with a migrant background who are in their 40s or 50s.²¹¹ Generally speaking though, precarious employment is most common among young people, with almost half of women and 39 % of men aged 20-24 working in precarious jobs in 2014.²¹² A person's likelihood to be in precarious work decreases with age until the 55-59 age bracket, when there is an increase for those aged 60-64,

²⁰³ Eurofound, 'Working conditions: How your birthplace affects your workplace', 2019, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef19004en.pdf

²⁰⁴ *Ibid.*

²⁰⁵ European Parliament resolution of 19 October 2010 on precarious women workers (2010/2018(INI)), para. Q.

²⁰⁶ FRA, 'Protecting migrant workers from exploitation in the EU: workers' perspectives', 2019, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-severe-labour-exploitation-workers-perspectives_en.pdf

²⁰⁷ FRA, 'Out of sight: migrant women exploited in domestic work', 2018, p. 5, available at:

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-migrant-women-labour-exploitation-domestic-work_en.pdf

²⁰⁸ *Ibid.*, p. 6.

²⁰⁹ FEPS & TASC, 'Cherishing All Equally 2020: inequality and the care economy', October 2020, p. 29.

²¹⁰ *Ibid.*, p. 83.

²¹¹ Interview carried out on 08.09.2020 with a representative of EIGE – to be the focus of the forthcoming EIGE report on 'Gender and Inequality in Care and Consequences on the Labour Market'.

²¹² EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016, p. 22.

particularly among women. This is in part due to the earnings-related gender pension gap and the heightened risk of old-age income poverty for women.

While young people are most at risk from precarious work, those who leave school early are particularly vulnerable. There is a clear link between incidences of precarious work and low educational attainment. Based on statistics from 2014, 45% of women and 26% of men with low qualifications worked in precarious employment.²¹³ The gender gap among those with low qualifications is especially apparent: women are more likely than men to be in precarious employment throughout their lives, regardless of educational level. The greatest cause of the precariousness of low-educated women is the very low pay they receive from their main job (in 2014, 36% of women compared to 16% of men with low levels of qualifications received very low pay).²¹⁴

A clear example of how low levels of education and leaving school early can have an impact on vulnerability to exploitative and precarious work situations can be seen in the Roma and Traveller community. A recent study carried out by the FRA found that in 2018, 59% of Roma and Traveller respondents who indicated having at least some kind of paid work in the four weeks prior to the survey worked in 'elementary occupations', namely jobs that do not require any qualifications.²¹⁵ These groups are also subject to positions with very low job security. Only 18% of Travellers in France and 26% of those surveyed in Ireland in 2018 held a permanent contract.²¹⁶ Roma women, being especially likely to have low levels of education, are particularly vulnerable to exclusion from the labour market, or to participation only by way of a precarious work situation.

A final intersection to consider is that of sex and disability. The EU average full-time equivalent (FTE) employment rate of women in 2017 was 40.8%, compared with 56.9% for men,²¹⁷ showing that many more women than men work part time. The lowest FTE employment rates are among women with low levels of education, women with disabilities and young women aged 15-24. Indeed, for women with a disability the FTE rate was as low as 21%, and 29% for men.²¹⁸ Many disabled people found in precarious work are forced into the situation because their disability allowances do not allow them to make ends meet, while the earning capacity of disabled workers is often very low.²¹⁹ Although it is acknowledged that women with disabilities are likely to face multiple disadvantages, forms of exclusion and high levels of stigmatisation, intersectional discrimination on the grounds of gender and disability remains significantly under-researched.²²⁰

²¹³ *Ibid*, p. 23.

²¹⁴ *Ibid*, p. 23.

²¹⁵ FRA, 'Roma and Travellers in six countries', 2020, p. 55, available at:

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-roma-travellers-six-countries_en.pdf

²¹⁶ *Ibid*.

²¹⁷ See: <https://eige.europa.eu/gender-equality-index/2019/domain/work>

²¹⁸ Interview carried out on 08.09.2020 with a representative of EIGE.

²¹⁹ Working Lives Research Institute and London Metropolitan University, 'Study on Precarious work and social rights', (VT/2010/084), 2012, p. 64.

²²⁰ European Parliament, 'Discrimination and Access to Employment for Female Workers with Disabilities', 2017, p.23, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/602067/IPOL_STU\(2017\)602067_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/602067/IPOL_STU(2017)602067_EN.pdf)

4. FOCUS ON THE SITUATION OF WOMEN IN PRECARIOUS WORK IN 8 EU MEMBER STATES

KEY FINDINGS

Definitions of precarious work are adopted in the literature and by national statistical offices collecting data on the phenomenon across the eight Member States within the scope of the study. Definitions vary in terms of broadness across countries, while in some Member States (Croatia, France, Italy etc.) precarious work is interpreted broadly to include all fixed-term, part-time, interim, seasonal contracts/jobs, in others (e.g. Germany) a narrower definition is in place.

All examined countries have adopted legal and policy measures to target precariousness, the most common being the introduction of a minimum wage. Limitations to the duration and renewal of temporary contracts are also widespread. Moreover, several Member States have increased paternal leave with the aim to ensure a better work-life balance for women.

The findings across countries unanimously show that women are more likely than men to be in precarious jobs. However, there is no uniform definition of precarious work across the EU. Therefore, data varies across countries and is not comparable. According to Eurostat data for 2018 (covering all 28 Member States), the overall proportion of persons in precarious employment was highest in Croatia, France, Spain and Italy. Women tended more than men to have a precarious employment situation in Croatia, Spain, Sweden and Slovakia.

Women are systematically overrepresented in the following sectors in all selected Member States: health, cleaning, care, social services, hospitality, education, and retail. These are the sectors where temporary, atypical and part-time contracts are more common and where workers tend to be affected by low wages and precarious and/or irregular working conditions.

While intersectionality is a fairly recent concept and Member States rarely systematically investigate this matter, it appears that women from minority groups, women with a migrant background and low education levels are more exposed to precarious work.

The COVID-19 pandemic has had a considerable impact on the precarious work of women across all examined countries. Women were more exposed to precariousness, during the crisis. Moreover, women's domestic and care work increased considerably due to the closure of schools, making it difficult for women to balance their working and family life.

This section provides an overview of precarious work in eight Member States: Croatia, Germany, France, Italy, Poland, Slovakia, Spain and Sweden. The information is based on the data collected through desk research and interviews with national stakeholders in the selected countries. Specifically, the following matters are discussed: economic sectors in which women are most likely to be in precarious work, female group minorities mostly exposed to the phenomenon, and how intersectionality shapes exposure to precarious work.

4.1. Definitions of precarious work

This sub-section examines similarities and differences between definitions of precarious work across the eight Member States. Based on the information collected, there is no unified definition of precarious work within and across the selected countries. Various definitions of precarious work are

adopted in the literature and by the national statistics offices collecting data on the phenomenon. These definitions vary in terms of scope across countries. In particular, a wide definition of precarious work is in place in France. The French National Institute for Statistics and Economic Studies (INSEE) defines as 'precarious' all types of work that are not covered by a permanent work contract such as: interim, fixed-term contracts, apprenticeship and state-aided contracts.²²¹

Moreover, the 'Direction de l'Animation de la Recherche, des Etudes et des Statistiques' (DARES) distinguishes between three types of short time contracts: atypical contracts, where workers regularly work atypical working hours, for example at night or weekends; short contracts with short weekly working hours (below 15 hours); and stable part-time contracts with longer working hours (24 hours per week or more). These contracts are generally considered as precarious. Likewise, in Croatia²²² fixed-term, part-time work, interim work, seasonal and student contracts etc., are seen as 'precarious' for three reasons: limited duration, low salary and lack of social and workers' rights protection.²²³ In turn, the Italian definition of precarious work, while not codified in the law, is frequently used in the jurisprudence to identify a working situation with a lack of stability for the employee. Types of work that can be 'precarious' include fixed-term, intermittent/on call work and part-time contracts, including involuntary part-time, and temporary agency work.

In contrast, some Member States have a narrower approach to precarious work. In Germany for example, the Federal Statistical Office emphasises that atypical employment cannot be equated with precarious work, although these forms can overlap. Precarious work is understood as an employment relationship that does not guarantee, in the long run, the livelihood and social security of the employee. Whether a person is affected by precarious work, therefore, also depends on the personal living conditions such as previous career developments or the composition and income of the household.²²⁴

In Poland, two types of civil law contracts are considered as 'precarious': the contract to perform a specified task (*umowa o dzieło*) and the contract of mandate (*umowa zlecenie*) used when the execution of the tasks with due diligence is the main goal of the working relationship. These contracts do not provide long-term job security and careers prospects, neither do they offer employment rights or social protection guaranteed by traditional standard contracts.²²⁵ In Sweden, the Ministry of Employment considers zero-hour and on-call work an insecure work situations.²²⁶

Despite the variance of definitions of precarious work across the eight Member States, some key features are common to the examined countries. These are related to the stability of the contract (in all eight Member States); the type of contract such as part-time (France, Italy, Spain and Sweden); poor or lack of access to social security (France, Germany, Poland, Slovakia); low salary and income security (France and Germany, Slovakia and Spain); lack of pensions entitlements (France and Poland);

²²¹ See: <https://www.insee.fr/fr/metadonnees/definition/c1570>

²²² H. Butkovic, V. Samardzija, 'Non-standard work in Croatia: Challenges and Perspectives in Selected Sectors', 2018, p. 26, available at: <https://irmo.hr/wp-content/uploads/2018/02/IRMO-elektroni%C4%8Dka-verzija-NESTANDARDNI-RAD1.pdf>

²²³ *Ibid.*

²²⁴ Statistisches Bundesamt, 'Niedriglohn und Beschäftigung 2010', 2010, p. 5, available at:

https://www.statistischebibliothek.de/mir/servlets/MCRFileNodeServlet/DEMonografie_derivate_00001466/NiedriglohnBeschaeftigung.pdf.

²²⁵ Eurofound, 'Casual work: Characteristics and implications, New forms of employment series', 2019, available at:

<https://www.eurofound.europa.eu/publications/report/2019/casual-work-characteristics-and-implications>

Interview carried out on 01.09.2020 with a representative of University of Business and Administration in Gdynia, Department of Law.

Interview carried out on 02.09.2020 with a representative of University of Lodz, Faculty of Law and Administration.

Interview carried out on 10.09.2020 with a representative of University of Warsaw, Department of Law.

²²⁶ Interview carried out on 29.09.2020 with two representatives of The Swedish Ministry of Employment.

underemployment²²⁷ (France, Italy and Spain); low employability and training opportunities (France, Germany, Poland, Slovakia).

4.2. Legal and policy framework

The review of the legal and policy framework applicable to precarious work in the eight Member States shows that while not all countries consider atypical work as precarious, in most countries the default working contract is permanent, meaning that atypical contracts should be used only in certain circumstances (France, Germany, Italy, Poland, Sweden and Slovakia). In such countries, the use of atypical contracts must be '*justified*' by the employer; this relates to the limits that the law imposes on the use of these contracts, on the premise that they lead to precarious situations for workers.

All the examined countries have adopted measures to target precariousness. The most common safeguard is the introduction of a minimum wage. In Germany, the establishment of a minimum-wage in 2014, and its increase over the years, has positively affected low income jobs as well as mini jobs, where women are overrepresented. However, as mini jobs have a total income threshold of 450 euros per month, the minimum wage led on average to a reduction of working time while keeping the same salary in these jobs.²²⁸ Nonetheless, there are also indications that for some mini jobs, the introduction of the minimum wage did not lead to a reduction of the working time, but instead a transformation of the mini job into part-time employment under the social insurance and with a salary above 450 euros.²²⁹ In Spain, the rise of the interprofessional minimum wage from 735.9 EUR in 2018 to 900 EUR in 2019 and 950 EUR in 2020 seems to have had a positive effect in tackling female precarious work.²³⁰

In Poland, a minimum wage was introduced in 2017 for contracts of mandate (civil law contracts considered as precarious). The workers should receive PLN 13 per hour, however the number of hours remains flexible. There was no clear consensus among the consulted stakeholders about the real impact of this measure. On one hand, the minimum wage provided some level of stability and prevented employers from offering unacceptable hourly rates. On the other hand, the improved salary discouraged employers from offering a standard employment contract that guarantees job security and social benefits.²³¹

Another important instrument used by the eight Member States to address precarious work is the introduction of limitations to the duration and renewal of temporary contracts. In this regard, Germany and France and Poland limit the duration of fixed-term contracts, to 18 months (Germany and France) and 33 months (Poland). In line with this, Italy introduced the Dignity Decree²³² in 2018 that aims at discouraging the use of fixed-term employment contracts and, instead, encourages companies to offer open-ended employment contracts. However, it remains to be proven how effective this measure has been in tackling precarious work of women.

²²⁷ ILO, 'Unemployment, for example, includes persons who during the reference week did not work nor had a job but who were willing to work (they show that they are willing to work by actively seeking work) and were available to work.' *International definitions and prospects of Underemployment Statistics*, 1999, p.3.

²²⁸ S. Wanger, E. Weber, 'Effekte des gesetzlichen Mindestlohns auf die Arbeitszeit von Minijobbern', IAB Aktuelle Berichte No 23, 2016.

²²⁹ Interview carried out on 25 September 2020 with a representative of the *Institut für Arbeitsmarkt- und Berufsforschung (IAB)* of the *Bundesagentur für Arbeit*.

²³⁰ Interview carried out on 15/09/2020 with a representative of a national governmental organisation in the area of gender equality

²³¹ Interview carried out on 01.09.2020 with a representative of University of Business and Administration in Gdynia, Department of Law.

²³² See: <https://www.cliclavoro.gov.it/NormeContratti/Contratti/Pagine/Contratto-a-tempo-determinato.aspx>

Moreover, in some countries, specific safeguards have been adopted to protect workers who are not fully employed. In Italy, Legislative Decree 81/2015 protects fixed-term employees, part-timers and temporary agency workers entitling them to economic and legal conditions no lower than the ones applied to comparable open-end and full-time employees working in the same company.²³³ To support the employment of young people, who are often precarious, since 2015, the Croatian government has adopted a scheme that does not oblige employers to pay employees contributions for young workers below 30 years in the first five years of open-ended contracts.²³⁴

Besides, in some countries precarious work is dealt with in different areas, not limited to employment law, such as company law and non-discrimination law. In relation to this, the French Law n 2017-399 of March 2017 on the duty of vigilance of mother companies and contracting companies,²³⁵ prescribes a set of vigilance measures on companies which reach a certain threshold.²³⁶ These measures address employees' working conditions and include the identification and prevention of risks to employees' human rights and essential freedoms, which are relevant also in relation to precarious work. French non-discrimination law has also been used to fight against precarious work situations. In its ruling of 2012, the French Supreme Court²³⁷ recognised a company's refusal to grant the executive status to female employees as opposed to male employees (the executive status is a requirement for the employees to receive complementary pensions) as a discrimination based on gender. The denial of pension rights is another factor contributing to precariousness.

