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**GLOBAL** UNITY  
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รวมใจเป็นหนึ่ง  
เราทั้งโลกเท่าเทียม

## Women – Work – 21<sup>st</sup> Century



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17-18 November 2007

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## 1. Introduction

The ICEM Women's Committee has been working on maternity rights and maternity protection in the broadest sense since 2003. This leaflet is a reflection of the work done and the contributions made by the many women and men who have driven this work.

Maternity is a social responsibility and should be seen as such. Still too many women are fired for pregnancy-related causes, and not only in developing countries. When legislation falls short, maternity protection can be encouraged in collective bargaining and can be broadened to include rights for fathers.

Many OECD countries are faced with the dilemma of ageing societies. Part of this problem is due to the lack of opportunities to combine work and family life. More work will still have to be done to provide work-life balance for women and men in order to boost birth rates and ease the burden on social security systems.

In the 21<sup>st</sup> century, which is marked among other things by the HIV/AIDS pandemic, rights for parents have to be defined when it is a question of adopting children.

Trade unions have been active worldwide to strive to achieve work-life balance. The following case studies show examples of what selected ICEM affiliates have been doing in light of the issues described above. The contributions range from instructions to pregnant women on what to avoid when pregnant, to achievements in collective bargaining for parental rights, to model clauses for company agreements that unions may want to adapt and also include negative examples or what we might call name and shame. The wealth of culture and diversity in ICEM are reflected in this publication.

Our special thanks go to the ICEM Women's Committee, CNQ/CUT and SNQ/FS of Brazil, CEP of Canada, IGBCE of Germany, ICEM/JAF of Japan, FNV Bondgenoten of the Netherlands, the ICEM AP Women's Committee, ROGWU of Russia, NUM of South Africa and Petrol-Is of Turkey.

In solidarity,

Manfred Warda  
General Secretary

Senzeni Zokwana  
President

## 2. Brazil – Social Dialogue – CNQ/CUT and SNQ/FS

### NATIONAL CONFEDERATION OF CHEMICAL WORKERS CNQ/CUT AND NATIONAL SECRETARIAT OF CHEMICAL WORKERS SNQ/FS



The ICEM had a gender project in Latin America which ended in 2005. It had two modular activities per year for three years. From one session to the next the women had the task of drawing up gender policies. One of the policies was to indicate the successes in collective bargaining. In the project a list of gender-specific demands was drawn up. At one activity the strategy emerged for the bargaining round for the trade union assemblies in CNQ/CUT and SNQ/FS. The idea was to get the employers to discuss the women's demands for one day.

At the collective bargaining round a group of women was formed, and they went together with some men to face the employers and negotiate with them. The employers refused with the argument that they were not competent to discuss gender issues; they felt they didn't know enough. That led to the organisation of an activity for employers and trade unions on gender. The employers paid for the activity. It was a national seminar for the chemical industry organized by the Industrial Federation of the State of São Paulo FIESP. One of the days was devoted to discussing gender. The first part of the seminar had an open debate on gender, and the second part addressed bullying. This was a high-level business meeting. A lot of the participants were those responsible for human resources in the chemical industry in Brazil.

The only positive results in negotiation in 2005 in social issues were on gender. It was the first time success was achieved in ten years on social issues; up to then it had only been wages and salaries. It was agreed to set up a bipartite committee to analyse accusations of bullying. A permanent gender committee was also set up. Specific bipartite working groups have been set up to debate and present proposals on gender, race and ethnic background, training, health and the environment. The working group on gender, race and ethnic background has been set up and has negotiations going on.

### GENDER RELATED CLAUSES IN COLLECTIVE AGREEMENTS ACHIEVED BY CNQ/CUT AND SNQ/FS

No pregnancy tests for hiring purposes, except if required by the job.

**Day care** – Provision of day care for children up to the age of 24 months. In companies without day care, the payment of 50% of minimum wage is guaranteed (currently 330 BRL). In case of multiple births the subsidy will be paid for each child. In case of legal adoption, the subsidy will be paid for each child from the legal date of adoption. The subsidy will also be paid to the father who is the child's legal guardian. These benefits can also be extended upon request to widowed, divorced or legally separated parents who are the child's legal guardians.

**Equal pay for equal work** – for identical jobs and all work of equal value done for the same employer in the same site equal pay will be paid, without distinction of sex, nationality, color, race, age or marital status. Work of equal value shall be work done with the same productivity and with the same technical perfection by persons whose seniority shall not be more than two years in the same job.

**Leave for adopting mother** – employees adopting or receiving legal guardianship of a child shall be granted maternity leave under the following conditions upon presentation of the legal formalities:

1. In case of adopting or receiving legal guardianship of a child up to one year of age the leave shall be for 120 days.
2. In case of adopting or receiving legal guardianship of a child between one and four years of age the leave shall be for 60 days.
3. In case of adopting or receiving legal guardianship of a child between four and eight years of age the leave shall be for 30 days.
4. For adopting children between 13 and 24 months of age companies will provide at their own expense additional leave of 30 days.

**Miscarriage** – in case of miscarriage the employee shall have the right to 45 days of pay from the date of the miscarriage.

**Absences** – five consecutive days for the father upon birth or adoption of a child within the first two weeks of birth or adoption.

Both fathers and mothers get time off to attend school meetings.

Up to 32 hours a year to take children under the age of 14 to the doctor.

**Pregnancy** – job and pay are guaranteed from the time pregnancy is confirmed until five months after childbirth or up to 90 days after legal leave is up, whichever is more favorable.

Companies must provide pregnant women with working conditions commensurate with their condition upon guidance by their own medical services or lacking that by the national health service.

**The Pharmaceutical Industry provides in addition:**

**Breastfeeding** – 30 minutes twice a day went up to 60 minutes twice a day until the child is six months' old.

**Adoption** – companies will grant 30 days more than the period provided by law for the adoption of children between the ages of 13 and 24 months.

**Miscarriage** – paid leave for 14 days and 45 days of job guarantee from the time of the miscarriage.

**Absences** – 32 hours a year went up to 38 hours for taking children to the doctor.

*Achievements on trade union boards in CNQ/CUT:*

*ABC Chemical Workers: the number of women on the board went from 4 to 8.*

*São Paulo Chemical and Plastics: the number of women on the board went from 6 to 8.*

*São Paulo Glass Workers: the number of women on the board went from 6 to 7.*

*Rio de Janeiro Chemical Workers: the number of women on the board went from 0 to 12.*

### 3. Canada – Hazardous Substances – CEP

**CEP, the Communications, Energy and Paperworkers Union of Canada** writes in its booklet Reproductive Hazards:

Reproductive hazards are very real and, especially since the 1950s, have increasingly become the focus of attention of medical practitioners and health and safety activists. Women and men equally need protection.

There are a number of substances and physical agents that pose problems for fertility and/or a healthy and successful pregnancy. Very few of them, however, have been studied for their effects on reproduction. For most of the 100,000 or so chemicals in industrial use, the possible effects are simply unknown. In the past, women were considered to be more at risk from occupational reproductive hazards than men.

A woman's complement of ova is present at her birth but men produce sperm throughout their lifetimes. Because of this, it was felt that even if men encountered a chemical that damaged the sperm, they would still be able to produce undamaged sperm when the exposure stopped. A woman's ovum, on the other hand, once damaged, was permanently so. The belief in the relative invulnerability of the male reproductive system has turned out to be false. Furthermore, we now know that the developing embryo/fetus is at even greater risk because of the many extremely sensitive (and therefore easily disrupted) biochemical signals needed for normal development. Unfortunately, there continues to be an astounding lack of knowledge – and considerable complacency – about reproductive toxins.

The most common reproductive effect is infertility or complete sterility. Even to a casual observer, there appears to be a growing number of couples who are unable to conceive children. This may be related to the fact, as reported in several respected medical journals, that the sperm counts of supposedly healthy males is today, on average, less than half of what it was at the end of World War II. Many blame environmental contamination by persistent chemicals such as DDT and PCBs. Recently, there has been greater attention to evidence that a large group of environmental and workplace chemicals have the power to produce previously unsuspected effects on hormone balance. This effect is known as "endocrine disruption." Because of differences in our reproductive systems, there may be differences in the effects of certain reproductive hazards on men and women. In many cases, however, the same chemicals will be harmful to the reproductive health of both sexes.

#### **MUTATION**

is any change to the DNA (deoxyribonucleic acid), particularly in ova or sperm. An agent that can cause a mutation is called a MUTAGEN. Some mutations are trivial and are unobserved while some are serious and result in the spontaneous abortion (miscarriage) of the fetus. Some mutations are observable in terms of intelligence, health, physical development, etc. High energy radiation, for instance, is a well known mutagen.

## TERATISM

is the medical term for a birth deformity or developmental defect. A TERATOGEN, then, is an agent that can cause a teratism. These are substances that interfere with the embryo/fetus as it develops, possibly resulting in a spontaneously terminated pregnancy or a baby with birth defects. The most well known example is thalidomide.

## EMBROYTOXINS

can include teratogens but more commonly the term is used to refer to something that can kill the embryo/fetus, causing a stillbirth.



### Q. What can we do to protect ourselves?

**A. Most Workplace Health and Safety Committees would respond to that question with the basic response to any hazard being faced by CEP members:**

**First choice:** remove, substitute or completely isolate the hazard or substance causing the danger;

**Second choice:** separate the members from the hazard or danger (through barriers, effective local ventilation, etc.);

**Third choice:** protect the members from the hazard or danger with protective clothing, breathing apparatus, etc. For some reason in the case of reproductive hazards, the most commonly seen “solution” has been protective re-assignment. Under this policy, workers are temporarily re-assigned to jobs where the potential or perceived risk of exposure to a reproductive hazard is lower.

The most serious drawback to such an approach is that a woman may not know with certainty that she is pregnant until several weeks into the pregnancy and it is in that very period when the embryo/fetus is most at risk to harmful chemicals and physical agents. Nevertheless, protective re-assignment should be considered where there is potential exposure to reproductive hazards in at least the following circumstances:

- A worker is pregnant.
- A worker (male or female) is trying to have children.
- A worker is being treated for infertility.

## ENDOCRINE DISRUPTORS

are substances able to disturb the body’s hormone balance. Since almost every aspect of reproduction is controlled by hormonal signals, endocrine disruptors can have serious reproductive toxicity. The endocrine system is the network of glands and organs that maintain hormone balance. Hormones are chemicals (specialized proteins, actually) produced by the body to control a wide range of biological activities from metabolism to reproduction.

