



A Comparative Analysis of Partners' Legal and Policy Contexts

Gender Imbalances at the Macro-Level

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The MINDtheGEPs Consortium



MINDtheGEPs
gender equality in research

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Foreword

Gender equality is incredibly important for both research excellence and the well-being of researchers. Feminist epistemologies remind us that the economic and political context in which Western science has developed has led to scientific paradigms and organisational cultures that perpetuate inequalities. This means we need to not only welcome more women into the field but also rethink how we do science and how it fits into our lives. It's not just about the numbers; we also need to change institutions and the knowledge system.

The pressure to "publish or perish" and to be an "unconditional worker" are particularly challenging for women. They have to balance undervalued work in research organisations (often referred to as 'academic housework') with caregiving and family responsibilities. However, in today's uncertain and competitive academic environments, this pressure affects everyone. Encouraging more diverse research teams and leadership offers a wider range of perspectives, not only in research contents but also in ways of doing science and of defining excellence and recruitment and promotion processes. The results are more innovative solutions and discoveries, benefiting everyone involved.

The MINDtheGEPs project is a significant effort to address gender disparities in research and education across five countries: Italy, Spain, Serbia, Ireland, and Poland. These are countries relatively 'inactive' in developing gender equality policies in science and research and that are characterized by resistances, anti-genderism and traditional gender roles (especially in Poland and Italy). Our project joins together different research performing organisations, including public universities, publishers, and public and private research centres, taking a multidisciplinary approach to tackle persistent gender imbalances in our domain(s). By fostering collaboration and shared initiatives, we aim to pave the way for a more inclusive, equitable, and academically vibrant future within European research.

Efforts to bring about change must consider the intricate system of gender as a social structure and acknowledge that inequalities are complex and exist at multiple levels across multiple dimensions. Similar to how every society or organisation has an economic structure, there is also a gender structure with social dynamics that operate at the individual, organisational, and national scales. Each of these levels has both structural and cultural dimensions, making change a bit like a game of dominoes – when one thing changes, it can trigger a chain reaction.

To lay the foundation for gender equality plans (GEPs) in research organisations, MINDtheGEPs has gathered various types of data to understand and address the multiple intersecting barriers. The initial step involved analyzing the strengths and weaknesses of each national context. This report, initially shared as part of the project titled *D2.1 - Gender Imbalances at the Macro-Level: A Comparative Analysis of Partners' Legal and Policy Contexts*, assessed research and higher education legislation and policies (particularly in terms of recruitment, promotion, and access to research funds), the gender equality approaches adopted in each country to meet EU directives, as well as labor market and welfare policies (especially those supporting the "dual earner-dual carer" model, breaking away from the traditional "unconditional worker" assumption).

The collected material provides an overview of the differences in national settings where our organization and researchers operate. These settings shape a set of opportunities and constraints that are not gender-neutral and inevitably influence the actions and achievements of organizations and male and female researchers in their pursuit of more inclusive and innovative science in an "happier" equilibria with other spheres of own lives.

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Introduction: MINDtheGEPs project

MINDtheGEPs takes a multidisciplinary multidimensional approach to challenging gender unbalances across five different countries with still traditional gender regimes (Italy, Spain, Serbia, Ireland, Poland) and across various types of Research Performing Organisations (RPOs): 4 public universities (Turin, Tralee, Gdansk, Jagiellonian) and 1 public non-academic research institute (CNR); 1 academic (Belgrade) and 1 private technological institute center (Galicia). The consortium, led by the University of Turin's CIRSDe, comprises also three non-implementing organizations bringing complementary expertise in monitoring and evaluation (Knowledge and Innovation), research communication (Uppsala University) and scientific publishing (Elsevier). In order to promote systemic institutional change and following the "no data-no policy" principle, the project will map the existing data and, building on the tools developed within an ongoing research project of the project coordinator, will produce new quali-quantitative evidence. On this basis, both structural and cultural actions can be effectively designed. At cultural level, the project will organize a virtuous chain of trainings, starting from across-partners "train the trainers" workshops to within-partners laboratories addressed to young women, but, endorsing the approach of "fixing the system not the women", also to men and senior researchers. At structural level, the project will introduce work-family measures addressed also to men, equality targets in decision-making boards and gender-sensitive research. The establishment of proper figures and bodies creates conditions for the endurance of GEPs beyond the project's life. A multidisciplinary team (also including key-persons in middle or top management), coupled with a multi-skilled Advisory Board (including relevant national authorities), and 4 professional associations both in STEMM and SSH, will contribute to a successful change in RPOs and in society at large.

Introduction and objectives of the deliverable

Deliverable 2.1, titled *D2.1 - Gender Imbalances at the Macro-Level: A Comparative Analysis of Partners' Legal and Policy Contexts* aims to provide comparative analysis of the different macro-contexts of MINDtheGEPs implementing partners. To better meet the deliverable's objectives, we first collected from implementing partners the specific national analysis and we decided to describe each country's legal and political context to compare them in the final chapter.

The first chapter is devoted to deepening the first objective of the deliverable, consisting in the analysis of the research and higher education legislation and policies, especially regarding recruitment, promotion, access to research funds.

The second chapter reflects the second objective, focusing on the gender equality approach adopted in each country's legal framework to meet EU directives, to see whether there are specific laws and collective agreements that promote Gender Equality Plans (GEPs), supported or not by action plans and national programmes.

The third chapter meets the third objective analyzing the labour market legislation and policies and the relevant welfare policies, especially those supporting the "dual earner-dual career model", that is, supporting also fathers in combining family with work responsibilities by breaking down the "unconditional worker" assumption.

More broadly, the overall objective of this deliverable is to provide MINDtheGEPs consortium with the necessary internal know-how that will allow the elaboration of effective GEPs in each national context, highlighting differences and commonalities among the diverse legal and political frameworks in order to explore the possibility of developing some shared and transversal actions suitable for all implementing partners.



As is well-known, the European effort to improve gender equality in research and education is part of a broader plan aiming at increasing inclusion and participation in each aspect of society. In the EU Communication (2020) *A union of Equality: Gender Equality Strategy 2020-2025*, there is a fundamental acknowledgment of the status of the art:

14 of the top 20 countries worldwide on gender equality are EU Member States. Thanks to robust equal treatment legislation and jurisprudence, efforts to mainstream the gender perspective into different policy areas, and laws to address particular inequalities, the EU has made significant progress in gender equality in the last decades.

Nevertheless, not all European countries are on the same level: «Member States on average scored 67.4 out of 100 in the EU Gender Equality Index 2019, a score which has improved by just 5.4 points since 2005» (EU 2020).

To monitor and compare progresses and slowdowns per country a useful tool, that we adopted for the analysis of this deliverable, is the Gender Equality Index (GEI) of the European Institute of Gender Equality (EIGE). The Index is composed by a set of indicators regarding work, money, knowledge, time, power and health (in its 2020 version it also includes two new areas: violence and intersecting inequalities). On the main page of GEI it is stated that «Gender inequalities are most pronounced in the domain of power (53.5 points), especially in economic decision-making. The second-lowest score is in the domain of knowledge (63.6 points). Gender segregation in tertiary education is the main obstacle». Thus, developing positive actions to tackle this unequal condition is even more urgent in universities and research organizations. RPOs, as public institutions, have a unique role to play in developing a working environment that supports gender equality, particularly when it comes to career advancement, job quality and equal representation at the top levels. EU Directive 2006/54 states that public sector organizations must “lead by example” for the private sector in adopting positive actions devoted to the promotion and implementation of gender equality.

Until 2012 the European Union engaged in several initiatives that encourage to adopt positive actions. Positive actions include measures targeting the special needs of women to overcome their position of inequality. In December 2015, the Council of the European Union (2015) invited Member States to set targets for gender balance in research decision-making bodies and to develop «gender equality plans including the gender dimension in R&I content and programmes and mobilise adequate resources to ensure their implementation».

MINDtheGEPs, before elaborating and implementing its GEPs, aims with this deliverable at identifying strengths and weaknesses of its national contexts to develop appropriate initiatives. The fact and figures provided by the GEI would be here our starting point to look at the country status of the art, and the data provided by GEI will be analyzed in the frame of the relevant national law and policies in the next three chapters. A comparison among partners will be provided in the Conclusion.

The national context analyzed and compared here are those of MINDtheGEPs implementing partners, i.e: University of Turin, Italy; National Research Council of Italy (CNR), Italy; University of Gdansk, Poland; School of Electrical Engineering, University of Belgrade, Serbia; Jagiellonian University, Poland; Munster Technological University, Tralee, Ireland; CTAG – Automotive Technology Centre of Galicia, Spain.



According to the Gender Equality Index Report 2020, MINDtheGEPs implementing partners register the following “status of the art”:

- **Italy.** With 63.5 out of 100 points, Italy ranks 14th in the EU on the Gender Equality Index. Its score is 4.4 points lower than the EU’s score. Since 2010, Italy’s score has increased by 10.2 points (+ 0.5 points since 2017). Italy is progressing towards gender equality at a faster pace than other EU Member States. Its ranking has improved by eight places since 2010.
- **Poland.** With 55.8 out of 100 points, Poland ranks 24th in the EU on the Gender Equality Index. Poland’s score is 12.1 points below the EU’s score. Since 2010, its score has increased by only 0.3 points, with a slightly higher increase (+ 0.6 points) since 2017. Poland’s ranking has dropped by nine places since 2010.
- **Serbia.** With 55.8 out of 100 points, Serbia ranks 22th in the EU on the Gender Equality Index¹.
- **Ireland.** With 72.2 out of 100 points, Ireland ranks 7th in the EU on the Gender Equality Index. Its score is 4.3 points above the EU’s score. Since 2010, Ireland’s score has increased by 6.8 points (+ 0.9 points since 2017). Ireland has progressed faster than the EU and improved its position by two places since 2010.
- **Spain.** With 72.0 out of 100 points, Spain ranks 8th in the EU on the Gender Equality Index. Spain’s score is 4.1 points above the EU’s score. Since 2010, its score has increased by 5.6 points. A slight increase (1.9 points) has been achieved since 2017. Spain’s ranking has remained the same since 2010.

At a first glance, these data suggest the internal diversity of the consortium, since the very different starting point of the implementing partners is evident. What is not evident and what is at the stake in MINDtheGEPs is the possibility to transform this internal diversity in a common wealth. The mutual exchange among partners can be the most effective strategy to pursue our objective, the progressive achievement of gender equality in European Research Performing Organizations (RPOs).

¹ Data for Serbia refers to the Gender Equality Index Report 2018 available here: https://eurogender.eige.europa.eu/system/files/post-files/indeks_rodne_ravnopravnosti_srbija_eng.pdf



1. Research and higher education legislation and policies

1.1 Recruitment procedures in the university system in Italy

According to the GEI in Italy gender inequalities are most persistent in the knowledge domain (61.9 points). Here the GEI looks at gender segregation in higher education, graduates of tertiary education and participation in adult learning. A more accurate source of data for those who want to understand the status of the art of women in Italian University is SheFigures (EU, 2019). She Figures shows that in Italy there is a counterintuitive situation: while the proportion of women among doctoral graduates (51,8) is slightly higher than men's (EU 2018, 19), the proportion of tertiary educated and employed as professionals or women technicians (57,0) is lower compared to men's (65,7) (EU 2018, 39). Moreover, as *The 2020 Graduate Profile Report* shows in 2019 among Italian graduates, where the presence of women is significantly higher (58.7%), the share of women graduating in time is equal to 57.9% compared to 52.6% for men (AlmaLaurea, 2021). Italy suffers both of horizontal and vertical segregation in the academic contexts.

As for horizontal segregation it has to be noted that among women researchers the majority work in the field of humanity and social sciences (EU 2018, 78), since the proportion of female researchers in STEMM (Science, Technology, Engineering, Maths and Medicine) fields is still low. As instance, table 6.2 of SheFigures, *Proportion (%) of women among grade A staff, by main field of R&D, 2016*, shows the persistency of horizontal segregation among Italian Full Professor: while the percentage of female grade A staff in the field of Humanities is 36,5% and in Social sciences 25,7%, in Natural sciences the percentage decrease at 22%, in Medical sciences at 14,6, in Engineering and technology at 12,1% (EU 2018, 121).

It has to be highlighted that the proportion of women among researchers is still low (36,0) when compared to men (EU 2018, 59) and analysing the top-level academic positions the situation does not improve.

Table 6.1 of SheFigures, *Proportion (%) of women among academic staff, by grade and total, 2016*, clearly shows the persistency of vertical segregation in Italian University: the proportion of women at Grade A is 22,2, Grade A corresponding in Italy to Full Professor; the proportion of women at Grade B is 37,2, Grade B corresponding in Italy to Associate Professor; the proportion of women at Grade C is 46,4, Grade C corresponding in Italy to Researcher (or Assistant Professors); the proportion of women at Grade D is 50,9, Grade D corresponding in Italy to PhDs and fellowship researchers.

In this context a recruitment procedure that could expressly aim at hiring women would probably be effective. However, Italian legal framework does not allow a similar recruitment procedure, because it is considered discriminatory in force of the Constitutional Chart that clearly states that no-one can be discriminated basing on sex, age, religion, ethnic origin. Therefore, allowing for example a recruitment procedure for female researchers in a engineering research center, in Italy would not be considered a positive action to be undertaken, on the contrary on the legal level it would be understood as an indirect discrimination towards men and other genders. Every recruitment procedure must be open to all genders and based only on the curriculum vitae of the candidates, as stated in the law dictate that Italian universities must accomplish.

In the last decades, the Italian higher education system has been informed by two major transformations: the feminization of the workforce and the reforms designed for increasing economic productivity. In particular, the reforms here important are: Riforma Gelmini (law 240/2010) and the



implementation of a performance-based funding system that overlapped with the turnover cut (Gaiaschi, Musumeci 2020). The effects of these reforms do not only affect women at the top of their careers, as the metaphor of the glass ceiling seems to suggest, but also characterize the whole career of women in research and academia as we will see in the next sections.

1.2 Career progression procedures in the university system in Italy

The main starting position for a career in Italian academia is usually that of 'PhD Student' (Grade D), a temporary position lasting three years during which the PhD Students must provide an original and socially useful research dissertation in their field of studies. After the PhD, usually scholars apply for temporary fellowships related to specific project under the supervision usually of Professors, this is true for academia as well as for research organizations. These short-term fellowships can be renewed for a maximum of 6 years in the same university/research organizations. Fellowship precarious contracts are largely employed in Italian research system and, together with temporary Researcher contracts (Grade C), they represent the baseline of the academic system, the 51,3 % of the employee's total (MIUR 2019). The most precarious contracts, the annual fellowships in Italian called *assegni di ricerca* are signed especially by women, while women that sign the most protective and permanent contracts, deserved to Full Professors, are really few: only the 23% of the total.

It has to be specified that Researchers at University (Grade C) in Italy not only have the duty of undertake their own research, but also have teaching duties. To progress in their career, Researchers have to overcome successfully the National Scientific Qualification (*Abilitazione Scientifica Nazionale - ASN*) that will allow them to participate in the universities' calls for Associate Professor (Grade B). Once achieved Grade B, Associate Professors can be evaluated again and promoted to Grade A (Full Professor) or can remain in their position that is in every case a permanent one. Researchers at research organizations do not necessarily have the ASN but the recruitment system is based on the participation to open calls to obtain a full permanent position. Usually, before getting fixed positions, researchers have several years within precarious contracts (research fellows and fixed contract positions) in the course of which they conduct research and collaborate, mostly, to national and European projects.

Highly important to be highlighted, for a comprehensive understanding of the precariousness process interesting the Italian universities, is the figure of Adjunct Professor (AP) established in 1980 (Art. 25 of Law no. 382/1980). Adjunct Professors sign private contracts with universities, they not only teach extracurricular courses, because in 1998 the Minister for Universities, through decree no. 242/1998 established that APs could teach required courses. Since 1998, the teaching lack has been regularly covered by counting on the willingness of lecturers (who until 2010 were not paid for lecturing), increasing the teaching duties and responsibilities of both APs and associate and full professors, and increasing the number of APs.

Furthermore, since the 1990s, teaching activities and research outputs became objects of a constant evaluation (Moscati, 2001; Rebora and Turri, 2011). As for teaching activities, the evaluation system focuses on the fulfilment of professors' duties, while for research outputs it focuses on "the impact factor." This evaluation system generated an unspoken hierarchy: teaching is perceived as a duty, while conducting a research is perceived as an honour. With the new reform of Law no. 240/2010 this hierarchy has been institutionalized: the national scientific evaluation (*abilitazione*) takes into consideration only scientific "products" (i.e., patents, academic papers, articles, book chapters, monographies), ignoring teaching activities.



The increase in Adjunct Professor contracts started in 2003, while the number of full and associate professors after 2003 decreased consistently. This situation can be explained considering three main factors: law no. 509/1999 giving universities the faculty of more autonomously launching new degree courses and curricula; the degree course reform of 2001 (conforming to the *Bologna process*) substituting the previous *laurea* (4/5 years) with two levels of degree courses (bachelor and master); the new movement of recruitment after 2001 of tenured researchers (Grade C) free from teaching obligations. Report says that after 2009:

with the block on replacing positions lost to turn-over, the number of adjunct professors peaked at 40,000. From 2009 to 2013, the number of APs remained higher than the number of full and associate professors together. Conversely, the number of junior and senior researchers, the two new figures which were introduced in 2010, did not significantly impact the trend of AP numbers until quite recently. Indeed, in 2017, the number of aps started increasing again, to 26,869 positions (+4.3% over 2016), highlighting how a decrease of their use for teaching activities is not foreseen for the following years (De Angelis e Grüning 2020).

To understand how female career progression is hindered at different levels, from the bottom to the top, we refer to a recent data analysis that could rely on unique data on recruitment covering the last two decades, provided by the Italian Ministry of Education, University, and Research's statistical office (Gaiaschi, Musumeci 2020). Data regards the number of researchers and professors currently on the job (stock) and the number of researchers and professors recruited as at December 31 of each year of the period 2000–2018 by gender, rank, and scientific field in Italian public and private universities: post-docs (research fellows), the pre-reform assistant professors (RU), junior- (RTDa) and senior-researchers (RTDb), associate professors, full professors.