Another issue that Member States have recently regulated more, and which can affect precarious work of women, is that of parental leave. In Sweden the number of parental leave days is calculated per child, as opposed to per parent. Parents benefit from 480 days of parental leave for each child and 90 days out of the total 480 days are reserved to each parent, to make sure that the leave is shared between men and women. This approach is quite unique compared to other countries that still distribute parental leave days per father/mother.

Several countries have encouraged paternal leave. Spain, for example, increased its paternal leave to 12 non-transferable weeks for each parent in 2020 and is planning to increase it to 16 weeks from 2021. According to the consulted stakeholders, this reform will incentivise women to join the labour market as well as make employers less reluctant to hire them given that the parental leave will be the same for men and women. Likewise, Italy has adopted legislation aimed at promoting the use of paternity leave by men.²³⁸ The 2012 Fornero Reform,²³⁹ while not targeting women explicitly, introduced compulsory paternity leave and vouchers for child-care services. Furthermore, Legislative Decree 80/2015²⁴⁰ extended the parental leave applicable to parents, both women and men, with children up to the age

²³³ Legislative Decree 15 June 2015, n. 81. Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto%20legislativo:2015-06-15;81>.

²³⁴ Op.cit. I. Tomic p. 23

²³⁵ See: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000034290626/>

²³⁶ As per article L. 225-102-4 of the French Commercial Code (introduced by the Vigilance Law) it is provided that a vigilance plan should be established and effectively implemented by "Any company that employs, by the end of two consecutive financial years, at least five thousand employees itself and in its direct or indirect subsidiaries whose registered office is located within the French territory, or at least ten thousand employees itself and in its direct or indirect subsidiaries whose registered office is located within the French territory or abroad."

²³⁷ Marie Mercat-Bruns, 'La discrimination systémique : peut-on repenser les outils de la non-discrimination en Europe?', 2018. p.7, available at : <https://journals.openedition.org/revdh/3972?lang=en>

²³⁸ Law No. 328/2000, see: <https://www.normattiva.it/eli/id/2000/11/13/000G0369/CONSOLIDATED/20190828> and Law No. 92/2012 https://www.cliclavoro.gov.it/Normative/Legge_17_dicembre_2012_n.221.pdf

²³⁹ Available at: https://www.cliclavoro.gov.it/Normative/Legge_17_dicembre_2012_n.221.pdf

²⁴⁰ See: http://www.jobsact.lavoro.gov.it/documentazione/Documents/Decreto_Legislativo_15_giugno_2015_n.80.pdf

of 12. In addition to parental leave, the Italian legislator has increased childcare services available to help women re-enter their professional life after they have a child.²⁴¹

In Germany the rules for paternal leave and benefits were reformed in 2007 with the Federal Parental Benefit and Leave Act (*Bundeseltern- und Elternzeitgesetz*). According to the act, the standard period for parental leave and benefits are up to 12 months but can be extended to 14 months if both parents share the parental leave. The goal of the measure was to incentivise fathers to take paternal leave and to reduce the risks of mothers being trapped in part-time employment due to taking care of the children alone. Since the introduction of this measure, the share of fathers taking parental leave constantly has increased (from 21.2% in 2008 to 40.4% in 2017).²⁴²

Moreover, Spain and France have adopted laws to encourage companies to foster gender equal working environments in the past 15 years. In Spain, Organic Law 3/2007 on effective equality among men and women²⁴³, and its reform, endorsed pay equality between women and men by increasing pay transparency. However, the law seems not to have been implemented in practice. A stakeholder consulted for this study indicated that, in an Autonomous Community with a population of roughly five million people, only two companies have equality plans in place. However, it is generally recognised that the obligation for more salary transparency should empower women to demand higher salaries.

4.3. Prevalence of precarious work

This section looks at data on atypical forms of employment collected by eight Member States to assess whether women are more vulnerable than men to precarious work, and how their situation has evolved over time. The findings across countries unanimously show that women are more likely than men to be in precarious jobs. It should, however, be noted that since there is no uniform definition of precarious work across the EU, data varies across countries and is, thus, not comparable. There is also a general lack of data on how many people are affected by precarious work.²⁴⁴ In this regard, the consulted stakeholders have emphasised the need for data collection on the phenomenon, to show how precarious work conditions are experienced across Europe.

4.3.1. Evolution over the past decade

According to Eurostat data²⁴⁵, in 2018, 2.1% of men and women aged 20-64 in the EU-28 had a precarious employment situation, meaning a work contract of up to three months. The overall proportion of persons in precarious employment was highest in Croatia, France, Spain and Italy. Women tended more than men to be in precarious employment in Croatia, Spain, Sweden and Slovakia. The situation remained the same in 2019, with Croatia having the highest number of precarious workers in the EU (6.1%) compared to the EU average (2.2%)²⁴⁶, followed by France (5.3%) and Spain (3.9%). Female precarious work was highest in Croatia, France, Spain and Sweden. Overall, in

²⁴¹ See: https://www.cliclavoro.gov.it/Normative/Legge_17_dicembre_2012_n.221.pdf

²⁴² Statistisches Bundesamt, '22922-0011 – Väterbeteiligung: Deutschland, Jahre'.

²⁴³ Ley Orgánica, de 22 de marzo, para la igualdad efectiva de mujeres y hombres, available at:

<https://www.boe.es/buscar/act.php?id=BOE-A-2007-6115#:~:text=Esta%20Ley%20tiene%20por%20objeto,singularmente%2C%20en%20las%20esferas%20pol%C3%ADtica%20>

²⁴⁴ Interview carried out on 08.09.2020 with a representative of FEPS.

²⁴⁵ Eurostat (2019), available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_\(%25_of_employed_aged_20-64\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_(%25_of_employed_aged_20-64).png)

²⁴⁶ Eurostat (2020), available at: https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsa_qoe_4ax1r2&lang=en

the last decade (2010-2019)²⁴⁷ the number of people working in precarious conditions increased in Croatia (from 3.9% to 6.1%), Italy (from 2.1% to 3.5%), France (from 4.7% to 5.3%) and Slovakia (from 0.9% to 1.6%) whereas it decreased in Germany (from 0.6% to 0.3%), Poland (from 4.4% to 3.2%) Spain (from 4.3% to 3.9%) and Sweden (from 5.2% to 3.7%).

A closer look at the national statistics of the examined countries shows that female precarious jobs are generally on the rise. In Spain, whereas female unemployment decreased from 20.3% to 15.8% over the last decade, female part-time work went from 23.1% to 24.1% and seasonal and temporary work increased from 26% to 27.3%.²⁴⁸ Similar trends can be observed in Italy²⁴⁹ where the gender employment gap has narrowed since 2008 (although it is still one of the highest gaps in the EU). However, about two thirds of the increase of involuntary part-time concerned women in the period 2008-2018. In France, between 2014 and 2018, female precarious work rates increased from 12.1% in 2014 to 13.5%.²⁵⁰ The weight of the informal economy should also be taken into account, given that data do not fully capture the situation of workers, including women, in undeclared work.

4.3.2. Part-time work and other types of atypical employment

In Italy²⁵¹ and France²⁵² women working part-time represented respectively 32.8% (compared to 8.7% of men), and 28.8% (compared to 7.8% of men) of the working population in 2018. In Germany²⁵³ and Spain,²⁵⁴ the numbers of women in part-time jobs were 24% (compared to 4% of working men) in Germany and 23.8% (compared to 7% of working men) in Spain. Poland²⁵⁵ has generally low rates of people working part-time. However, women are still more represented in the total number of part-time workers. In particular, 10.6% of Polish women have a part-time occupation compared to 4.4% of men. Women are over-represented also in Croatia with 6.6% of women working part-time compared to 3.1% of men.

In many of the selected Member States, part-time work is closely related to women's caregiving roles. In Germany, for example, the gender care gap is estimated to be 84%.²⁵⁶ The tax and health insurance system also contributes to more women working part-time.²⁵⁷ In France, women spent approximatively

²⁴⁷ *Ibid.*

²⁴⁸ Interview carried out on 08/09/2020 with a representative of FUHEM.

²⁴⁹ ISTAT, Mercato del lavoro e capitale umano, 2019, p. 175-176. Available at: <https://www.istat.it/storage/rapporto-annuale/2019/capitolo4.pdf>

²⁵⁰ Observatoire des inégalités, '3.7 millions de salariés précaires en France', 201, available at: <https://www.inegalites.fr/etat-precarite-emploi>

²⁵¹ ISTAT, Misure a sostegno della partecipazione delle donne al mercato del lavoro e per la conciliazione delle esigenze di vita e di lavoro, 26 Febbraio 2020, p. 11-12.

²⁵² INSEE, 'Tableaux de l'économie française' 2020, available at: <https://www.insee.fr/fr/statistiques/4277649?sommaire=4318291>

²⁵³ Statistisches Bundesamt, 'Kernerwerbstätige in unterschiedlichen Erwerbsformen (atypisch Beschäftigte) nach soziodemografischen Merkmalen und Wirtschaftsabschnitten', available at: <https://www.destatis.de/DE/Themen/Arbeit/Arbeitsmarkt/Erwerbstaetigkeit/Tabellen/atypische-beschaeftigung.html>.

²⁵⁴ Instituto Nacional de Estadística (INE), Encuesta de Población Activa Junio 2020,

²⁵⁵ Statistics Poland, 'Women and men on the labour market' 2018, see <https://stat.gov.pl/en/topics/labour-market/studies/women-and-men-on-the-labour-market-2018,3,4.html>

²⁵⁶ Interview carried out on 08.09.2020 with a representative of EIGE.

²⁵⁷ The German income tax and health insurance rules for married couples are factors that influence the situation of (married) women in part-time employment and mini jobs. The income splitting for tax purposes (Ehegattensplitting) that is applied to married couples does not incentivise married women who work part-time to increase their working hours and thereby their income. The income splitting favours constellations where one spouse has more income than the other. If the spouse earning less increases his/her income, this can even lead to a situation where the net household income decreases because the income tax load increases. Regarding health insurance, a spouse working in a mini job is covered by the partner's family insurance. If they start earning more than the 450 euros that is the limit for a mini job, they have to start paying fees for their own health

28 hours per week on care work compared to 11 hours per week for men in 2010.²⁵⁸ In this regard, France distinguishes between “restricted”, “intermediary” and “extensive” care work, thus taking into account a spectrum of care responsibilities, ranging from the most essential chores (e.g. cooking, driving kids) to the most marginal (e.g. walking the dog). In Croatia, research shows that employers trust men more than women workers due to the patriarchal vision that women carry out duties related to household, childcare, and elderly care²⁵⁹, whereas, in reality, they are forced to undertake these tasks to compensate for the lack of quality public services.

In addition to part-time work, some Member States collect data on different types of atypical jobs. For example, Germany collects data on mini jobs and other forms of temporary employment.²⁶⁰ In 2019, 9% of women worked in mini jobs, compared to 3% of men and 1.5% of women were in temporary employment compared to 3% of men. There appears to be a gender dimension by type of atypical work in Germany: whereas men are more affected by temporary employment, and both genders are similarly affected by fixed-term contracts²⁶¹, women are significantly more involved in part-time employment (five times as much as men) and mini jobs (three times as much as men). This is mirrored by an overrepresentation of women in low income jobs: 23% of women have a gross income of less than 2,000 euros, compared to 13% of men.²⁶² Women are also less likely than men to move up to a higher paid job. In addition to this, differences between West and East Germany come to attention. For example, in 2019 the difference between the share of women and men in mini jobs was minor in East Germany (9.9% of all employed women and 8.4 percent of all employed men), whereas it was significant in West Germany (17.1% of women and 9.6% of men). Moreover, 35% of women in East Germany and 49% of women in West Germany work in other part-time jobs (less than 32 hours per week). The main reasons why women work part-time vary: while in East Germany the most common reason was that a full-time job could not be found, in West Germany the wish to take care of the children was the main argument.²⁶³

In France, where women represent the majority of part-time workers, three types of part-time work can be identified: short contracts (30% of total part-time work), unconventional short contracts²⁶⁴ (29%) and stable contracts (41%).

4.3.3. Underemployment

National stakeholders from Spain, Italy, France and Sweden, consulted for this study, indicated that women are more likely to be underemployed, whereas they wish to and could work more than they currently do. In Italy for example, according to ISTAT, women often do not choose to work part-time and would rather work full-time if given the choice. Among women in part-time jobs, ISTAT estimates

insurance coverage. These rules are in theory gender neutral, but since in practice it is mostly women in a married couple who reduce their working hours, they have an impact on women.

²⁵⁸ INSEE, ‘Le travail domestique : 60milliards d’heures en 2010). Available at : <https://www.insee.fr/fr/statistiques/2123967>

²⁵⁹ M. Cacic, D. Levacic, ‘Austerity, Gender Inequality and Feminism after the Crisis. Death by a thousand cuts – Impact of austerity measures on women in Croatia’, 2018, p. 12, available at: https://www.rosalux.de/fileadmin/images/Ausland/Osteuropa/FEMINIST_CR.pdf

²⁶⁰ In temporary employment, employees are ‘rented’ by their employer to a third party for a limited period. It is a triangular employment relation where the employee has a contract and is paid by a temporary employment agency but delivers the work to a third party (and typically also at the third party’s premises). The third party in turn pays a fee to the agency.

²⁶¹ Interview carried out on 16 September 2020 with a representative of the *Wirtschafts- und Sozialwissenschaftliches Institut (WSI)* of the *Hans-Böckler-Stiftung*.

²⁶² D. Hobler, S. Pfahl, A. Zucco, ‘30 Jahre Deutsche Einheit, Gleichstellung von Frauen und Männern auf den Arbeitsmärkten in West- und Ostdeutschland?’, WSI Report Nr. 60, September 2020.

²⁶³ *Ibid.*

²⁶⁴ In French, the literal translation for unconventional is “atypical”. However, for clarity purposes, this study uses the term unconventional.

that 63% did not actively choose this working pattern; about two thirds of the increase in involuntary part-time concerned women between 2008 and 2018.²⁶⁵ In France, about 8.9% of women were underemployed in 2017, compared to 3.5% of men.²⁶⁶ Single parents, and in particular single mothers seem particularly more vulnerable to underemployment. According to the Swedish Public Employment Service, 67,201 persons on part-time contracts are currently registered in their system as actively looking for additional work; 41,950 of these are women.²⁶⁷

4.4. Sectors dominated by precarious work

In line with the trends identified at EU level (Section 3.2), the national research carried out in the eight Member States, showed a high level of gender segregation on the labour market, with a clear line between female and male dominated sectors. This is confirmed by the French Professional Families Classification, where all professions on the French labour market are classified into 87 families.²⁶⁸ In 2013, nearly half of working women were employed within only 12 job families (e.g. the service sector, teaching and cleaning jobs), showing unequal access of women to all job families.