Two classes of hormones are of particular importance to reproduction: estrogens (important to female reproduction); and, androgens (important to male reproduction).

Actually, everyone has both male and female hormones; males have higher levels of androgens and females have higher levels of estrogens. Their power is such that even a small variation in hormone levels can cause a large biological effect.

In particular, some scientists now believe that we have flooded the environment with estrogen-like compounds. Why estrogen-like? The chemistry of estrogens, and of the cell receptors that interact with them, makes it relatively easy to produce an estrogen-like effect. Chemicals that mimic androgens are much less common. A surprising number of synthetic chemicals (even some that do not closely resemble the structure of natural estrogens) have estrogen-like activity in animals, including humans. An estrogen-like effect can also result from interference with the action or production of the natural androgenic hormones.

Natural estrogens are responsible for female sexual development and play an essential role in fertility, pregnancy, and lactation. However, in both sexes excess estrogens can cause birth defects, deformed sexual organs, problems with the nervous system, the immune system, and cancer.

While synthetic estrogens are commonly manufactured as pharmaceuticals and contraceptives, the main source of environmental hormone disruptors seems to be certain pesticides and their degradation products along with a few other industrial chemicals.

It is a fact that levels of estrogen-like compounds that can cause birth defects and a wide range of other problems in animals have been measured in the environment. The developing embryo/fetus is particularly vulnerable to hormone changes and the effects can be either immediately severe or subtle – perhaps not being noticeable for several years after birth.

**This list shows the most common of the many factors, both in and out of the workplace, that can affect women and men’s reproductive health:**

**Infections**

|  |  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li>• Cytomegalovirus</li> <li>• Herpes simplex virus I and II</li> <li>• Parvovirus B-19 (Erythema infectiosum)</li> </ul> | <ul style="list-style-type: none"> <li>• Rubella virus</li> <li>• Syphilis</li> <li>• Toxoplasmosis</li> </ul> | <ul style="list-style-type: none"> <li>• Varicella virus</li> <li>• Venezuelan equine encephalitis virus</li> </ul> |
|--|--|---|

**Medical conditions and procedures**

|   |   |  |
|---|---|--|
| <ul style="list-style-type: none"> <li>• Chorionic villus sampling (1st trimester)</li> <li>• Diabetes</li> <li>• Early amniocentesis (1st trimester)</li> <li>• Folic acid deficiency</li> <li>• Hyperthermia (elevated body temperature)</li> </ul> | <ul style="list-style-type: none"> <li>• Myasthenia gravis (neuromuscular disease)</li> <li>• Pheylketonuria (a metabolic disorder)</li> <li>• Rheumatic disease</li> <li>• Rubella infection</li> <li>• Sjögren’s syndrome (autoimmune disease)</li> </ul> | <ul style="list-style-type: none"> <li>• Virilizing tumours (affect hormone balance)</li> <li>• Vitamin "A" excess or overdose</li> <li>• Zinc deficiency</li> </ul> |
|---|---|--|

## Metals and compounds of metals

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|---|---|--|
| <ul style="list-style-type: none"> <li>• Aluminum;</li> <li>• Antimony;</li> <li>• Arsenic;</li> <li>• Barium;</li> <li>• Beryllium;</li> <li>• Boron (salts and acids);</li> <li>• Cadmium;</li> <li>• Chromium;</li> <li>• Cobalt;</li> </ul> | <ul style="list-style-type: none"> <li>• Copper;</li> <li>• Indium;</li> <li>• Iron;</li> <li>• Lead;</li> <li>• Manganese;</li> <li>• Mercury (organic, e.g. methylmercury);</li> <li>• Molybdenum;</li> <li>• Nickel;</li> <li>• Selenium;</li> </ul> | <ul style="list-style-type: none"> <li>• Tellurium;</li> <li>• Thallium;</li> <li>• Tin (organotin compounds);</li> <li>• Titanium (oxides);</li> <li>• Tungsten;</li> <li>• Uranium;</li> <li>• Vanadium (oxides);</li> <li>• Zinc (oxides and salts).</li> </ul> |
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## Drugs and pharmaceuticals

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|---|--|---|
| <ul style="list-style-type: none"> <li>• anaesthetic gases (some)</li> <li>• androgens (male hormones) e.g. testosterone</li> <li>• aniline and aniline derivatives</li> <li>• antibiotics (some) tetracyclines (e.g. achromycin); doxycycline (e.g. vibramycin); streptomycin</li> <li>• anticancer (antineoplastic) drugs (some)</li> <li>• anticonvulsant drugs (some)</li> <li>• antimetabolic drugs</li> </ul> | <ul style="list-style-type: none"> <li>• antithyroid drugs such as: thiouracil; propylthiouracil; carbimazole; methimazole</li> <li>• ACE (angiotensin converting enzyme) inhibitors</li> <li>• cocaine</li> <li>• colchicines(used in treatment of gout)</li> <li>• diethylstilbestrol (DES, a hormone)</li> <li>• disulfiram (sold as antabuse to treat alcoholism)</li> <li>• ergotamine (for migraines)</li> </ul> | <ul style="list-style-type: none"> <li>• fluconazole (high doses only)</li> <li>• glucocorticoids (high doses only)</li> <li>• lithium (antidepressant drug)</li> <li>• misoprostol (an anti-ulcer drug)</li> <li>• penicillamine</li> <li>• pentamidine</li> <li>• quinine (extremely high doses)</li> <li>• 13-cis-retinoic acid or isotretinoin</li> <li>• thalidomide</li> <li>• warfarin (anti-coagulant)</li> <li>• zidovudine</li> </ul> |
|---|--|---|

## Pesticides/herbicides/fungicides

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|---|---|---|
| <ul style="list-style-type: none"> <li>• Benomyl</li> <li>• Captan</li> <li>• Chloridecone (kepone, a pesticide)</li> <li>• Chlorpyrifos</li> <li>• cyfluthrin</li> <li>• cypermethrin</li> <li>• 2,4-dichlorophenoxyacetic acid (2,4-D, a herbicide)</li> <li>• dichloro-diphenyltrichloroethane(DDT)</li> </ul> | <ul style="list-style-type: none"> <li>• dibromochloropropane (DBCP)</li> <li>• ethylene bisdithiocarbamate (EBDC, a fungicide)</li> <li>• glyphosate</li> <li>• hexachlorbenzene (HCB)</li> <li>• hexachlorocyclohexane (HCH, lindane)</li> <li>• malathion</li> <li>• methyl bromide</li> <li>• paraquat</li> </ul> | <ul style="list-style-type: none"> <li>• permethrin</li> <li>• phenoxyacid herbicides</li> <li>• pyrethroids, synthetic</li> <li>• triazine herbicides (e.g. atrazine)</li> <li>• 1,1,1-trichloro-2,2-bis(p-methoxyphenyl) ethane</li> <li>• 2,2,2-trichloro-1,1-bis(4-chlorophenyl) ethanol</li> </ul> |
|---|---|---|

**Chemicals/gases, etc.**

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|--|---|--|
| <ul style="list-style-type: none"> <li>• acrylates</li> <li>• aflatoxin</li> <li>• alcohol (see ethanol) used regularly or in "binges"</li> <li>• alkyl phenols (e.g. nonylphenols)</li> <li>• ammonia</li> <li>• aniline and aniline derivatives</li> <li>• arsine</li> <li>• benzene</li> <li>• 1,3-butadiene</li> <li>• carbaryl</li> <li>• carbon disulphide</li> <li>• carbon monoxide</li> <li>• chlorate</li> <li>• chlorine dioxide (chlorite)</li> <li>• chloroform</li> <li>• dioxins</li> <li>• epichlorhydrin</li> <li>• ethanol (ethyl alcohol)</li> <li>• ethidium bromide</li> <li>• ethylene oxide</li> <li>• formaldehyde</li> <li>• furans</li> <li>• glucocorticoids (natural steroids; high doses only)</li> <li>• glutaraldehyde</li> </ul> | <ul style="list-style-type: none"> <li>• glycidyl ethers</li> <li>• hair dyes (some)</li> <li>• hydrazine and hydrazine derivatives</li> <li>• hydrogen cyanide</li> <li>• hydrogen sulphide</li> <li>• hydroquinone (possible, disputed)</li> <li>• iodides (chemicals containing iodine)</li> <li>• ionizing radiation</li> <li>• isocyanates</li> <li>• methanol (methyl alcohol)</li> <li>• methyl chloride</li> <li>• methylene blue (injected into amniotic fluid)</li> <li>• methylene chloride</li> <li>• methylethylketone</li> <li>• methylpyrrolidone</li> <li>• n-hexane</li> <li>• nitrates</li> <li>• nitriles</li> <li>• nitrites</li> <li>• nitrogen compounds (organic)</li> <li>• octachlorostyrene</li> <li>• perchloroethylene</li> <li>• phenol</li> </ul> | <ul style="list-style-type: none"> <li>• phthalates (e.g. di(2-ethylhexyl) phthalate (DEHP))</li> <li>• polychlorinated biphenyls (PCBs, and congeners)</li> <li>• polycyclic aromatic hydrocarbons</li> <li>• polybrominated biphenyls (PBBs)</li> <br/> <li>• providone-iodine</li> <li>• pyridine</li> <li>• 13-cis-retinoic acid or isotretinoin (e.g. accutane)</li> <li>• selenium</li> <li>• sodium azide</li> <li>• styrene (monomer, dimer, trimer)</li> <li>• toluene (a solvent - a teratogen at "abuse" levels)</li> <li>• 1,1,1-trichloroethane</li> <li>• trichloroethylene</li> <li>• vinyl chloride</li> <li>• xylene</li> </ul> |
|--|---|--|

## 4. Germany – Model Clauses for Company Agreements – IGBCE

### General Clauses:

#### *Creation of Equal Terms for Women and Men*

- We consider positive action to be a mechanism to guarantee equal opportunities for women and men on the job. It is not just a question of image, but rather it is one of the tasks of human resources, in which it is deliberately not only a question of promoting women, but also creating the conditions for women to really have the same opportunities for hiring, development and promotion as men.
- Active human resources policies with concrete and measurable results are necessary in the framework of equal treatment in order to promote women and improve equal opportunities on the job. The point of positive action is to increase the number of women in qualitative, quantitative and structural terms in the workforce as a whole, in qualified jobs at all executive and management levels. The targets should be implemented by the necessary personnel plans both in overall terms and in individual projects by means of planning figures every year resulting from the employees' structure and thus the conditions which define the technological level and work organisation.