The Gelmini reform (law 240/2010), united with the 2007–2017 restrictions in turnover, have reduced women's recruitment at the level of assistant professor, therefore narrowing their possibility to reach tenure track positions (Gaiaschi, Musumeci 2020).

Law 240/2010 has reformed the first steps of the academic career by substituting the previous permanent contract of the assistant professor (Ricercatore Unico - RU) with two kinds of short-term contracts: Ricercatore a tempo determinato A (RTDa) that is a "junior" assistant professor, and Ricercatore a tempo determinato B (RTDb), a "senior" assistant professor. Only RTDb employees can access associate professors' positions and only if they have successfully passed the National Scientific Qualification (ASN). Picardi (2019) suggested to consider only RTDb as corresponding to SheFigures Grade C, since Grade C contains only tenure track positions, and RTDa employees as corresponding to the "non-tenure" Grade D. Picardi proposed the Glass Door Index (GDI) to measure the under-representation of women in accessing grade C, while Gaiaschi and Musumeci (2020) addressed the female disadvantage at the middle of the career ladder (associate professors) proposing a new index: the Glass Bottleneck Index (GBI). Gaiaschi and Musumeci (2020, 12) compared the GDI and GBI to the GCI (Glass Ceiling Index) and concluded:

First, there has been an improvement—in terms of gender equality—among the full (GCI) and associate (GBI) professors. Second, a worsening of the GDI in the years after the reform, from 2012 on, has occurred instead. Third, the transition to full professor remains the most difficult for women, given that the GCI is higher than the two remaining indexes. Fourth, in the years before the reform, the GBI was higher than the GDI, suggesting that the disadvantage in the transition to associate professorship was stronger than the one related to the access to the



level of assistant professor. In the years after the reforms, the two indexes show the same value, thus confirming the “convergence”—in the most recent years—of the share of women among assistant and associate professors.

By comparing stock and recruitments data, one can see that the recruitment-based GCI and GBI are lower than the same stock-based indexes, thus confirming that the female recruitment rate is higher than the share of women in the respective groups. On the contrary, the recruitment-based GDI is consistent with the one computed on the stock in the post-reform phase (as it is too soon for a variance to be created) while it is worse than the stock-based one in the pre-reform phase, suggesting that the growth of women in the years before the reform was also due to the greater numbers of male transitions from RU to associate professor. Furthermore, while the stock-based indexes improve over time, those calculated on recruitment show a substantially constant—though fluctuating—trend, except for the GCI and the GDI after the reform, with the former improving and the latter worsening up until a late recovery in 2017 and 2018. Improvement and worsening translate into a sort of “convergence” of recruitment, with the GBI index reaching parity in 2018, indicating that the proportion of female recruits among associates is equal to the proportion of female recruits among assistant professors, and, thus, that the reform has anticipated the adverse selection for women from the level of associate professor to the level of assistant professor.

1.3 Recruitment procedures in the university system in Poland

In Poland academic teachers may be employed either on research & didactic positions— with research obligations and teaching duties, or didactic positions – only with teaching duties, or research positions with an obligation to perform research and involvement in education of doctoral candidates. The implementation of legal regulations concerning equal recruitment and treatment in employment is based on Chapter IIa of the Labour Code²⁰.

The way of employing an academic teacher is regulated by the Law on higher education and science. Establishing the first employment relationship with an academic teacher for an indefinite period or for a specified period longer than three months, in the amount exceeding half of the full-time working time, precedes the obligation to conduct a competition procedure. This obligation is directed only to public universities and concerns teaching, research and research and teaching positions. The manner of conducting the competition is specified in the university statute.

This means that universities themselves determine the procedure of dealing with matters related to competitions, for example the type of documents required from candidates, the date and place of their submission, the order in which individual competition activities are to be performed, the deadline for adjudication of the competition and substantive requirements (criteria) for candidates in the competition procedure. Therefore, there is no appeal against the decision made by the selection board. (Baran ed.)

Therefore, this regulation gives universities a lot of freedom both in terms of the procedure and conditions of the competition. The only guideline binding universities is the obligation to conduct a competition procedure characterized by openness (Woźnicki ed.).

However similarly at other European countries the lack of women’s presence is particularly evident at higher levels of scientific careers. Data from the European Union countries indicate that in the group



of people with assistant professor or professorial degrees, women constitute only 15% of researchers. Similarly, in the area of science management – in 2017 women constituted only 27% of those employed in the position of authority in scientific institutions. In Poland, the highest scientific degrees are more often obtained by men: although 49% of the doctors employed at Polish universities are women, in the group of assistant professor positions they represent only 38%, and barely 24% among professors. Among the members of the Polish Academy of Sciences, only about 8% are female researchers (*Gender in the Global Research Landscape*, 2017). The issue of low representation of women in the world of science is recognized by Polish society. A survey commissioned by L'Oréal Poland as part of the „For Women and Science” programme shows that about 61% of Poles are aware that there is a lack of diversity in research teams, especially with regard to gender (Fandrejewska-Tomczyk, 2016). The survey indicated that the number of women in scientific research teams is lower than 40%. On the other hand, when asked about the number of women in higher positions in science, more than half of the society (58.1%) overestimated this number indicating that there were more women than in reality – the respondents answered that women constitute more than 20% of those holding higher positions in science, whereas in fact there are only 11% of them.

Secondly, the number of women among academic authors is lower than the number of men. Analysing the authorship of scientific publications, so important nowadays in the scientific career, we observe proportions similar to those mentioned above – between 2013 and 2017 the ratio of women to men among the authors of scientific publications in the EU was on average one to two (women constituted 30% of the authors of scientific publications. In comparison with other EU countries, Poland definitely stands out. As revealed by the 2019 CWTS Leiden Ranking² published by Nature Communications which compares universities from all over the world in terms of the number of women co-authors of publications shows that in total, 13 Polish universities are among the top fifty in this ranking. On the other hand, the analysis in the Gender in the Global Research Landscape Report reveals that in most fields, women's articles are cited less frequently than men's – and this is not related to the quality of their work, but to the stereotypes related to femininity and masculinity that are responsible to a large extent for the perception of women by others and by themselves as uninterested in pursuing scientific careers.

Thirdly, there are fewer women than men studying STEM. Looking at the fields of study chosen by women it is worth noting that they represent only 36% of people studying STEM (Science, Technology, Engineering, Mathematics and Medicine) (Women in Science report, UG, 2020).

1.4 Career progression procedures in the university system in Poland

Academic career in Poland starts with first-cycle study programmes and ends with full professorship. First-cycle programmes (ISCED 6) in Poland last 3-4 years and lead to a Bachelor's degree (“licencjat”) or equivalent (“inżynier” in engineering sciences). Holders of the Bachelor's degree can enter second-cycle programmes (ISCED 7), which take 1.5-2 years depending on the area of study and lead to a Master's degree (“magister”). Only few fields of study offer long-cycle Master's degree programmes that last for 4-6 years. A person holding Bachelor's or Master's degree can be employed in the lowest academic position of an assistant lecturer (Grade D, Eurydice, 2020; EURAXESS).

The Master's degree provides access to third-cycle studies (ISCED 8) that last for 3-4 years. Doctoral studies lead to a PhD degree (“doktor”) . A recent Law on Higher Education (2018) introduced a new model of doctoral education - doctoral schools conducted by universities and research institutes with

² <https://www.leidenranking.com/ranking/2019/list>



the A +, A or B + category in at least two scientific disciplines. Doctoral schools replaced full-time and part-time doctoral studies that were conducted by authorized university units. Doctoral education is free of charge and each doctoral school participant receives a scholarship. According to the law on higher education monthly doctoral scholarship should not be lower than 37% of a professor's salary – up to the month in which the mid-term evaluation was conducted and 57% of a professor's salary – after the month in which the mid-term evaluation was conducted. Doctoral students may not be employed as academic teachers or researchers; however they can be employed for the conduct of research projects or – without limitations - after a mid-term evaluation with a positive result. To receive a PhD degree, it is necessary to present and defend a doctoral dissertation prepared under the supervision of a senior researcher (a person holding a degree of doktor habilitowany or the title of professor). A doctoral dissertation might be a scientific monograph, a collection of published and thematically related scientific articles, design, construction, technological, implementation or artistic work as well as an independent and separate part of a collective work.

A person holding at least a PhD degree can be employed in the position of an assistant professor (Grade C). Until 2018 assistant professors were employed for a definite period of time (of 8 years), within which they should have received habilitation to be entitled to promotion. The new Law on Higher Education allows the first employment contract with an academic teacher to be concluded for an indefinite period or for a specific period of up to 4 years. If having significant teaching, professional, and scientific or artistic achievements a PhD holder may be employed in the position of a university professor (Eurydice, 2020; EURAXESS). A PhD degree is also recognised as a certificate in the labour market outside academia.

The next step of academic career is the habilitated doctor (“doktor habilitowany”), which can be awarded only to PhD degree holders. Habilitation gives its holders scientific autonomy to conduct their own research and lead a team. It is the highest qualification level issued through the process of a university examination and is the key for access to a professorship (Eurydice, 2020; EURAXESS). An application for the award of the degree of doktor habilitowany is evaluated by the habilitation commission on the basis of three reviews and the outcome of examination, which is obligatory in the case of achievements in the human, social and theological sciences Habilitation is the real ticket to the position of a university professor as well as to university managerial positions.

Full seniority in rank is however achieved with the scientific title of the professor (“profesor”), which is awarded by the President of the Republic of Poland upon a motion of a Commission appointed by the Council of the Scientific Excellence, a central body of government administration. The title of professor may be granted to a person who: 1. holds the habilitated doctor degree (in specific cases a PhD), 2. has outstanding scientific or artistic achievements, and 3. participated in scientific projects granted under open calls (national or international) or participated in international fellowships or research conducted in higher education institutions or research centres in Poland or abroad. Titular professorship is necessary to obtain the highest academic position of a professor (Eurydice, 2020; Euraxess).

While this is too early to assess the impact of the new law on higher education and science on the advancement of female researchers, their progression has been hindered, which is indicated by the widening gender disproportions with the move to successive career stages. Women are the majority of tertiary graduates: in 2018 they constituted 66% of graduates from ISCED 6 programmes, 67% of graduates from ISCED 7 programmes and 55% of graduates from ISCED 8 programmes (own calculation based on Eurostat, 2020). They also outnumber men among academic staff with Grade D (58% in 2018) and are equally represented among academic staff with Grade C (50%). However, their shares at the high-ranking positions are significantly lower (39% in Grade B, 25% in Grade A, own calculation based



on RAD-on 2020). Despite recent improvements in the proportions of female researchers at subsequent career stages, their chances to be promoted to the highest rank of an academic career improve very slowly – between 2007 and 2016 the glass ceiling index (GCI) for Poland decreased by only 0.02 points from 1.8 to 1.78 (European Commission, 2009, 2019) .

Rigid rules on career progress in research organisations and higher education institutions in Poland are argued to make the system less attractive to both domestic and foreign talents. The age structure of R&D staff is also cause for concern, along with the relatively late age of achieving autonomy in research (European Commission, 2017: 57).

All academic staff are subject to periodic assessment (at least every 4 years), in particular with regard to the performance of scientific activities, teaching and education of students and organisational works. The new Law on Higher Education and Science (2018) states that child-care leaves extend the deadline for employees' periodic assessment (ART. 128.1) and affirms that child-care leaves are not included in the calculation of time of holding the doctoral title in case of young researchers applying for stipend of the Minister (Art. 360.1). However, the impact of the employee's justified absence from work on the assessment of the quality of a given employee's scientific activity is subject to various interpretations, which causes a lot of uncertainty among, mainly female, academic teachers and researchers.

1.5 Recruitment procedures in the university system in Serbia

The most important laws governing the areas of research and higher education in Serbia are:

1. The Law on Science and Research ("Official Gazette of the Republic of Serbia", no. 49/2019-3)
2. The Law on Higher Education ("Official Gazette of the Republic of Serbia", no. 88/17, 27/18 (other law), 73/18, 67/19)
3. The Law on the Dual Model of Studies in Higher Education ("Official Gazette of the Republic of Serbia", no. 66/2019)
4. Law of the National Qualifications Framework (NQF) ("Official Gazette of the Republic of Serbia", no. 27/2018 and 6/2020),
5. The Law on Innovation Activity ("Official Gazette of the Republic of Serbia", no. 110/05, 18/10, 55/13), and
6. The Law on the Science Fund of the Republic of Serbia ("Official Gazette of the Republic of Serbia", no. 95/2018-353).

The Law on Science and Research, among else, states that science and research are based on the principle of gender equality in science and research, as well as in decision-making bodies.

The Strategy for Scientific and Technological Development (2021-2025) represents the national Roadmap of the Republic of Serbia for the integration into the European Research Area (ERA), and it includes all six main postulates of the ERA, among which is as well gender equality in management positions, and the development of gender equality policy in research organizations.

According to the records kept by the Ministry of Education, Science and Technological Development (MESTD) in the Republic of Serbia, 123 universities and faculties, 65 institutes, 6 of which are institutes of national importance, are accredited for scientific research. The scientific and technological system also consists of 8 institutes within Serbian Academy of Sciences and Arts (SANU).



According to the Eurostat survey in the Republic of Serbia, the representation of women researchers in all areas is 51.4%, and in management positions 34%. Also, women are in the position of directors in as many as 5 out of 6 institutes of national importance. However, men are dominant among the members of the Serbian Academy of Science and Art (SANU), where they represent 90% of members. The largest participation of women is in the Department of Language and Literature and the Department of Historical Sciences.

In 2019, 57% of new PHD holders were women and they make the majority in many academic fields such as Health (71%), Arts (68%), and Science (66%), while men are more represented in: Engineering, manufacturing and construction, Information and communications technology (66%) and Services (56%) – typically sectors with better pay.

Although Serbia is one of the leaders in the number of women in science in relation to the total number of researchers, there is room for improvement. It is necessary to provide systemic support to women to develop STEM careers and encourage women researchers to apply for management positions.

Serbia's higher education sector consists of different types of institutions, including universities, academies of applied studies, colleges, and colleges of applied studies.

University is an independent higher education institution, which can carry out academic, and/or vocational/applied study programmes at each of the three levels of study. Faculties and art academies are constituent parts of university and – albeit separate legal entities - cannot exist independently. Both faculties and art academies can carry out academic and/or vocational/applied study programmes at all of the three levels of study. University integrates the functions of all of its constituent institutions and units - notably faculties - through unified policies aimed at the on-going promotion of the quality of courses and improvement of scientific research and artistic creativity.

College of academic studies is an independent higher education institution entitled to organize and conduct only first and second-cycle study programmes (Bachelor and Master academic studies). College of applied studies is an independent higher education institution entitled to organize first and second-cycle study programmes (vocational studies at Bachelor, Master and specialized levels). Academy of applied studies is an institution that integrates several vocational study colleges. While the higher education system currently does not include any such institution, their formation is being considered with a view to ensuring better functionality.

In 2018/2019, there were almost three times more colleges of applied studies than universities (55 vs. 19 respectively), however, there were five times more students in universities than in colleges of applied studies (210,480 vs. 39,124 respectively). Similarly, public universities and colleges took in significantly more students than private universities. The University of Belgrade enrolls around half of the country's students.

The Serbian higher education policy landscape has developed rapidly in recent years. As part of broader higher education reform, Serbia joined the Bologna Process in 2003. Since 2003, Serbia has participated well in European initiatives - such as, the European Higher Education Area (EHA) and later the ERA. This has ensured the gradual evolution of degree structures, the development of national qualifications frameworks based on learning outcomes, the establishment of quality-assurance mechanisms, and the inclusion of key stakeholders - i.e., students, in decision-making processes.

The Strategy for Education Development in Serbia until 2020 was adopted in 2012, and played a key role in identify purposes, goals, directions, instruments and mechanisms for the development of the education system. In 2017, the Law on Higher Education set in motion several changes in the sector – one of which is the Law of the National Qualifications Framework, adopted in April 2018. The Law



allowed for the establishment of an integrated qualifications framework for eight levels of education, stipulating the knowledge, skills, and competencies associated with each level, which can be attained through formal, non-formal education, and informal learning. The recent adoption of the Law on Dual Education in Higher Education addressed the challenge of weak connection between higher education and labour market. The ministry has started discussions about the contents for a new medium-term strategy, which will outline the country's vision for education till 2030.

Access to higher education is open to every person who finishes a four-year secondary school. According to the latest 2011 census, 10.59% of the population of Serbia have higher education qualifications.

The financing of higher education in Serbia is under the mandate of the [Ministry of Education, Science and Technological Development](#) of the Republic of Serbia, which allocates funds directly to public higher education institutions and controls the spending of their respective funds. Apart from the Ministry of Education as the main source of funding, public higher education institutions can have other sources of income that are defined by the [Law on Higher Education](#) as: tuition fees; donations, gifts and endowments; funds for financing scientific, artistic and professional work; projects and contracts related to the execution of teaching, research and consulting services; compensation for commercial and other services; founders' rights and contracts with third persons and other sources in accordance with the Law on Higher Education. Higher education institutions are autonomous in managing these funds.

The practice of recruiting the researchers from the best students is still dominant in Serbia. Only 50% of the faculties submit the position ads to the university administration. There are no web pages with searchable listings of positions advertised by the faculties. The job position is not advertised in a very transparent way (for example, there are many cases of position ads only in local newspapers). There are no career development prospects and working conditions descriptions in ads. The deadlines for applications are not realistic if the applications of foreign researchers need to be considered (15 days, according to the Statute).

Foreign citizen can apply for PhD studies under the same conditions as the citizens of Serbia, given that he/she has health insurance. Foreign citizens are also eligible for a PhD grant, issued by MESTD, in case that there are bilateral agreements between Serbia and the country of PhD student's origin.

It is recognized in strategic documents that employers and/or funders should ensure that the entry and admission standards for researchers, particularly at the beginning at their careers, are clearly specified and should also facilitate access for disadvantaged groups or for researchers returning to a research career, including teachers (of any level) returning to a research career. There is also a need to establish recruitment procedures which are open, efficient, transparent, supportive and internationally comparable, as well as tailored to the type of positions advertised.