Across the examined countries, precarious conditions are more likely to be found in the private sector rather than in the public sector, where jobs tend to be more stable. The reduced number of job positions in the public sector over the last years, due to budget cuts, means that many women have shifted towards the private field, where the risk of precariousness is higher. Specifically, women are systematically overrepresented in the following sectors: health, cleaning, care, social services, hospitality, education, and retail. These are the sectors where temporary, atypical and part-time contracts are more common and where workers tend to be affected by low wages and precarious and/or irregular working conditions.

Female dominated sectors tend, thus, to be more precarious than male ones. However, it is important to emphasise that male dominated sectors may also be affected by precarious conditions, due to the combination of a range of factors such as low educational level, lack of specialisation (e.g. low skilled workers) and migrant background.

The sections below provide an overview of the care, the hospitality and the new job sectors to illustrate the gender segregation in the labour market in the eight Member States.

4.4.1. Care sector

In all eight Member States there are high concentrations of female precarious workers in the care sector, which is characterised by low wages and poor working conditions.²⁶⁹ In Poland for example, the care sector concentrates 80% of women, an important amount of whom work on civil law contracts.²⁷⁰ These types of contract are considered precarious as they do not provide long-term job security and career prospects, neither do they offer employment rights or social protection guaranteed by the traditional employment contracts (standard contracts).²⁷¹ As mentioned above, Sweden's care sector is

²⁶⁵ Department for Equal Opportunities, Women for a new Renaissance, 2020, p. 7.

²⁶⁶ INSEE, 'Tableaux de l'économie française' 2020, available at: <https://www.insee.fr/fr/statistiques/3676619?sommaire=3696937>

²⁶⁷ Interview carried out on 10.09.2020 with a representative of The Swedish Public Employment Service.

²⁶⁸ Secretary of State in charge of Equality between women and men, 'Towards a true equality between women and men', 2017, p.19.

²⁶⁹ Interview carried out on 02.09.2020 with a representative of Bocconi University.

²⁷⁰ Contracts to perform a specific task and contract of mandate where the execution of the tasks with due diligence is the basis for the contract (see Articles 627-646 and 735-751 of the Polish Civil Code).

²⁷¹ Eurofound, 'Casual work: Characteristics and implications, New forms of employment series', 2019. Available at: <https://www.eurofound.europa.eu/publications/report/2019/casual-work-characteristics-and-implications>

also mainly feminine, as women make up about 98% of the total care workers. It is also a sector where precarious conditions occur.²⁷² More than 60 % of workers are temporarily employed,²⁷³ usually on zero-hour contracts.²⁷⁴ This seems to be due to the low level of qualification of workers, for example personal carers at elderly care facilities, who²⁷⁵ The care sector is dominated by women also in Spain and France. In 2019, about 90% of employees working in the care sector were women.²⁷⁶

4.4.2. Hospitality sector

The hospitality sector presents a high concentration of women in precarious work across the eight Member States. In Germany for example, women working in hotels, restaurants, etc. are often employed via mini jobs contracts, which remain the preferred option for employers in terms of reduced tax, social benefits and insurance costs.²⁷⁷ In France, atypical contracts are the most common types of contracts used in this area.²⁷⁸ Likewise in Poland, where the hospitality sector is also associated with high rates of precarious work, because of the frequent use of temporary civil law contracts which are considered precarious.²⁷⁹

4.4.3. New forms of work in female dominated sectors

While there is little evidence across the eight Member States, that new forms of work and new types of job lead to more precarious situations for women, some of them seem to be gender related. In Spain, riders' jobs in platform economies are strongly masculinised, whereas new platform jobs in the sectors of child-care, elderly care, cleaning and grocery shopping are female dominated.²⁸⁰ In Poland, men constitute the majority of low-skilled workers employed by online platforms such as Uber and Bolt. Similarly, in France a study by DIPLAB²⁸¹ shows that about 56.1% of people in micro-jobs, out of the 1000 working for the Foule Factory,²⁸² are women (55% of them have children), compared to 39% of men. These women spend between six and twelve hours more than men in domestic work. The study suggests, thus, that women have to work a "triple day" by combining their platform jobs with domestic work.

Evidence also suggests that technology has created and is going to create new ways of working and/or new job types across Member States. This is generally regarded as a positive phenomenon. In Italy, according to the consulted stakeholders, if applied correctly, smart-working (first regulated by law 81

Interview carried out on 01.09.2020 with a representative of University of Business and Administration in Gdynia, Department of Law; Interview carried out on 02.09.2020 with a representative of University of Lodz, Faculty of Law and Administration; Interview carried out on 10.09.2020 with a representative of University of Warsaw, Department of Law

²⁷² Interview carried out on 08.09.2020 with a representative of the consultancy firm Lönelotsarna.

²⁷³ Trade union Kommunal: 'Status: Prekär. En Rapport om Tidsbegränsat Anställda', 2016, p. 10, 13, 16.

²⁷⁴ Interview carried out on 10.09.2020 with a representative of The Swedish Public Employment Service.

²⁷⁵ Interview carried out on 08.09.2020 with a representative of the consultancy firm Lönelotsarna.

²⁷⁶ INSEE, 'Secteurs féminisés : la parité s'éloigne encore', July 2020, available at:

<https://www.insee.fr/fr/statistiques/4625796#titre-bloc-13>

²⁷⁷ Bundesagentur für Arbeit, 'Die Arbeitsmarktsituation von Frauen und Männern 2018', July 2018.

²⁷⁸ DARES, 'Quelles sont les conditions d'emploi des salariés à temps partiel', August 2019, p.2., available at: https://dares.travail-emploi.gouv.fr/IMG/pdf/dares-conditions_emploi_temps_partiel.pdf

²⁷⁹ Interview carried out on 01.09.2020 with a representative of University of Business and Administration in Gdynia, Department of Law; Interview carried out on 10.09.2020 with a representative of University of Warsaw, Department of Law.

²⁸⁰ Interview carried out on 18/09/2020 with a scholar from ESADE

²⁸¹ Antonio Casilli, Paola Tubaro, Clément Le Ludec, Marion Coville, Maxime Besenval, et al., 'Le Micro-Travail en France. Derrière l'automatisation, de nouvelles précarités au travail ?', 2019, p.6. Available at : <https://hal.archives-ouvertes.fr/hal-02139528/document>

²⁸² Online platform that hires employees to work on micro-jobs: fragmented tasks.

of 22 May 2017)²⁸³, can create new opportunities for women to participate and stay in the labour market. It can also help them to improve their work-life balance by reducing the differences in roles between men and women within the family. This opinion is shared by the German stakeholders according to whom the high flexibility of platform jobs makes it easier for women to combine employment with domestic work.²⁸⁴ Likewise, in Spain women are drawn by the flexible work conditions offered by platforms as they are more compatible with their family care duties.²⁸⁵

Moreover, according to the Swedish Ministry of Employment, in the future, the rapid technological change in many labour forms will affect unqualified jobs and this could potentially be an advantage for women, as they have higher education levels than men in Sweden²⁸⁶. Similarly, in Slovakia, precarious work is more likely to spread in the area of services managed through IT in the upcoming years, due to labour market flexibility and cost savings for employers (taxi services, delivery and various on-demand services).

On the other hand, national research across all eight Member States points out that IT/platform jobs are often characterised by precarious working conditions: low salary, lack of social security, lack of training opportunities, low employment stability, lack of clarity regarding the type of contract and legal status of the worker as well as poor representation of workers' rights. A French study in this area²⁸⁷ shows that platform work holds many similarities with some forms of precarious employment that have developed over the last thirty years (fixed-term contracts, temporary work, part-time work, etc).

4.5. How intersectionality affects exposure to precarious work

As explained in Chapter 3, different factors on top of gender make women more vulnerable to precarious work. While intersectionality is a fairly recent concept and Member States rarely systematically investigate this matter, they, however, collect data on different individual characteristics (e.g. migrant background) and sometimes analyse the data from a gender perspective.

This section looks into women from minority groups, women with a migrant background and low education levels and examines how they are more likely to find themselves in a precarious work situation characterised by atypical work, low income and discrimination. Furthermore, these factors often intersect with each other.

4.5.1. Women with an ethnic minority background

Across all eight Member States, belonging to an ethnic minority was identified as a risk factor in relation to exposure to precarious work. Women from non-EU countries are especially vulnerable to precariousness. Research at national level shows that they are more likely to work in low paid jobs and in sectors where precarity is more common. In Italy for instance, a 2018 report by the Ministry of Labour and Social Policy,²⁸⁸ points out that the majority of women from non-EU countries work in the personal and household services sector and are more likely to be informal workers. However, some variables

²⁸³ Agile work or smart-working is governed by Articles 18 to 23 of Law No. 81/2017. It has recently been mentioned in various Decrees issued by the Italian Government during the COVID-19 emergency phase of the pandemic. For more information: <https://www.lavoro.gov.it/strumenti-e-servizi/smart-working/Pagine/default.aspx> last accessed on 23/09/2020.

²⁸⁴ Interview carried out on 16 September 2020 with a representative of the *Wirtschafts- und Sozialwissenschaftliches Institut* (WSI) of the *Hans-Böckler-Stiftung*.

²⁸⁵ Interview carried out on 11/09/2020 with a representative from a major trade union.

²⁸⁶ Interview carried out on 29.09.2020 with two representatives of The Swedish Ministry of Employment.

²⁸⁷ ANACT, 'Quelles conditions de travail pour les travailleurs des plateformes numériques', September 2018, Available at : <https://veille-travail.anact.fr/produits-documentaires/quelles-conditions-de-travail-pour-les-travailleurs-des-plateformes>

²⁸⁸ Ministero del Lavoro e delle Politiche Sociali, La comunità pakistana in Italia, Rapporto annuale sulla presenza dei migranti, 2018, p.15-16.

should be taken into account: age, education, civil status, residence and motherhood.²⁸⁹ Young mothers from non-EU countries, with low educational qualifications, who cohabit with their spouse and reside in the South of Italy, are more at risk of exclusion from the labour market.

Among women with an ethnic minority background, across Member States, Roma women are noticeably more vulnerable to precarious work. In Spain, various stakeholders indicated that the situation of the Roma women is disproportionately worse than that of other women, as the Roma female population is often excluded from the formal economy and in low paid jobs. Similarly, in Croatia and Slovakia, evidence shows that Roma women have lower levels of education, which contributes to their precarity on the labour market.²⁹⁰ They also predominantly work in precarious sectors under atypical contracts such as short-term work agreements in seasonal work and caretaking jobs.²⁹¹

In particular, in Slovakia, Roma women from marginalised communities do not attend school but rather special institutions. According to the consulted stakeholders, the greater the disadvantage in terms of education, the more difficult the integration into the labour market.²⁹² Gender roles also have a significant impact on the level of education attained, there are often expectations on young women to have children rather than to go to school.²⁹³ Moreover, Roma people often live in a patriarchal environment and are settled in segregation (25% of Roma in Slovakia live in segregation).

Discrimination in the job market is also common, as many Roma women are excluded from labour offices due to prejudices and stereotypes. In Croatia, the most discriminated group on the labour market is the Roma population (i.e. only 33% of the Roma population is employed) where Roma women are a more vulnerable group than men.²⁹⁴ Discrimination also hits other ethnic minorities such as Serbian women in Croatia.²⁹⁵

4.5.2. Women with a migration background

Women's migration background plays an important role in their precarity on the labour market, especially for women who are not EU citizens. In Germany the share of persons in atypical employment increases depending on the nationality. It is lower for persons with a nationality of the EU15 Member States (before the accessions of 2004, 2007 and 2013), increases for nationalities of countries that joined the EU in 2004, and is higher for nationalities from non-EU countries. Almost half of the employed women from a non-EU country are working in atypical employment compared to 28.9% of German women and 10.4% of men. Evidence also suggests that refugees working in fixed-term jobs upon their arrival, stay in fixed-term employment four years after. While the data does not differentiate by gender, it is likely that women are also affected by this trend. More research is needed to explore intersections between the refugee status and women's precarious work.

²⁸⁹ Ministero del Lavoro e delle Politiche Sociali, IX Rapporto Annuale, Gli stranieri nel mercato del lavoro in Italia, 2019, p. 52-58.

²⁹⁰ Interview carried out on 9 October 2020 with Marta Kahancová a Barbora Holubová, representatives from the Central European Labour Studies Institute (CELSI).

²⁹¹ *Ibid.*

²⁹² *Ibid.*

²⁹³ Interview carried out on 22 September 2020 with Lucia Kováčová, a representative from the Central European Labour Studies Institute (CELSI).

²⁹⁴ *Ibid.*

²⁹⁵ I.Tomic, I. Rubil, D.Nestic, P. Stubbs, 'The employment and social situation in Croatia', European Parliament's Committee on Employment and Social Affairs, 2019, p. 16, available at: [https://www.eizg.hr/userdocsimages/vijesti/vijesti_publicacije/IPOL_STU\(2019\)642345_EN.pdf](https://www.eizg.hr/userdocsimages/vijesti/vijesti_publicacije/IPOL_STU(2019)642345_EN.pdf)

In France, a study by the INSEE and DARES²⁹⁶ highlights that migrant women face more difficult working conditions than women with no migration background, partly because of poor access to the labour market. Factors such as poor command of the French language and the lack of recognition of diplomas obtained abroad, can reduce access of immigrant women to qualified jobs. Under-employment also affects immigrant women from Maghreb and sub-Saharan Africa. The under-employment rates are respectively 11 and 12 points higher than those of women with no migration background. These differences do not seem to be caused by their lower education and experience.

Negative stereotypes and discrimination against immigrant women can also outweigh their professional qualifications, as it is the case in Sweden. Evidence shows that immigrant women with a higher educational background are less successful in entering the labour market than immigrant men with no formal skills. The Ministry of Employment argues that this may be due to negative stereotypes against women.²⁹⁷

In Poland, the consulted stakeholders pointed out that migrants in general (both men and women) are more affected by precarious work due to the limited understanding of the legal system, language barriers and a lack of legal advice upon arrival in the country. There tends to be also a social acceptance among employers to offer precarious civil law contracts to migrants. The minority groups in Poland represent mostly workers from Ukraine and Belarus as well as often platform-based workers from Nepal, Sri Lanka, etc.²⁹⁸ In Slovakia, migrants generally work as posted workers or workers with a work permit and are often lured into illegal work. In such conditions, they are not paid for overtime work and do not receive social security protection. Migrant women are more inclined to accept unfavourable conditions of work.²⁹⁹

4.5.3. Women's age

The national research shows that age plays a significant role in overrepresentation of women in atypical jobs and precarious work in general. In Germany, young persons are especially affected by temporary work: 49% of all temporary workers are under 35 years of age. This age group forms only one third of all employed persons. Young people are also more affected by fixed-term contracts. Mini jobs, on the other hand, affect both young and older people (for example women who re-enter the job market once the children are grown up).³⁰⁰ Similarly, in France, young women are more likely to work in part-time unconventional jobs with late working hours and unstable short contracts. Conversely, older women are more likely to be in stable short-term contracts (with stable working hours) and longer part-time contracts. Likewise, in Italy, young women (aged 15-34) are more likely to be in precarious work (e.g. involuntary part-time and fixed-term contracts). In general, women enter the labour market later than men of the same age for various reasons, including labour market integration issues. Additionally, young women holding a degree are more likely than their male peers to be offered precarious working contracts when they look for their first job.³⁰¹

²⁹⁶ INSEE, DARES, 'Emploi, chômage, revenus du travail' 2019, available at: <https://www.insee.fr/fr/statistiques/4175267?sommaire=4182950#onglet-2>

²⁹⁷ Interview carried out on 29.09.2020 with two representatives of The Swedish Ministry of Employment.