#### *Creation of Equal Opportunities*

- This company agreement should be an instrument to meet the demand for equal treatment and equal opportunities, to enable women to have the same access to professional advancement and to take women's as well as men's lives into account. Deliberate arrangements to guarantee work-life balance should enable women and men to reconcile work and family responsibilities.
- The aim of this company agreement is better work-life balance. This includes family-friendly working conditions, support structures to maintain jobs, to provide qualifications and extra money as well as the possibility of setting up flexible working arrangements to do justice to the demands both of families and the working world. The aim is also to make the female and male employees' knowledge acquired over many years available to the company and to guarantee the employees' loyalty to clients.

#### *Monitoring*

- Management shall make someone responsible for work-life balance, who shall be equally available to employees, executives and the works councils for answering all questions relating to better reconciliation of job and family.

#### Working Groups, Committees, etc.

- What is sought is working time arrangements to reconcile work and family. For this purpose a working group should be set up together with the works council to contemplate all types of working time flexibilisation (job-sharing, part-time, etc.).

These discussions have to be held openly. Working time models can be tested in limited time periods.

### **Flexible Working Time Arrangements**

#### *Adapting Working Time to Parents' Wishes, Opening Times of Child Care Institutions and Schools*



- Making jobs available with family-friendly working time, for example part-time, is one of the main preconditions for achieving the goal of work-life balance. Working time should do justice both to employees' and company interests.
- As a matter of principle it should be possible to do work in connection with projects or themes at home, to the extent that the employer agrees. This does not mean setting up concrete long-term telework.
- The individual working time of employees who have under-age children up to the age of 14 or family members proven to need care should be geared to the opening times of the child care centres in especially justified cases or to the short-term care requirements, as long as no job-related conditions oppose this. The works council must be informed of any rejection of the request.

#### *Adapting Working Time to School Holidays*

- Parents are given the possibility of extending their collectively agreed holidays by up to four weeks a year during school holidays on an unpaid basis. The precondition is having one or more school-age children up to the age of 15. The company's concerns and holiday wishes of other employees may not be inconvenienced.
- Moreover, employees with children can accumulate working time in advance of kindergarten and school holidays and take the time off all at once during the holidays.

#### *Flexible and Family-friendly Working Time Models even for Executives*

- Executives may not be excluded from taking advantage of family-friendly working times.
- Taking advantage of family-friendly working times should be made easier. Jobs – including executive jobs – should also be arranged as part-time jobs as a matter of principle, if necessary by rearranging the tasks. Exceptions must be justified.

#### *Information about Flexible Working Time Models*

- Employees with small children shall be informed about special offers for work-life balance when they are hired or when children are born. Men and women employees on leave shall be kept informed of offers for further qualifications in general as well as of retraining arrangements of a more specific nature.

## **Part-Time Work**

### *Promotion of Part-time Work, Job-Proofing for Adaptability for Part-time*

- Part-time can be a means to reconcile personal and professional concerns. It shall be promoted. The following conditions are valid: as a matter of principle all jobs lend themselves to part-time work; this is also true in areas with shift work. Exceptions are only allowed in special cases.
- All managers are called upon to check the staffing and hiring of their organizational units to see whether and under what conditions jobs for new hires lend themselves for job-sharing.

### *Information on Different Part-time Models*

- Before starting part-time the employees shall be informed about the consequences in labour law and for benefits as well as the financial ramifications of their desire to work part time.

### *Measures for Better Integration of Part-time Workers in Company Organisation*

- Managers of part-time workers are required to take part-time workers' concerns into account adequately when arranging meetings or other events. Part-time workers' involvement and information must be guaranteed as well as that of the works council.

### *Equal Treatment of Part Time and Full Time*

- Reducing working time must not be followed by any intensification of work or worsening of working conditions or the job. Part-time workers shall have the same opportunities for development and training as full-time workers.

### *Part-time Workers' Return to Full-time Work*

- Employees may reduce their collectively agreed working time once because of child care or care responsibilities and return to a full-time job once these responsibilities are over. Further changes in working time are possible in special cases.

### *Part-time Models for Executive Positions*

- As a matter of principle all jobs can be shared; this is also valid for executive positions. Applications for reducing working time for family reasons must be approved, unless justified organizational or functional preconditions prevail which make part-time impossible.

### *Premiums, etc.*

- During company parental leave all benefits shall be granted that employees are entitled to during legal parental leave.

## **Teleworking**

- For appropriate jobs and with the colleagues' agreement it can be checked whether teleworking can be considered, in order to reconcile family and work-related duties.

## Child Care

### *On-the-Job Child Care, Cost-sharing*

- The company shall support the child care during school holidays both for kindergarteners and school children and shall enlarge the pool of child minders.
- The company shall promote child care by paying the costs for placement with child minders as well as play groups, day care centres and kindergartens, etc.
- Work-life balance shall be promoted by setting up a day care centre to look after children from infant to school age.
- The child-care grant amounts to XXX per month for the first child, XXX for each following child and max. XXX for all those entitled. The grant shall be paid up to the age of XXX. Part-timers receive the grant pro rata their relation to full-time work. The grant shall be paid in keeping with tax regulations.
- The possibility of setting up parent/child rooms on the job for emergencies shall be checked.

### *Child Care During Training*

- The company's family service shall offer and pay for child care for training which lasts longer than one day.



## Leave/Special Leave

- Men and women employees who have a permanent contract are entitled to extra parental leave after maternity leave is over or after legal parental leave expires. The same is true for adopting a child who has not yet reached the age of seven by the time of adoption.
- Parental leave which is made up of the legal parental leave and the company leave can either be taken as a suspended contract or in the form of a reduction in working time according to the following rules. It is possible to combine the two. Application for company leave must be made at the same time as registering for legal parental leave.
- Company leave lasts for up to one year. It has to be taken all at once but not necessarily immediately following legal parental leave, but it must be taken by the end of the child's first year of school. The labour contract is suspended during the leave.

- If both parents are employed by the company, both can take advantage of the family leave in full.

#### *Urgent Leave for Care Responsibilities*

- Men and women employees whose parents, family member living under the same roof or domestic partner fall so ill that it is necessary to care for them and no one else is available for care may take unpaid leave for the duration of the illness for up to six weeks per calendar year.

#### *Longer-term Leave for Care Responsibilities*

- Men and women employees with family members needing care (spouses, parents, grandparents, children, siblings, parents-in-law, also partners) may apply for unpaid leave for up to 12 months. Paid leave, for example by law or collective agreement, are not included in this period.
- Apart from time off from work (suspended contract) for between 4 and 36 months, men and women employees may apply for a reduction in their collectively agreed working time to 19 hours or more per week instead of time off, as long as the company's concerns allow.

### **Maintaining Qualifications**

#### *Offers, Counseling, Vocational and Career Planning*

- All employees shall be informed of possibilities for taking leave and time off, family-friendly working time models and the financial and professional consequences involved by the human resources department.

#### *Offers and Arrangements for Part-time Workers*

- All men and women employees on parental leave who so desire shall be given priority for temporary replacement jobs, filling in for sick colleagues or colleagues on leave. In this case regular weekly working time must not exceed 19 hours.

#### *Attendance at Training, Payment of Costs*

- The employer, the human resources officer and the works council shall agree on individually tailored measures to adapt employees' qualifications to changing demands and to prepare them to return to work, such as attendance in further education, participation in distance learning, temporary work to fill in for colleagues off on leave or sickness, attending internal or external courses. The company bears the costs for this training, if it is also the case as usual with a permanent contract.

#### *Access to Job-related Information (Intranet, Assemblies, etc.)*

- One male or female employee shall be assigned the task of being a mentor and passing on all necessary information from the "neglected" area as well as innovations and significant changes to the colleague on parental leave from time to time. This activity should be voluntary (confidential) as far as possible. The wishes of the

colleague concerned should be taken into account when appointing the person. The specific department is responsible for this contact.

### *Non-Discrimination Clause*

- Men in particular are urged to take advantage of the offers available to reconcile work and family life. Men may not be discriminated against for taking advantage of these proposals. The experience gained by employees who live with children shall be included in the development and implementation of a model for work-life balance. The willingness of the employees concerned to be involved in it should be encouraged. Training shall be developed for male employees with family responsibilities to integrate working life and family life. Men shall be encouraged deliberately and motivated to attend these courses.
- Male employees shall be urged in particular to do part-time work/take time off.
- Male and female participants of training events, especially for executives, shall be made aware of “measures to improve employees’ situation and to promote work-life balance” by means of necessary curricula.



+++ An vier Tagen in der Woche leitet er die  
Produktion – **familienbewusste Lösungen** mit der IG BCE.

# ELTERN SIND LEISTUNGSTRÄGER!

## 5. Japan – Work-Life Balance Arrangements



### Comparison of the Japanese Laws and Bargaining Agreement of the Unions on Maternity Protection

LSL: Labour Standards Law  
 LEO: Law on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment  
 CNL: Law Concerning the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave

#### 1. Menstrual leave

| Legislation  | Takeda Chemical Workers' Union                          | Osaka Gas Worker's Union                                   | Tokyo Electric Power Worker's Union   | Meiji Seika Worker's Union  |
|--|---|--|---|---|
| <b>(LSL. Article 68)</b> When a woman for whom work during menstrual periods would be specially difficult has requested leave, the employer shall not employ such woman on days of the menstrual period. | Upon request<br><br>Wage: 100%<br>lump-sum payment:100% | Upon request<br><br>Wage:100%<br><br>lump-sum payment:100% | Upon request<br>Workers can take leaves but wages and lump sum payment are guaranteed up to 2 days at a time.<br><br>Wage: 100%<br>lump-sum payment: 100%<br>(2day/1time) | Upon request<br><br>Wage:100%<br>lump-sum payment:100%<br>(one day) |