There is no involvement of industry representatives and small involvement of foreign researchers in evaluation committees, and no external expert assessment, although it is realized that the selection committees from different sectors (public and private) and disciplines, including from other countries and with relevant experience to assess the candidate should be nominated. Member participation in evaluation committee is remunerated with relatively modest fees which does not correspond to the amount of work.

The Survey on the rights and the responsibilities of the researchers working at the University of Niš (SURVEY) has shown that the most valued characteristics of the successful applicants were: published papers (97%), teaching publications (92%) and teaching experience (84%). In some of the cases, other factors are valued, such as: mobility (37%), professional skills (35%), foreign languages (30%) and



professional certificates (28%). Very few respondents highlighted the importance of industry (4%) and entrepreneur (2%) experience. In most of the cases, no interviews with candidates were carried out (SURVEY). The involvement of the evaluation committees' members is very passive, there are no meetings. It is mostly the job of the head of the committee to write the evaluation report.

1.6 Career procedures in the university system in Serbia

Initial education, conditions of service and professional development of academic staff is regulated by the Law on Higher Education and, more specifically, by the higher education institution statutes and rules. There are no special programmes for the initial education of future academic staff in higher education. Likewise, there are no requirements concerning particular subjects during studies, such as psychology, pedagogy, teaching methodology or other education related subjects.

Admission criteria to higher education institutions for those planning to pursue academic career is equivalent to those anticipated for any other student applying for a higher education programme. Typically, a PhD degree is required for those applying for academic staff positions, although persons with lower degree levels may apply for some positions. The duration of initial education for academic staff is usually 8 years (3 or 4 years of a Bachelor's degree programme + 1 or 2 years of a Master degree programme + 3 years of a PhD degree programme). Research work and the publication of scientific papers are highly valued for students aiming for academic career.

Academic staff in higher education institutions includes teachers, associates and researchers. There are several levels of titles within the teachers' profession: lecturer; professor of applied studies; assistant professor; associate professor; and full professor. Lecturers and professors of applied studies may teach only at colleges and not at a university level. Assistant professors, associate professors and full professors may teach at all levels of higher education. There are two titles for education staff working as associates: teaching assistants and assistants.

The Strategy for Education Development in Serbia and respective Action Plan for the Implementation of the Strategy for Development of Education in the Republic of Serbia 2020 encompassed several actions that target HR planning:

1. Improving criteria and procedures for selection and advancement of teaching staff - by establishing common selection procedure for teaching staff, establishing procedure for the inclusion of teaches from diaspora and foreign teachers;
2. Development of support to teaching staff for teaching and scientific work – through improvement of quality of education and university excellence and developing support for teacher mobility at HEIs
3. Adjustment of the number of teachers needed within different fields of study.

Most commonly, higher education teachers and associates are employed on a full time basis. However, the duration of their employment may vary in accordance with their respective titles:

- Teaching assistants: fixed-term employment for 1 year, with a possible extension for another year;
- Assistants: fixed-term employment for 3 years, with a possible extension for another 3 years;
- Lecturers: fixed-term employment for 5 years;
- Professors of Applied Studies: permanent position;
- Assistant Professor: fixed-term employment for 5 years;



- Associate Professor: fixed-term employment for 5 years;
- Full Professor: permanent position.

Academic staff members are required to act in accordance with the professional code of ethics which is usually issued by each higher education institution.

Moving from a lower professional title to the next in the line (from teaching assistant to full professor) is considered career advancement. Although academic staff members have to formally undergo a recruitment process in order to earn a higher title, it is an expected sequence of events for those who wish to continue their career at the same institution.

A higher-ranking title brings a salary increase, like in any other case of teacher promotion (e.g., becoming the Head of Department, Dean, a committee member etc.). Furthermore, each year of working experience brings an increase in salary and number of annual leave days, as specified by the Labour Law.

Honourable professor emeritus title may be assigned to a retired professor for their distinguished scientific work and contribution to higher education. Professor emeritus may be involved in all teaching activities within the second- and third-degree levels of study.

1.7 Recruitment procedures in the university system in Ireland

Higher education in Ireland is provided by universities, technological universities, institutes of technology and colleges of education. In addition, a number of other third level institutions provide specialist education in fields such as art and design, medicine, business studies, rural development, theology, music and law. There are 7 Universities which are part of the Irish Universities Association (www.iua.ie), two technological Universities and 9 Institutes of Technology which are all part of the Technological Higher Education Association (www.thea.ie) in addition to 8 other publicly funded higher education organisations. All institutions except for the private, independent colleges are autonomous and self-governing, but substantially state funded.

The Higher Education Authority is the statutory planning and development body for higher education and research in Ireland. The HEA leads the strategic development of the Irish higher education and research system with the objective of creating a coherent system of diverse institutions with distinct missions. The Authority has wide advisory powers across the third-level education sector. In addition, it is the funding authority for the universities, institutes of technology and other designated higher education institutions.

There is no common set of recruitment procedures for Universities / Higher Education in Ireland, each organisation develops its own recruitment policies processes which are informed by the legislative framework under of the Universities Act 1997, The Institutes of Technology Act 2006 or the Technological Universities act 2008.

The Universities Act 1997 sets out the objects and functions of a university, the structure and role of governing bodies, staffing arrangements, composition and role of academic councils and sections relating to property, finance and reporting. University governing authorities are required to ensure that strategic development plans and procedures for evaluating teaching and research are in place. The Higher Education Authority has an overseeing role on such plans and procedures. The legislative framework preserves the academic freedom of the universities and respects the diverse traditions and institutional autonomy of each university.



Technological Universities Act 2018 details the function, governance, staff, academic councils, plans and statements, finance, application, and establishment procedures of Technological Universities.

The Institutes of Technology Act 2006 provides for a similar relationship between the Institutes of Technology and the Higher Education Authority as that between the Authority and universities as well as greater institutional autonomy, improved governance, and a statutory guarantee of academic freedom for the institutes (www.education.ie).

Since 2016 Higher Education organisations that are in receipt of core funding from the HEA are required to collate and report gender disaggregated data on report staff and student gender data on an annual basis to the Higher Education Authority, with targets and performances measured (<https://hea.ie/policy/gender/statistics/>).

The Higher Education Authority Gender Task Force commissioned an extensive assessment of recruitment and promotion good practice, undertaken by the Equality Challenge Unit UK which evaluated academic staff recruitment and promotion by gender; and identification of gaps in data collection, particularly in regards professional, management and support staff data and extensive stakeholder consultation.

Taking the results into account the HEA developed a dedicated section in the Gender Actions Plans of each higher education organisation “Gender Proofing Recruitment, Promotion and procedures and practices” with a suite of actions and KPIs that each HEI must achieve and report on annually towards achieving the target of 40% gender balance across all posts and grades. Complementing this is the work that is carried out under the Athena Swan Charter (<https://www.advance-he.ac.uk/equality-charters/international-charters/athena-swan-ireland>) in which gender proofing of recruitment and the achievement of gender balance is a key part of the SMART action plan and development work carried out to secure, maintain and progress in the Charter, which as Irish Higher Education Organizations are required to secure.

1.8 Career procedures in the university system in Ireland

The career structure is generally consistent across Irish universities. It progresses from PhD Researcher, Post-doc, Lecturer, Senior Lecturer, Associate Professor and Professor. The first appointment to an academic position at an Irish university usually is at the level of Assistant Lecturer. Lecturers need at minimum a MSc or a PhD degree and preferably publications of high quality depending upon the organisation. Contracts for Lecturer are often temporary and for one, three or five years.

The academic career structure in Ireland has undergone many changes in the past thirty years and is characterised today by considerably more uncertainty in terms of a traditional career path, a high degree of competitiveness and sometimes uncertainty on the possibility for new hires to obtain permanent contracts. In general, the demand for positions is higher than the offer. Short-term and fixed-term contracts are common. Measures designed to make universities more flexible in their staffing have made it harder to achieve permanent full-time appointments. However, the teaching unions such as the Teachers Union of Ireland are active in supporting academic career security in addition to Irish employment law, in particular the Fixed Term Workers Act which provides for conversion of extended and repeating fixed term contracts into long term permanent equivalent contracts known as contracts of indefinite duration.

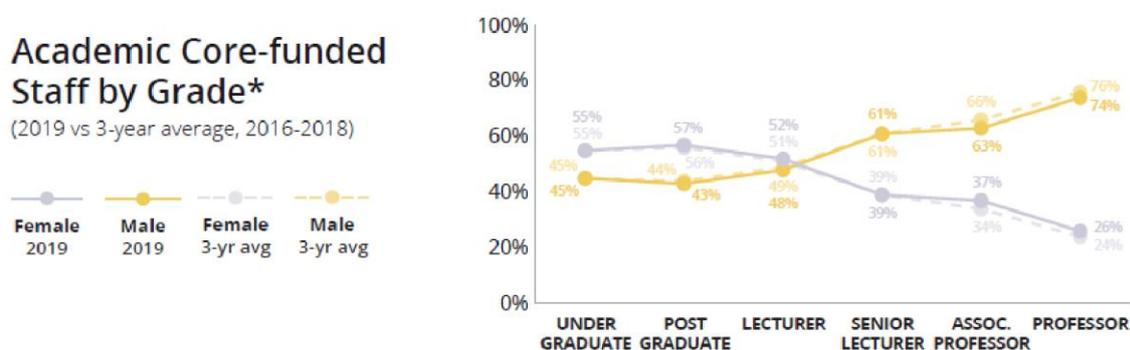
The Institutes of Technology and Technological Universities differ from the Universities with the balance of time weighted towards teaching rather than research, which is changing with increasing investment in the sector. It has been noted however that in parallel as number of students enrolling in



Irish universities has increased upward mobility has become more difficult; lecturers have less time to devote to research and are asked to devote more time to teaching responsibilities.

The Higher Education Authority (HEA) National Review of Gender Equality in Irish Higher Education Institutions (2016) was an important first step in highlighting the gender inequality that existed at senior academic levels in our HEIs and suggested radical changes to tackle it. Data trends in the universities over the period 2013-2017, show that there has been a consistently low rate of change year on year, only 1-2% each year at professor level, from a starting position of 18% female professors in 2013 to just 24% in 2017. The HEA Higher Education Institutional Staff by Gender report (2018) highlights that in 2017 only 24% of professor posts were filled by women as compared to 51% female lecturers, the entry level for academic posts in the university sector.

Figure 1: Academic Core Funded Staff by Grade in Universities in 2018 (www.heai.ie)



In response the HEA established a Gender Equality Task Force to identify measures which could accelerate the progress to gender equality in the Higher Education system in Ireland. The outcome of this work led to the development of the National Gender Action Plan 2018 – 2020 which detailed a comprehensive strategic approach to help embed the recommendations of the HEA Expert Group, to bring about sustainable organisational change and to empower a culture of gender equality in the HEIs for all staff, academic and professional, management and support staff at all levels. At the core of the National Gender Action Plan 2018 – 2020 was the requirement for all higher education organisations to have 3-year SMART Gender Action Plans which responded directly to the targets and actions defined by the HEA.

A positive intervention funded by the Irish Government to address gender imbalance at professorial grades is the Senior Academic Leadership Initiative (SALI) in which 45 new posts were funded over a 3 year period. The first 20 posts were awarded in 2020 (<https://hea.ie/2020/01/03/hea-welcomes-the-announcement-of-20-new-posts-targeted-at-addressing-gender-under-representation-at-senior-academic-levels/>), the results of the 2021 call are due and with a final series of posts to be announced in 2022.

1.9 Recruitment procedures in the university system in Spain

According to the Gender Equality Index Report, in Spain, Gender inequalities are most pronounced in the domain of knowledge (67.6 points). The She Figures report shows that, in Spain, the proportion of women among doctoral graduates (50,8) is higher than the European average UE (47,9) with a notable increase since 2007 (47,6). However, the proportion of women with tertiary education and employed as professionals or technicians is lower (45,5) than the European average (57,0) as well as the the proportion of men (46,7).



As an example, table 6.2 of She Figures 2018, Proportion (%) of women among grade A staff, by main field of R&D, 2016, shows the persistency of horizontal segregation among Spain Full Professor: while the percentage of female grade A staff in the field of Humanities is 28,9% and in Social sciences 22%, in Natural sciences the percentage decrease at 21,1%, in Medical sciences at 23,8, in Engineering and technology at 12,2 % (EU 2018, 121). As for vertical segregation it has to be highlighted that the proportion of women among researcher is still low (40,0) when compared to men (EU 2018, 59) and analysing the top-level academic positions the situation does not improve.

Table 6.1 of SheFigures 2018, Proportion (%) of women among academic staff, by grade and total, 2016, clearly shows the persistency of vertical segregation in Spain University: the proportion of women at Grade A is 21,3, Grade A corresponding in Spain to University Cathedratic officer; the proportion of women at Grade B is 42,4, Grade B corresponding in Spain to Full Professor; the proportion of women at Grade C is 48,4, Grade C corresponding in Spain to Researcher; the proportion of women at Grade D is 48,8, Grade D corresponding in Spain to PhD student.

Spanish Legislation in force

- Organic Law 3/2007, of 22 March, for the effective equality of women and men.
- Law 7/2007, of 12 April, on the Basic Statute of the Public Employee.
- Law 4/2017 on Universities, which amends Law 6/2001.
- Law 14/2011, of 1 June, on Science, Technology and Innovation - a reform of this law is currently in the pipeline.

According to Ministry of Science and Innovation, 61.6% of the research personnel in Spain (143,974 people - in full-time equivalence) work in the Public Administration and Higher Education sectors. In these sectors, research personnel are mainly concentrated in Public Research Bodies and Universities. Therefore, analysing the situation of women researchers in these areas is particularly relevant in order to identify inequalities, obstacles and difficulties, which can also be extrapolated to other areas dedicated to R&D, especially in the public sector.

In Spain, the regulatory framework is provided by Articles 9. 2 and 14 of the Spanish Constitution, Organic Law 3/2007, of 22 March, for the effective equality of women and men, and more specifically Law 14/2011 (LCTI 14/2011), of 1 June, on Science, Technology and Innovation, which includes the integration of the gender approach transversally in the science, technology and innovation system as the first of the innovative measures to place Spanish legislation at the international forefront, and which dedicates its thirteenth additional provision to specifying measures and actions for this purpose, such as balanced presence in committees and bodies; addressing gender bias in selection and evaluation; gender-disaggregated analysis in the Science, Technology and Innovation information system; and the implementation of Equality Plans in all Public Research Bodies.

In addition to the Strategic Plans for Equal Opportunities and Equality Plans between women and men of the General State Administration, which specify at the executive level the various regulatory provisions on equal treatment and non-discrimination between women and men, the new Spanish Strategy for Science, Technology and Innovation (2021-2027) includes the gender perspective as one of its fundamental principles, and has among its objectives to guarantee gender equality in the R&D&I system, which in turn is reflected in axis 7 on the attraction, retention and development of talent and axis 14 on a science for society. The annual plans derived from the strategy should in turn integrate this gender perspective.



At the same time, Spanish Ministries each had to create a unit devoted to the promotion of equality between women and men in their respective fields of action. The Basic Statute of Public Employees (Law 7/2007) established the need to adopt equality plans in public administrations as well. Law 4/2017 on Universities (LOMLOU) made these mandates more explicit for universities, stating that "within their organisational structures, universities will feature equality units specifically for the promotion and implementation of tasks related to the principle of equality between women and men". The Science, Technology and Innovation Law extended the adoption of gender equality plans beyond universities to also include Public Research Organisations (PROs).

However, despite having a regulatory framework, as can be read in the *2019 Report of the Xarxa Vives d'Universitats*, they have not managed to put an end to this "gender bias", as shown by the data: women represent 42% of the Teaching and Research Staff (PDI) at universities; some fields of knowledge, such as Engineering and Architecture, continue to be strongly masculinised (76% of men), while in others, traditionally feminised, such as Medicine and Health Sciences, Arts and Humanities or Social and Legal Sciences, gender balance has been achieved; as the academic rank within the teaching and research staff increases, the number of women decreases; in the same professional and child-bearing situation, male teaching and research staff publish 1.5 more articles on average than women; nearly 70% of principal investigators are men; only one third of these are supervised by women; women have less access to decision-making powers, but, as a general rule, they take on more of the management burden; in 75% of cases it is women who apply for leave to care for children or dependents, or who opt for reduced working hours; although the administrative and services staff (PAS) is a group with a strong female presence, the fact is that, within their civil service category, the presence of men is substantially increased; and with regard to the student body, although women are already in the majority in enrolment (54%), obtain better academic performance and have a lower drop-out rate than men, it is also clear that their numbers are significantly reduced at the end of their training, i.e. when the path to an academic career opens up.

Things have been changing in recent years, but there is still a long way to go. This is demonstrated, for example, by the text of the latest call for the evaluation of research activity published in the BOE of 11 December 2019, which, although it provides for women to be able to extend their last six-year period by one year for each leave arising from maternity, adoption, foster care or adoption; it is no less true that it continues to discriminate against women scientists who opt for maternity, as it does not consider weighting the merits for its concession in terms of the effective period worked (reducing by one the number of relevant contributions necessary for the concession of the six-year period for each maternity).

Key actors

Three Spanish Ministries have overlapping responsibilities in gender and science issues. The Spanish Ministry of Equality is responsible for general equality policies and for ensuring non-discrimination in the workplace. In particular, the Women's Institute (IM), an autonomous body. For its part, the Spanish Ministry of Universities holds competence over universities, whereas the Spanish Ministry of Science and Innovation is in charge of science and innovation politics and manages public research bodies. The Women and Science Unit of the Ministry of Science and Innovation is the main organisation responsible for mainstreaming gender in the fields of science, technology and innovation on a national level.