²⁹⁸ Interview carried out on 01.09.2020 with a representative of University of Business and Administration in Gdynia, Department of Law.

²⁹⁹ Interview carried out on 22 September 2020 with Lucia Kováčová, a representative from the Central European Labour Studies Institute (CELSI).

³⁰⁰ Interview carried out on 16 September 2020 with a representative of the *Wirtschafts- und Sozialwissenschaftliches Institut (WSI) of the Hans-Böckler-Stiftung*.

³⁰¹ Interview carried out on 23.09.2020 with a representative of ISTAT.

4.5.4. Other factors that intersect with gender and affect exposure to precarious work

In addition to the factors mentioned above, research in the eight Member States shows that disability status, single parenthood and sexual orientation also affect women's working conditions. In Italy, the risk of precarious work, but also poverty and social exclusion remains a challenge for women with disability. In France, underemployment is particularly high among women with disabilities between the ages of 40 and 49 years old.³⁰² On the other hand, people with disabilities have guaranteed quotas in the employment in public institutions in some countries such as Croatia.

Moreover, in the private sector, companies that employ more than 20 people are obliged to respect the quota on disability employment (i.e. 3% of the total number employees).³⁰³ In case of non-compliance with the disability quota rules, employers must pay a penalty that amounts to the minimum wage of a disability person (i.e. 30% of national minimum wage). Single mothers are also regarded by Spanish stakeholders, as exposed to precarious working conditions, especially part-time working contracts.³⁰⁴ In Slovakia, 95% of single-parent households are made up by women. Women are often forced to engage in several jobs, often precarious by nature. With regard to sexual orientation, according to a Spanish stakeholder representing a trade union, lesbian, bisexual and transgender experience direct discrimination in the workplace.³⁰⁵ This trend seems to be common to the other examined countries according to the national findings, in line with EU research³⁰⁶.

4.6. The effects of COVID-19 on precarious work

Research at national level indicates that the COVID-19 pandemic has had a considerable impact on the precarious work of women across the selected Member States. The pandemic acted as an accelerator for precarity. Women in precarious jobs, because of their group belonging, the nature of their contract or the sector they were in, were even more exposed to precariousness, during the crisis. A range of factors contributed to this exposure, as explained below.

Women with precarious occupations were more likely than men and women in stable employment to lose their jobs. In France, a study by the National Institute for Demographic Studies (INED) showed that women from all backgrounds and in all sectors were disproportionately hit by unemployment as a result of the pandemic. *"Only two in three women employed on 1 March 2020 were still in employment two months later"*.³⁰⁷ Women in atypical jobs were more likely to become redundant than women in standard employment. In Germany, for example, mini jobs where women are over-represented, low-qualified work and fixed-term contracts were the first jobs that were cut when COVID-19 measures and restrictions were put in place (starting from March 2020). Likewise, self-employed persons, including women working in the cultural sector, teaching and personal care, were deeply affected.³⁰⁸

³⁰² DARES, 'Travailleurs handicapés : quel accès à l'emploi en 2015 ?', May 2017. Available at : <https://dares.travail-emploi.gouv.fr/IMG/pdf/2017-032.pdf>

³⁰³ Rulebook on disability quota employment in the Republic of Croatia, 2018. Available at: https://narodne-novine.nn.hr/clanci/sluzbeni/2018_08_75_1544.html

³⁰⁴ Interview carried out on 15/09/2020 with a representative of a national governmental organisation in the area of gender equality, Interview carried out on 11/09/2020 with a representative from a major trade union.

³⁰⁵ Interview carried out on 10/09/2020 with a representative from a major trade union.

³⁰⁶ FRA (2020), A long way to go for LGBTI equality, available at https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf; FRA (2013) EU LGBT survey European Union lesbian, gay, bisexual and transgender survey, available at: https://fra.europa.eu/sites/default/files/eu-lgbt-survey-results-at-a-glance_en.pdf

³⁰⁷ FRA, 'Coronavirus pandemic in the EU – Fundamental Rights implications' June 2020, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-july_en.pdf

³⁰⁸ Interview carried out on 28 September 2020 with a representative of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (*Bundesministerium für Familie, Senioren, Frauen und Jugend – BMFSFJ*).

In Italy, which was the first of the EU countries to be severely hit by COVID-19, latest data published by the Observatory on precarious work showed a dramatic drop in private sector hires in the first five months of 2020 (-43% compared to the same period of 2019) due to the COVID-19 pandemic and the related restrictions (e.g. the national lockdown), as well as a more general drop in production and consumption. The trend was particularly strong in April (-83%), with a slight improvement in May (-57%). The negative trend concerned all types of contracts, but temporary contracts were the ones which were hit hardest (e.g. seasonal, intermittent, fixed-term contracts, etc.).³⁰⁹

The level of professional qualification also played a role in determining who kept their job during the COVID-19 pandemic. In France, 86% of people working in higher intellectual professions remained in their job and two thirds of them worked from home after the 7th week of quarantine. Likewise, 80% of people working in intermediary professions kept their occupation, but about half of them had to work on-site. In contrast, around 43% of employees and workers lost their job.³¹⁰ In Italy, in April 2020, workers with the highest wages were 50% more likely to work from home, but the likelihood for women was lower than for men, as sectors (e.g. healthcare, hospitality, personal and household services, etc.) with a higher concentration of women, did not allow smart working. Data on a representative sample of 800 Italian working women³¹¹ show that during the COVID-19 emergency 23% of women kept working in their usual workplace (as opposed to 33% of their partners) and 44% of working women have kept their jobs by working from home (versus 30% of men). Finally, about 33% of women have stopped working because of the emergency (versus 37% of men).³¹²

Moreover, in all eight Member States the pandemic has had a significant impact on service occupations, with high female employment shares, such as the hospitality sector. In Germany, mini jobs, which are common in the hospitality sector, were strongly affected by COVID-19 measures that restricted the operation of restaurants and hotels. As most mini jobs are carried out by women, the impact on female workers was significant. Women working in the care sector were also deeply affected. In Spain, women represented 85% of the workers in nursing and 70% of the workforce in elderly care, which resulted in 80% of cases of covid-19 infections concerning women in these sectors.³¹³

Finally, the national research shows that during the pandemic, women's domestic work and care roles in the household increased across all selected countries. The closure of schools and elderly care centres resulted in women paying the highest price by trying to reconcile work with higher family responsibilities. In Italy, for instance, care work (e.g. looking after children and elderly parents) and house work fell heavily upon women, who were already doing most of domestic work before the crisis.³¹⁴ According to 2018 data, women tended to spend around three hours more than men per day in domestic and unpaid work. This is due to various factors including a lack of territorial public services such child-care services for 0-3-year-olds.³¹⁵ Furthermore, the increased time spent in the household

³⁰⁹ Inps, Observatory on precarious work, Report January-May 2020, August 2020, p. 1., available at:

https://www.inps.it/docallegatiNP/Mig/Dati_analisi_bilanci/Osservatori_statistici/Osservatorio_precariato/Osservatorio_Precariato_Gen_Mag_2020.pdf

³¹⁰ INED, 'Le travail et ses aménagements : ce que la pandémie de covid-19 a changé pour les Français' July 2020, available at: https://www.ined.fr/fichier/s_rubrique/30315/579.population.societes.juillet.2020.covid.travail.france.fr.pdf

³¹¹ Interview carried out on 02.09.2020 with a representative of Bocconi University.

³¹² D. Del Boca, N. Oggero, P. Profeta, M. Rossi, Women's work, housework, and childcare before and during COVID-19, 2020, available at: <https://voxeu.org/article/women-s-work-housework-and-childcare-and-during-covid-19>

³¹³ Interview carried out on 15/09/2020 with a representative of a national governmental organisation in the area of gender equality.

³¹⁴ Interview carried out on 23.09.2020 with a representative of ISTAT.

³¹⁵ In Italy, only 23% of children under the age of three have a place in a childcare facility. The number has increased in recent years, especially in the North and the Centre. In the South, the figures remain low (12% and in some cases 10%). We are still below the objective set by the Barcelona European Council in 2002, namely, to provide childcare by 2010 to at least 33 % of

put women at higher risk. French research indicates that women were more exposed to domestic violence during the quarantine and, that the latter was a source of tension for 20% of couples.³¹⁶ Across all Member States, stakeholders have stressed the importance of a prompt government reaction to help alleviate the effects of the pandemic on women. Several EU countries have launched state-wide initiatives to provide relief for people who were made vulnerable during the crisis, including women. In Italy, the government adopted EUR 55 billion economic support measures, including financial compensation, for freelancers, self-employed workers, seasonal workers and domestic workers.³¹⁷ Poland also introduced an economic aid package allowing self-employed and firms (employing up to nine people) to have their healthcare and pension contributions scrapped for three months, if they meet certain eligibility requirements.³¹⁸

In Germany, an important measure to mitigate the effects of the crisis was the short-time work allowance.³¹⁹ The maximum length of receiving the allowance was also increased from 12 to 21 months.³²⁰ However, only employees who worked under the public social insurance scheme were eligible to receive short-time work allowance; this excluded women in mini jobs. The fact that women work more often in part-time employment also led to the effect that women who were eligible still benefitted less from the measures. Working part-time means less net income, which, in turn, means less short-time allowance (as it is calculated based on the net income).

children under 3 years of age. Data provided by the representative of ISTAT during the interview held on 23.09.2020, available at: https://ec.europa.eu/info/sites/info/files/130531_barcelona_en_0.pdf; see also: https://www.repubblica.it/cronaca/2020/07/08/news/asili_nido_italia_sotto_la_media_europea_per_spesa_e_utenza-261333919/

³¹⁶ ANACT, 'Covid-19 : quels impacts sur les conditions de travail des femmes et des hommes ?', August 2019, see : <https://www.anact.fr/covid-19-quels-impacts-sur-les-conditions-de-travail-des-femmes-et-des-hommes>

³¹⁷ FRA, 'Coronavirus pandemic in the EU – fundamental rights implications: with a focus on older people', May 2020, p. 22 https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-june_en.pdf

³¹⁸ See: <https://balkaninsight.com/2020/04/06/polish-layoffs-soar-despite-government-support-package/>

³¹⁹ The rules for obtaining such allowance were adjusted several times during the crisis. While the default amount of the allowance was 60% of the net income at the beginning, it was increased to 70% or 80% later on (depending on how many months a person received the allowance). It was also made possible to earn additional income while receiving this short-time allowance.

³²⁰ Bundesministerium für Arbeit und Soziales, 'Fragen und Antworten zu Kurzarbeit und Qualifizierung', March 2020, available at: https://www.bundesfinanzministerium.de/Content/DE/Downloads/2020-03-18-kurzarbeitergeld-faq.pdf?__blob=publicationFile&v=1.

5. GOOD PRACTICES REGARDING IMPROVING THE SITUATION OF WOMEN IN PRECARIOUS WORK

KEY FINDINGS

Based on the results of desk research and stakeholder consultation, a range of good practices have been identified in the selected Member States.

In the legal area, the introduction of a minimum wage, the principle of equal pay for equal work, pay transparency, limits to the duration of atypical contracts and the extension of the rights of full-time workers to workers in atypical contracts, as well as the promotion of parental leave are regarded as good practices.

In the policy area, the following good practices have been detected: equality certificates for companies implementing gender equality, programmes targeting migrant women to help them to enter the job market, programmes aimed at reconciling work and family life, campaigns enhancing women's IT skills, campaigns and agreements in the care sector, data collection on gender equality at the workplace as well as anti-COVID measures.

This Chapter presents good practices identified in the eight Member States within the scope of the study in the legal and policy areas. The findings are based on the information collected through desk research and stakeholder consultation. While most of the national measures do not target female precarious work directly, they address different aspects related to it.

5.1. Good practices in the legal area

The types of measures analysed in this section aim at improving wages, pay transparency, quality of contracts and the use of parental leave. The consulted stakeholders and the findings from the national research point to a range of legal measures which have had positive effects on tackling precarious work and its related aspects.

The introduction of a minimum wage was identified across the selected countries as an essential initiative to lift women out of precarity and poverty. In Spain, for example, research shows that the rise of the interprofessional minimum wage from EUR 735 in 2018 to EUR 950 in 2020, has reached two million people, a majority of whom are women.³²¹ In Germany³²², the minimum wage, and its adjustments over time, have benefited low income jobs in which women are overrepresented. Guaranteeing a minimum wage for all workers allows to transcend sector divisions as well as differences between regular and atypical contracts and, thus, ensure a decent living for women affected by precarious work.

One effective way to tackle precarious work has been to ensure equal wages between men and women. In this regard, Sweden has addressed gender differences in salaries through the Discrimination Act³²³, enshrining the principle of equal pay for equal work. Moreover, a system of classifications of jobs of

³²¹ Royal Decree 231/2020, 4 February 2020, available here: <https://www.boe.es/eli/es/rd/2020/02/04/231> and Interview carried out on 15/09/2020 with a representative of a national governmental organisation in the area of gender equality.

³²² Minimum wage law of 11 August 2014 (Federal Law Gazette I p. 1348), last amended by Article 2 paragraph 1 of the law of 10 July 2020 (Federal Law Gazette I p. 1657), available at: <https://www.gesetze-im-internet.de/millog/BJNR134810014.html>

³²³ Discrimination Act (2008:567), available at: <https://www.government.se/information-material/2015/09/discrimination-act-2008567/>

equal value has been introduced, although holding companies accountable for its implementation has sometimes proven challenging. According to this system, salary experts conduct a job evaluation which includes an analysis of the employees' educational background, work responsibilities, working environment, etc. Based on this evaluation, they classify jobs into ten categories.³²⁴ All jobs in same category are considered to have an 'equal value' which allows to adjust salaries in line with the categorisation. Every year, the classification is subject to salary negotiations during which wages are adjusted. By addressing the difference in salaries for jobs of equal value, this measure tackles the gender pay gap between sectors of the economy. This measure also helps women from vulnerable groups, such as women with an ethnic or migrant background, who are in low payed professions and work under precarious and sometimes indecent working conditions.