#### 2. Medical examination leave

| Legislation  | Takeda Chemical Workers' Union   | Osaka Gas Worker's Union  | Tokyo Electric Power Worker's Union  | Meiji Seika Worker's Union  |
|--|--|---|--|---|
| <b>(LEO. Article 22.)</b> Employers shall, as provided by ordinance of the Ministry of Health, Labour and Welfare, secure the necessary time off so that women workers they employ may receive the health guidance and medical examinations.<br><ul style="list-style-type: none"> <li>● Up to 23 week pregnant: every 4 weeks</li> <li>● 24-35 week pregnant: every 2 weeks</li> <li>● 36 week – childbirth: every week</li> <li>● Up to 1 year after childbirth: necessary time-off according to a doctor's instruction</li> </ul> | Period and frequency Following labor standards law + 12 times during the period of pregnancy and until one year after childbirth<br><br>Wage: 100%<br>lump-sum payment: 100% | Period and frequency Following labor standards law<br><br>Wage: 100%<br>lump-sum payment:100% | Period and frequency Following labor standards law<br><br>+ necessary times according to a doctor's instruction<br><br>Wage : 100%<br>lump-sum payment: 100%<br>(max 20days) | Period and frequency Following labor standards law<br><br>Wage :without pay<br>lump-sum payment: 100% |

### 3. Change of working hours and other regulations for pregnant women

| Legislation   | Takeda Chemical Workers' Union   | Osaka Gas Worker's Union   | Tokyo Electric Power Worker's Union  | Meiji Seika Worker's Union   |
|---|--|--|--|--|
| <p><b>(LEO. Article 23)</b><br/>Employers shall take the necessary measures, such as alteration of working hours and lightening of jobs, in order to enable the women workers they employ to comply with the directions they receive based on the health guidance and medical examinations.</p> | <ul style="list-style-type: none"> <li>• Alteration of working hours</li> <li>• Reduction of working hours</li> <li>• Extension of rest hours and increase in rest</li> <li>• Lightening of job</li> </ul> <p>Wage is reduced according to reduced working hours</p> | <ul style="list-style-type: none"> <li>• Alteration of working hours</li> <li>• Reduction of working hours</li> </ul> <p>Wage and lump sum payment is reduced according to reduced working hours</p> | <ul style="list-style-type: none"> <li>• Alteration of working hours</li> <li>• Reduction of working hours</li> <li>• Lightening of job</li> </ul> <p>Wage is reduced according to reduced working hours</p> | <ul style="list-style-type: none"> <li>• Reduction of working hours</li> <li>• Lightening of job</li> </ul> <p>Lump sum payment is not affected.</p> <p>Wage is reduced according to reduced working hours</p> <ul style="list-style-type: none"> <li>• morning sickness leave<br/>Wage: 100%</li> </ul> |

### 4. Use of the maternity health care guidance item contact card

| Legislation   | Takeda Chemical Workers' Union                               | Osaka Gas Worker's Union                                     | Tokyo Electric Power Worker's Union                          | Meiji Seika Worker's Union                                   |
|---|--|--|--|--|
| <p>In order for an employer to take appropriate and necessary measures with regard to the maternity health care of a woman worker it employs who is pregnant or postpartum, it is important that the contents of health guidance items concerning said woman worker are competently conveyed to said employer, and that the contents of measures the employer is to take are made clear. For this purpose, employers shall endeavor to use maternity health care guidance item contact cards (separate format).</p> | <p>use maternity health care guidance item contact cards</p> | <p>use maternity health care guidance item contact cards</p> | <p>use maternity health care guidance item contact cards</p> | <p>Use maternity health care guidance item contact cards</p> |

## 5. Limitations on Dangerous and Injurious Work for expectant and nursing women

| Legislation   | Takeda Chemical Workers' Union | Osaka Gas Worker's Union      | Tokyo Electric Power Worker's Union | Meiji Seika Worker's Union    |
|---|--------------------------------|-------------------------------|-------------------------------------|-------------------------------|
| <b>(LSL. Article 64-3)</b> An employer shall not make a pregnant woman or a woman who has given birth less than one year previously (hereinafter referred to as "Expectant or Nursing Mother") engage in work involving the handling of heavy materials, work in places where harmful gas is generated, or other work harmful to pregnancy, childbirth, nursing, etc. | Following labor standards law  | Following labor standards law | Following labor standards law       | Following labor standards law |

## 6. Change to other light work for expectant and nursing women

| Legislation  | Takeda Chemical Workers' Union | Osaka Gas Worker's Union      | Tokyo Electric Power Worker's Union | Meiji Seika Worker's Union    |
|--|--------------------------------|-------------------------------|-------------------------------------|-------------------------------|
| <b>(LSL. Article 65-3)</b> In the event that a pregnant woman so requests, an employer must allow her to change to other light work. | Following labor standards law  | Following labor standards law | Following labor standards law       | Following labor standards law |

## 7. Limitations on working overtime working on rest days or at midnight

| Legislation   | Takeda Chemical Workers' Union | Osaka Gas Worker's Union      | Tokyo Electric Power Worker's Union | Meiji Seika Worker's Union    |
|---|--------------------------------|-------------------------------|-------------------------------------|-------------------------------|
| <b>(LSL. Article 66-2)</b> An employer, in the event an Expectant or Nursing Mother has so requested, shall not have her work overtime nor work on rest days.<br><b>(LSL. Article 66-3)</b> An employer, in the event an expectant or nursing mother has requested, shall not have her work overtime nor work on rest days. | Following labor standards law  | Following labor standards law | Following labor standards law       | Following labor standards law |

## 8. Duration of leaves before and after child birth

| Legislation  | Takeda Chemical Workers' Union   | Osaka Gas Worker's Union   | Tokyo Electric Power Worker's Union  | Meiji Seika Worker's Union  |
|--|--|--|--|---|
| <p><b>(LSL. Article 65).</b> In the event that a woman who is expected to give birth within 6 weeks (fourteen weeks in the case of multiple pregnancies) requests a day off, the employer shall not make such a person work.</p> <p><b>(LSL. Article 65-2).</b> An employer shall not have a woman work within 8 weeks after childbirth; however, this shall not prevent an employer from having such a woman work, if she has so requested, after 6 weeks have passed since childbirth, in duties which a doctor has approved as having no adverse effect on her.</p> <p><b>(Health insurance law)</b> 60% of average monthly wage is paid as Maternity Leave Benefit for the duration from 6 weeks before and 8 weeks after childbirth. Additionally, the mother is provided 350,000 yen as a lump-sum benefit for childbirth.</p> | <p>Following labor standards law</p> <p>before Childbirth: 6 weeks<br/>(14 weeks in the case of multiple pregnancies)</p> <p>after Childbirth: 8 weeks</p> <p>Wage: Following labor standards law and Health insurance law</p> | <p>Following labor standards law</p> <p>before Childbirth :6 weeks<br/>(14 weeks in the case of multiple pregnancies)</p> <p>after Childbirth: 8 weeks</p> <p>Wage: Following labor standards law and Health insurance law</p> | <p>Following labor standards law</p> <p>before Childbirth :8 weeks<br/>(14 weeks in the case of multiple pregnancies)</p> <p>after Childbirth: 8 weeks</p> <p>Wage: Following labor standards law and Health insurance law</p> | <p>Following labor standards law</p> <p>before Childbirth: 45days<br/>(14 weeks in the case of multiple pregnancies)</p> <p>after Childbirth: 8 weeks</p> <p>Wage: Following labor standards law and Health insurance law</p> |

## 9. Nursing break

| Legislation   | Takeda Chemical Workers' Union  | Osaka Gas Worker's Union   | Tokyo Electric Power Worker's Union                           | Meiji Seika Worker's Union   |
|---|---|--|---|--|
| <p><b>(LSL. Article 67)</b> A female worker who nurses her baby less than 1 year old is entitled, upon her request, to take nursing break twice per day (at least 30 minutes per break) to take care of her baby.</p> | <p>Following labor standards law</p> <p>Wage : 20% cut in hourly wage</p> | <p>Following labor standards law</p> <p>Wage :60% pay</p> <p>Until a child gets 3 years old, either one could be taken</p> <ul style="list-style-type: none"> <li>nursing break: 30 minutes a time</li> <li>2 times a day, no wage</li> <li>halfwork: 3 hours 30 minutes work a day</li> </ul> | <p>Following labor standards law</p> <p>Wage :without pay</p> | <p>Following labor standards law</p> <p>(Only women)</p> <p>Wage: full pay</p> |

## **10. Prohibition of Disadvantageous Treatment and dismissal by reason of marriage, pregnancy, and Childbirth**

**(LSL. Article 19)** An employer shall not dismiss a worker during a period of maternity leave nor within 30 days thereafter.

**(LEO. Article 9)**

(1) Employers shall not stipulate marriage, pregnancy or childbirth as a reason for retirement of women workers.

(2) Employers shall not dismiss women workers for marriage.

(3) Employers shall not dismiss or give disadvantageous treatment to women workers by reason of pregnancy, childbirth, or for requesting absence from work as prescribed in Article 65, paragraph 1, of the Labor Standards Act (Act No. 49 of 1947) or having taken absence from work as prescribed in the same Article, paragraph 1 or 2, of the same act, or by other reasons relating to pregnancy, childbirth as provided by Ordinance of the Ministry of Health, Labor and Welfare.

(4) Dismissal of women workers who are pregnant or in the first year after childbirth shall be void. However, this shall not apply in the event that the employers prove that dismissals are not by reasons prescribed in the preceding paragraph.

*All unions follow labor standards law*

## 6. Netherlands – Pregnancy and Working Life – FNV Bondgenoten

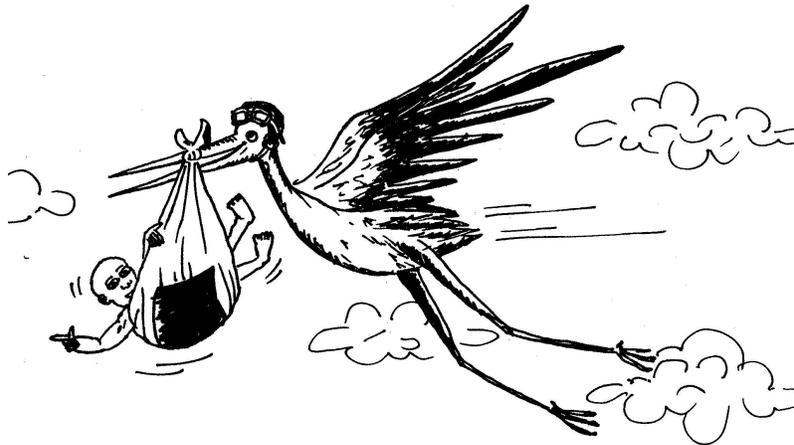
### FNV Bondgenoten Brochure: Work & Pregnancy - From Month to Month

*You have a job and you are pregnant, or would like to become pregnant in the near future. What does this all involve with regard to your job? And what situations will you be faced with once you have become a mother? This brochure offers you a summary of what you may expect from month to month and also explains your rights and obligations.*

#### Before you get pregnant

You should always be careful if you work with hazardous substances. Many people do not realise this. Some substances, such as carcinogenic and so-called reprotoxic substances, cause extra fertility risks in men as well as women, or they may harm the unborn child.