Recruitment, promotion

Both LOMLU and LCTI place gender equality as an overall goal of the Spanish System of Science, Technology and Innovation, establishing a number of different requirements concerning recruitment, promotion and decision-making. Gender parity (40/60%) in the nomination to panels, advisory boards



and committees is foreseen. The selection and evaluation procedures for recruitment and accreditation, as well as for awarding financial grants, are to be revised to eliminate gender bias, barriers and gaps. Provisions to achieve greater participation of women in research groups and to integrate gender issues in research are also considered. These laws also establish the units and tasks involved in monitoring the implementation of gender equality practices within the universities, pointing at the development of sex-disaggregated statistics and the involvement of key actors, such as the General Conference of University Policy.

According to the thirteenth additional provision of Law 4/2011 of June on Science and Innovation, the procedures for the selection and evaluation of research personnel in the service of public universities and public research bodies of the General State Administration, and the procedures for the award of grants and subsidies by research funding agents, shall establish mechanisms to eliminate gender bias, including, whenever possible, the introduction of confidential evaluation processes.

Such processes shall involve the evaluator being unaware of personal characteristics of the person being evaluated, in order to eliminate any discrimination on the grounds of birth, race, sex, religion or any other personal or social condition or circumstance.

In addition, the selection and assessment procedures for teaching and research staff in the service of public universities, and for research staff in the service of the Public Research Bodies of the General State Administration, shall take into account situations of temporary incapacity, risk during pregnancy, maternity, foster care for adoption purposes, risk during breastfeeding, risk during pregnancy, maternity, foster care or adoption for adoption purposes, risk during breastfeeding, risk during pregnancy or breastfeeding, risk during pregnancy or breastfeeding, and risk during breastfeeding, foster care, risk during breastfeeding and paternity, so that persons who are or have been in such situations are guaranteed the same opportunities as the rest of the personnel who participate in the selection and assessment processes, and their record, merits and curriculum vitae are not penalised by the time spent in such situations.

Decision-making

As of 31 December 2020, in the 79 universities that have provided data for the report “Scientists in figures 2021”, there were 61 rectors (77% of the total) and only 18 female rectors (23% of the total). In the position of vice-chancellor, men are also in the majority: vice-chancellors account for 58% of the 583 vice-chancellors, compared to 42% of vice-chancellors.

In the case of the position of dean, women only represent 35% of the total of 903 people holding this position, compared to 65% of men. On the other hand, there is parity in the position of vice-deans (3,024 people in total). Meanwhile, 36% of the 2,514 university departments are headed by women, while only 23% of the research institutes of these universities (504 institutes in total) are headed by women.

Half of the universities have a balanced representation of women and men on the governing board in 2020 (39 out of a total of 79) and 76% (60 out of a total of 79) also have such a balance in the governing teams of the centres (dean's teams of the faculties and management of schools).

However, this situation has not yet been transferred to lower positions. Only one in four of the heads of institutes or research centres are women (35 out of a total of 143 institutes or centres).

In the case of the presidency of the governing board, in 2020, in six PROs it is held by a man and in two by a woman. Gender balance in the management of PROs is a reality, but women should also be equally represented on steering committees and governing boards.



1.10 Career progression procedures in the university system in Spain

As mentioned above, research personnel in Spain are mainly concentrated in public research organisations (PROs) and universities. This section shows data related to the presence of women in research careers in both areas, taking into account the following classifications:

- University staff:
 - Grade A: university professor civil servant.
 - Grade B: tenured lecturers, full professors, doctoral lecturers, doctoral readers, doctoral visitors and contracted doctoral staff at public universities; teaching staff with research capacity at affiliated centres/private universities: doctoral teaching staff at faculties or higher technical schools with levels between I and II, doctoral teaching staff at faculties or higher technical schools with level III, doctoral teaching staff at university schools and other teaching with levels between I and II; Ramón y Cajal research staff, other postdoctoral staff and visiting research staff.
 - Grade C: first postdoctoral stage corresponds to the first doctoral post of access to university/ newly qualified doctors: doctoral assistant at public universities; Juan de la Cierva research staff.
 - Grade D: predoctoral stage, includes public university assistants and FPI and FPU predoctoral research staff.
- PROs staff:
 - Grade A: research professors
 - Grade B: staff in the scale of scientific researchers; scale of full scientists; distinguished researcher; with a contract from the "Ramón y Cajal" Programme.
 - Grade C: personnel with a contract under the "Juan de la Cierva" Programme; with a contract under the "Miguel Servet" Programme; work and service in charge of research projects.
 - Grade D: research trainees (FPI, FPU and other pre-doctoral contracts from competitive calls).

Research careers in universities

According to the recently published study "Scientists in figures 2021", if we analyse the distribution of women and men throughout the research career at universities in the academic year 2018-2019, we can see that, as the research career progresses within the university, the proportion of women decreases, which is known as the scissors effect. Among the main reasons for this scissors effect are the difficulties in reconciling a career in research, which has its own difficulties (competitiveness, precariousness, mobility) with personal and, above all, family life (the majority of women take on caring tasks); but also gender biases and discrimination, especially indirect discrimination, which can still occur in some areas or a sexist atmosphere in some work environments.

Women are in the majority at the beginning of research careers, with more than 55% of female students enrolled in Bachelor's and Master's degrees. The proportion of women and men is very similar



in doctoral studies and in the number of approved theses: women account for 50.0% in doctoral studies and 49.8% in approved theses.

In the academic year 2018-2019, in the pre-doctoral or grade D stage the total number of research staff amounts to 14,439 people (47.6% women and 52.4% men). Something similar happens in the first postdoctoral stage or grade C with 4,902 people (50% women and 50% men). In grade B there are 51,777 people (44% women and 56% men), and finally, in grade A, there are 11,207 people (24.1% women and 76% men).

As we have seen, in the pre-doctoral stage the percentage of men (52.4%) is slightly higher than that of women (47.6%), and in the first postdoctoral stage parity is reached, but nevertheless, at the highest positions of the research career within the university, three out of every four professors are men. Looking at these data graphically, the data are scissor-shaped, hence the term "scissor effect".

This study has also compared the data with the 2015-2016 academic year, observing that the proportion of women has fallen in the pre-doctoral stage (from 49.9% to 47.6%) and has remained constant in the first post-doctoral stage (from 49.9% to 50.0%). In the higher positions, it is worth noting that women have increased their presence in grade B (from 42.9% to 44.5%) and in grade A (from 21.1% to 24.1%).

On the other hand, a scientific career requires the accreditation of competences and skills. The ACADEMIA Programme, through its accreditation commissions, carries out the curricular evaluation process to obtain accreditation for access to the university teaching bodies of tenured university lecturers and university professors. In 2019, a total of 1,382 applications for accreditation were submitted for university professors, of which 32% were women and 68% men. In the case of tenured university professors, of the 2,538 applications, 40% were from women and 60% from men.

On the other hand, the Programme for the Evaluation of Teaching Staff for Recruitment evaluates the teaching and research activities and the academic training of applicants for access to the positions of contracted university lecturers. In 2019, a total of 38,248 applications were submitted for accreditation for Assistant Professor Doctor, of which 51.1% corresponded to women (51.1%) and 48.9% to men. In the case of the Hired Doctoral Teaching Staff, of the 43,417 applications, 50.4% were from women and 49.6% from men. And in Private University Teaching Staff, of the 35,714 applications, 50.5% were from women and 49.5% from men.

Research careers in public research organisations (PROs)

By category, the total number of staff in grade D amounts to 1,304 persons (52.9% women and 47.1% men). In grade C there are 976 persons (49.3% women and 49.7% men). In grade B there are 3,174 persons (40.3% women and 59.7% men). And finally, in grade A there are 652 people (26% women and 74% men).

The evolution of the distribution of women and men in the research staff of PROs, according to research category has been analysed between 2016 and 2019. Similar to what was observed in the case of universities, there is a scissors effect in the proportion of women and men in the different categories of the research career within the PROs: the higher the category, the lower the participation of women. In 2019 (the latest year for which data are available), women are in the majority among pre-doctoral research staff (grade D) in PROs: 53.0% of the total are women compared to 47.0% men. At grade C - first postdoctoral stage - the proportion of women (49.4%) and men (50.6%) is similar. However, when moving up the career ladder, women are less and less represented in the categories of grade B (40% of scientific research staff or tenured scientific staff are women) and grade A (26% are women research professors in PROs).



Compared to 2016, the proportion of women in the pre-doctoral stage has remained constant. In the first postdoctoral stage (grade C) the participation of women has increased by 4.2 percentage points. At grade B, the proportion of women and men has remained constant. Finally, it is worth noting that in the highest category post of research professor in PROs (grade A), women have increased their presence from 24.8% of the total in 2016 to 26.1% in 2019.

Access to research funds

Below is a summary of the analysis presented in the report *Scientific Women in Figures 2021* on the participation of female researchers in public calls for R&D&I grants.

In 2019, the total number of applications to the calls for resources of the State Research Agency (SRA, hereinafter) amounted to 9,966, of which 4,665 corresponded to women and 5,301 to men. The total number of grants awarded in 2019 was 2,186: 999 to women and 1,187 to men. Of the total of 9,966 applications to the Agency for human resources calls in 2019, 4,968 are for incorporation calls (Torres Quevedo contracts, Ramón y Cajal grants, grants for technical support personnel for R&D&I and Juan de la Cierva-Incorporación grants), of which 2,322 correspond to women and 2,322 to men. 322 correspond to women and 2,646 to men; and 4,998 correspond to applications to the training calls (pre-doctoral contracts, industrial doctorates and Juan de la Cierva Training grants) (2,343 from women and 2,655 from men).

In 2019, women researchers have applied for 47% of the training grants. In the grants approved, female researchers represent 45% of the total of 1,295 grants approved. Since 2017, these percentages have remained stable. On the other hand, 47% of the grants for the incorporation of research personnel have been requested by women, who have received 46% of the grants (891 in total). These percentages have not changed significantly since 2017.

Participation in the calls for proposals for human resources shows a great disparity by sex between the different scientific-technological areas. Thus, in 2019, women only represent 30% of the 1,765 applications submitted and 432 approved in the area of engineering and technology, and 43% of the 3,884 applications (44% of the 853 grants awarded) in the natural sciences. However, in the area of medical and health sciences, 65% of the 1,156 applications and 260 grants awarded are for women.

In 2019, the total number of applications to the calls for projects (projects of excellence, research challenges, etc.) of the Agency was 7,078, of which 2,632 had been submitted by woman as principal investigators and 4,446 by men as principal investigators. Grants awarded a total of 3,255 researchers (1,126 for woman and 2,129 for men). In 2019, female principal investigators submitted 37% of the applications and received 35% of the grants. Since 2017, the proportion of women has grown each year in both applications (32% in 2017, 35% in 2018 and 37% in 2019) and awards (29% in 2017, 32% in 2018 and 35% in 2019).

In the calls for projects, there are also relevant differences in the sex of the principal investigator according to the scientific-technological area of the application. Thus, the proportion of female principal investigators in grants submitted and awarded in the area of engineering and technology was less than 30% in 2018 and 2019, while in agricultural sciences it was over 40% in both years.

In 2018-2019, Spain has submitted 1,427 applications to the different calls of the European Research Council (ERC), of which 392 correspond to women -27.4%- and 1,035 to men -72.5%-. A total of 138 applications have been approved, 34 submitted by women (23.2%) and 104 by men (76.8%). Spanish applications to these calls represent 9% of the total of 15,554 applications submitted in the whole of the European Union. The grants awarded to Spain represent 7% of the 2,064 grants approved in the European Union as a whole. Both in the European Union countries as a whole and in the applications



from Spain, the percentage of women is always below 40%, except in the grants awarded under the Starting Grants call. In this call, women receive 40% of the grants in the European Union as a whole and 41% of the grants in Spain.

In 2018-2019, Spain submitted 2,532 applications to the different Marie Skłodowska-Curie (MSCA) calls of the European Commission, of which 1,075 were women (42.4%) and 1,457 were men (57.6%). A total of 347 applications have been approved, 164 submitted by women (47.2%) and 183 by men (52.8%).

In terms of Spanish applications, women researchers account for more than half of the grants awarded in environment and geosciences, life sciences and social sciences and humanities, while in information sciences and engineering, mathematics, chemistry and physics, women account for less than 40% of the grants awarded. This is again a reflection of the horizontal segregation that still exists.



2. Equal opportunity legislations and policies

2.1 Equal opportunity policies

2.1.1 Gender Equality legislation in Italy

According to the Gender Equality Index Report in Italy Gender inequalities are most pronounced in the domains of power (48.8 points), time (59.3 points) and knowledge (61.9 points). Italy has the lowest score in the EU in the domain of work (63.3 points). The reason of these weaknesses can be found firstly in a legislation that is slowly tackling historically well-rooted gender biases.

To start with, one can observe that women presence in national politics is guaranteed by gender quotas only since 2017. Law no. 165 of 2017 introduced some provisions in favor of gender representation for the Parliament election: in the internal succession of lists in plurinomial constituencies, both of the Chamber and of the Senate, the candidates must be placed according to an alternating gender order (1-1); among the candidates presented by each list or coalition of lists in single-member constituencies, neither of the two genders - in the Chamber at the national level and in the Senate at the regional level - can be represented in excess of 60 per cent.

Italian Law number 125/1991 introduced Positive Actions, however we should wait until 2006 to see Positive Action Plans become effective. Decrees number 198/2006 (National Code of Equal Opportunities between Women and Men) and number 5/2010 (*Attuazione della direttiva 2006/54/CE relativa al principio delle pari opportunità e della parità di trattamento fra uomini e donne in materia di occupazione e impiego*) provide that every public organization (thus State universities) has to prepare a “PAP” (Positive Action Plans). PAPs are documents in which organisations disclose the positive actions planned for the following three years to promote gender equality, together with monetary and human resources devoted to achieving such positive actions. The National Code of Equal Opportunities and subsequent laws implement Directives of the EU on equal opportunities and equal treatment in matters of employment (European Directive 2006/54).

Thanks to the Decrees 198/2006, Italian public RPOs, as other kind of public institutions, must develop PAPs to improve gender equality at the workplace. Yet this law does not provide any guideline, therefore, RPOs can autonomously elaborate the positive actions to be implemented. The only directive that contains indication for the development of PAP is the Directive of the Presidency of the Council of Ministers of 23 May 2007 (*Misure per attuare parità e pari opportunità tra uomini e donne nelle amministrazioni pubbliche*) that identifies the instruments and the areas of intervention: positive actions aiming at balancing female representation in sectors and professional levels where they are underrepresented; the organization of work aiming at promoting work-life balance; hiring and promotional mechanisms targeting women.

2.1.2 Institutional structure for gender equality and equal rights in Italy

The governing body in charge of gender equality is the Department for Equal Opportunities (MPO), founded in 1997 within the office of the Prime Minister. It has not been provided of a portfolio, therefore its action is characterized by the lack of resources.

The body in charge of the implementation of a PAP in Italian RPO is the Guarantee Committee for Equal Opportunities, Employee Wellbeing and Non-discrimination at Work – CUG. Established by the Law n.183/2010, it is a single body combining the competences of the previous Committee for Equal Opportunities and the Anti-Mobbing Committee.



Although the law designates common rules for the Committee's composition, it leaves to public administrations and universities the outlining of internal procedures concerning their election and functioning. This law also requires the appointing of a Confidential Advisor (*Consigliera di fiducia*), a role devoted to the solution of mobbing and (sexual) harassment cases.

The National Network of University Committees for Equal Opportunities (Rete Nazionale degli Organismi di Parità – CUGs) gathers Universities' Committees for the protection of gender equality for workers' wellbeing and against discriminations (CUGs) and other Equal Opportunities bodies (if the CUG have not been constituted yet) in Italian Universities.

2.1.3 Gender Equality legislation in Poland

The principle of gender equality is embedded in the Polish Constitution and the Labour Code. The Article 33 of the Constitution of the Republic of Poland (1997) states that men and women shall have equal rights in family, political, social and economic life, in particular regarding education, employment and promotion, and shall have the right to equal compensation for work of similar value, to social security, to hold offices, and to receive public honours and decorations. The Labour Code (1974) includes provisions on equal treatment in employment prohibiting discrimination on the grounds of sex, age, disability, race and other premises in relation to establishing and terminating an employment relationship, employment conditions, promotion conditions, access to training in order to improve professional qualifications and remuneration. The Labour Code also distinguishes between direct and indirect discrimination and identifies sexual harassment as a form of discrimination on the grounds on sex.

While there is no separate law on gender equality, the Act on the implementation of some regulations of European Union regarding equal treatment (2010) makes reference to sex as one of the grounds of discrimination. The Act sets general framework conditions for equal treatment policy in Poland and specifies the competent bodies in equal treatment issues, i.e. the Plenipotentiary for Equal Treatment as the government body and the Commissioner for Human Rights as the independent equality body. However, the Act does not provide protection against discrimination on grounds of sex and gender in education.

According to The Act the Government Plenipotentiary for Equal Treatment (see beneath) should develop a National Action Programme (NAP) for Equal Treatment, specifying objectives and priorities of actions for equal treatment. In 2013, the Plenipotentiary for Equal Treatment published the NAP for 2013-2016. However, as of early 2021, no subsequent Plan has been implemented (public consultation of a draft resolution was conducted in late 2020).

Gender is a matter of concern in the Strategy for Responsible Development up to 2020 (including the perspective up to 2030) adopted by the Council of Ministers in 2017. It provides supporting the professional activity of women, through appropriately targeted programs of financial support for families, development of various forms of childcare, programs to raise the qualifications of employees after a break in employment (p. 167) and implementing flexible forms of work (p. 372).

At the same time, Poland has no legal provisions to enforce gender mainstreaming and thus there are no actions coordinated at national level (EIGE, 2020).

2.1.4 Institutional structure for gender equality and equal rights in Poland

A governmental body responsible for gender equality and/or equal treatment had been operating, off and on, since 1986. Since then, however it changed its name, location and scope of competences many times, which reflected the attitude of successive Polish governments to the issue of equality (Klejdzysz,



2016). While previously the body operated only on the basis of regulations of the Council of Ministers, since 2010 it had been formally reinforced with the Act on the implementation of some regulations of European Union regarding equal treatment, which provides for the appointment of the Government Plenipotentiary for Equal Treatment. The Plenipotentiary is appointed and dismissed by the Prime Minister of the Republic of Poland and sits within the governmental structure, which makes it vulnerable to ideological orientation of a government in power (Zielińska, 2018). Still, it does not have a separate budget and has limited human resources. As of early 2021 it sits within the Ministry of Family and Social Policy in the rank of Secretary of State. It should implement government policy on equal treatment, including prevention of discrimination, in particular due to sex, race, ethnic origin, nationality, religion, denomination, belief, age, disability and sexual orientation, however since 2016, when the position of the Plenipotentiary was filled by the right-wing government of Law and Justice, its activities are limited.