Another way Member States have addressed women's precarious conditions has been to act on pay transparency, in order to increase pay equality between men and women for work of equal value. For example, Germany adopted the Pay Transparency Act in 2017 (*Entgelttransparenzgesetz*)³²⁵ which gives employees the right to be informed by their employer about the pay for a similar position. The act has, however, been criticised for being ineffective due to several exceptions and limitations. The right to be informed applies only if the employer has more than 200 employees and if there are at least six employees in a similar position. The employer must only disclose the median pay for the position which may prevent the employee from learning whether other individuals earn more. Lastly, the employee must make an individual request in order to be informed, which may deter him/her to do so for fear of experiencing negative repercussions.³²⁶ Despite criticism, overall, stakeholders from the selected countries agree that the introduction of pay transparency can be regarded as a milestone in addressing salary inequalities between genders.

Moreover, the selected Member States have adjusted their legal framework to regulate the use of atypical contracts by employers and restrict it to certain specific situations. For example, in Poland the rigid time limit on temporary employment (33 months) aims at protecting employees from abusive extensions of such contracts and, thus, has a direct effect on women who represent the majority of part-time workers according to the consulted stakeholders.³²⁷ Likewise, limits to the duration of temporary contracts have been set in Germany³²⁸ and Italy³²⁹ with the aim of increasing the chances of a temporary worker to enter a permanent job.

In Germany, temporary workers who have worked for at least nine months in the same place of work must be paid the same salary as the permanent workforce. Likewise, in Italy, since 2015 atypical workers have been entitled to the same economic conditions as permanent and full-time employees in the same company.³³⁰ This initiative intends to promote the use of regular types of employment, that are more protective of employees' social benefits.

Finally, the study shows that measures on parental leave encourage men to contribute to caring responsibilities in the household and restore an equal distribution of tasks between men and women.

³²⁴ Interview carried out on 08.09.2020 with a representative of the consultancy firm Lönelotsarna.

³²⁵ *Entgelttransparenzgesetz*, *EntgTransp*, available at: https://www.gesetze-im-internet.de/englisch_entgtranspg/englisch_entgtranspg.pdf

³²⁶ Deutscher Bundestag, 'Anhörung: Geplantes Entgelttransparenzgesetz differenziert beurteilt', 2017, available at: <https://www.bundestag.de/dokumente/textarchiv/2017/kw10-pa-familie-494286>

³²⁷ Interview carried out on 02.09.2020 with a representative of University of Lodz, Faculty of Law and Administration.

³²⁸ Short-term employment is limited to three months or 70 working days per calendar year.

³²⁹ Legislative Decree 15 June 2015, n. 81, available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto%20legislativo:2015-06-15;81>.

³³⁰ Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto%20legislativo:2015-06-15;81>

The legislative reforms undertaken by the Italian government from 1997³³¹ to 2015³³² were aimed at lightening the domestic workload that traditionally rests on women. They provided measures (e.g. compulsory paternity leave and vouchers for child-care services) supporting maternity and paternity by reconciling work and family needs.³³³

5.2. Good practices in the policy area

The selected Member States have adopted a range of measures (e.g. policies, programmes, campaigns etc.) to foster better working environments for women and promote women's participation in the labour market. While most of these measures do not target female precarious work, they indirectly address women in precarious jobs.

Some of these initiatives incentivise companies to implement equality measures. In Spain, the Equality Certification (*Distintivos de la Igualdad en la Empresa*)³³⁴ awards companies with an outstanding record in the implementation of equality measures. Specifically, this certification is a mark of excellence that the Women's Institute for Equal Opportunities grants annually to companies and other entities that stand out in the development and implementation of equal opportunities measures for women and men in the workplace. The equality measures can include and concern plans, management, working conditions, organisation models and the company's services, products and advertising.

This practice has been regarded as positive by the consulted stakeholders, who pointed out that by means of this certificate, public administrations can award companies with good practices in terms of equal opportunities and reward them. The certificate encourages the transparency and credibility of the equality practices, allowing the awarded company to be recognised by customers, employees, investors, authorities and society in general as a socially responsible business that voluntarily and publicly commits to apply equal treatment among its workers as part of its business strategy and culture. The initiative currently involves 148 companies employing about 250,000 employees, of which 44% are women. The certified companies also operate in a wide range of sectors including female-dominated sectors, and 35.8% of them are SMEs.

Moreover, the Swedish '*Jamstallsetablering*'³³⁵ is a public employment service initiative aimed at supporting women entering the labour market with a focus on immigrant women. As part of the programme, specialised case workers provide women with tailored information on their individual situation (e.g. job opportunities, childcare services etc.). Simultaneously, the programme engages in a dialogue with employers to overcome stereotypical views on the types of jobs that women can be employed in. According to the consulted stakeholders, the programme is already showing promising results when it comes to integrating immigrant women in the job market as well as changing gender-biased perceptions of employers.

Another interesting initiative is the Slovakian 2018 '*Support for Reconciliation of Private and Family life*' campaign. Specially created to help mothers with young children, including children with special educational needs, to enter the labour market or return to it after parental leave, this programme encourages the use of flexible jobs (e.g. telework and part-time employment) by providing temporary compensatory measures to companies. However, the practice has been in part criticised for the

³³¹ Available at: <https://www.normattiva.it/eli/id/1997/09/05/097G0322/CONSOLIDATED/20180712>.

³³² Available at:

http://www.jobsact.lavoro.gov.it/documentazione/Documents/Decreto_Legislativo_15_giugno_2015_n.80.pdf

³³³ Available at: https://www.cliclavoro.gov.it/Normative/Decreto_Legislativo_26_marzo_2001_n.151.pdf

³³⁴ Instituto de la Mujer, Bienvenida a la Red de Empresas con Distintivo "Igualdad en la Empresa" (Red DIE).

³³⁵ Interview carried out on 10.09.2020 with a representative of The Swedish Public Employment Service.

administrative burden put on applicants which prevented the measure from reaching wider audiences.³³⁶

In the area of women and technology, the Polish '#WOMANUPDATE'³³⁷ is a national campaign aimed at providing quality training for women to enter the tech industry. The specific goal of the campaign is to give information and education to Polish women that will boost their skills in the technology field. The campaign is organised by the Future Collars, a school of digital competences, and supported by several private companies and institutions. As part of the campaign, a dedicated website (<http://womenupdate.org>) was created with a free guide for women, access to free lessons in digital competences, educational materials, and interviews with leaders in the IT world. Although the campaign does not specifically refer to the precarious work, it offers education opportunities for women and seeks to upgrade their digital skills. Given that precarious work is often associated with low qualifications, by enhancing women's IT skills, this campaign increases their chances to find a standard employment.

Good practices in the care sector, where there is a high prevalence of female precarious work, have also been identified. The Slovakian campaign on nurses³³⁸ is a good example of how to mobilise public opinion to draw employers' attention on workers' issues. The campaign resulted in an improvement of nurses' working conditions, secured the creation of new positions and reduced staff shortages, as well as clarified nurses' responsibilities in terms of management and care for their patients. Another interesting example is the Swedish agreement between municipalities and unions on atypical work.³³⁹ Workers in the care sector managed to obtain the right to work full-time as well as a reduction of the use of involuntary part-time contracts, which resulted in an increase in the numbers of women working full-time.

Likewise, Croatia runs every year a call for the 'Make a Wish' programme for long-term unemployed women in rural areas who are providing care to the elderly and people with disabilities.³⁴⁰ The programme is financed by the European Social Fund and has given employment opportunities to 3,000 women over 50 years old or coming from other vulnerable groups and with low qualification levels.³⁴¹ This programme is considered a good practice for tackling the precarious conditions of low-skilled women in rural areas.

Data collection on gender equality in the workplace is another good practice considering the lack of statistics in this area and given that women in precarious jobs are often discriminated in the workplace compared to men. In that regard, France and Germany collect data on gender equality at work. In France, the professional equality index gathers data from all companies with more than 50 employees. This includes information on pay, salary increase, promotions and parental leave.³⁴² Similarly, the German annual equality index and the gender equality report publish statistics on gender equality, the

³³⁶ Ministerstvo práce, sociálnych vecí a rodiny SR, 'Súhrnná správa o stave rodovej rovnosti na slovensku za rok 2018 rodová rovnosť na trhu práce', Informatívny materiál na rokovanie vlády SR, 2019, available at: https://hsr.rokovania.sk/data/att/166144_subor.pdf

³³⁷ Woman Update, available at: <https://womanupdate.org/?fbclid=IwAR3cPnh7VqHykbaTgtVGg6z8iZZkCWfaTcNgTDMbLzwJrnCvHOa6PHOpNwU>

³³⁸ Interview carried out on 9 October 2020 with Marta Kahancová a Barbora Holubová, representatives from the Central European Labour Studies Institute (CELSI).

³³⁹ Interview carried out on 29.09.2020 with two representatives of The Swedish Ministry of Employment.

³⁴⁰ Op. cit. M. Cacic, D. Levacic p.38.

³⁴¹ See: <https://vlada.gov.hr/news/make-a-wish-programme-to-provide-jobs-for-3-000-women/21994>

³⁴² See: <https://travail-emploi.gouv.fr/droit-du-travail/egalite-professionnelle-discrimination-et-harcelement/index-egalite-professionnelle-femmes-hommes>

latter includes an intersectional approach with data on age, disability status, citizenship and migration status.³⁴³

In response to the COVID-19 pandemic, the selected Member States have adopted nation-wide plans to mitigate the repercussions on precarious workers. In Sweden, for instance, the government expanded the right to unemployment benefits for people working primarily in the tourism and hospitality sector, who lost considerable amounts of revenue due to lockdowns. This was regarded as a positive measure also taking into account the prevalence of short-term contracts in these sectors and the overrepresentation of women.³⁴⁴ Similarly, Italy has provided income support to businesses that closed during the quarantine, 61.5% of which went to women.³⁴⁵ By way of the Decree 'Cura Italia' of March 2020³⁴⁶, economic support was also exceptionally extended to undeclared workers who otherwise would have been unable to claim social assistance.

Moreover, in recognition of the significant impact of the pandemic on women, some countries have taken a range of initiatives to address gender inequalities exacerbated by the COVID-19 crisis. The Italian Minister for Equal Opportunities and Family set up a female team "Women for a new Renaissance", at the Department for Equal Opportunities, focussed on the role and importance of women for the future growth. This team has identified key actions and recommendations³⁴⁷ focusing on specific objectives, such as increasing the percentage of women in every job sector, overcoming barriers that prevent the advancement of career paths in certain fields such as science, and addressing gender stereotypes that prevent women from participating in leadership positions, etc.

³⁴³ See: <https://eige.europa.eu/gender-mainstreaming/countries/germany>

³⁴⁴ Interview carried out on 08.09.2020 with a representative of the consultancy firm Lönelotsarna.

³⁴⁵ Interview carried out on 02.09.2020 with a representative of Bocconi University.

³⁴⁶ See: <https://www.decretocuraitalia.com/>

³⁴⁷ See: <http://www.pariopportunita.gov.it/wp-content/uploads/2020/06/Women-for-a-New-Renaissance.pdf.pdf>

6. RECOMMENDATIONS

KEY FINDINGS

Recommendations to improve the situation of women in precarious work can be grouped into legal and policy area recommendations. First, legislative measures are proposed, including a Directive on Pay Transparency. This would provide a way forward to address the lifelong consequences of the gender pay gap in terms of the lack of women in high-paying, male dominated professions (and their overrepresentation in poorly paid, precarious work situations) and the impact of these factors on women's pensions.

Other legislative recommendations include the EU's ratification of the Istanbul Convention, which would guarantee greater protection for women generally, but also for women in precarious employment. Amendments to the existing legislation to protect single parents, the vast majority of whom are women, should also be adopted to support the reconciliation of work, family and private life for both sexes.

In terms of recommended policy initiatives, educational and awareness-raising campaigns should address education and labour market related stereotypes that are a root cause of gender inequality, the gender pay-gap, and the higher proportion of women in precarious work.

Recommendations specifically targeting the care sector are needed to highlight that care is a collective societal responsibility. Investment must be made in the sector, particularly through the provision of accessible and affordable child-care facilities and elderly homes.

Finally, it is important to build on existing initiatives aimed at increasing the representation of women in decision-making positions, both in general and concerning national and European-level 'COVID committees'. Gender must be mainstreamed in national and EU COVID-19 recovery plans, including by way of gender budgeting.

Based on desk research, the input of stakeholders interviewed for this study and the analysis of the good practices from the selected Member States, this Chapter identifies various recommendations to improve the situation concerning precarious work in the EU, particularly that of women. These recommendations can be grouped into two main categories: legal initiatives and policy measures.

6.1. Proposed legal recommendations

One of the principal measures advocated for by interviewed stakeholders was legislation to address the gender pay gap in the EU, which currently stands at around 16%.³⁴⁸ Some stakeholders underlined the fundamental importance of pay transparency legislation in addressing not only the gender pay gap, but also the gender pension gap.³⁴⁹ Equality in terms of pensions is crucial in combating the phenomenon of the feminisation of poverty, whereby more than 20% of older women in the EU are at risk of poverty or social exclusion, and frequently forced into precarious work, compared to 15% of older men.³⁵⁰ A Directive on Pay Transparency would, therefore, provide a way forward to look at the

³⁴⁸ EIGE, 'What lies behind the gender pay gap?', 31 October 2019.

³⁴⁹ Interview carried out on 08.09.2020 with a representative of EIGE.

³⁵⁰ European Commission, '2019 Report on equality between women and men in the EU', 2019, Annex 2, p. 73, available at: https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/annual_report_ge_2019_en.pdf

lifelong consequences of the gender pay gap in terms of the lack of women in high-paying, male dominated professions (and their overrepresentation in poorly paid, precarious work situations) and the impact of these factors on women's pensions.

Such a piece of legislation is currently in the pipeline as part of the Gender Pay Gap Action Plan.³⁵¹ This social policy measure prioritises eight areas for action to address the underlying causes of the gender pay gap, all of which are also relevant to improving the situation of women in precarious work. They include: (i) improving the application of the principle of equal pay, (ii) combatting labour market and sectoral segregation, (iii) breaking the glass ceiling (iv) tackling the care penalty,³⁵² (v) better valorising women's efforts and responsibilities, (vi) unveiling inequalities and stereotypes, (vii) raising awareness of the gender pay gap and, finally, (viii) promoting partnerships to tackle the gender pay gap.

However, the European Commission has recently postponed the publication of the Directive on pay transparency from 4 November (Equal Pay Day) to 15 December 2020.³⁵³ Numerous calls have been made urging the Commission to not delay this any further. Based on the current rate of progress in closing the gender pay gap, women will be waiting 84 years in order to achieve equal pay.³⁵⁴ It is therefore recommended that prompt action is taken in order to ensure that the Directive on pay transparency is adopted as soon as possible and Member States transpose it on time.