There are many professions that may involve handling hazardous substances. For example, if you work in the cleaning sector or in a laboratory, but also if you are a painter, nurse, pharmacist's assistant or if you work with certain pesticides. Every employer should draw up a list of risks that employees may be exposed to in their job, also if it involves these hazardous substances. Ask your employer for this list and read about the risks.



#### The first month

You are only just pregnant. Most women often do not even know for certain whether or not they are pregnant, let alone that they take it into account when doing their job. Even at this early stage in pregnancy, it is important to be cautious when you work with hazardous substances. If you need to handle them, then it is advisable to notify your employer without delay that you are pregnant.

In consultation with your employer you can determine whether you can be given other tasks, or discuss other ways to protect your unborn child. If you work with animals or laboratory animals you should be extra aware. And be alert to any risk of exposure to radiation.

Studies into the effects of computer exposure have not yet shown that this poses a risk for pregnant women and/or their unborn child.

### **The second month**

If you are pregnant and involved in a job selection procedure, you are not obliged to report pregnancy. Neither is the employer allowed to ask.

Be careful with vibrations and shocks. They may give you back problems and are also bad for the child that you are carrying. You should avoid working under extremely hot or cold temperatures, for example in a cold-storage room. This will burden your body and your unborn child too much. We definitely advise against working in depressurised situations, for example diving. The difference in pressure may harm the unborn child.

### **The third month**

Now there is less risk that something could go wrong with your pregnancy. For many women, the 12th week of pregnancy is the right moment to inform their employer and colleagues. As soon as you have notified your employer, you are legally entitled to extra protection during pregnancy in situations that require this.

In addition, you should be given an opportunity to visit your midwife or gynaecologist, also during working hours. Ask the midwife for a pregnancy statement with the estimated date of birth. Your employer needs this statement to present to the authorities so that he or she will receive an allowance to cover your replacement and you can take maternity leave without loss of pay.

Other things that you need to be extra careful with: do not lift heavy objects (less than 10 kg each time) and ensure that you are not exposed to sound levels that exceed 80 dB(A).

### **The fourth month**

When you are pregnant, you are entitled to maternity leave.

You can take up this leave partly before the estimated date of birth. Once the baby is born, you are still legally entitled to more maternity leave. Refer to your collective agreement on terms and conditions of employment for the exact arrangements in your branch of business or company.

If you intend to resume work after the baby has been born and want to make use of childcare facilities, you may want to have your baby registered now. There could be waiting lists, so the sooner you get registered the sooner you may get a place. Ask your employer and your partner's employer about the options for a financial contribution towards childcare.

Your pregnancy may cause health problems for which you need to visit a medical practitioner or a paramedic such as a physiotherapist or a physician (GP or specialist). Appointments usually take place during working hours. Check what arrangements have been made in the collective agreement.

## **The fifth month**

It is never healthy to work long hours under stress or time pressure, also called work-related stress. When you are pregnant you should take extra care of yourself. In stressful situations your body produces all kinds of extra hormones that may affect you and your unborn child.

Discuss these situations with your superior and consult whether your tasks can be arranged differently, or whether your working hours and breaks can be adapted, by inserting an extra break or working fewer shifts, for example.

You are not obliged to work night shifts during pregnancy. You are entitled to extra breaks when you are pregnant and up to six months after giving birth. If you work eight hours a day, then you are allowed to take a maximum break of one-hour extra on full pay. The employer should give you the opportunity to take this break.

In the event of sickness, you can report sick in the usual way. You should notify your employer if your sickness is pregnancy-related, for example high blood pressure or pelvic instability.

From the twentieth pregnancy week onwards, women who frequently used to lift heavy weights during their job are only allowed to lift a maximum of five kilograms, ten times a day.

## **The sixth month**

Discuss with your superior how replacement will be arranged while you are on maternity leave. It will be good for both you and your colleagues that adequate replacement is arranged, so that your colleagues do not need to work extra hard. This is also a good time to consider how you may want to combine working and looking after your child in the future.

If you have a partner, discuss with your partner how you would like to handle the new situation. Are you both going to work part time? Structurally or temporarily? You have the right to work part time. Your employer will need to come with substantiated arguments for rejecting your request.

With regard to the work situation, you will need to take into account that you retain more fluid during pregnancy. As a result you may get RSI-related complaints such as pain, stiffness and a tingling feeling in your neck, shoulders, arms and/or fingers. Especially highly repetitive jobs such as cash register operator, goods packer, and assembly and VDU work may cause such complaints.

Discuss with your superior the possibility of adapted work if you experience these complaints. Make sure that you do not constantly sit in the same position while performing your tasks. It is advisable to change your position every now and then and to have frequent breaks. Always contact the company doctor if you experience serious complaints.

## **The seventh month**

From the thirtieth week onwards it is not advisable to lift weights of five kilograms or over, more than five times a day. Furthermore, during the final three months of pregnancy your employer can no longer oblige you to squat on the ground, to kneel or bend down or to operate pedals while standing up.

## **The eighth month**

You need to notify your employer at least three weeks before your maternity leave starts. This will leave him little time to arrange your replacement, so try to inform your employer sooner if you already know when you want to stop work and start maternity leave.

Consider once more the financial consequences of this (temporary) interruption of work. Pay will be continued, but some components, for example extra income from overtime, may not be paid. By considering the financial impact at an early stage, you will not be unpleasantly taken by surprise.

## **The ninth month**

The last month before giving birth is dedicated to maternity leave. Your belly will be getting in the way a bit and you will need some well-deserved rest. Enjoy your maternity leave!

## **Birth**

When the baby has been born you need to inform your employer who, in turn, can notify the authorities who in turn will determine on what date your maternity leave should end. Your partner will be entitled to leave if the baby is born on a working day. On the days following childbirth your partner should be entitled to parental leave.

## **The first month of parenthood**

You will now need to get used to being a parent. Fortunately, you will still be on maternity leave so that you do not need to think about going back to work. Together with your partner you can start thinking about how you are going to handle the period after maternity leave.

One option is to take parental leave. Depending on what you have in mind, you may both want to take a shorter or longer period of part-time leave to look after your child.

## **The second month of parenthood**

The second period of maternity leave starts on the first day after the baby is born. If you continued working for a longer period before giving birth, you may add more time to the period of leave after the baby is born. This means that you still do not need to resume work this month.

## **The third month of parenthood**

The end of maternity leave is approaching. Some women will resume work in the course of this month. It may happen that you cannot fully resume work immediately as a result of

complications during pregnancy and/or giving birth. Discuss this as soon as possible with your superior, so that a suitable solution can be found and temporary replacement can be arranged. The possibilities can be determined in consultation with the company doctor.

### **The fourth month of parenthood**

Depending on your physical condition you will have resumed work. If you are breastfeeding, you may need to express milk during working hours. Your employer is obliged to create a number of facilities such as a separate room, where you can sit without being disturbed, and a refrigerator to keep the milk in. You have the right to spend a maximum of 25% of your working time to express milk or feed your child.

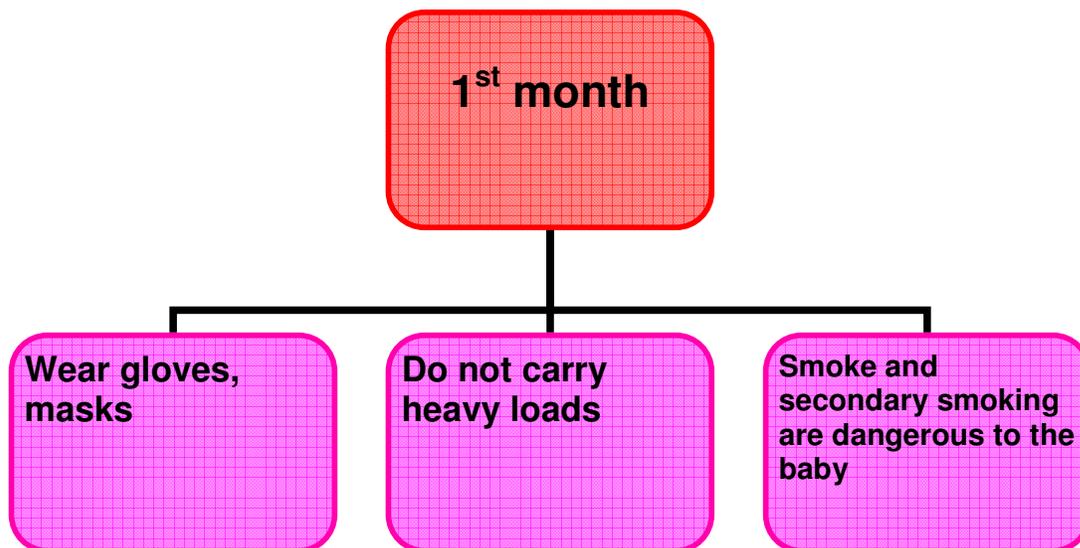
If you prefer, you can also go home to feed the child during working hours. When breastfeeding, try to ensure that you avoid handling hazardous substances as much as possible. Furthermore, you should not be exposed to radioactive radiation and lead compounds if you work in a laboratory, for example. Always contact the company doctor if you are in doubt as to what to do.

### **The fifth month of parenthood and onwards**

By now you will be getting used to combining work and looking after your child. However, sometimes an unexpected situation may arise; for example, if the childcare centre rings that your child has become ill. You or your partner may need to collect your child from the nursery. This is considered an emergency situation and you should be entitled to emergency leave.

Should your child remain ill for longer, then you can make use of your entitlement to short-term care leave. If necessary, make arrangements also for long-term care leave.

### **ICEM A/P WOMEN'S COMMITTEE ADDED THE FOLLOWING REMARKS:**



## Before you Get Pregnant:



**Smoking will affect baby's development**

**Women must stop smoking and stop exposure to secondary smoking**

**Limit smoking to certain areas.**

1<sup>st</sup> month  
We must be careful about electromagnetic waves. We do not know what the risk is, but we feel we should be careful.

2<sup>nd</sup> month  
Morning sickness may be felt. Check company regulations..

HIV transmission from mother to child

6<sup>th</sup> month  
Part-time = remember that you will have less income.