Performance of tasks related to the implementation of the principle of equal treatment has been also entrusted with the Commissioner for Human Rights, who provides independent assistance to victims of discrimination in making complaints of discrimination cases, conducting independent research on discrimination, and publishing independent reports and making recommendations on all issues related to discrimination.

The Commissioner is appointed by the lower house - with the consent of the upper house - for five years. It is independent in its operations, distinct from other state bodies and accountable only to the parliament, under the terms set out in the Act. The office of the Commissioner is obliged to submit an annual report on its actions to the parliament, which is then made public. However, the independence of the Commissioner's activities has certain limits. The budget of the Commissioner for Human Rights is approved by the parliament and has seen incremental reductions since the change of government in 2015, but still that body was one of the most active in the equality field. Under this office a number of research, interventions and meetings, related to gender equality, were held. The biggest research in Poland on sexual harassment in academia was made on its demand. The report recalled that harassment and sexual harassment are one of the most drastic forms of discrimination, leading to violation of the victim's personal dignity and resulting in serious social consequences. At the same time the results showed that about 40 percent college students have experienced harassment. This phenomenon affects women (47%) more than men (31%). The Commissioner pointed out, that the scale of sexual harassment and harassment in Poland still seems to be underestimated. Last but not least it is worth emphasizing the legal gaps in the area of preventing and combating sexual harassment and harassment e.g. there are not clear routes or procedures that students could follow in order to pursue their rights in court or out of court in case of being a victim of sexual harassment (Rzecznik Praw Obywatelskich, 2018).

It is worth mentioning that one of the interventions of Poland's Office of the Ombudsman for Human Rights and the UN CEDAW Committee was directly related to the shifts that had downgraded the Plenipotentiary for Equal Treatment and substantially weakened its role. As stated in Human Rights Watch shadow report: *This was a total rejection of the CEDAW Committee's 2014 recommendation to "strengthen the mandate and authority" of the Plenipotentiary for Equal Treatment* (HRW, 2019, p.17).

Within the national structure for equal treatment there also formally operate Coordinators for Equal Treatment sitting in ministries and selected central offices as well as Voivode's Plenipotentiaries for Equal Treatment located in the highest-level units of the administrative division of Poland. The scope of their responsibility is the same in every voivodeship in Poland (EIGE, 2020), yet no significant engagement of those positions is possible to detect.



2.1.5 Gender Equality legislation in Serbia

The Republic of Serbia is a signatory of the international documents which guarantee the protection of human rights and equality of women and men, and prohibit gender-based discrimination.

Among these documents, the most important are documents of the United Nations: Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women — CEDAW (1979), the Optional Protocol to CEDAW (2000), International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, the Beijing Declaration and Platform for Action (1995), and the UN Security Council Resolution 1325 on Women, Peace, and Security (2000), the Council of Europe (European Conventions for the Protection of Human Rights and Fundamental Freedoms, the European Social Charter and the Council of Europe Convention on preventing and combating violence against women and domestic violence. Serbia also signed the European Union (EU Charter of Fundamental Rights).

These documents, as well as other human rights treaties ratified by Serbia, may be directly applied. Also, the European Council granted Serbia the status of candidate country in 2012. The Stabilisation and Association Agreement (SAA) between Serbia and the EU entered into force in September 2013.

Domestic guarantees of gender equality are the Constitution of the Republic of Serbia and the relevant laws and regulations.

The Constitution of the Republic of Serbia (adopted in 2006) sets the legal basis for the introduction and regulation of the principles of gender equality in Serbia and establishes gender equality as a fundamental constitutional right. Under Article 15 of the Constitution, the state shall guarantee equality between women and men and develop equal opportunities policies. The Constitution also lays down the principle of prohibition of discrimination, including, inter alia, gender-based discrimination.

The main laws implementing Gender Equality in Serbia are as follows:

1. The Law on Equality between the Sexes, better known as The Gender Equality Act (Official Gazette of the Republic of Serbia, no. 104/2009.), which proclaims gender equality in Serbia in all areas of public and private life;
2. The Law on the Prohibition of Discrimination (Official Gazette of the Republic of Serbia, no. 22/2009, 26 March 2009.), that establishes a coherent system of protection from discrimination in Serbia;
3. The Labour Law (Official Journal of the Republic of Serbia, no. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 – Constitutional Court decision, 113/2017, 95/2018. The Law was amended several times, in 2005, 2009, 2013, 2014, 2017 and 2018.), which provides specific provisions against discrimination at work and related to employment;
4. The Law on Social Protection (Official Gazette of the Republic of Serbia, no. 24/2011.), that regulates the objectives and principles of social protection, rights, procedures for exercising the right to social protection, use of social services, etc.;
5. The Law on Health Care (Official Gazette of the Republic of Serbia, no. 25/2019.) regulates the healthcare system, the organisation of healthcare services, the rights and obligations of patients, health protection, etc.;
6. The Law on Health Insurance (Official Gazette of the Republic of Serbia, no. 25/2019) governs entitlements deriving from compulsory health insurance of insured persons and other citizens, being covered by compulsory health insurance, the compulsory health insurance organisation



and financing, voluntary health insurance and other issues relevant to the health insurance system;

7. The Law on Prevention of Domestic Violence (Official Gazette of the Republic of Serbia, no. 94/2016.) provides urgent, adequate and efficient protection and support to victims of domestic violence.

The Law on Equality between the Sexes binds all public authorities to actively pursue equal opportunity policies, monitor the realization of gender equality principles and supervise the exercise of international standards and constitutionally guaranteed rights within their remit. The Law addresses gender equality in employment, health care, family relations, education, culture, sports, political and public life and judicial protection. It regulates the creation of equal opportunities to exercise rights and obligations, taking special measures to prevent and eliminate discrimination based on sex and gender and the procedure of legal protection of persons exposed to discrimination.

Under equality of the sexes the Law denotes “the equal participation of women and men in all areas of the public and private sector, in accordance with the generally accepted rules of international law, ratified international treaties, the Constitution of the Republic of Serbia and legislation, which are to be respected by all” (Article 2, paragraph 1).

Public authorities, bodies of the autonomous provinces, local self-government administration bodies, organizations entrusted with executing public competences, as well as legal persons founded or financed in their entirety or predominantly by the Republic of Serbia, the autonomous province and local self-government unit, shall monitor the achievement of equality of sexes in all areas of social life, the implementation of international standards and the constitutionally guaranteed rights in this field (Article 2, paragraph 4). The Law obliges public authorities to lead an active equal opportunities policy in all areas of social life (Article 3). An equal opportunities policy involves achieving equality of the sexes in all phases of planning, adopting and implementing decisions of importance for the status of women and men.

The Law distinguishes between the terms sex and gender, stating that sex pertains to the biological characteristics of a person (Article 10, paragraph 1, item 1), while gender denotes “socially established roles, position and status of women and men in public and private lives out of which, due to social, cultural and historic differences, discrimination ensues on the basis of biologically belonging to a sex” (Article 10, paragraph 1, item 2).

Gender-based discrimination is defined as “any unjustified differentiation or unequal treatment or failure to treat (exclusion, restriction or prioritizing) aimed at hindering, jeopardizing, preventing or denying exercising or enjoyment of human rights and freedoms to a person or a group of persons in the area of politics, economy, social, cultural, civil, family life or any other area” (Article 4, paragraph 1). It is also considered discrimination if a person is unjustifiably treated less favourable than others, exclusively or mostly because they have asked or intend to ask for legal protection from discrimination, or have offered or intend to offer evidence of discriminatory treatment. Unjustifiable differentiation, exclusion, restriction and treatment or other measures undertaken, as per this Law, are particularly considered to be: 1) if the measure undertaken is not justified by legal or legitimate aims; 2) the measures undertaken are not proportional to the goal being achieved by the measures undertaken. Just like the Anti-Discrimination Law, the Law on the Equality of Sexes envisages undertaking special measures to eliminate and prevent the unequal position of women and men and achievement of equal opportunities for both sexes (Article 7).

The Anti-Discrimination Law generally makes any discrimination illegal, stipulates discrimination forms and cases, as well the procedures for the protection against discrimination.



The Domestic Violence Law regulates the protection against domestic violence and the conduct of public authorities and institutions in precluding domestic violence and in protecting and rendering support to the victims of domestic violence.

The Law on Free Legal Aid (2017) expanded the provision of services has been enacted, but it has not been implemented in a manner that reaches the citizens most in need of improved access to justice, including in cases of gender-based violence, divorce, property rights, and other social-protection issues. Despite increased reporting of domestic violence, there is still a need to strengthen capacities beyond law enforcement, reaching all stakeholders involved in protection efforts to enhance awareness of the laws and ensure their consistent application.

The Republic of Serbia is one of the few countries in the world that have incorporated the obligation to strengthen gender equality into the reform of the public finance management through the Budget System Law, relying on the gradual introduction of GRB. The law mandates the implementation of GRB, which entails gender mainstreaming of the budget process, including a gender-based assessment of budgets and restructuring revenues and expenditures to promote gender equality (Article 2). The law also mandates that the budget system allocate resources to promote gender equality (Article 4), and it obliges municipalities to publish their annual budget on their websites (Article 45). All budget beneficiaries at all levels of government, in accordance with this law, are obliged to contribute to the achievement of the four objectives of the budget, one of which is “allocative efficiency”, which implies the allocation of the budget in order to improve gender equality. Gradual introduction of GRB in the budget for 2020 covered 47 out of 53 direct budget beneficiaries at the national level and all 26 direct budget beneficiaries at the APV level.

The Law on the Registration of Property (“Official Gazette of the Republic of Serbia”, no. 41/2018, 2018.) stipulates that all property acquired during marriage is automatically registered to both partners, unless there is written consent from one partner to refuse his or her share. And the Law on Republic Administrative Taxes (“Official Gazette of the Republic of Serbia”, no. 43/2003, 51/2003, 61/2005, 101/2005, 5/2009, 54/2009, 50/2011, 70/2011, 55/2012, 93/2012, 47/2013, 65/2013, 57/2014, 45/2015, 83/2015, 112/2015, 50/2016, 61/2017, 113/2017, 3/2018, 50/2018.) provides lower prices for registering shared property of partners. Still, there are significant gaps in women’s ownership of land and housing. Women own just 23.4 percent of all land plots and 24.7 percent of buildings. Low levels of ownership are more pronounced in rural areas, where strong patriarchal norms guide property inheritance patterns. Such patterns include passing assets predominantly to male descendants.

The National Gender Equality Strategy was adopted in 2016. The Strategy envisages more participation for women in political life and decision-making processes, improved economic status of women and female entrepreneurship, elimination of gender-based violence and improved status for multiple-discriminated and sensitive women groups, such as are older women, women in non-urban areas, single mothers, women with disability, women with HIV, Roma women, etc.

The Strategy related to the elimination of negative gender related stereotypes and discriminatory practice towards women, and of the practices that give rise and produce unequal relationships between women and men, the distribution of parental rights and obligations and economic custody on women and men, the upgraded economic status of women, the enhanced participation of women in political and public life, especially in executive power bodies, changed status and role for women in the domain of security, improved health status of women and upgraded status of women in non-urban areas, as well as the introduction of gender related perspectives in public policies.



There are also several national-level strategies that address specific population groups, such as the National Strategy for Youth (2015–2025), the Strategy for the Improvement of the Position of Persons with Disabilities in the Republic of Serbia 2020–2024, and the Strategy for Social Inclusion of Roma 2016–2025. In 2013, the Government of the Republic of Serbia adopted an Antidiscrimination Strategy, and 2014–2018 Action Plan that defines measures for the prevention and protection from discrimination based on gender. The strategy recognizes the LGBTI community as one of the most vulnerable to discrimination in Serbia.

2.1.6 Institutional structure for gender equality and equal rights in Serbia

Institutional mechanisms that implement and monitor the process of gender equality include the gender equality mechanisms on the national level, the level of autonomous provinces, and on the local level.

The institutional mechanisms on the national level are the Coordination body for gender equality (established in 2014), which coordinates the activities of the public administration bodies in implementing the policy of gender equality, the Ministry for Human and Minority Rights and Social Dialogue (established in 2020), and the Committee for Human and Minority Rights and Gender Equality of the National Assembly (starting from 2003), which, inter alia, considers all draft laws and other legal acts from the gender-related viewpoint. The Gender Equality Council has been formed in 2004 as an advisory body to the Government. As a response to the lack of monitoring and reporting on gender equality issues across the sectors at national level, each ministry has been tasked to appoint a gender equality focal point.

The promotion of gender equality is also the mandate of independent bodies for the protection of human rights on the national level: Ombudsperson, whose one of three deputies in charge of rights of children and gender equality, and the Commissioner for the protection of equality.

There are also provincial gender equality mechanisms in Serbia - Gender Equality Committee of the Assembly of AP Vojvodina, AP Vojvodina Secretariat for Social Policy, Demography and Gender Equality, AP Vojvodina Office for Gender Equality, AP Vojvodina Ombudsman in charge of gender equality, the Institute for Gender Equality, as well as the local mechanism that are envisaged by the Gender Equality Law adopted in 2009, and therefore obligatory for the local self-government bodies.

The Institute for Gender Equality monitors the implementation of gender equality policies at provincial level and advises the provincial Executive Council in mainstreaming gender and preparing regulations related to gender equality.

With the mandate of the implementation of the National Action Plan (NAP) on the UN General Assembly Resolution 1325 Women, Peace and Security, the following bodies have been established: Multisectoral Coordination Body for the Implementation of NAP, Political Council for Monitoring the Implementation of NAP, Analytical Group and Research Team, and the Parliamentary Commission for Monitoring the Implementation of NAP. The Ministry of Interior and the Ministry of Defence (MoD) play active role in implementing this NAP. MoD formed a network of trainers in the field of gender equality and developed a relevant manual.

However, despite these achievements in numbers, gender equality mechanisms at all level faces many challenges: their roles and mandates have not been clearly defined by the law; they lack sustainable budgetary support and skilled human resources. As a consequence, their influence to public policies weak at all levels. There is also a lack of vertical and horizontal coordination of gender equality mechanisms that is necessary for the efficient implementation of gender equality policies.



2.1.7 Gender Equality legislation in Ireland

Employment Equality was central to the achievement of gender equality in Ireland as a key principle of the Treaty of Rome 1958, which established the European Economic Community. Ireland's membership of the EEC in 1973 required it to adopt the legislation associated with that principle. Despite this lengthy commitment to gender equality in employment, both in Europe and in Ireland, the achievement of true gender equality in the workplace is still a goal of both the European Union and its Members States, including Ireland (www.genderequality.ie).

Several key pieces of legislation are in place and include:

- Maternity Protection Acts 1994 and 2004
- Adoption Leave Acts 1995 and 2005
- Parental Leave Acts 1998 and 2006
- The [Employment Equality Acts 1998–2011](#).
- Equal Status Act 2000 – 2012.
- Carer's Leave Act 2001
- Protection of Employees (Part-time Work) Act 2001
- Protection of Employees (Fixed-term Work) Act 2003
- National Minimum Wage Act 2000
- [Unfair Dismissals Acts 1977 to 2007](#)
- [Protection of Employees \(Temporary Agency Work\) Act 2012](#).
- [Criminal Justice Act 2011](#)
- [Protected Disclosures Act 2014](#)
- The National Disability Authority Act 1999
- institutional structure for gender equality and equal rights in Ireland

Higher Education organisations in Ireland must comply with all of these Irish Equality law across all areas. The Employment Equality Act 1998 outlaw's discrimination in employment on nine distinct grounds: gender, family status, marital status, age, disability, sexual orientation, religion, race and membership of the traveller community. The scope of the legislation is comprehensive and covers discrimination in relation to: access to employment, advertising, conditions of employment, equal pay for work of equal value, promotion, collective agreements, training and work experience. These kinds of discrimination are outlawed whether by an employer, an employment agency, a trades union, a professional body, a vocational training body or a newspaper advertising jobs. The Act gives protection to employees in both the public and private sector as well as applicants for employment and training. It allows an employer to put in place positive action measures to promote equal opportunities on gender grounds. It also allows positive action specifically geared towards the integration in employment of people over the age of 50, people with disabilities and members of the traveller community. <http://www.genderequality.ie/en/GE/Pages/IrishLegislation>



2.1.8 Institutional structure for gender equality and equal rights in Ireland

As discussed, gender equality legislation was introduced in the 1970s after Ireland first became a member of the European Economic Community (EEC). The introduction of broader equality legislation in the Equal Status Acts (2000-2015) and the Employment Equality Acts (1998-2004), together with new equality infrastructure in the 2000s, established protection against discrimination on nine grounds (including gender) in employment and in access to services. The government body responsible for gender equality policy is the Gender Equality Division (GED) of the Department of Justice and Equality.

Ireland is committed to gender mainstreaming as a strategy towards realising gender equality via the integration of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, with a view to promoting equality between women and men, and combating discrimination.

The National Strategy for Women and Girls 2017-2020 locates the work on gender equality within EU legislation. The National Strategy obliges all government departments to gender-proof new policies and review existing policies for gender equality. This has the potential to impact significantly on gender culture throughout government and wider society.

2.1.9 Gender Equality legislation in Spain

Article 1(1) of the Spanish Constitution includes equality as a fundamental value, and Article 14 states that all people are equal before the law, prohibiting any kind of discrimination based on place of birth, race, sex, religion, opinion or personal or social situation.

Spain has seen relevant advancements in gender equality and gender mainstreaming over the last years. This has led quite a broad legislative body in gender equality and gender mainstreaming, with national and regional equality laws and equality plans as strategic design instruments.