Another recommended area for the EU to take legislative action on is the protection of single parents,³⁵⁵ with women making up almost 85% of all one-parent families in the EU.³⁵⁶ As mentioned throughout this study, unpaid care and domestic responsibilities are a key contributor to the greater proportion of women found in precarious jobs. Not only do caring responsibilities mean that single parents struggle to fully participate in the labour market, but figures from 2017 show that 44.1% of single parent households in the EU are at risk of poverty or social exclusion.³⁵⁷ Amendments to the existing legislation at both EU level (e.g. the Directive on work-life balance, the Directive on transparent and predictable working conditions, etc.) and national level should, therefore, be adopted with a focus on the vulnerable situation of single parents. Specific provisions targeting single parents would ensure that the challenges they face are addressed in the law. This would help to increase the economic independence of single parents, support the reconciliation of work, family and private life, and strengthen synergies between anti-poverty strategies and other policy areas such as employment, taxation and housing policies.

In response to the domestic violence to which women, including those in precarious jobs, have been particularly exposed during the pandemic (largely due to the increased time spent at home, with limited access to support services), the consulted stakeholders called for more structural responses to

³⁵¹ See: <https://www.europarl.europa.eu/legislative-train/theme-deeper-and-fairer-internal-market-with-a-strengthened-industrial-base-labour/file-gender-pay-gap-action-plan#:~:text=Gender%20Pay%20Gap%20Action%20Plan%20%2F%20after%202017%2D11&text=The%20principle%20that%20men%20and,2006%2F54%2FEC>

³⁵² The phenomenon by which reduced earnings, a higher concentration in part-time work and career gaps linked to caring responsibilities make many women economically more dependent on their partners or the State, contributing substantially to the gender pay gap and gender pension gap. This results in a higher risk of exposure to poverty and social exclusion for women, with negative impacts also extending to their children and families. See: <https://ec.europa.eu/transparency/regdoc/rep/1/2017/EN/COM-2017-678-F1-EN-MAIN-PART-1.PDF>

³⁵³ See: <https://www.etuc.org/sites/default/files/press-release/file/2020-10/Letter%20President%20Ursula%20von%20der%20Leyen%20re%20Gender%20Pay%20Gap.pdf>

³⁵⁴ ETUC, Press Release 'EU gender pay gap won't end until 2104 without action', 05 October 2020, available at: <https://www.etuc.org/en/pressrelease/eu-gender-pay-gap-wont-end-until-2104-without-action>

³⁵⁵ Interview carried out on 08.09.2020 with a representative of FEPS.

³⁵⁶ EIGE, 'Poverty, gender and lone parents in the EU', Review of the implementation of the Beijing Platform for Action, 2016.

³⁵⁷ European Commission, '2019 Report on equality between women and men in the EU', 2019, Annex 2, p. 73.

the issue of violence against women by way of EU legislative action in the field and the EU's ratification of the Istanbul Convention.³⁵⁸ As well as affecting women disproportionately, violence and harassment at work particularly affect those in vulnerable, precarious work situations,³⁵⁹ as explained in Chapter 3.1.3. The EU's ratification of the Istanbul Convention, which specifically tackles violence against women and seeks to prosecute perpetrators and protect victims, would provide greater protection for women who are most at risk. Indeed, concluding the EU's accession to the Convention is stated as a key priority for the present Commission.³⁶⁰

The ratification of other legal instruments was also mentioned by national stakeholders as a priority. One interviewee urged national authorities to sign and ratify the ILO's Convention on Domestic Workers.³⁶¹ The standards set in this Convention ensure better conditions for domestic workers, many of whom are women in precarious work situations.

6.2. Proposed policy recommendations

In addition to the legislative recommendations that should be implemented to tackle the phenomenon of precarious work, a number of soft law measures are also recommended, as outlined below.

6.2.1. Educational programmes and awareness-raising campaigns

The need to challenge gender-based stereotypes is fundamental in order to combat the gender segregated labour market that pushes men towards certain careers and women towards others, typically those that are lower paid and in the care and education sectors. While the Gender Equality Strategy 2020-2025 stresses the importance of women and men being free to pursue their chosen educational and professional paths without the constraints of stereotypical gender norms, more needs to be done to challenge the stereotypes that are a root cause of gender inequality, the gender pay-gap, and the higher proportion of women in precarious work.

Gender equality should be mainstreamed in educational programmes in order to overcome differences in education and attainment between boys and girls, a key cause of gender inequalities in the job market in later life. Moreover, awareness-raising campaigns which include an intersectionality perspective and which prevent and combat female precarious work should be adopted at EU and national level.

6.2.2. Mobilisation of trade unions and other actors in the job market

Another recommendation is to ensure that the voice of those in precarious work situations is strengthened.³⁶² The absence of workers' rights is one of the features of a job with low security and, therefore, one which is deemed precarious. One interviewee pointed at the collective action in the case of Uber platform workers, who protested in London and other major cities to demand working rights,

³⁵⁸ Interview carried out on 03.09.2020 with a representative of EWL.

³⁵⁹ ETUC, 'Safe at home, safe at work: Trade union strategies to prevent, manage and eliminate work-place harassment and violence against women', May 2017, p. 11, available at: https://www.etuc.org/sites/default/files/document/files/en_-_brochure_-_safe_at_home_1.pdf

³⁶⁰ European Commission Communication, 'A Union of Equality: Gender Equality Strategy 2020-2025', COM/2020/152, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0152>

³⁶¹ Interview carried out on 15.09.2020 with a representative of a Spanish governmental organisation in the area of gender equality.

³⁶² Interview carried out on 27.08.2020 with a representative of Eurofound.

including a minimum wage and holiday pay,³⁶³ as being a positive example of how those in precarious work situations are able to use their voice to make themselves heard and their rights acknowledged. The potential for new technologies to assist in this process, for example by reaching out virtually to large numbers of workers, is something that must be capitalised upon. Strengthening the voice of precarious workers is especially applicable to women who, due to intersecting inequalities, are more vulnerable to precarious conditions (e.g. women with disabilities, women from an ethnic and migrant background, women of a certain age, etc.).

Moreover, greater mobilisation of trade unions and other actors generally is needed to ensure the respect of employees' rights, particularly among those in 'newer', atypical forms of employment and people in disadvantaged groups. Too often, jobseekers are overly focused on the short-term, namely having a job of any kind, as opposed to the social, health and pension-related benefits that come with employment. This lack of awareness of labour law and employee rights means that workers are at risk of exploitation. To remedy this, increased efforts are needed from the European Labour Authority working in conjunction with national labour inspectorates, from ministries of labour and education, and from social partners, including NGOs, to strengthen employee rights and ensure compliance.

6.2.3. Promotion of equal distribution of care and domestic work

Given the fundamental implications that caregiving has on women's likelihood to be involved in precarious work, it is necessary to consider recommendations in this area as a standalone topic. Interviewees were of the unanimous view that the EU and Member States need to pay more attention to care-related issues, and to rethink the ways in which society considers unpaid care and domestic work. The problem of the unequal distribution of such work along gender lines is one that must be conclusively recognised, with measures taken to reduce the burden on women and to redistribute responsibilities more equally between the sexes;³⁶⁴ for example, encouraging both parents to make use of flexible and part-time working arrangements and developing other forms of work organisation that promote a rebalance of roles between women and men.

Such efforts should be aligned with Directive (EU) 2019/1158 on work-life balance for parents and carers. As discussed in Chapter 2, while this Directive lays down minimum requirements for paternity leave of 10 working days³⁶⁵ and requires Member States to ensure that each worker has an individual right to parental leave of four months, in many cases fathers are still not taking the leave to which they are entitled. This creates unequal access to the labour market for men and women. Co-parental responsibility between men and women must be promoted more at national level to achieve equality between the sexes and allow greater participation of women in the labour market.

The European Women's Lobby is calling for a 'Care Deal for Europe', which would allow women and men equal and flexible options to balance their work and care responsibilities (an 'equal carer, equal earner' model).³⁶⁶ The Care Deal underlines that care is a collective societal responsibility and a life-cycle issue, and calls for investment in the care economy. Indeed, the need for investment in this sector was reiterated by multiple interviewees, particularly in the context of ensuring the provision of accessible and affordable child-care facilities and care homes for the elderly, including day care centres. Current demographic developments, notably the aging EU population, mean that middle-aged men

³⁶³ See: <https://www.independent.co.uk/news/business/news/uber-drivers-strike-london-birmingham-glasgow-nottingham-pay-rights-a8898791.html>

³⁶⁴ European Commission, 'Women and unpaid work: recognise, reduce, redistribute!', 07 March 2016, available at: <https://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2492&furtherNews=yes>

³⁶⁵ Directive (EU) 2019/1158 of 20 June 2019 on work-life balance for parents and carers, Article 4.

³⁶⁶ See: https://www.womenlobby.org/IMG/pdf/ewl_policy_brief_on_covid-19_impact_on_women_and_girls-2.pdf

and (predominantly) women are caring for both children and elderly relatives, placing a double burden on them. Several stakeholders stressed that it is essential that accessible and affordable institutional childcare exists to allow carers, mainly women, the option to work full-time.³⁶⁷

6.2.4. Research and data collection

More research should be carried out into the phenomenon of undeclared work (including by the European Labour Authority), which by definition is conducted outside of the protection offered by labour law and social insurance systems, thus entailing a high risk of precariousness. In order to tackle undeclared work, coordinated action is needed on the part of governments and public institutions, starting with policies that simultaneously increase the incentives for legal work and reduce those for undeclared work, for both employers and workers.³⁶⁸ More robust and responsive labour inspection actions remain an important component in addressing undeclared work.

Another recommendation stems from a good practice example of Germany, namely the provision of statistics on the gender care gap. It is recommended that similar data is collected across the EU to give a better picture of where gaps are the largest and most work needs to be done.³⁶⁹ According to data from EIGE, Germany is the only EU Member State where slightly more adult men than women were reported to care for older people and/or people with disabilities (at least several times per week).³⁷⁰ In line with the recommendation for caring activities to be a primary focus of the policies of the EU and its Member States in the next years, the current German Presidency of the Council of the EU is focusing on care as a key priority.³⁷¹

6.2.5. Ad-hoc measures to tackle COVID-19

The COVID-19 pandemic has brought about changes to everyday life, but vulnerable people, including women in precarious work, have been particularly adversely affected. Consideration must be given to how those working in the informal economy, in part-time employment, mini-jobs and other forms of atypical employment can benefit from measures that have been put into place to assist those with 'standard' contracts. As mentioned in Chapter 3.1.3, there is now greater recognition that the role played by those in care and nursing sectors, most of whom are women, is crucial to the functioning of our everyday lives. The poor working conditions of women in these sectors have been brought to the fore, and while the upcoming Directive on Pay Transparency should improve their situation, it is necessary to have more wide-reaching measures which actively take into account the ongoing effects of the pandemic and the lessons learnt from it to address precarious work in the EU on a more sustained basis.

First, it is important to build on existing initiatives aimed at increasing the participation of women in decision-making, both in general and in national and European-level 'COVID committees'. This became particularly apparent in early governmental responses to the crisis, where the COVID committees of certain Member States were entirely composed of men. In order to ensure that women are not confined to precarious jobs at the lower end of the pay spectrum, but are equally represented in decision-making positions that shape politics, economics and society, it is paramount that women's participation in

³⁶⁷ Interview carried out on 16 September 2020 with a representative of the *Wirtschafts- und Sozialwissenschaftliches Institut (WSI)* of the *Hans-Böckler-Stiftung*, Interview carried out on 25 September 2020 with a representative of the *Institut für Arbeitsmarkt- und Berufsforschung (IAB)* of the *Bundesagentur für Arbeit*.

³⁶⁸ ILO, 'Labour Inspection and Undeclared Work in the EU', 2013, p. vi, available at:

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_220021.pdf

³⁶⁹ Interview carried out on 08.09.2020 with a representative of FEPS.

³⁷⁰ EIGE, 'Gender Equality Index 2019 – Work-life balance', 2020, p. 80, Figure 39.

³⁷¹ Interview carried out on 08.09.2020 with a representative of EIGE.

decision-making is increased across all Member States. This can be achieved by legislative action, by the introduction of quotas for board/committee membership together with sanctions for not adhering to them, and by improving opportunities for work-life balance in the workplace.³⁷²

Secondly, it is essential for gender to be mainstreamed in COVID recovery plans. Gender budgeting (the process of conducting a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process, and restructuring revenues and expenditures in order to promote gender equality)³⁷³ must be implemented to provide systemic tools to respond to real societal needs, in particular in terms of closing the pay, pension and other gaps that still exist between women and men.³⁷⁴ Economic support must be provided to those who are most in need, including those in the informal economy. Mainstreaming gender in the EU's Recovery Package and the 2021-2027 Multiannual Financial Framework should ensure that women are included in all future activities at the EU and Member State level, as well as help to maintain in the long-term some of the COVID-19 related measures that have been put in place to help women, including female precarious workers. This process should be mirrored in national recovery plans.

In relation to these recovery measures, the ILO, in its 'Employment and Decent Work for Peace and Resilience Recommendation', called for the need to apply a gender perspective in all crisis response design, implementation, monitoring and evaluation activities.³⁷⁵ In the current context, where women are bearing the brunt of the social and economic COVID-19 related disruption, it is more important than ever for crisis response measures to contain an inclusive needs assessment with a clear gender perspective³⁷⁶ in which an equal share of work and family responsibilities between women and men takes centre stage.

³⁷² EIGE, 'Women in decision-making: why it matters', 07 March 2019, available at: <https://eige.europa.eu/news/women-decision-making-why-it-matters>

³⁷³ EIGE, 'Gender Budgeting', available at: <https://eige.europa.eu/gender-mainstreaming/toolkits/gender-budgeting/what-is-gender-budgeting>

³⁷⁴ Interview carried out on 03.09.2020 with a representative of EWL.

³⁷⁵ R205 - Employment and Decent Work for Peace and Resilience Recommendation, 2017, available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3330503

³⁷⁶ ILO, 'ILO Standards and COVID-19 (coronavirus), FAQ', 29 May 2020, p. 21, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/genericdocument/wcms_739937.pdf

7. CONCLUSIONS

Based on the findings of this study, it is clear that over the last two decades, significant progress has been made both internationally and in the EU to tackle precarious work, notably that of women. At EU level, the recently adopted Directive (EU) 2019/1152 on transparent and predictable working conditions is the first Directive to explicitly refer to precarious work, stating that employment relationships that lead to precarious working conditions are to be prevented, including by prohibiting abuse of atypical contracts. Directive (EU) 2019/1158 on work-life balance for parents and carers promotes women's participation in the labour market and strives for a more equal sharing of parental leave between men and women, changing perceptions of the care responsibilities attributed to the two sexes. These two Directives are complimented by a range of non-binding legislative acts (including two European Parliament resolutions, on working conditions and precarious employment, and precarious women workers, respectively) and policy initiatives. The latter seek to reduce the number of people in short-term contracts and unemployment, and challenge existing stereotypes, including those relating to education and typical career paths for women and men.

Despite the progress achieved, precarious work is still an issue in the EU. According to Eurostat data from 2018,³⁷⁷ 2.1% of men and women aged 20-64 in the EU-28 had a precarious job, meaning a work contract of up to three months. The main factors behind the high numbers of women in precarious work include the disproportionate amount of time that women spend in caregiving roles and domestic work, both of which are unpaid and largely unrecognised. Embedded stereotypes are another factor contributing to female precarious work, with gender segregation a deeply entrenched feature of education systems, occupations and sectors across the EU.