# GPO

**Government  
Pharmaceutical  
Organisation**

Unfair contract – contract only applies to workers who are single, and when you get pregnant, immediately you are fired. The union managed to get rid of these contracts.

Companies employ workers on temporary contracts. The union has managed to clam maternity benefit and full coverage for hospital costs. This covers temporary workers employed by the companv. GPO

GPO upgraded contract workers' employment contracts. The union got full status for contract workers so they are eligible for maternity coverage like full-time workers.

## 7. Russia – Violations of Labour Law – ROGWU



According to the Constitution of the Russian Federation Russia is a social state whose policies are directed to the creation of conditions to secure a dignified life and the free development of the person. In the Russian Federation work and people's health are safeguarded, the support of maternity, paternity, childhood, invalids and elderly citizens are assured. Maternity and childhood and the family are under the protection of the state.

Pregnant women are entitled to benefits. The pregnancy and birth benefit is paid out before the period of maternity and birth leave. The minimum amount of the pregnancy and birth benefit for a full calendar month cannot be less than the minimum wage. Women have the right to a lump-sum grant in addition for pre-term births (before the 12<sup>th</sup> week).

One of the parents or guardians has the right to a lump-sum grant on the birth or adoption of a child (up to the age of three months). In case of birth (adoption) of two or more children the necessary grant is paid for each child

Mothers or fathers, other relatives and guardians effectively carrying out child care have the right to a monthly grant in the period of child care leave until the child reaches the age of 1 ½.

One parent or guardian receives a monthly grant for each born, adopted or guarded child living in the household until the child reaches the age of 16 or finishes education but no longer than reaching the age of 18 in families with insufficient income.

It is forbidden to refuse a labour contract to women for reasons linked to pregnancy or the existence of children.

The employer is obliged to make available part-time work or part-time week upon the request of the pregnant woman or one of the parents or guardians having children up to the age of 14 (invalid children up to 18 years of age).

Women are granted leave upon their request and according to medical confinement for pregnancy and birth for a duration of 70 (in case of multiple births 84) calendar days and in case of complicated births 86, birth of two or more children – 110 calendar days after birth with allowance paid by state social insurance.

Women can request leave to look after children until they are three years old with payment defined by law. The child care leave can also be used in full or in part by the father of the child, the grandmother, the grandfather, other relatives or guardians who actually do the child care. While they are on child care leave, the carers can work part-time or at home and maintain their rights to receive the allowance.

During child care leave the worker's job must be safeguarded.

Child care leave is counted as general and uninterrupted service time as well as time worked toward a specialization (except in the case of allocating pensions under favourable conditions).

One of the parents can be granted four extra paid days off per month to care for invalid children until they reach 18 years of age. Replacing the leave with compensation in money is not allowed.

Women are entitled to nursing breaks for at least 30 minutes after every three hours of uninterrupted work.

Upon request by the woman the breaks to nurse the child (children) are added to the break for rest and feeding or in general are transferred either to the beginning or the end of the working day (shift). Breaks for nursing the child are included in working time and are subject to pay in the amount of average earnings.

Pregnant women are not allowed to be assigned to business trips, overtime work, night work, work on rest days and days off and holidays. Women with children up to the age of 3 must give permission in writing to work such assignments.

Pregnant women and women with children up to the age of three cannot be assigned to jobs requiring special effort. Women may be moved to other work maintaining their average earnings from the previous work.

Guarantees for people bringing up children without a mother are also extended to fathers raising children and guardians of minors.

On the basis of social partnership, in addition to legal standards, trade unions arrange additional privilege, guarantees and compensation for pregnant women and workers with family responsibilities, on the basis of the conditions of production, the type of work and the number of families bringing up young children. The sectoral collective agreement of ROGWU for 2005 to 2007 includes the following:

- privileged regime of work compared to legal standards
- monthly payments to workers with children up to three years of age and who are on leave to take care of them
- payment of a one-time grant to the woman on the birth of the child according to the amount laid down in the collective agreement
- earlier release on legal leave while maintaining average earnings for medical reasons
- payment by the employer to pregnant women who are on leave for the birth of a child, in addition to the state grant at the level of average earnings, if the woman's average earnings are more than 590 USD
- the granting of vocational training (retraining) and higher qualifications for women coming back from leave for pregnancy and birth and childcare
- additional medical assistance and check-ups for the woman and the child

The most typical violations of women's rights are:

- Non-compliance with the limits on women's work in heavy jobs and work in harmful and/or dangerous working conditions

- Non-payment of allowances for pregnancy and birth, not granting leave for pregnancy and birth and also the refusal to pay the period of temporary work incapacity, non-payment of a one-time grant to the woman on the birth of the child and the grant for leave to take care of the child until the child reaches the age of 1 ½
- Refusal of the obligation to reduce working time
- Illegal dismissal of pregnant women
- Absence of washrooms, dressing rooms, rooms for resting and eating

The most widespread violation of working rights for pregnant women and women with children is the refusal to hire them, but it is the most difficult to prove.

In 2004 about 5.5 thousand checks were carried out on questions of the adherence to legislation on women's work (in 2003 it was 5.3 thousand), in the course of which more than 32,000 different violations were discovered and removed (in 2003 it was 30.8 thousand).

The inspections testify to the fact that on the whole in the basic branches of the economy in comparison with 2003 women's working conditions in fact did not improve but rather as before their conditions of work were unsatisfactory.

Specifically the case of hiring women to jobs forbidden to them was discovered in different factories in various regions. Women were carrying weights that were significantly higher than the established norms. Non-compliance with reducing output requirements for pregnant women and not transferring them to other work were found in several enterprises in different regions. Employers often dismissed pregnant women. Women workers often did not receive the lump sums they were entitled to.

The trend of employing women in dangerous and heavy jobs is on the rise. In comparison to 2005, the number of women working in jobs that did not meet health and hygiene standards went up by 4 percent, and the number of women working in heavy jobs went up by 10.5 percent in 2006.

The government inspectors called a number of guilty managers to account for violations of standards, and at least two managers were fined and dismissed.

## 8. South Africa – Pregnancy and Underground Working – NUM



### Interviews with the Women Working Underground With Regards To Their Experiences Of Pregnancy in South African Mines

#### Background

The apartheid South Africa was characterised by job reservation. This meant that certain categories in the labour market were reserved only for the white race. The patriarchal society was also embedded in the labour market in the apartheid regime. Society was male dominated and this societal phenomenon had a bearing on gender relations in the workplace. This therefore meant that a category of black women for instance had triple oppression, that is national oppression through racial oppression, super-exploitation through class oppression and gender oppression through patriarchy. The dawn of democracy in South Africa in 1994 meant that legislation and policies had to be passed to ensure that this state of affairs is corrected. In the mining industry there were no women working underground for instance. They were discriminated against because of gender. They would therefore offer services like cleaning and making tea which are jobs that are generally at the lowest level of the labour market. Also when it came to the high positions or rather executive positions in the mining industry, both black women and white women were discriminated against, notwithstanding that the white women were better off.

The dawn of democracy then brought forth legislation to ensure employment equity with designated categories being the women of all races, the disabled and black people in general. In the recent years this has been complemented by the Mining Charter whose broad thrust is the transformation of the mining industry of which one of the objectives is to ensure the absorption of women in the industry. The Mining Charter sets targets of ensuring the employment of a minimum of 10% of women in the mining industry. While this is being implemented somewhat, challenges are still being faced. In mines like Goode Hoop for instance of which one of the women had been interviewed, you realize that women are indeed given higher positions with their conditions of employment being better of compared to the other mines. However in other mines women are still far from being offered key positions. In some instances where it occurs it would have racial undertones. For instance the recent analysis by the Department of Labour has been that the Employment Equity Act has benefited white women substantially more than it has benefited the black women which therefore needs to be balanced.

Although the main focus of these interviews was experiences of pregnant women underground, a brief historical background of the labour market in the mining industry is critical since it became a theme that came out of the interviews and also it reflects the gains that the union has made with Charter like the Mining Charter. The National Union Of Mineworkers played a key role in the process towards the Charter.

As is indicated in the conclusion, these interviews do not necessarily reflect the overall industry with regards to the experiences of pregnant women who work underground

since the sample was small and the angle was one. The angle from the union officials and the angle from the employers was not sought. However the angle that was taken only gives experiences of individuals and not how the NUM has been engaging with the pregnancy policy broadly. In addition to the experiences of being pregnant at work, the themes that were also covered were issues around sanitation, career development, medical care and sexual harassment.

## **Interviewee 1**

**Name: Thandi (Pseudo name)**

**Mine: Vinu Mine (Pseudo name)**

**Area: Highveld region**

**Province: Mpumalanga**

**Interview with Thandi of Vinu Mine.** I gave both the name of the interviewee and the name of the mine pseudo names. The young woman did not want to be identified. She is from **Mpumalang Province** and the Mine is in the same province. According to the NUM demarcations that divide the country into regions, this area falls under **Highveld Region**. Thandi started working in Vinu Mine in 2004. She was employed as a boilermaker assistant underground. Assistant's work is to assist the boilermaker artisan in bringing material that is going to be used for welding in fixing the gates and other things. She is involved in cutting what needs to be cut as per the instruction of the artisan.

When I asked her as to when she reported her pregnancy, she indicated that she reported her pregnancy when it was five months because that was the time when she discovered that she was pregnant. The procedure of reporting in the mine is done through an older woman and the Human Resource Assistant who is currently a man. She then reported it and then the HR assistant requested proof- a letter from the doctor to prove that she was pregnant. After she had reported, she continued to work underground for another month. During this period, she indicates that the Lamp and the rescue pack that you have to tie around the waist were heavy and was thus uncomfortable and damaging. She was also subjected to using a cage that transports workers from surface to underground which when it can tout, someone pregnant can miscarry. During this time, what she experienced from the older woman and the HR Assistant was scorn instead of support.

After a month she was then released to go and work on surface. On surface she was sweeping and filing. She found sweeping problematic because of the dust problem that you have to inhale when sweeping. She tells me that she had to drink more milk in order to ensure that the dust does not affect the baby. I asked her about the effectiveness of milk and she said that she knows from working as a boilermaker, that the smoke of welding can be dealt with by drinking more milk.

### **Career & Conditions of Work**

I ask her about her career, and she told me that she has been a helper/assistant for a longtime and that there have been no chances for promotion. In 2005 she worked as an AID when the AID was on leave. An AID is a category above that of a boilermaker helper/assistant. She says that she worked as an AID and yet did not get more money for it, or promotion at a later stage. I asked her about the technical stuff about her work. She told me that her job is not difficult, except for that it needs carefulness and paying attention since things like chemicals can explode if not properly managed. She indicated

to me that the temperature underground is abnormal since the oxygen they inhale is not real.