According to the Gender Equality Index Report, in Spain, gender inequalities are most pronounced in the domains of time (64.0 points), knowledge (67.6 points) and power (69.4). Spain ranks the 4th position in the UE in the domain of power (62.0), with an increase of 7.4 points in 2018. However, it is below the European average in the domains of time and money (76.7 points).

Spain achieves its best results in the domain of health: a total of 90.1 points and 6th position in the EU-27. With 77.8 points, Spain obtains its second best score in the economic domain, related to salary differences between men and women, access to sources of financing or risk of poverty. In this regard, the index reflects the remarkable progress in the presence of women on the management committees of large companies (from 10% in 2010 to 27% in 2020) and entities such as the Bank of Spain (from 23% in 2010 to 60% in 2020).

The most important step for gender equality policy was the approval of Organic Law 3/2007 on effective equality between women and men (known as the Equality Law), which applies at national, regional and local level. The Equality Law formalised the institutionalisation of gender mainstreaming, requiring public administrations to mainstream gender in the adoption, implementation and budgeting of all policies. The Equality Law covers a wide range of issues, from paternity leave to more gender-balanced political representation and states the obligation of public bodies and companies to develop equality plans, in cooperation with workers' representatives.

Equality Plans



Since 2019, in Spain, all companies with 50 or more employees are required to design an equality plan. Royal Decree 901/2020, of October 13, regulates equality plans and their registration, amending Royal Decree 716/2010, of May 28.

Equality plans are the instrument that allows the integration of equality in labour relations and in all areas of management of organizations and thus move towards effective equality between women and men.

The equality plans applicable to public employees (civil servants, labour and statutory), are governed by the provisions of Articles 51 and 64 of Law 3/2007 and in particular by the provisions of the seventh additional provision of the revised text of the Basic Statute of the Public Employee Law, approved by Royal Legislative Decree 5/2015, of October 30.

In the private sector, in order to determine which companies are obliged to draw up and implement an equality plan, three cases must be distinguished:

1. Companies with a minimum number of employees, in accordance with the following gradual implementation deadlines:
 - Since last March 7, 2020, companies that have between 151 and 250 employees must already have approved equality plans.
 - From March 7, 2021, companies between 101 and 150 employees must have approved equality plans.
 - From March 7, 2022, companies between 50 and 100 employees must have approved equality plans.
2. When such obligation is established by the applicable collective bargaining agreement.
3. When the labour authority had agreed in a sanctioning procedure the substitution of the accessory sanctions for the elaboration and implementation of such plan.

It is mandatory to register equality plans in the Register of collective bargaining agreements and collective bargaining agreements, which will be publicly accessible. The filing of measures and protocols to prevent sexual and gender-based harassment is voluntary.

Equality plans shall be structured and have the following minimum content:

- a) Determination of the parties to the agreement.
- b) Personal, territorial and temporal scope.
- c) Diagnostic report on the situation of the company, or of each of the companies in the group, as the case may be.
- d) Results of the remuneration audit, as well as its validity and periodicity.
- e) Definition of qualitative and quantitative objectives of the equality plan.
- f) Description of specific measures, implementation period and their prioritization, as well as the design of indicators to determine the evolution of each measure.
- g) Identification of the means and resources necessary for the implementation, follow-up and evaluation of the measures.
- h) Monitoring, evaluation and periodic review system.



- i) Composition and functioning of the commission or joint body in charge of monitoring, evaluation and periodic review.
- j) Modification procedure, including the procedure for resolving possible discrepancies that may arise in the application, monitoring, evaluation or review, as long as the legal or conventional regulations do not require their adaptation.

Equality plans, including prior diagnoses, must be subject to negotiation with the legal representatives of the workers. For this purpose, a negotiating committee must be set up in which the company's representatives and the workers' representatives must participate on a parity basis. The period of validity will be determined by the negotiating parties and may not exceed 4 years.

III Plan for Gender Equality in the General State Administration

Article 64 of the Spanish Law 3/2007 provides for the approval by the Government, at the beginning of each legislature, of a Plan for Equality between women and men in the General State Administration and its public bodies, which includes objectives to be achieved in the promotion of equal treatment and opportunities in public employment, as well as the strategies or measures to be adopted for their attainment.

In compliance with this provision, the Council of Ministers adopted the agreements of January 28, 2011, approving the I Plan for Equality between women and men in the General State Administration and its Public Bodies, and of November 20, 2015, approving the II Plan.

In 2019, the current III Gender Equality Plan in the General State Administration (AGE) was approved, which includes, for the first time, common guidelines for all ministries and dependent bodies. In addition, it will have an impact on the recruitment, retention and promotion of female talent and will combat the 5.2% salary gap between men and women. The plan also provides for a balance between both genders in relation to unpaid leave for family reconciliation, given that 72% is currently requested by women. It also includes a protocol against sexual harassment and gender violence.

The III Plan is divided into six main lines of action in which cross-cutting measures are developed (68 measures). The axes of the Plan are:

- Axis 1. Instrumental measures for organizational transformation.
- Axis 2. Awareness-raising, training and capacity building.
- Axis 3. Working conditions and professional development.
- Axis 4. Co-responsibility and reconciliation of personal, family and work life.
- Axis 5. Violence against women.
- Axis 6. Intersectionality and situations of special protection.

The National Equal Opportunities Strategic Plan 2018-2021

The main national action plan on gender equality is the National Equal Opportunities Strategic Plan. One of the seven axes of this plan is devoted to 'tools to integrate the equality principle in all policies of government', such as improvement of knowledge, statistics and research, training and awareness, evaluation of gendered impacts, and budgeting.

The first plan was published in 2014, this was followed by a draft plan, the Equal Opportunities Strategic Plan 2016-2020. However, the draft was not approved but instead replaced in 2018 by a draft of the newly created Equal Opportunities Strategic Plan 2018-2021 (currently under review).



Spanish Legislation in force

- Law 16/1983, of 24 October 1983, creation of the Women's Institute Autonomous Body.
- Royal Decree 774/1997, of 30 May 1997, establishing the new regulation of the Women's Institute.
- Organic Law 3/2007, of 22 March, for the effective equality of women and men.
- Royal Legislative Decree 2/2015, of 23 October, approving the revised text of the Workers' Statute Law
- Royal Decree-Law 6/2019, of 1 March, on urgent measures to guarantee equal treatment and opportunities between women and men in employment and occupation.
- Royal Decree 455/2020, of 10 March, developing the basic organisational structure of the Ministry of Equality
- Royal Decree 902/2020, of 13 October, on equal pay for women and men
- Royal Decree 901/2020, of 13 October, regulating equality plans and their registration and amending Royal Decree 713/2010, of 28 May, on the registration and deposit of collective labour conventions and agreements.

Finally, it should be noted that in the context of the current health, economic and social crisis resulting from the pandemic, the gender perspective is a cross-cutting and fundamental element that must accompany plans and programmes to tackle it, including those applied to the field of science, technology and innovation. Thus, the Plan for the Recovery, Transformation and Resilience of the Spanish Economy includes gender equality as one of the country's objectives and a transversal axis and highlights it as a fundamental factor of growth, not only as an element of justice and social balance, but also as a factor of productivity and potential GDP, to make the most of the capabilities of 50% of the population and the synergies derived from diversity in economic decision-making.

2.1.10 Institutional structure for gender equality and equal rights in Spain

The participation of women in the different spheres of political power has increased notably in Spain in recent years. Organic Law 3/2007, of 22 March, for the effective equality of women and men, devotes special attention to the promotion of the principle of balanced presence or composition, understood as the presence of women and men in bodies and positions of responsibility, in such a way that the number of persons of each sex does not exceed 60%.

The political spheres in which there is currently a balanced presence of both sexes are very limited, and there is great variability depending on the political body considered; the presence is very low in some constitutional bodies and is balanced in the case of the majority of the autonomous regional assemblies.

According to data from the national statistics institute, in December 2020, the percentage of women in all the executive positions of the political parties analysed increased by more than eight points compared to the previous year, standing at 47.5%, compared to 39.1% in 2019.

Regarding the participation of women in the Government, it should be noted that, following the general elections of 10 November 2020, a new coalition Government of the Spanish Socialist Workers' Party and Unidas Podemos has been formed, in which 11 Ministries and Vice-Presidencies are occupied by women out of a total of 23 members of the Council of Ministers, which represents a female presence in the Council of Ministers of 47.8%.



Current government structure and responsibilities

The governing body in charge of gender equality since 2020 is the Ministry of Equality, who is responsible for proposing and implementing the Government's policy on equality and policies aimed at making equality between women and men real and effective, the prevention and eradication of the different forms of violence against women and the elimination of all forms of discrimination based on sex, racial or ethnic origin, religion or ideology, sexual orientation, gender identity, age, disability or any other personal or social condition or circumstance.

In particular, it is responsible for the elaboration and development of regulations, actions and measures aimed at ensuring equal treatment and opportunities, especially between women and men, the promotion of women's social and political participation, and the prevention and eradication of any form of violence against women.

The Ministry of Equality is structured into the following senior and executive bodies:

- The Secretary of State for Equality and against Gender Violence, to which the following management bodies report:
 - The Government Delegation against Gender Violence, with the rank of Directorate General.
 - The Directorate General for Equal Treatment and Ethnic-Racial Diversity.
 - The Directorate General for Sexual Diversity and LGBTI Rights.
- The Under-Secretariat for Equality, to which the General Technical Secretariat reports.

The Ministry's work is articulated around three main axes: survival policies, aimed at eradicating all forms of male violence that women suffer because they are women; policies for the redistribution of wealth, time and care, linked to a global transformation of our society both in the areas of employment and co-responsibility; and policies for the care of diversity, which ensure that ethnic-racial origin or belonging to the LGBTI community does not represent a factor of discrimination.

Independent gender equality body

The Women's Institute was created by Law 16/1983, of October 24. It is currently an autonomous body attached to the Ministry of Equality. Its primary purpose is to promote and foster the conditions that enable social equality of both sexes and the participation of women in political, cultural, economic and social life, as well as promoting active policies for employment and self-employment of women and promoting and developing the transversal application of the principle of gender equality.

Latest changes in the institutional structure

The Ministry of Equality was created in 2008, when the party in government was the PSOE, and following the approval in 2007 of the Equality Law. Until then, this area had had the rank of General Secretariat for Equality Policies, attached to the Ministry of Labour, and the aim was to give it a higher rank, equating it in hierarchy with other areas such as Interior, Public Works, Defence or Justice. However, the institutional structure is highly dependent on the governing party and has therefore undergone numerous changes over the last 13 years, during which time there have been six changes of government in Spain.

In 2010, the PSOE government was restructured and eliminated the Ministry of Equality to create the Ministry of Health, Social Policy and Equality, also maintaining the Secretary of State for Equality. In 2011, there was another change in government and the People's Party kept the ministry, but merged



the State Secretariat for Equality with the State Secretariat for Social Affairs, making it the State Secretariat for Social Affairs and Equality. In 2018, there was another change of government, and the PSOE government decided to remove Equality from the Ministry of Health and Social Policy and integrate it into the Ministry of the Presidency and Relations with the Courts, as well as recovering the Secretary of State for Equality.

Almost 12 years later, in 2020, the new coalition government has given equality back its identity as a ministry, a status that allows it to establish its own agenda and participate in the Council of Ministers, with the possibility of confronting, disputing or vetoing decisions of other ministries that may be detrimental to the fight for equality.

These changes show that there is no political consensus on the Institutional structure for gender equality and equal rights, and that the issue is instrumentalised in political discourse.

Finally, with regard to the allocation of resources, it is worth noting that in 2021 a historic milestone was reached, with the Ministry of Equality receiving a budget of €403M, which is 129.5% more than a year earlier and a significant figure considering the current economic crisis. In 2008, when the Ministry was first created, it was allocated a budget of €66M. It is also the fourth ministry with the largest budget allocated to institutional advertising, with €13.8 million, with campaigns to raise awareness of the different forms of violence against women, combat stereotypes and gender roles, women's precariousness and the fight for effective equality for all women in all areas.

Parliamentary bodies

Progress on gender equality initiatives is regularly reported to the government and representative elected bodies, such as the Congress of Deputies (parliament). On 25 February 2021, a Monitoring Committee for the implementation of the Parliamentary Equality Plan was set up. It is a body that will work to ensure compliance with the Parliament's equality and conciliation measures. The Commission is made up of six representatives of the Congress and Senate Committees and another six representatives of the civil servants and employees of both chambers.

The 1st General Equality Plan of the Spanish Parliament includes measures against sexual and workplace harassment, measures in favour of work-life balance, the promotion of so-called female leadership and the use of inclusive language, among other aspects. This plan was drafted by a joint committee of the two Chambers based on the diagnosis carried out by an external company in 2018 and agreed in 2019.

2.2 Equal opportunity and promotion of women in academia

2.2.1 Research initiatives for gender equality in Education and Science and steps towards Action Plans for Gender Equality in Italy

The Law 240/2010 on the General Reform of University Education sets two important aims in terms of equal opportunities. First, it calls for gender balance on the board of trustees of research institutions. However, the law does not specify targets and the respect of gender balance is limited to a generic “declaration of intent”. Second, it extends the maternity leave (5 months, paid 80% of the salary) to post-doc researchers. In order to support this legal measure, each year the Government provides a specific budget of 3,5 million Euro through the annual act setting the Ordinary Financial Funds (Fondo di finanziamento ordinario - FFO) for public Universities. Research institutions enjoy the right to autonomously provide additional benefits to women researchers.



In 2011, a Memorandum of Understanding (in Italian *Documento di indirizzo sulla diversità di genere*, MIUR and DPO, 2011) between the Ministry of Education, University and Research (MIUR) and the Department for Equal Opportunities of the Italian Presidency of Council of Ministers (DPO) was established. The Memorandum was designed as an innovative tool to promote equal opportunities in science by devising for the first time in Italy a national strategy aimed at increasing the participation of women and girls in science and technology education, training, research and employment. Given the Government instability in the last years, the Memorandum remained unapplied.

The 2014-2020 National Research Programme (*Programma Nazionale di Ricerca - PNR*) (so called Horizon 2020 Italia – HIT 2020) represents the main Government's document for R&D planning and it is coordinated by MIUR. Both in its first draft (2013) and in its second draft (2014), it recommends ensuring a gender-balanced representation of the peer-review selection panels and invites research institutions to promote equal opportunities and to include a gender dimension in research.

Decrees number 198/2006 (*National Code of Equal Opportunities between Women and Men*) and number 5/2010 provide that every public organisation, including all public research organisations as Universities are – must have a gender equality plan (also called Positive Action Plan - PAP). Therefore, all Italian universities should have designed a PAP. Normally, these plans are three-year long and are prepared and implemented by internal CUGs.

Furthermore, the Conference of Rectors of Italian universities (CRUI) has acknowledged the importance of gender mainstreaming in a recent document titled *Linee guida per il Bilancio di Genere negli Atenei italiani* (CRUI 2019), where the PAP is presented as strictly related to the Gender Report and vice versa.

For the CRUI, PAPs identify measures aimed «at ensuring, within their respective sphere, the removal of obstacles which, in fact, prevent the full realization of equal opportunities» between men and women (Article 48, Legislative Decree no. 198/2006). In particular, the law prescribes to «promote the integration of women in the sectors and professional levels in which they are under-represented». In the university environment, these plans are aimed at both university staff and the student component. The PAP is prepared by the CUG and approved by the University bodies (Directive - Guidelines on the operating procedures of the “Comitati Unici di Garanzia per le pari opportunità, la valorizzazione del benessere di chi lavora e contro le discriminazioni” - art. 21, Law 183/2010), having consulted the trade union representatives. The PAP lasts three years and, if not adopted, the University cannot hire new staff (Article 6, paragraph 6, Legislative Decree no. 165/2001). The Directive n. 2/2019 requires that each PAP has to be updated by January 31 of each year.

With this document the CRUI has made an important step towards Positive Actions since it provided Italian Universities of clear tips and suggestions on how to monitor and improve their environment. Promoting the need of make gender disaggregated data publicly available in a Gender Report and relating the Gender Report to the PAP is an effective strategy for spreading both the tools. The monitoring carried out within the Gender Report serves to plan positive actions; on the other hand, the Gender Report allows to monitor whether what is planned has actually been implemented, and the results and impacts of the actions carried out. The PAP therefore represents a fundamental tool for identifying specific and targeted actions, in consideration of the criticalities that emerged in the Gender Report. This makes it possible to identify specific measures that can promote equality and the enhancement of diversity within the academic community. Starting from the findings of the Gender Report, it will also be possible to consolidate and develop the positive results achieved in the previous period, individuating better the necessary actions, eliminating some and adding further ones.



The CRUI also specify that to ensure the integration of the PAP in the universities' strategic plans, it is recommendable to indicate the specific objectives to be achieved, the interested areas/divisions or departments, the targets, the people responsible for carrying out each action and their role and responsibilities, the necessary financial resources, the timing in which the specific objectives must be achieved.

2.2.2 Teaching gender in Universities in Italy

The importance of Gender Studies in Italian universities is not often properly acknowledged. The need to better integrate gender as a cross-disciplinary issue in teaching has been for this reason underlined by MIUR itself that in the Guidelines *Indicazioni per azioni positive del miur sui temi di genere nell'università e nella ricerca* invites Italian Universities to:

recognize the scientific dignity of gender studies wherever possible, introducing gender specificities, different for each discipline, in the declaration that defines each disciplinary field. [...] This in relation not only to the humanistic, social, political and economic sciences, but also to the biological, medical, natural and technological sciences (MIUR 2018, 9).

Up to now, Gender Studies are not recognized as a disciplinary field itself, and this may also have positive consequences, if we all pursuit a strategy aiming to spread the integration of the sex and gender dimensions in all disciplinary fields. However, the fact that Gender Studies does not represent a disciplinary field has in the reality the effect of reducing their dissemination. Very few universities provide Gender Studies curricula or teaching modules devoted to gender in other courses degree. The only report on this issue was conducted by the University of Roma Tre in 2013 and its facts and figures show that as regards university bachelor and master's degree courses, out of a total of 57 Italian public universities, there are only 16 in which there is at least one course in gender studies. The 74% of courses are in universities in northern Italy (64% concentrated in the University of Bologna), 10% in the center, 16% in the south and islands. They are almost absent in scientific faculties (only 7% in medical studies) and even in an area such as that of law, the figure is only 6 percent (Antonelli et alia 2013).