Although gender is one key factor affecting exposure to precarious work, it is not always possible to identify common gender patterns between particular groups of men and women. Nonetheless, non-EU born women and men, young people aged 20-24, people with low qualifications and people with disabilities are all particularly vulnerable to precarious work. Moreover, the outbreak of COVID-19 has disproportionately affected women when it comes to work-life balance and caring responsibilities. This has brought about a return to more traditional gender roles at home. EU-wide data shows that young women aged 18-34 were most likely to lose their job (11% – compared to 9% of young men), and men aged 35-49 were the least likely (6% compared to 9% of women in the same age group).³⁷⁸

When examining the situation of women in precarious work in the eight Member States within the scope of this study, it is clear that women are more likely than men to be in precarious employment. According to Eurostat data, female precarious work is particularly frequent in Croatia, Spain, Sweden and Slovakia.³⁷⁹ Women are systematically overrepresented in the health, cleaning, care, social services, hospitality, education and retail sectors in the selected countries, these being the sectors that have been most affected by the COVID-19 pandemic. These are also the areas where atypical, part-time and temporary contracts are common and where workers tend to be affected by low wages and irregular working conditions.

³⁷⁷ Eurostat, 'Precarious employment by sex 2018', available at : [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_\(%25_of_employed_aged_20-64\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_(%25_of_employed_aged_20-64).png)

³⁷⁸ Eurofound, 'Living, working and COVID-19', COVID-19 Series, 28 September 2020, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef20059en.pdf

³⁷⁹ Eurostat, 'Precarious employment by sex 2018', available at : [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_\(%25_of_employed_aged_20-64\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_(%25_of_employed_aged_20-64).png)

While intersectionality is a fairly recent concept and Member States rarely systematically investigate this matter, it appears that women from minority groups, women with a migrant background and those with low levels of education are more exposed to precarious work.

In recognition of the dangers posed by female precarious work, the Member States within this study's scope have adopted a range of legal and policy measures to tackle this phenomenon, some of which may be considered good practices. In the legal area, the introduction of a minimum wage has proven effective in lifting women out of precarious conditions and poverty in Germany and Spain. Moreover, pay transparency (Germany), the recognition of equal pay for equal work (Sweden), limitations to the duration of atypical contracts together with an extension of workers' rights under such contracts (France, Germany, Italy and Poland) and parental leave measures (Italy), have also had a positive impact in reducing female precarious work.

At the policy level, a range of measures indirectly addressing precarious work are worth highlighting. These include equality certificates for companies implementing gender equality, programmes helping migrant women to enter the labour market, initiatives aimed at reconciling work and family life, campaigns enhancing women's IT skills and improving working conditions in the care sector, data collection on gender equality at the workplace, and measures to mitigate the work-related impact of the COVID-19 pandemic.

Taking into account the research conducted and the good practices identified in this study, the following recommendations are put forward. First, there are the proposed legislative measures, such as the forthcoming adoption of a Directive on Pay Transparency and the EU's ratification of the Istanbul Convention, which would guarantee greater protection for women generally, but also women in precarious employment.

Secondly, a series of policy measures are needed. Awareness-raising campaigns and educational programmes at EU and national level are recommended to prevent and tackle female precarious work, as well as to challenge education and labour market-related stereotypes that are a root cause of gender inequality, the gender pay-gap, and the higher proportion of women in precarious employment.

Furthermore, given the extent to which women in the care sector are affected by precarious work, this sector needs to be made a key priority for the EU and its Member States in the coming years. Care must be regarded as a collective societal responsibility as opposed to 'women's work'. To this end, considerable and sustained investment is needed in the care sector, particularly through the provision of accessible and affordable child-care facilities and homes for the elderly.

Finally, gender must be mainstreamed in national and EU COVID-19 recovery plans, including by way of gender budgeting.

REFERENCES

International legislation

- Council of Europe, Convention on preventing and combating violence against women and domestic violence, (The 'Istanbul Convention'), CETS No.210, Entry into force 01/08/2014, available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
- Council of Europe, The European Social Charter 1961, available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168006b642>
- ILO, C175 - Part-Time Work Convention, 1994, available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C175
- ILO, C177 - Home Work Convention, 1996, available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312322
- ILO, Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3330503
- The Beijing Platform for Action, 1995, available at: https://beijing20.unwomen.org/~media/headquarters/attachments/sections/csw/pfa_e_final_w eb.pdf
- United Nations, Convention on the Elimination of All Forms of Discrimination against Women, New York, 18 December 1979, available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

EU legislation

- Charter of Fundamental Rights of the European Union, 2012/C 326/02, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012P/TXT&from=EN>
- Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31997L0081>
- Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A31999L0070>
- Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, available at: <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32000L0043>
- Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32000L0078>
- Directive 2003/88/EC of 4 November 2003 concerning certain aspects of the organisation of working time, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0088>
- Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0054>
- Directive 2008/104/EC of 19 November 2008 on temporary agency work, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008L0104>
- Directive (EU) 2019/1152 of 20 June 2019 on transparent and predictable working conditions in the European Union, available at:

- <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L1152>
- Directive (EU) 2019/1158 of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019L1158>
 - European Parliament legislative resolution of 10 July 2020 on the proposal for a Council decision on guidelines for the employment policies of the Member States, P9_TA-PROV(2020)0194, available at: https://www.europarl.europa.eu/doceo/document/TA-9-2020-0194_EN.pdf
 - European Parliament resolution of 19 October 2010 on precarious women workers (2010/2018(INI)), available at: <https://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0365&language=EN&ring=A7-2010-0264>
 - European Parliament resolution of 9 June 2015 on the EU Strategy for equality between women and men post 2015 (2014/2152(INI)), available at https://www.europarl.europa.eu/doceo/document/TA-8-2015-0218_EN.html
 - European Parliament resolution of 28 April 2016 on gender equality and empowering women in the digital age (2015/2007(INI)), available at https://www.europarl.europa.eu/doceo/document/TA-8-2016-0204_EN.html
 - European Parliament resolution of 26 May 2016 on poverty: a gender perspective, 2015/2228(INI), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2016-0235_EN.html
 - European Parliament resolution of 4 July 2017 on working conditions and precarious employment (2016/2221(INI)), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2017-0290_EN.html
 - European Parliament resolution of 17 April 2018 on empowering women and girls through the digital sector (2017/3016(RSP)), available at: https://www.europarl.europa.eu/doceo/document/TA-8-2018-0102_EN.pdf
 - European Parliament resolution of 30 January 2020 on the gender pay gap, 2019/2870(RSP), available at: https://www.europarl.europa.eu/doceo/document/TA-9-2020-0025_EN.html
 - Paris Declaration of 17 March 2015 on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education, available at: https://ec.europa.eu/assets/eac/education/news/2015/documents/citizenship-education-declaration_en.pdf
 - Regulation (EU) 2019/1150 of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1150>
 - Treaty on the Functioning of the European Union (TFEU), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

National legislation

- Germany, Entgelttransparenzgesetz, EntgTransp, available at: https://www.gesetze-im-internet.de/englisch_entgtranspg/englisch_entgtranspg.pdf
- Germany, Minimum wage law of 11 August 2014 (Federal Law Gazette I p. 1348), last amended by Article 2 paragraph 1 of the law of 10 July 2020 (Federal Law Gazette I p. 1657), available at: <https://www.gesetze-im-internet.de/milog/BJNR134810014.html>
- Italy, Law No. 328/2000, available at: <https://www.normattiva.it/eli/id/2000/11/13/000G0369/CONSOLIDATED/20190828>
- Italy, Law No. 92/2012, available at: https://www.cliclavoro.gov.it/Normative/Legge_17_dicembre_2012_n.221.pdf
- Italy, Legislative Decree 15 June 2015, n. 81, available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto%20legislativo:2015-06-15;81>
- Spain, Ley Orgánica, de 22 de marzo, para la igualdad efectiva de mujeres y hombres, available at: <https://www.boe.es/buscar/act.php?id=BOE-A-2007->

[6115#:~:text=Esta%20Ley%20tiene%20por%20objeto,singularmente%2C%20en%20las%20esferas%20pol%C3%ADtica%2C](#)

- Spain, Royal Decree 231/2020, 4 February 2020, available here: <https://www.boe.es/eli/es/rd/2020/02/04/231>
- Sweden, Discrimination Act, 2008, available at: <https://www.government.se/information-material/2015/09/discrimination-act-2008567/>

International publications

- Council of Europe, Gender Equality Strategy for 2018-2023, available at: <https://rm.coe.int/strategy-en-2018-2023/16807b58eb>
- ILO, 'Labour Inspection and Undeclared Work in the EU', 2013, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_220021.pdf
- ILO, 'Policies and regulations to combat precarious employment', 2011, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/meetingdocument/wcms_164286.pdf
- ILO, 'ILO Standards and COVID-19 (coronavirus), FAQ', 29 May 2020, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/genericdocument/wcms_739937.pdf
- OECD, Labour Force Statistics 2020, available at: https://read.oecd-ilibrary.org/employment/oecd-labour-force-statistics-2020_5842cc7f-en, pp. 33-34
- OECD and ILO, 'Women at Work in G20 countries: Progress and policy actions', 2019, available at: <https://www.oecd.org/g20/summits/osaka/G20-Women-at-Work.pdf>
- United Nations, 'A UN framework for the immediate socio-economic response to COVID-19', April 2020, available at: https://www.un.org/sites/un2.un.org/files/un_framework_report_on_covid-19.pdf

EU publications

- European Commission, 'A Union of Equality: Gender Equality Strategy 2020-2025', 05/03/2020, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0152&from=EN>
- European Commission, 'Country report, gender equality – Italy, 2018', available at: <https://op.europa.eu/en/publication-detail/-/publication/802a3ee7-c204-11e8-8bb4-01aa75ed71a1/language-en/format-PDF>
- European Commission, DG Communications Networks, Content & Technology, 'Women in the Digital Age', 2018
- European Commission, 'Identifying Europe's recovery needs, Europe's moment: Repair and Prepare for the Next Generation', 27 May 2020, available at: https://ec.europa.eu/info/sites/info/files/economy-finance/assessment_of_economic_and_investment_needs.pdf
- European Commission, 'White Paper on European Social Policy – A Way Forward for the Union', 27 July 1994, available at: http://aei.pitt.edu/1118/1/social_policy_white_paper_COM_94_333_A.pdf
- European Commission, 'Women and unpaid work: recognise, reduce, redistribute!', 07 March 2016, available at: <https://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2492&furtherNews=yes>
- European Commission, '2019 Report on equality between women and men in the EU', 2019, available at: https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/annual_report_ge_2019_en.pdf
- EIGE, 'Gender Budgeting', available at:

<https://eige.europa.eu/gender-mainstreaming/toolkits/gender-budgeting/what-is-gender-budgeting>

- EIGE, 'Gender Equality Index, Work in the European Union for 2019', available at: <https://eige.europa.eu/gender-equality-index/2019/domain/work>
- EIGE, 'Gender segregation in education, training and the labour market', June 2017, available at: <https://data.consilium.europa.eu/doc/document/ST-12709-2017-ADD-2/en/pdf>
- EIGE, Gender Statistics Database, 'What lies behind the gender pay gap?', 31 October 2019, available at: <https://eige.europa.eu/gender-statistics/dgs/data-talks/what-lies-behind-gender-pay-gap>
- EIGE, Glossary and Thesaurus, 'Intersectionality', available at: <https://eige.europa.eu/thesaurus/terms/1263>
- EIGE, 'Poverty, gender and lone parents in the EU', Review of the implementation of the Beijing Platform for Action, 2016
- EIGE, Research Note on 'Gender, skills and precarious work in the EU', 2016
- EIGE, Research Note on 'Women and men in ICT: a chance for better work–life balance', 2018
- EIGE, 'What lies behind the gender pay gap?', 31 October 2019, available at: <https://eige.europa.eu/gender-statistics/dgs/data-talks/what-lies-behind-gender-pay-gap>
- EIGE, 'Women in decision-making: why it matters', 07 March 2019, available at: <https://eige.europa.eu/news/women-decision-making-why-it-matters>
- European Parliament, Briefing on Precarious Employment in Europe: Patterns, Trends and Policy Strategies, 2016, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/587285/IPOL_STU\(2016\)587285_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/587285/IPOL_STU(2016)587285_EN.pdf)
- European Parliament, 'Discrimination and Access to Employment for Female Workers with Disabilities', 2017, p.23, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/602067/IPOL_STU\(2017\)602067_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/602067/IPOL_STU(2017)602067_EN.pdf)
- European Parliament, 'Platform economy and precarious work: Mitigating risks', June 2020, available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/652721/IPOL_BRI\(2020\)652721_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/652721/IPOL_BRI(2020)652721_EN.pdf)
- Eurostat, 'Part-time employment rate', available at: <https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tesem100&plugin=1>
- Eurostat, 'Precarious employment by sex 2018', available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_\(%25_of_employed_aged_20-64\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Precarious_employment_by_sex_2018_(%25_of_employed_aged_20-64).png)
- FRA, 'A long way to go for LGBTI equality', 2020, available at https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf
- FRA, Bulletin no. 2, 'Coronavirus pandemic in the EU – Fundamental Rights implications: with a focus on contact-tracing apps', 21 March – 30 April 2020, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-may_en.pdf
- FRA, Bulletin no. 3, Coronavirus pandemic in the EU – Fundamental Rights implications: with a focus on older people, May 2020, p. 22, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-june_en.pdf
- FRA, Bulletin no. 4, Coronavirus pandemic in the EU – Fundamental Rights implications, June 2020, p. 22, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-july_en.pdf

- FRA, 'Coronavirus pandemic in the EU – fundamental rights implications: with a focus on older people', May 2020, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-june_en.pdf
- FRA, 'Coronavirus pandemic in the EU – Fundamental Rights implications', June 2020, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin-july_en.pdf
- FRA, 'EU LGBT survey European Union lesbian, gay, bisexual and transgender survey', 2013, available at: https://fra.europa.eu/sites/default/files/eu-lgbt-survey-results-at-a-glance_en.pdf
- FRA, 'Out of sight: migrant women exploited in domestic work', 2018, p. 5, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-migrant-women-labour-exploitation-domestic-work_en.pdf
- FRA, 'Protecting migrant workers from exploitation in the EU: boosting workplace inspections', 2018, available at: <https://fra.europa.eu/en/publication/2018/protecting-migrant-workers-exploitation-eu-boosting-workplace-inspections>
- FRA, 'Protecting migrant workers from exploitation in the EU: workers' perspectives', 2019, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-severe-labour-exploitation-workers-perspectives_en.pdf
- FRA, 'Roma and Travellers in six countries', 2020, available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-roma-travellers-six-countries_en.pdf