She said that working underground is risky even when you are not pregnant.

### **Health Care**

I asked her about medical care. She told me about the Mine medical AID that they use, which is not reliable since it gets exhausted even when you still need medical attention. She said that there is also a mine hospital and the problem is that there they don't deliver babies i.e. there is no maternity section. So she tells me that she delivered in a government hospital. She has a mine medical aid called 'UMVUZO HEALTH' where she pays R250 monthly. With this medical aid, she says, most private doctors do not accept it because it is not common. Then there is a medical aid scheme called 'Mine Med' which is mostly used by miners, shift-bosses and professionals. They have been saying maintaining the mine hospital is expensive and the possibility is that they might make it private.

### **Maternity leave**

Thandi was given 3 months maternity leave. The 4<sup>th</sup> month that she took was unpaid. Thandi says that she was supposed to get money from the Unemployment Insurance Fund (UIF) for the 4<sup>th</sup> month. She says that she did not get it because she wants to save it for the days she loses her job.

### **Contract**

She told me that when they started working for the mine as women, they signed 2 year contracts not to fall pregnant within two years of commencement of work. Thandi told me that they are always threatened with termination of their contracts if they are sick. She further says what is funny or interesting is that they employed them 'not sick'.

### **Sexual Harassment**

Thandi explains that she has experienced sexual harassment in the cage since about 40 people have to be in cage. Because there are two cages, Thandi would recommend that one should be for men and one for women because sometimes as it once happened to her, one of the men once squeezed her in an inappropriate area and she could not see who since it was full in the cage.

### **Toilets**

Thandi says that you always need a woman to accompany you when you have to relieve yourself because the toilets are not in a good condition and also there is no security. Sometimes they end up using trenches. She says it becomes more of a problem during the menstrual period because it means that chances of messing yourself up are more because you have to wait to go to surface. On the question of safety, she told me that at some point a man followed her to the toilets and fortunately there was a woman looking out for her. I asked her as to what she would recommend. She says that she would recommend that on the night shift, there should be more than one woman since there are few people and thus it is more unsafe.

### **Union Relevance**

Thandi told me that it helps to belong to the union because they are able to take your complaints up.

## **Interviewee 2**

**Mine: Goode Hoop Mine**

**Name: Nomawethu Hlwempu**

**Age: 27**

**Position: Shift Boss**

Of all the people that I interviewed, this woman was in a higher category of work compared to the others.

She started working in the Mine in 2003. She works as a shift boss. A shift boss works in the stope – workplace where you get the orebody. This work involves supervising the work done in the stope- drilling, support etc.

Nomawethu is currently pregnant. She is pregnant with her first baby. She tells me that it became difficult to report her pregnancy because she was due for promotion. She told me that she only told management that she was pregnant after getting the position. She was then taken to surface immediately. The new job means that she will be managing many teams underground instead of one team. She indicated to me that it's uncomfortable to report pregnancy when you work underground, 'you feel guilty when you fall pregnant because you are worried about what they will say'. She says that it's like they lose interest in you once you get pregnant. This therefore puts more pressure for you to prove yourself that you are capable of working. She says that she has worked for three for four years but it is amazing how the management is finding it hard to get used to the idea. She says that once you indicate that you are pregnant they send you to a doctor to confirm that you are pregnant. The doctor then provides a letter that proves that you are indeed pregnant so that you can be moved.

### **Maternity leave**

She told me that she would be given 4 month leave. I asked about the day care centre and she indicated that they do not have one.

She says that the problem is that when you are on maternity leave the company only pays the balance of your salary after the Unemployment Insurance Fund (UIF) of government has paid its portion. She would recommend for the company to pay 100% of your salary and get refunded from UIF since UIF takes long to be processed until some people are back at work.

### **Policies**

Noma was indicating to me that their pregnancy policy has just been drafted and is not yet signed.

### **Sexual harassment**

She indicated that she has never encountered sexual harassment. She says the cage has got seats and thus there are fewer chances of people harassing each other through the cage.

Noma told me that her job is under no risk. When she comes back from maternity leave, her job would still be waiting for her.

### 3<sup>rd</sup> Interviewee

**Name: Evelyn 'Kiki' Maseko**  
**Mine: Middleburg Mine**  
**Sector: Coal**

Kiki has been working for the mine in question since 2001 as a surveyor assistant. She works in an open cast mine. Her job included bringing material to be used by the surveyor. The surveyor checks the ore and what route could be used to get to the ore. The surveyor also measures the distance to the orebody.

The pregnancy policy had been there when Kiki got pregnant. People would encounter problems with their supervisors who would say that there is no light duty once they had reported pregnancy. Kiki discovered after three months that she was pregnant. After that Kiki worked with data capturing on surface.

#### **Maternity leave and Post Maternity Leave**

Kiki said that she stayed four months on paid leave and two months unpaid leave. When she came back from maternity leave she was redundant. They had restructured the departments and she was one of those who had no work to do because her position was filled. When Kiki came back to work, she was sent by her department to the Human Resource (HR) Department. The HR department was not able to assist, until she laid a complaint with the General Manager. The General Manager sought an explanation from the department as to what criteria they used to get rid of people in the department though restructuring. The General Manager ultimately asked the HR to look at the vacancies that were in the company. Kiki then applied and worked in the administration department. Kiki mentions that there was a challenge working in this department that was only dominated by whites. She was the only black and the other was a black woman that makes tea. She says that here she did clerical and administration work. Later on Kiki was moved to work in a workshop, which felt much better for her. Here she would deal with capturing the problems/needs of the artisans.

#### **Policies**

On the question of sexual harassment policy, Kiki indicated that the policy making process was exclusive to management, Human Resource Department and South African Women in Mining (SAWIM). At a personal level she indicated that she has never encountered sexual harassment. She further indicated that some women abuse sexual - harassment policies, and there is therefore a need for them to understand it. When I asked her about the need of daycare, Kiki said that it would be problematic because of the dust in the mine that comes from the coal. With regards to recommendations on what would need to change with regards to the pregnancy policy, she indicated that there is a need to lobby for the maternity leave to be extended from three months to at least six months. Related to this Kiki added that there is an importance to ensure that when a woman is pregnant, that time should be used for further training and development in her area of interest so that a process of skilling takes place. She also felt the need for the union educators to take an active role in this regard.

## **Interviewee 4**

Name: Dobie Maleka

Name of the Mine: Koornfontein

Position: Electrician

Dobie started working for the mine in 2002. She works in dealing with electrical problems and installing cables in new areas. Her work also involves fixing lights and related work.

She became pregnant in 2005. She says that she reported her pregnancy when she was four months pregnant. She indicates that the Human Resource Department promised that they would give her light duty. However she reckons it was not light duty. She says that she still had to wear a one piece overall instead of a two piece. Dobie says that this garment was therefore tight and uncomfortable. Dobie says that she even had to leave work at 7 months instead of nine months because she was made to feel very uncomfortable. She makes an example about how her pace of production fell during pregnancy in terms of fixing lights. When this happens jokes would be made about this state of affairs. She said that it is better when you work on surface because you do not have to go through this process. She says that she was the first woman to be pregnant underground in her shaft. Even the way she was looked at by fellow colleagues was not pleasing. She also said that the difficulty she also had was with the rescue pack that you tie around the waist. It was heavy and damaging around the waist.

### **Health Care**

She is comfortable with the medical AID that she has. It gives her the access that she needs.

### **Toilets**

She says that the toilets they use are on surface because the ones underground are not in a good condition. She says that it takes 50 minutes to go to the toilet on surface and come back. She recommends that they should organize toilets underground. She sees it as problematic because people end up relieving themselves in areas not designated for that. She also indicates that this affects production if so much time is taken.

### **Policy**

She indicated to me that they do not have a pregnancy policy even at this point in the mine. She says that a policy is needed and therefore the need to build a woman structure of the union.

### **Maternity leave**

Dobie indicated that 3 months is not enough for maternity leave, at least 6 months would be better.

### **Skills development**

She says that they do have a skill development structure, however it is not functional. The foremen are not being helpful. She indicated that the mine has got a training centre.

## Interviewee 5

**Name: Mpho Makgatho**

**Mine: Impala Platinum**

**Region: Rustenburg**

**Province: Northwest**

**Position: Chair Lifter Attendant**

Mpho started working for the Mine on the 16<sup>th</sup> of March 2005. She says that she is one of the first 6 women to work in 14 shaft. She says as a chair lifter attendant, they work with a train like structure that delivers workers to their work areas. They work with controlling it and cleaning where it moves. She is three months pregnant. She said she has been moved to surface where she works with sorting mail of the company. She said she discovered she was pregnant in July 2007 when she came back from leave since they are taken for medical check-ups whenever they come back from leave to be assessed if they are still fit to work. Things like hearing are the most important things that they check. They also check x-rays for the lungs, blood levels and check for pregnancy in women. She says that after they discovered that she was pregnant, they did not take her back to work underground. She says that the environment underground has extremes; it can be very hot or too cold. She says that management is negative about people who fall pregnant underground. She says that what becomes problematic when you are pregnant and have to go underground is that the cage that transports you underground can vibrate and that can be a danger to an unborn baby.

### **Career Development**

According to her chances of promotion in the kind of work they do are slim, particularly for them as blacks. She says that there are no white women working underground, if they are employed, they would appear only for one day and then be transferred to surface. They can be employed for example as a belt attendant, from there their salary and category changes quickly. When I ask her about her aspirations, she says she would like to work in the Human Resources Department. She says that management is still struggling to get used to the fact that women are working in the mine. They also do not understand why women should be pregnant. She says that falling pregnant is like a sin and a crime.

She says that whenever they talk about promotion, one is told that 'you came with high expectations'. She says that you are then moved from pillar to post unless they favor you.

### **Toilets**

She says that the toilets are not in a good condition. They are pit toilets instead of flush toilets.

### **Sexual Harassment**

She says that this one depends on how it is handled. She says that she was once harassed and dealt with it in a civil manner. She involved the union and her supervisor. She says that she did not want somebody to be fired because of her. So they talked to the man in question. She says that when it comes to the cage that transports workers underground, as a woman it becomes better to stand in front to avoid more physical contact. She says that they relate with men underground as their brothers. She says that they also avoid complaining too much to the foremen about other stuff since the foremen might end up being fed up.