2.2.3 Research initiatives for gender equality in Education and Science and steps towards Action Plans for Gender Equality in Poland

There is neither a separate legal act nor a set of provisions within a wider legal act referring to gender equality in research and higher education. The Act on the implementation of some regulations of European Union regarding equal treatment (2010) does not cover discrimination based on gender in higher education. There is no reference to gender equality or equal treatment in the current Law on Higher Education and Science (2018), as there were no regulations concerning gender equality in the previous legal acts on higher education.

There are some sporadic references to equal treatment and gender equality in the following higher education and research institutions and bodies. The statute of the Main Council of Science and Higher Education - an institution representing the higher education and science community – announces that when filling functions in the Council's bodies, the proportion of women and men in relation to their participation in the Council should be maintained (RGNISW, 2019). The Polish Accreditation Commission includes the general criterion of equal treatment of candidates and students in the evaluation of the quality of education provided by higher education institutions (PKA, 2019). The National Science Centre – the governmental research funding organisation – committed itself to a balanced gender representation in expert and review committees and started monitoring the



participation of women and men in research grants (NCN, 2019). It also introduced a regulation stating that competitions for post-doc positions financed under research projects will be open to researchers who obtained a doctoral degree earlier than the statutory 7 years before the year of employment in the project, provided that they gave birth or adopted a child/children and/or were granted one of the child-care leaves. The period since obtaining the doctoral degree may be extended by 18 months for each child (NCN, 2021). As for the early 2021 no other gender equality measures or policies are announced by the public bodies.

A few nongovernmental organizations launched some measures such as programs and initiatives, which offer professional support, financial assistance and internships for female researchers. These programs include 'New Technologies for Girls'; 'Women and Science', 'Girls go start-up!'; 'Girls on technical universities'. Most of them aim to promote technical and engineering studies among women as well as to support them in the technology industry (Gulda, Walendowski, Markianidou & Otte, 2017, 65).

Although there is no official law on gender equality in research and higher education, higher education institutions set up their own internal regulations concerning prevention of gender (and other forms of) discrimination and promotion of gender equality. They do it as a response to requirements set by the European Union in its funding programs and as an effect of participation in the EU-funded projects on structural change in academia.

Another trigger for introducing gender equality legislation and measures are requirements set in the European Charter & Code for Researchers and the Code of Conduct for the Recruitment of Researchers. Their introduction allows research and higher education organisations to obtain a very prestigious HR Excellence in Research logo. These requirements include: non-discrimination against researchers in any way on the basis of various criteria, including gender, aiming for a representative gender balance at all levels of staff, including at supervisory and managerial level, having an adequate gender balance in selection committees (European Commission, 2005). As of June 2020, 86 RPOs and RFOs in Poland received this award. Analysis of applications published online by granted institutions shows that majority of applicants focus on establishment of general non-discrimination policies, bodies, trainings, guidebooks and/or leaflets, promotion of information on already existing procedures, solutions and bodies, and/or a diagnosis of the situation at the given institution (i.e. conducting a study on sexual harassment, gender pay gap etc.). Some of the organisations implement in their HR strategies specific gender equality solutions, including strategies to ensure gender balance in universities bodies (through e.g. encouraging women to be part of decision-making bodies and of expert and evaluation boards etc.) and flexible work arrangements. Rarely are implemented other specific gender equality measures, such as the establishment of a body responsible exclusively for gender equality, introduction of gender fair recruitment and retention rules, actions promoting and supporting women at every level of career development; gender equality trainings; creation of rooms for breastfeeding; launching the equality university website; providing managers with diversity trainings (Nason, Sangiuliano, 2020).

Some HEIs incorporate the value of gender equality in their codes of ethics, statuses and strategies and a few have recently established bodies responsible, among others, for gender equality, including Spokespersons, Ombudspersons and Rector's Proxies for Equal treatment (Sierpowski, 2020, 2020a). However, while in most research organisations activities towards gender equality are fragmented and dispersed, as for March only the University of Warsaw had implemented a comprehensive Gender Equality Plan (GEP) for 2020-2023 (Uniwersytet Warszawski, 2020).

The implementation of a GEP at the University of Warsaw was the result of an internal, multi-stage research project consisting of qualitative and quantitative studies and consultations with university



stakeholders. It develops the assumptions contained in the university "Strategy for the development of human resources taking into account the principles of the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers 2015-2019" and integrates the activities carried out at the university for equality with new initiatives (Uniwersytet Warszawski, 2020).

A few other universities have been implementing projects focusing on the development of gender equality policies, measures or/and plans. They are developed within the Horizon 2020 framing program for research and innovation. The GENERA project (Gender Equality in European Research Area, grant agreement no. 665637) allowed for the assessment of the gender equality status quo in the Institute of Physics and led to the creation of the Dean's Plenipotentiary for Equal Treatment at the Faculty of Physics, Astronomy and Computer Science at the Jagiellonian University. Under the framework of the STARBIOS 2 project (Structural Transformation to Attain Responsible BIOSciences, grant agreement no. 709517), the Commission for implementing the policy of social responsibility of science was established in the University of Gdansk. Its aim is to implement the postulates of the socially responsible University which include integration of gender issues and gender equality in research and science management (Commission for implementing the policy of social responsibility of science 2020). Cracow University of Technology has been developing a GEP as a result of participating in the GEECCO project (Gender Equality in Engineering through Communication and Commitment, grant agreement no. 741128). With the support of the ACT project (Promoting Communities of Practice to advance knowledge, collaborative learning and institutional change on gender equality in the European Research Area, grant agreement no. 788204) a few Polish (and other Central and Eastern European) higher education institutions and research institutes cooperate in knowledge exchange and the implementation of gender equality measures (<https://geincee.act-on-gender.eu/>).

2.2.4 Teaching gender in Universities in Poland

The starting point in the context of teaching about gender in universities in Poland, is the conclusion that there are no master's studies where you can get an academic title, so Gender Studies are not recognized as a disciplinary field itself. There are however areas of research and education within social sciences where courses related to sociology or psychology of gender and gender relations are part of obligatory courses for students (e.g. University of Gdańsk).

Although the first Gender Studies in Poland were established at the University of Warsaw in 1996, the faculty was opened immediately at the Jagiellonian University in Kraków and then at the IBL PAN in Warsaw and the University in Łódź, the uncertainty of their existence seems to be a permanent feature of these fields of study. This does not mean, however, that now or earlier the topic can be considered absent in Poland, because this issue was dealt with by feminist non-governmental organizations (the forerunners here are, for example, the Krakow eFKa or the Warsaw OŚKA and Feminoteka). Until today, research is carried out in the third sector, e.g. on gender-based violence (STER, 2018) or solutions being developed to support women's participation in social life, including science. However, when it comes to the academy area, the only option is to complete postgraduate studies, which are paid, organized irregularly and usually in the largest university centers (Chołuj, 2014). All this makes them elitist and Gender Studies are completed each year by a handful of extramural graduates. Men rarely enroll in these studies, and full-time studies once conducted in Kraków, Poznań and Toruń are rare today (no university runs full-time studies this year).

Analyzing the above-described state of affairs, Maciej Duda (2016) noticed that currently in most university cities it is not possible to create groups of students each year. The reasons for this situation can be seen in the noticeable anti-feminist backlash, especially in our country, and the campaign on "gender ideology" that has been carried out for many years, but the author focuses on the description of the neoliberal shape of paid postgraduate studies conducted in large cities. They can be attended



by people with appropriate economic potential and free time, as mentioned earlier. An important aspect raised by the author is also the issue of applicability of classes conducted within gender studies, where, in accordance with the assumptions of postgraduate studies, students should educate professional competences - but how and where to practice this "professional gendering"? Polish academia has no answer to this question.

All above-mentioned does not mean that the topic of gender is absent in academic courses, the problem is that it depends solely on the good will and possibilities of a particular person, if she/he finds the way to run the course. It makes the situation far from desirable.

Looking at issues related to gender and their presence in the Polish academy, it is impossible not to mention the growing anti-gender climate and open attacks by the Minister of Education and Higher Education himself, which are visible, among others, in the speech on November 19, 2020 by Przemysław Czarnek entitled "Current challenges of higher education in Poland", presenting directional guidelines for legislative changes concerning public education and higher education in Poland. In his speech, the minister referred to issues related to the socio-cultural gender, claiming that it was "An anthropological error, a false vision of man, has always brought misfortunes in the world. How else can genderism be called, if not instilling in young people, a false vision of man, and thus the grounding in them of an anthropological error, extremely dangerous for themselves and for the whole of society. " (RGNiS, 2020) The Central Council of Science and Higher Education referred to this statement, calling the minister's statement his private view, which should not affect the statutory freedom of research and education at Polish universities. However, at no point did the Council refer to the substantive part of this statement, only showing the aspect of academic freedom as the only context it refers to. In turn, the position of the Plenary Assembly of the Conference of Rectors of Academic Schools in Poland issued at the same time (KRASP, 2020) refers to academic values and freedoms as intended to set the framework in which "acting within the limits of applicable law, universities introduce or improve organizational solutions preventing any manifestations and forms of discrimination based on sex, age, disability, race, religion, nationality, ethnic origin, culture, beliefs, political, religious beliefs, sexual orientation or trade union membership ". Thus, it addresses institutional and procedural issues, but not the content or curricula.

2.2.5 Research initiatives for gender equality in Education and Science and steps towards Action Plans for Gender Equality in Serbia

In Serbia, more women than men enrol and complete tertiary education (higher schools and university). Among the enrolled students, women make 57%, and among graduates they make 59% (data for 2019). Among the graduate students in 2019, women accounted for more than a half of all graduates in a large number of fields of education, while men are dominant in the fields of: Information and communications technology/ICT (66%) and Engineering, manufacturing and construction (61%). Nevertheless, in the most of age groups, women are more computer-literate than men. In older age groups, there are more men among computer users, but the majority of internet users are also women.

Among employed in the field of R&D, in 2018, women are dominant with a 51% share. Almost the same proportion is among scientific researchers, i.e. women make 51.4%. The largest participation of women researchers is in medical sciences, 58.6%, and the smallest participation is in engineering and technology (40%).

When it comes to human resource management on Academia, an initial assessment in this area showed that a system for monitoring academic careers of women and men has not yet been established. Therefore, one of the priorities is a reassessment of the existing data collection system



and elimination of data deficiencies. At the moment, there is a need for establishing a permanent system for collecting data on trends regarding the gender composition of teaching and research staff.

Women are not enough represented in relevant decision-making bodies, including scientific areas in which women's participation is traditionally dominant. Solving implicit prejudices and stereotypes about women in influential positions was identified as one of the measures necessary to contribute to greater representation woman. In addition, the establishment of a permanent data collection system on gender composition of decision-making bodies is considered a priority at this time, before recommending other measures.

The Law on Research and Innovation defines in the Article 4 defines that one of the research principles is gender equality in science and research, as well as in decision making bodies. However, in Serbia, there is no systematic gender mainstreaming of higher education curricula and research content. There is a lack of systematic comprehensive data on courses that focus on gender studies and gender equality, and on research projects with gender component.

There are only a few steps, by individual educational and research organizations, toward action plans for gender equality in Serbian academic and research institutions. One of the major achievements is the adoption of the Gender Equality Plan (GEP) at the University of Belgrade. At the moment, the Faculty of Law at the University of Belgrade has a draft GEP that is expected to be adopted soon, and the Mathematical Institute of the Serbian Academy of Sciences and Arts (MISANU) is finalizing its GEP, expected to be adopted in May 2021.

The first GEP at the level of University of Belgrade was developed in 2018, based on the findings and conclusions of the first Gender Equality Audit, a self-assessment conducted in the period of September 2017-March 2018, as a part of the "Taking a Reflexive Approach to Gender Equality for Institutional Transformation" project under the European Union Horizon 2020 research and innovation program. It is focused on three main dimensions of gender equality at the University of Belgrade: human resources management, decision making and curricula and research content. The GEP based on the national legal framework for promoting gender equality, and international documents which regulate the field of higher education. The University of Belgrade adopted in 2017 the European Charter for Researchers and the Code of Conduct for hiring researchers, declaring their commitment to the principles proclaimed in these documents. The University of Belgrade also strives for the complete implementation of the recommendations adopted by the European Commission, with special reference to achieving gender equality among employees at all levels, including mentoring and institution management (European Charter for Researchers, 2005).

Efforts are being made for Achieving Gender Equality at the University of Belgrade Faculty of Law. The research and policy study "Achieving Gender Equality at the University of Belgrade Faculty of Law" is the result of the continuous systemic work of the research team of the Centre for Human Rights at the University of Belgrade Faculty of Law on the document titled Draft Action Plan for Achieving Gender Equality at the University of Belgrade Faculty of Law. The main aim is for this document to first be officially approved by the University of Belgrade Faculty of Law administration and then to be applied for the continuous and systematic promotion of the gender equality and its implementation at the Faculty.

MISANU is preparing its GEP in the framework of the Horizon 2020 project LETSGEPS, that is focused on introduction of Gender Budgeting in RPOs. That GEP will follow the guidelines provided by the European Institute of Gender Equality, as well as the new requirements defined in the scope of the new research framework program Horizon Europe.



2.2.6 Teaching gender in Universities in Serbia

As it was already mentioned, there is no systematic approach to the introduction of gender perspectives in higher education study programs. There is a lack of systematic comprehensive data on study programs and individual subjects that focus on gender studies and/or gender equality. Establishing a database of all such courses should be a priority, as well as the development of appropriate indicators, specific to context, to monitor the state of gender equality in the research content and higher education curricula.

Analyses of textbook content at various levels of education has indicated a lack of gender sensitivity. The analysis of university textbooks conducted on a sample of 17 books concluded that “representations of gender are stereotypical and unquestionably reliant on patriarchal paradigms”. The Strategy for Gender Equality (2016-2020) has sets gender sensitive formal education as one of the specific objectives, and stipulated set of measures, including introduction of gender sensitive and anti-discrimination educational content at all levels of formal education, revision of handbooks for the purpose of elimination of gender stereotypes, improvement of capacities and competences of teaching staff, introduction of gender sensitive language, etc. These measures are meant to introduce alteration that will enable change of gender paradigms during socialization and education and open the space for other measures aimed at decreasing segregation in later stages of education.

Certain faculties of the University in Belgrade and Novi Sad have introduced undergraduate (elective) and post-graduate (master and doctoral) programmes in gender studies since 2000. Thus the Faculty of Political Science of the University in Belgrade, as part of the undergraduate programme, introduced the elective subject of Women’s Studies/Gender Studies, attended annually by up to 50 students. The same faculty introduced a Gender Studies master programme in the 2006/2007 school year, attended on average by 12 students annually, successfully completing studies or in the final phase of writing their master theses. Likewise, attendants of other master programmes at the same faculty (media studies, social work studies) opt in significant numbers (up to 25 per year) for elective subjects from the Gender Studies master programme. The faculty also has an unaccredited undergraduate programme by the Center for Women’s Studies.

At the University in Novi Sad, the ACIMSI (Association of Centres for Interdisciplinary and Multidisciplinary Studies and Research) Centre for Gender Studies has existed since 2003 as an accredited postgraduate programme with an interdisciplinary approach to research and the integration of a gender-sensitive approach to studies in social science-humanities. They contribute to changing the academic paradigm, re-examining established modes of thinking, patriarchal cultural patterns and introducing gender issues into other fields, such as legislative, social, artistic and linguistic practice. There have been 10 doctoral dissertations, 6 magister theses, 2 specialist and 24 master theses defended in Gender Studies to date. In addition to teaching, Gender Studies also lead research projects, and are actively present in local communities across Vojvodina; they contribute to enabling local gender equality mechanisms, 22 representing an immense human potential we can rely on regarding education at all levels, particularly since a number of graduate doctoral students are from among marginalized and multiple discriminated groups (national minorities, the Roma, etc.).

The institutionalization of gender studies in universities was not provided adequate state support thus far regarding the provision of infrastructure, research, publishing and scholarships, which is the task that needs to be fulfilled in the time to come.



2.2.7 Research initiatives for gender equality in Education and Science and steps towards Action Plans for Gender Equality in Ireland

Legal framework

The relevant Irish legislative Acts related to promoting gender equality in research include: the Employment Equality Acts 1998 to 2011 (which prohibits discrimination on the grounds of gender in relation to hiring and promotion, amongst other measures); the Equal Status Acts 2000-2012 (which bans discrimination on the basis of gender and includes those attending or managing an education institute), the Institutes of Technology Act 2006 and the Universities Act 1997 (which requires these education institutes to develop and implement equality policies, including gender equality); and the Higher Education Authority Act 1971 (which gives the Higher Education Authority the legislative responsibility to promote equality in higher level education institutes). Section 42 of the Irish Human Rights Equality Commission Act 2014 requires public bodies (defined as including universities in Section 2) to integrate a human rights and equality assessment into their strategic planning processes and outcomes.

Policy framework

The Higher Education Authority's Programme for Research in Third-Level Institutions requires the gender-proofing of all research projects which it funds. This requires gender-proofing includes the collection and recording of data on the composition of assessment boards at the research proposal formulation stage and data on the recruitment of researchers, both in relation to gender.

From April 2014, Irish higher education institutes (HEIs) became eligible to join the Athena SWAN Charter with the aim of all Irish HEIs joining the Charter and applying for and securing an Athena SWAN Bronze Award in 2015. Securing this award is a prerequisite for Irish research funding in Ireland. In 2018 the National Gender Action Plan for Higher Education requires that all institutes have gender action plans with research associated KPIs embedded.

Other stimulatory initiatives

The Irish Research Council (IRC), a research funding organisation requires all projects to demonstrate that they have given full consideration to any potential sex and/or gender dimension in their research proposals. The consideration of sex and/or gender is included in the criteria for assessment and all evaluators are given briefing material on how to best assess applications in this regard. Regular training is also provided for applicants and HEI staff in how to consider whether their research may have a sex or gender dimension, and how to take this into account in all stages of their research. For their postgraduate and postdoctoral schemes, the IRC gender-blinds all applications at assessment stage and provides detailed briefing material for assessors on same.