National publications

- Croatia, H. Butkovic, V. Samardzija, 'Non-standard work in Croatia: Challenges and Perspectives in Selected Sectors', 2018, available at: <https://irmo.hr/wp-content/uploads/2018/02/IRMO-elektroni%C4%8Dka-verzija-NESTANDARDNI-RAD1.pdf>
- Croatia, M. Cacic, D. Levacic, 'Austerity, Gender Inequality and Feminism after the Crisis. Death by a thousand cuts – Impact of austerity measures on women in Croatia', 2018, available at: https://www.rosalux.de/fileadmin/images/Ausland/Osteuropa/FEMINIST_CR.pdf
- Croatia, Government of the Republic of Croatia, "'Make A Wish" programme to provide jobs for 3,000 women', 03/07/2017, available at: <https://vlada.gov.hr/news/make-a-wish-programme-to-provide-jobs-for-3-000-women/21994>
- Croatia, Ministry of Labour, 'Rulebook on disability quota employment in the Republic of Croatia', 2018, available at: https://narodne-novine.nn.hr/clanci/sluzbeni/2018_08_75_1544.html
- Croatia, Ministry of Labour, 'Súhrnná správa o stave rodovej rovnosti na slovensku za rok 2018 rodová rovnosť na trhu práce', Informatívny materiál na rokovanie vlády SR, 2019, available at: https://hsr.rokovania.sk/data/att/166144_subor.pdf
- Croatia, I. Tomic, I. Rubil, D. Nestic, P. Stubbs, 'The employment and social situation in Croatia', 2019, available at: [https://www.eizg.hr/userdocsimages//vijesti/vijesti_publicacije/IPOL_STU\(2019\)642345_EN.pdf](https://www.eizg.hr/userdocsimages//vijesti/vijesti_publicacije/IPOL_STU(2019)642345_EN.pdf)
- France, ANACT, 'Covid-19 : quels impacts sur les conditions de travail des femmes et des hommes?', August 2019, available at: <https://www.anact.fr/covid-19-quels-impacts-sur-les-conditions-de-travail-des-femmes-et-des-hommes>
- France, ANACT, 'Quelles conditions de travail pour les travailleurs des plateformes numériques', September 2018, available at: <https://veille-travail.anact.fr/produits-documentaires/quelles-conditions-de-travail-pour-les-travailleurs-des-plateformes>
- France, A. Casilli, P. Tubaro, C. Le Ludec, M. Coville, M. Besenval, et al., 'Le Micro-Travail en France. Derrière l'automatisation, de nouvelles précarités au travail ?', 2019, available at: <https://hal.archives-ouvertes.fr/hal-02139528/document>
- France, DARES, 'Travailleurs handicapés : quel accès à l'emploi en 2015 ?', May 2017, available at: <https://dares.travail-emploi.gouv.fr/IMG/pdf/2017-032.pdf>

- France, DARES, 'Quelles sont les conditions d'emploi des salariés à temps partiel', August 2019, available at: https://dares.travail-emploi.gouv.fr/IMG/pdf/dares-conditions_emploi_temps_partiel.pdf
- France, INED, 'Le travail et ses aménagements : ce que la pandémie de covid-19 a changé pour les Français' July 2020, available at: https://www.ined.fr/fichier/s_rubrique/30315/579.population.societes.juillet.2020.covid.travail.france.fr.pdf
- France, INSEE, 'Secteurs féminisés : la parité s'éloigne encore', July 2020, available at: <https://www.insee.fr/fr/statistiques/4625796#titre-bloc-13>
- France, INSEE, 'Tableaux de l'économie française' 2020, available at: <https://www.insee.fr/fr/statistiques/4277649?sommaire=4318291>
- France, INSEE & DARES, 'Emploi, chômage, revenus du travail' 2019, available at: <https://www.insee.fr/fr/statistiques/4175267?sommaire=4182950#onglet-2>
- France, M. Mercat-Bruno, 'La discrimination systémique : peut-on repenser les outils de la non-discrimination en Europe?', 2018, available at: <https://journals.openedition.org/revdh/3972?lang=en>
- France, Observatoire des inégalités, '3.7 millions de salariés précaires en France', 201, available at: <https://www.inegalites.fr/etat-precarite-emploi>
- Germany, Bundesagentur für Arbeit, 'Die Arbeitsmarktsituation von Frauen und Männern 2018', July 2018
- Germany, Bundesministerium für Arbeit und Soziales, 'Fragen und Antworten zu Kurzarbeit und Qualifizierung', March 2020, available at: https://www.bundesfinanzministerium.de/Content/DE/Downloads/2020-03-18-kurzarbeitergeld-faq.pdf?__blob=publicationFile&v=1
- Germany, Bundestag, 'Anhörung: Geplantes Entgelttransparenzgesetz differenziert beurteilt', 2017, available at: <https://www.bundestag.de/dokumente/textarchiv/2017/kw10-pa-familie-494286>
- Germany, D. Hobler, S. Pfahl, A. Zucco, '30 Jahre Deutsche Einheit, Gleichstellung von Frauen und Männern auf den Arbeitsmärkten in West- und Ostdeutschland?', WSI Report Nr. 60, September 2020
- Germany, S. Wanger, E. Weber, 'Effekte des gesetzlichen Mindestlohns auf die Arbeitszeit von Minijobbern', IAB Aktuelle Berichte No 23, 2016
- Germany, Statistisches Bundesamt, 'Kernerwerbstätige in unterschiedlichen Erwerbsformen (atypisch Beschäftigte) nach soziodemografischen Merkmalen und Wirtschaftsabschnitten', available at: <https://www.destatis.de/DE/Themen/Arbeit/Arbeitsmarkt/Erwerbstaetigkeit/Tabellen/atypische-beschaeftigung.html>
- Germany, Statistisches Bundesamt, 'Niedriglohn und Beschäftigung 2010', 2010, available at: https://www.statistischebibliothek.de/mir/servlets/MCRFileNodeServlet/DEMonografie_derivate_00001466/NiedriglohnBeschaeftigung.pdf
- Germany, Statistisches Bundesamt, '22922-0011 – Väterbeteiligung: Deutschland, Jahre'
- Germany, Trade union Kommunal: 'Status: Prekär. En Rapport om Tidsbegränsat Anställda', 2016
- Italy, Department for Equal Opportunities, 'Women for a new Renaissance', 2020
- Italy, INPS, 'Observatory on precarious work, Report January-May 2020', August 2020, available at: https://www.inps.it/docallegatiNP/Mig/Dati_analisi_bilanci/Osservatori_statistici/Osservatorio_precaariato/Osservatorio_Precariato_Gen_Mag_2020.pdf
- Italy, ISTAT, Mercato del lavoro e capitale umano, 2019, available at: <https://www.istat.it/storage/rapporto-annuale/2019/capitolo4.pdf>
- Italy, ISTAT, Misure a sostegno della partecipazione delle donne al mercato del lavoro e per la conciliazione delle esigenze di vita e di lavoro, 26 Febbraio 2020
- Italy, Ministero del Lavoro e delle Politiche Sociali, 'La comunità pakistana in Italia', Rapporto annuale sulla presenza dei migranti, 2018

- Italy, Ministero del Lavoro e delle Politiche Sociali, IX Rapporto Annuale, 'Gli stranieri nel mercato del lavoro in Italia', 2019
- Poland, Statistics Poland, 'Women and men on the labour market' 2018, see <https://stat.gov.pl/en/topics/labour-market/studies/women-and-men-on-the-labour-market-2018,3,4.html>
- UK, British Medical Journal, 'Covid-19: EU states report 60% rise in emergency calls about domestic violence', 11 May 2020, available at: <https://www.bmj.com/content/369/bmj.m1872>
- UK, Gingerbread, 'Centenary report shows more single parents working, yet poverty still rising', 21 February 2018, available at: <https://www.gingerbread.org.uk/what-we-do/news/centenary-report-shows-single-parents-working-yet-poverty-still-rising/>
- UK, Institute for Fiscal Studies, 'How are mothers and fathers balancing work and family under lockdown?', 27 May 2020, available at: <https://www.ifs.org.uk/publications/14860>
- UK, Office for National Statistics, 'Contracts that do not guarantee a minimum number of hours: April 2018', available at: <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/contractsthatdonotguaranteeaminimumnumberofhours/april2018#ons-business-survey>
- UK, The Independent, 'Fewer than third of new fathers take paternity leave, research suggests', 08 July 2019, available at: <https://www.independent.co.uk/life-style/health-and-families/paternity-leave-new-fathers-less-third-not-taking-a8992086.html>
- UK, The Independent, 'Uber drivers in UK cities go on strike in protest over pay and workers' rights', 07 May 2019, available at: <https://www.independent.co.uk/news/business/news/uber-drivers-strike-london-birmingham-glasgow-nottingham-pay-rights-a8898791.html>
- UK, Working Lives Research Institute and London Metropolitan University, 'Study on Precarious work and social rights', (VT/2010/084), 2012
- US, The New England Journal of Medicine, 'A Pandemic within a Pandemic — Intimate Partner Violence during Covid-19', 16 September 2020, available at: <https://www.nejm.org/doi/full/10.1056/NEJMp2024046>

Other sources

- D. Del Boca, N. Oggero, P. Profeta, M. Rossi, Women's work, housework, and childcare before and during COVID-19, 2020, available at: <https://voxeu.org/article/women-s-work-housework-and-childcare-and-during-covid-19>
- ETUC, Press Release 'EU gender pay gap won't end until 2104 without action', 05 October 2020, available at: <https://www.etuc.org/en/pressrelease/eu-gender-pay-gap-wont-end-until-2104-without-action>
- ETUC, 'Safe at home, safe at work: Trade union strategies to prevent, manage and eliminate workplace harassment and violence against women', May 2017, available at: <https://www.etuc.org/sites/default/files/document/files/en - brochure - safe at home 1.pdf>
- Eurofound, 'At your service: working conditions of interactive service workers', European Working Conditions Survey 2015 series, 2020, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef20016_en.pdf
- Eurofound, 'Casual work: Characteristics and implications, New forms of employment series', 2019, available at: <https://www.eurofound.europa.eu/publications/report/2019/casual-work-characteristics-and-implications>
- Eurofound, 'COVID-19 fallout takes a higher toll on women, economically and domestically', 03 June 2020, available at: <https://www.eurofound.europa.eu/publications/blog/covid-19-fallout-takes-a-higher-toll-on-women-economically-and-domestically>
- Eurofound, 'Employment and working conditions of selected types of platform work', 2018, available at:

- https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef18001_en.pdf
- Eurofound, 'Living, working and COVID-19', COVID-19 Series, 28 September 2020, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef20059_en.pdf
 - Eurofound, 'New forms of employment', 2015, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1461en_3.pdf
 - Eurofound, 'Sustainable work throughout the life course: national policies and strategies', 2016, p. 53, available at: https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1610en_4.pdf
 - Eurofound, 'Women, men and working conditions in Europe', 2013, available at: https://www.eurofound.europa.eu/sites/default/files/ef_files/pubdocs/2013/491/en/1/EF13491EN.pdf
 - EWL, 'The price of austerity - the impact on women's rights and gender equality in Europe', 2012
 - EWL, 'Women must not pay the price for COVID-19!', April 2020, available at: https://www.womenlobby.org/IMG/pdf/ewl_policy_brief_on_covid-19_impact_on_women_and_girls-2.pdf
 - FEPS, European Observatory on sexism and sexual harassment at work, October 2019, available at: https://www.feps-europe.eu/attachments/publications/survey%20sexism%20and%20sexual%20harassment%20at%20work%20feps%20fj%202019_en%20.pdf
 - FEPS, 'Work in the European gig economy', available at: https://www.feps-europe.eu/Assets/Publications/PostFiles/579_2.pdf
 - FEPS & TASC, 'Cherishing All Equally 2020: inequality and the care economy', October 2020, p. 29, available at: https://www.feps-europe.eu/attachments/publications/report-care%20economy_tasc-feps.pdf
 - Open Democracy, 'Precarious work makes women more vulnerable to gender-based violence', 14 November 2019, available at: <https://www.opendemocracy.net/en/oureconomy/precariou-work-makes-women-more-vulnerable-gender-based-violence/>
 - JRC, 'New evidence on platform workers in Europe', 2020, available at: https://publications.jrc.ec.europa.eu/repository/bitstream/JRC118570/jrc118570_jrc118570_final.pdf
 - Statista, 'Number of people on a zero hours contract in the United Kingdom (UK) from 2000 to 2020', available at: <https://www.statista.com/statistics/414896/employees-with-zero-hours-contracts-number/>

ANNEXES

The following stakeholders were interviewed as part of the EU-level data collection.

Table 5: Stakeholders interviewed at EU level

EU-level stakeholders interviewed
Eurofound
European Institute for Gender Equality (EIGE)
European Women's Lobby (EWL)
Foundation for European Progressive Studies (FEPS)
Fundamental Rights Agency (FRA)

In the course of the national data collection, the following stakeholders were interviewed.

Table 6: Stakeholders interviewed at national level

National stakeholders interviewed	
Croatia	Ministry of Labour, Pension, Family and Social Policy/ Department for Labour Market and Employment/ Service for Advancement and Development of Labour Legislation
	Youth Initiative for Human Rights (YIHR)
	Institute for Development and International Relations (IRMO)
France	Sciences Po Paris school of Law
	Women's Rights and Gender Equality Department (SDFE)
	National Agency for the Improvement of Working Conditions (ANACT)
Germany	Federal Ministry for Family, Seniors, Women and Youth (BMFSFJ), Division 412: Labour Market
	Institute for Employment Research (IAB) of the Federal Employment Agency
	Hans Böckler Foundation, Institute for Economic and Social Sciences (WSI)
Italy	Dondena Gender Initiative coordinated by Paola Profeta (Bocconi University)
	ISTAT - National Institute for Statistics
Poland	Polish Scientific Network of Labour Law and Social Security (Cooperante)
	University of Warmia and Mazury
	Warsaw University

National stakeholders interviewed	
Slovakia	Institute for Sociology of the Slovak Academy of Sciences
	Central European Labour Studies Institute (x2)
Spain	Institute for Women and for Equal Opportunities
	Complutense University of Madrid - Fuhem
	General Union of Workers (UGT) (x2)
	Department of Law at ESADE
Sweden	Swedish Public Employment services
	The payroll pilots (Lönelotsarna)
	Swedish Ministry of employment

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the FEMM Committee, explores the phenomenon of precarious work in the EU from a gender and intersectionality perspective. It finds that women, particularly young women, those with a migrant background and women with low levels of educational attainment, are especially vulnerable. This is a recurring trend across all of the Member States within the study's scope. One of the key factors behind this is the disproportionate amount of time that women spend in caregiving roles and domestic work, something that is reinforced by COVID-19.

PE 662.491

Print ISBN 978-92-846-7539-5 | doi:10.2861/127588 | QA-04-20-710-EN-C
PDF ISBN 978-92-846-7540-1 | doi:10.2861/664130 | QA-04-20-710-EN-N