### **Medical AID**

They use something called IMS. She says that this medical aid is very restrictive since you can't involve siblings, parents or partner if you are not married. You can only include your child. Somehow you also have to use the mine hospital.

### **Pregnancy Policy**

What she would recommend is that after giving birth, a woman must be given at least 6 months of a permanent day shift so that they can be able to take care and be with their infants at night. She says that at the moment workers negotiate for this as individuals.

### **Interviewee 6**

**Name: Katlego**

**Mine: Impala Platinum**

**Region: Rustenburg**

**Position: Assistant Electrician**

**Baby: Thsireletso**

Katlego started working for the mine in April 2005 as an assistant electrician. She assists the artisan electrician to install globes underground and the installation of cables. She also carries material that is to be used by the artisan electrician. Katlego says that when she fell pregnant she reported it to her immediate supervisor and safety representatives. She was then ultimately told to take maternity leave but with two thirds of her salary to be cut. She then signed but reported the matter to the union. The union arranged for the cancellation of that precarious leave. The reason management wanted her to take leave at the time was because they were saying there were no alternative jobs for her to do. She says that they ended up placing her on surface where she was doing data capturing.

### **Maternity Leave**

She got 4 months paid leave

### **Medical Care**

She says that she does not trust the mine hospital. According to her, they could not discover that she was pregnant and that the baby was growing on her tubes. Instead they wanted to operate to remove what was protruding in the stomach without knowing that it was a baby. The private doctors outside the mine are the ones that discovered that the lump was actually a baby.

### **Career Development**

Katlego says that mobility is difficult particularly because they are black. It is difficult for instance for them to get learnerships.

### **Sexual harassment**

She said that she once experienced it, but dealt with it through the union. She did not want the person in question to be expelled because he probably did not understand the implications of what he was doing. However Katlego says that generally there is no rampant harassment because it looks like Impala trained the men before women were employed. She says she enjoys working with the men underground and that the most important thing is for her to assert and make it clear to them what the limits are. She says that they do respect that.

## **Union**

Katlego is the Secretary of the woman branch in the mine. She is very active and was saying at the moment they are in a process of amending the pregnancy policy.

## **Summary and Conclusion**

When one was making these interviews, some other themes came up, other than pregnancy and sexual harassment. Those were career development issues, medical care issues and the issue of sanitation and conditions of work. My observation was that what is common is that most of them reported pregnancy beyond 3 months of being pregnant. This means most were afraid to tell and would tell because pregnancy was closer to showing. This to me meant that they were more worried about losing their jobs. Also what I noticed is that most are not satisfied with the medical benefits offered by the mine. The mine is more patronizing when it comes to the offer of medical care. In most instances they don't have choices of choosing from widely known medical schemes in the country.

With regards to pregnancy policies, my observation is that most policies if they do exist do not tally with the needs of pregnant women, particularly those who work underground. Most of all what one observed was that management's attitude has not changed. Black women in the old South Africa were oppressed because of their race, class and gender. White males had been the dominant group in management positions of most companies. This legacy still survives although changing somewhat. The women who work underground thus are in positions where mind sets and behaviors are still somewhat the same although changing. The mining Charter and the employment Equity Legislation which talks about inclusion of women, blacks, and disabled in higher positions remain the tools that workers and unions can use. From the women I interviewed, I realized more of the importance of belonging to a union. Those who are in active positions of leadership are more confident about changing things. Of all the mines, I found Goode Hoop Mine in Witbank better.

As indicated in the introduction, the interviews were only done in five mines and with 6 people. This means that the sample was small. It does give a bit of a background to the challenges that are faced by pregnant women. We can therefore not confidently say that this represents the current state of affairs in the mining industry in South Africa. However this can be seen as a preliminary study that can give rise to a fully fledged research which would also include the union angle and the employer's angle on the matter. This would then assist in an intervention that is informed by the real conditions.

Also this is not a situation of despair. The fact that there is a South African Constitution that condemns discrimination, an Employment Equity Act and the Mining Charter which is about transformation of the mining industry, is one of the gains that the union fought for. Also government has passed Acts like the 'Employment Equity' that promotes employment and empowerment of historically disadvantaged people, that the South African Department of Labour is passionate about, albeit with problems of implementation and monitoring. It is also a gain that there are women working underground increasing employment in this gender. The way forward would then be ensuring that their conditions of employment and work are positive.

The need for the union to make an audit of all the policies that affect women in the mines, in order to intervene in a systematic, coherent and calculated way as an ongoing process is key.

***Hierarchy of positions underground***

*General operator- winch operator- rock driller- team leader- (miner- blasting certificate) - shift boss- mine overseer- section manager*

## 9. Turkey – Novamed and the Pregnancy Queue – Petrol-Is

Imagine that one day your boss stands in front of you and says: “We have put pregnancy in a queue. The one whose turn it is has to get pregnant in two months. If she doesn’t, it’s the next woman’s turn.” Or hands you a chart and wants you to record when you went to the toilet, how long you stayed and why you went. At the end of the month, he checks who went to the toilet least and gives them a bonus of 15 Euros. In order for you not to go anywhere but your home and not come to work dead tired the next day, he allows you to get on the service bus that goes to your house. For going through this, 82 women in Antalya have been on strike for 177. The women working at the Italo-German joint venture called Novamed, which has been producing blood tests for dialysis machines in the Free Trade Zone in Antalya since the year 2000, since its foundation, rise up and declare, “It’s just unbearable that this can happen in this age.”

At the Petroleum Industry Trade Union, there was laughter and chatting coming from behind a closed door. The women felt they had no choice but to laugh about being on strike for six months. The question “Why are you on strike?” is enough to make them tell what they have gone through. The one who starts is Fatma Özüm, one of the women around since the foundation of the factory. “The pressure on us became so high, we lost all human feeling. We had to work, we didn’t want to quit. Then we decided to use our constitutional right and formed a union in March 2005. Pregnancy was queued, there was no maternity leave, and we had to report how many times and why we went to the toilet. So we took the decision to go on strike on September 26, 2006.”



Pregnancy queue? The company decides when you can have sex with your husband and get pregnant? Nazli Kaplan, lucky to be the first in the pregnancy queue, began. “When I began to work, there was already a long list of women, to my surprise, waiting their turn to get pregnant. I didn’t know that and I was unknowingly pregnant for one month already when I started working. After having learned that pregnancy was queued and being afraid that they would discharge me, I kept my pregnancy secret. Therefore I did all sorts of things that normally a pregnant woman shouldn’t do. I lifted heavy loads, inhaled chemicals. When my boss found out about my pregnancy, and my friends suggested changing places because of the hard work I was doing, my boss refused.

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“I joined the pregnancy queue when I got engaged”

Nursel Aslantas said, “I added my name to the pregnancy queue, even before I was married. I got engaged and I wanted to have children when I got married. I told my fiancé that I was going to add my name to the queue if we were to have any children. You were given two months to get pregnant; if not, you would find yourself at the end of the list. Therefore, I took this, in my opinion, cunning step. At the time I got engaged, there were five women before me. I was the sixth, and at the time I married, it was my turn and I immediately got pregnant.”

A friend of theirs had frequently visited doctors because of her stress of “What if I can’t get pregnant when my turn comes” and had expressed her desperation: “I have to get pregnant within two months, what can be done that would be more fruitful.”

We asked ourselves, playing the devil's advocate, what would you do if you were the employer of a company, 90 % of which consisted of women, and if all the women got pregnant at the same time. "Almost everybody is married and has a child anyway. And nobody is hurrying for the second one. Only the freshly married are in a hurry. We of course don't want to get pregnant in masses, and hinder the workings. Additionally, if you are employing women labor at such a high level, you have to take the chance, but the measurement to be taken is not to put pregnancy into a queue. We have been bearing children according to the list for five years. They could have employed temporary employees to replace the ones who got pregnant, as they are doing now."

After the pregnancy issue, we asked the details of the WC reporting system. Aysegül Meydan was eager to tell: "There was a chart displaying the time we were spending in the WC. We were writing our names and specifying the time we have spent in the WC, then we were signing it. At the end of the month, they were consulting the chart, and were handing out a bonus to the team with the fewest trips to the WC. The team with the most trips was scolded, and considered to be disgusting. We decided, 'If they are not embarrassed to act like this, we shall not be embarrassed to write everything either', we thought, and we started to mark things like 'I went to the toilet for 4 minutes' / I changed my pad', 'I've got cystitis, I have to pee ever so often'. However, the non-unionized ones were not obliged to write. Now, presumably, all this stuff is abolished. When journalists call the plant to check, they are told that nothing like that is going on. Are people mad enough to go on strike if they are working under neat conditions? We all need money. We have not been working for 6 months now. We want to work, only under human conditions."

There are more allegations. They confide that their masks have been taken away, (excuse: they are chatting under their protective glasses). Also they complain about being robotized because of the non-stop installation work in the assembly line for 7 hours.

Melek Yalçinkaya explains: "Think about it, you do installation work, every 5 seconds, for 7 hours. You can't even scratch your leg, or you'll miss the product in the assembly line. We already couldn't smoke in the factory, but they forbid us to smoke even at home. We couldn't gel our hair or put on make-up. It was because of the concerns about hygiene, but they have taken away our masks, which were much more important. Besides, the products we were making were going to the sterilization area, after we were done with them. We asked for masks, because we were breathing chemicals, this time they brought us heavy, gas-mask looking masks, so heavy we could not wear them. When we said, we don't want those masks, they reported "these employees don't want to wear masks." We did want to wear masks, we only didn't want to wear those heavy masks! When we asked, 'What's the logic in all of this?,' they snubbed us. While working, I had a gastric bleeding, but I had to work 4 more hours to get permission to leave. Once, my friend had a cardiac spasm, and fell down, and they still didn't stop the line. When I came to her help, I was scolded. 'Everyone should only care about her own work,' they told us. My hands started to shake. These are not overstatements, they are all true."

Novamed workers were paid more than the average for other workplaces in the free trade zone, which indicates that the women did not go out on strike for economic reasons.

All of the deplorable working conditions existed at the company when the union started to organise, but it was the union's organizing activity that forced the company to

renounce the shameful working conditions. Since the company was forced to stop the practices, the union did succeed in improving women's working conditions.

In spite of efforts by ICEM, EMCEF and the German union IGBCE, the strike continues. It "celebrated" its first anniversary on 26 September 2007.