The Science Foundation Ireland (SFI) is a major research funding organisation for Ireland. It has initiated and supported a number of stimulatory initiatives to enhance women's participation in research activities and to increase women's participation in research decision-making in STEM areas. The SFI strategic Agenda includes a key performance indicator target to increase the proportion of female SFI award holders to 25% to facilitate the retention of excellent female researchers within academia.

Key actors

A National Coordination Committee was set up to support the expansion of the Athena SWAN Charter and Awards to Ireland in 2014. The Committee members are; the Higher Education Authority (HEA),



the Irish Universities Association (IUA), the Institutes of Technology Ireland (IOTI), and the Equality Challenge Unit UK (ECU).

2.2.8 Teaching gender in Universities in Ireland

A number of the Irish Universities have dedicated teaching and research units focusing on Gender such as the Global Centre for Women's Studies NUIG, which offers the BA in Global Women's Studies and range of Masters and PhD programs. The Centre for Gender and Women's Studies TCD which provides modules in undergraduate programs in addition to Masters and PhD programs. Other Universities such as UCC, UCD and Maynooth also offer undergraduate and postgraduate programs.

However, there has been no systematic approach to teaching gender equality as an embedded part of the curriculum in Higher Education in Ireland. Both the HEAs gender action plan and Athena Swan have key KPIs relating to the advancement of gender equality within all programs and in research and development activities.

In addition, the Equality, Diversity and Inclusion Offices have increased all staff and student training in this area, in collaboration with key networks and groups such as TENI Ireland (<https://www.teni.ie/>) which is contributing significantly to knowledge and understanding. This is an area that required further investment and prioritisation in Irish Education system.

2.2.9 Research initiatives for gender equality in Education and Science and steps towards Action Plans for Gender Equality in Spain

As explained in section 1 of this report, in Spain, responsibilities for equality in science are divided between 3 ministries: the Spanish Ministry of Equality, the Spanish Ministry of Universities and the Spanish Ministry of Science and Innovation. In order to understand the steps being taken towards the implementation of equality plans, this section summarises the existing structures in the government for the promotion of gender equality initiatives in science and what the Law on Science, Technology and Innovation establishes in this area. It also summarises the data provided on the monitoring of the implementation of the plans in universities and research organisations.

Structures of the Ministry of Science and Innovation

The promotion and monitoring of equality policies, measures and actions in R&D&I and within the scope of the ministerial department are carried out through the Equality Unit, the Women and Science Unit and the Women, Science and Innovation Observatory.

The Women and Science Unit is responsible for promoting the appropriate application of the principle of gender mainstreaming in the fields of science, technology and innovation. In compliance with this principle, the unit proposes and promotes the gender perspective in scientific, technological and innovation policies that affect effective equality between women and men. The unit was set up to comply with ORDER PRE/525/2005, of 7 March, on the adoption of 54 measures to promote equality between women and men. Specifically, measure 4.1 stipulated that "It is agreed to create a specific "Women and Science" unit to address the situation of women in research institutions and improve their presence in them".

In order to promote gender equality from all public bodies involved in research, technology, innovation and universities, the unit works in cooperation, among others, with:

- At the national level:
 - State Research Agency (AEI).



- Centre for the Development of Industrial Technology (CDTI).
 - Spanish Foundation for Science and Technology (FECYT).
 - Commissions and technical groups for gender equality in Public Research Organisations (OPI).
 - Spanish Ministry of Equality.
 - Institute for Women and Equal Opportunities (IMIO).
 - National Statistics Institute (INE).
 - Women and Science/Technology/University Commissions and Associations.
- At the international level:
 - Gender Sector in the Science with and for Society Unit (SwafS) of DG Research and Innovation of the European Commission.
 - Council of the European Union. European Research Area Committee (ERAC).
 - Standing Working Group on Gender in Research and Innovation (SWG GRI, former Helsinki Group on Gender in Research and Innovation).
 - Women, Science and Innovation Observatory

The "Women, Science and Innovation" Observatory is a collegiate inter-ministerial body responsible for analysing and monitoring and measuring the impact of the situation of women in the field of research, development and innovation; as well as encouraging, proposing, advising and promoting the implementation of public policies and actions in these areas to remove the visible and invisible obstacles to real and effective gender equality; and promoting the improvement of the situation of women in the Spanish Science, Technology and Innovation System. The Observatory" for gender equality in the Spanish Science, Technology and Innovation System, was constituted on 10 January 2019 and is regulated by Royal Decree 938/2020 of 27 October. Its work programme for the period 2021-2022 and the structure of commissions and working groups to facilitate its implementation were approved at a plenary meeting on 10 November 2020.

The ultimate aim of the Observatory is to advance towards gender equality in the fields of Science, Technology and Innovation, in its two aspects, the balanced presence of women and men in all areas and levels and the transversal integration of the gender perspective in R&D&I.

The Observatory is chaired by the Minister of Science and Innovation, has 22 members and among its members there is representation from ten ministries: Ministries of Defence; Education and Vocational Training; Presidency, Relations with Parliament and Democratic Memory; Labour and Social Economy; Inclusion, Social Security and Migration; Territorial Policy and Civil Service; Economic Affairs and Digital Transformation; Health; Equality and Universities; and the most relevant agents in the fields of Science, Technology and Innovation as well as in equality.

Gender equality in the Science, Technology and Innovation Law

According to the thirteenth additional provision of Law 4/2011 of June on Science and Innovation:

1. The composition of the bodies, councils and committees regulated in this law, as well as the evaluation and selection bodies of the Spanish Science, Technology and Innovation System, shall be in accordance with the principles of balanced composition and presence



between women and men established by Organic Law 3/2007, of 22 March, for the effective equality of women and men.

2. The Spanish Science and Technology Strategy and the State Plan for Scientific and Technical Research shall promote the incorporation of the gender perspective as a cross-cutting category in research and technology, so that its relevance is considered in all aspects of the process, including the definition of scientific and technical research priorities, research problems, theoretical and explanatory frameworks, methods, data collection and interpretation, conclusions, applications and technological developments, and proposals for future studies. They shall also promote gender and women's studies, as well as specific measures to stimulate and give recognition to the presence of women in research teams.
3. The Science, Technology and Innovation Information System will collect, process and disseminate data disaggregated by sex and will include indicators of presence and productivity.
4. The procedures for the selection and evaluation of research personnel in the service of public universities and the Public Research Bodies of the General State Administration, and the procedures for the awarding of grants and subsidies by research funding agents, will establish mechanisms to eliminate gender bias, which will include, whenever possible, the introduction of confidential evaluation processes. (See section 1.1. Recruitment procedures in the university system).
5. The Spanish Innovation Strategy and the State Innovation Plan will promote the incorporation of the gender perspective as a cross-cutting category in all aspects of their development.
6. Public Research Bodies shall adopt Equality Plans within a maximum period of two years after the publication of this law, which shall be monitored annually. These plans shall include incentive measures for those centres that improve gender indicators in the corresponding annual monitoring.

Equality plans

Equality plans are a key instrument to remove persistent obstacles in this area and to accelerate changes towards real and effective gender equality in the science system.

According to a recent study by FECYT in 2019, 62.5% of PROs have a commission for the elaboration and monitoring of the gender equality plan, and only three out of eight PROs have a gender equality unit. When it comes to gender equality structures, public universities have the largest number and the most experience: 98% have a gender equality unit, 89% have a commission for the elaboration and monitoring of the gender equality plan, and 67% have equality groups or networks of equality representatives in centres, departments, institutes, etc. As for private universities, 73% have a commission for the elaboration of the equality plan and 63% have a gender equality unit, while less than half have an equality/women and/or science commission and equality groups in their centres and departments.

Universities

Of the 76 universities that provided data for the FECYT report (46 public and 30 private), 93% of public universities and 70% of private universities had a plan in place in 2019. In the case of the 46 public universities, only 3 do not have an equality plan in force, and of the 30 private universities, only 9 did



not have an equality plan in force in 2019, of which 6 have never had one, although 5 of them are designing their first plan, and 3 do not have one in force, but are designing a new one. In short, of the 76 universities, only two, one public and one private, have stated that they do not have an equality plan and that they are not in the process of drawing one up. Although most universities base the new plan on previous experiences, a greater culture of evaluation needs to be established, as only 10 private and 33 public universities have evaluated their plans once they have been finalised. In order to make progress in equal rights and opportunities, it is essential to evaluate the results obtained, so that new programmes and corrective measures are based on objective and measurable data. In fact, 93% of private universities and 73% of public universities have specific gender equality observatories or working groups for the evaluation and monitoring of the plans.

Public research organisations (PROs)

Equality plans have been generally implemented in PROs and in 2019, 75% of PROs had a plan in place. In 2019, two PROs had evaluated their equality plans. In the two that do not have an active plan as of 31 December 2020, they had a plan in place previously, but have not managed to update it, but are already working on the diagnosis and design of a new plan.

Other initiatives for gender equality

The State Research Agency is participating in the GENDERNET Plus initiative, an ERANET Cofund that promotes interdisciplinary research in gender studies related to the United Nations Sustainable Development Goals. Participation in this consortium of funding agencies has enabled the funding of four research projects with Spanish participation that have begun to develop their activity in 2019.

The projects funded by the Agency address research topics related to SDG3 - Health and well-being, from a gender perspective and taking into account the age variable: POSITIVMASC, with the participation of the University of Alicante, which aim to advance in the identification of strategies for change for the effective prevention of gender-based violence; MASCAGE, coordinated by the University of Castilla -La Mancha, focuses on masculinities and cultural representations; GENPATH, with the participation of the University of Barcelona, addresses social exclusion; The fourth funded project, SEQUAL, with the participation of the University of Vic, researches on gender and climate action (SDG 13).

2.2.10 Teaching gender in Universities in Spain

According to the study “Scientists in figures 2021” by FECYT - Spanish Foundation for Science and Technology, within the framework of the approved equality plans, universities and PROs have been implementing a series of actions aimed at equality, from general measures aimed at facilitating the reconciliation of family, personal and professional life, to specific measures to promote scientific and technological vocations in the school-age population that aim to reverse the current imbalance in science and engineering, and to awaken scientific interest in all social strata and in adolescent girls and young women in particular.

Universities

Universities have been able to implement gender equality measures across the board. In 2019, 96% of public universities and 50% of private universities have organised awareness-raising and/or dissemination conferences on gender equality or have provided training in gender equality adapted to different groups. Specific training in gender mainstreaming in research and teaching content has also been one of the actions implemented in public institutions (84%), while it seems to be a pending issue for private institutions, given that only 40% have implemented this measure.



The integration of sex/gender analysis in the content of teaching is one of the main challenges that have not been met in universities as a whole. Only 58% of public and 47% of private universities claim to have developed actions aimed at promoting gender mainstreaming in the classroom by 2019. Actions to promote the visibility and recognition of the contributions of women scientists and technologists have been carried out in 2019 in 80% of public universities and 63% of private universities.

Besides, the 96% of public universities and 73% of private universities had harassment protocols in place in 2019. All public universities with protocols have launched campaigns against sexual harassment and half of the private universities have launched communication campaigns against sexual harassment. 84% of public universities and 73% of private universities have implemented measures to reconcile personal, work and family life in 2019, such as flexible working hours for staff, continuous working hours, preference in choosing shifts for family reasons, or leave to accompany family members on medical visits, among others. Measures to promote a balanced presence on commissions, committees and tribunals have been implemented in 76% of public universities and 43% of private universities, while procedures and/or protocols to guarantee effective equality in selection and assessment processes have only been implemented in 36% of public universities and 70% in the case of private universities.

Public universities such as the Complutense University of Madrid, Pompeu Fabra University and the Public University of Navarra have implemented generalised gender equality actions, ranging from the reconciliation of personal and professional life to protocols for the prevention of harassment, as well as training actions on equality and equality awareness-raising days. The same has occurred in some private universities, such as the CEU Cardenal Herrera or the Universitat Ramon Llull, where the culture of equality has become part of their ideology as they have been introducing gender equality measures in their structures for years.

Public Research Organisations (PROs)

In all PROs, measures to reconcile personal, work and family life have been installed and there is a balanced presence of men and women in commissions, committees and tribunals in most of them (87.5%). Specific training in gender mainstreaming in the content of research and teaching, or the promotion of the gender perspective in international cooperation (bilateral or multilateral) with institutions outside the European Union are aspects to be improved, since measures of this nature have barely taken root in the PROs and their presence is token. 25% of the PROs have designed and created specific gender equality observatories or working groups for the evaluation and monitoring of plans. It is important to make progress in the visibility of the achievements of women researchers, and 75% of the PROs have implemented measures for the visibility and recognition of the contributions of women scientists and technologists. Finally, 62.5% of PROs have implemented protocols for the prevention of and action against sexual harassment and gender-based harassment in 2019, and half of them have carried out communication actions or campaigns.

Women's Institute

In 2020, the Women's Institute has launched a call for grants aimed at postgraduate courses in feminist and gender studies, as well as university activities related to equal opportunities between women and men.

The total amount of the grants is 600,000 euros. Of this amount, €360,000 (60%) is earmarked for the promotion of university activities and €240,000 (40%) for postgraduate studies (masters and doctorates). The amounts to be received by each project are a maximum of €15,000 and a minimum of €3,000. The beneficiaries are 22 public universities from 9 autonomous communities. Fifty-one



programmes have received funding, 34 of them for various university activities and 17 for postgraduate studies.

The postgraduate programmes include the Doctorate in Gender and Diversity at the University of Oviedo, 15 official master's degrees and the Master's Degree of the Complutense University of Madrid.

The university activities include seminars, congresses, symposiums, conferences and debate forums, most of them related to the priority themes of the call: political, economic, social and cultural participation of women; education in equality and coeducation; equality in employment; gender equality in R+D+i; and equality in the media and social networks, the latter being one of the priority themes in this edition.

Likewise, a large number of the activities to be funded focus their content on the effects of COVID-19 from a gender perspective, such as care and teleworking. Other themes to be developed will be co-responsibility, integral health, gender equality in sport and equality plans in the university environment.



3. Labour market and welfare policies

3.1 Employment regulation and labour market policies in Italy

With the legislative decree n. 276/2003 (Legge Biagi), Italy renewed its labour market policies, opening to private placement agencies and other private and public actors interested in the employment business: trade unions, employers' associations and their bilateral bodies, municipalities, universities, chambers of commerce.

Until 2012 the most effective legal protection for Italian labour force was art. 18 of *Statuto dei Lavoratori* (law 20 May 1970 n. 300). According to art. 18, every time the Judge had deemed a dismissal unlawful, the sanction provided was only one: the reintegration of the employee(s) into the workplace (in the case of companies with more than 15 employees).

Since 2012 many other reforms were undertaken regarding employment, the most important here are law 92/2012 (*Riforma Fornero*) and law 183/2014 (Jobs Act) because they both amended law 20 May 1970 n. 300, modifying the dictate of art. 18.

The most significant impact of the Fornero Reform is on employer obligations in relation to termination of employees for so-called economic reasons. An employer no longer has to reinstate an employee in the case of dismissal without grounds for economic reasons. However, under the Fornero reform, which applies to more types of termination (for just cause or for justified subjective or objective cause) and to all categories of employees (unskilled or skilled labour, managers, executives), the letter of dismissal must detail the reasons for termination of the employment. Failing to state the grounds for dismissal in the termination letter renders the dismissal ineffective. If the Labor Court finds that the dismissal is unfair or unjustified, it will order the employer to pay the employee an indemnity of between 12- and 24-month's salary, depending on circumstances such as age, length of service, number of employees and size of company. The court will assess these circumstances on a case-by-case basis. Law 92/2012 has also introduced procedure to tackle discriminatory dismissals. This remedy now also includes a special protection that prohibits dismissals in case of pregnancy leave, sickness leave, and marriage leave. In such cases, the employee must be reinstated within 30 days or, alternatively, and without prejudice to the employee's right to compensation for any loss suffered, the dismissed employee may ask for payment of up to 15 months' pay as a severance indemnity. The judge might also order the employer to pay compensation for damages suffered from unfair loss of employment.

Law 183/2014 (Jobs Act) is the last stage of a reform process that began with "Legge Treu" of 1997, which led to the first kind of short-term and para-subordinated contracts. The Jobs Act aims to offer an answer to the issue of labour market segmentation among employees with open-ended contracts—with solid securities in case of layoffs—and those with short-term contracts. The main modifications in Italian labour market caused by the Jobs Act are: the introduction of a new kind of contract called *contratto a tutele crescenti*, missing any responsibilities of workers in case of invalid dismissal; the diminishing of legal restrictions for firms controlling workers via electronic devices; the removal of former constraints on the use of short-term contracts.

Both Riforma Fornero and Jobs Act deprived Italian workers of the right of being reintegrated in the workplace amending art. 18 of law 300/1970. However, art. 18 regarded only workers with permanent contracts in companies with more of 15 employees. It means that all other workers, with very different kind of fix and short-term contracts or working in companies with less of 15 employees or working autonomously, have never been included in art. 18 protections. Renzi Government, with its Jobs Act, declared that its first objective was the improvement of "flexsecurity" to meet the expectations and



needs of the increasing quota of flexible workers. Its (at least declared) purpose was twofold: incentivize the use of permanent contracts and provide flexible workers of *security*. Security here means welfare services and work-life policies that require financial resources to be implemented as we will see better in the next sub-section. Now it is time to explore the Italian labour market focusing on the sexual division of labour and the precariousness of women job positions.

In 2019, the female employment rate have reached the 50.1% against 68.0% for men (ISTAT, 2020, 147). However, women are part of that population group that reacted best to the 2008 crisis. In fact, if men have not yet recovered the level of employment prior to 2008, female employment in these eleven years has increased by the 2.9%. It should be noted that gender inequalities in the market have decreased following the global crisis of the last decade, but this is not due so much to the growth of female employment itself as to the strong penalisation of male employment in some sectors. The growth of the outsourcing process has certainly led to an increase in the female component in employment, but the sectors characterized by a higher intensity of male labour, such as construction and industry, were the most exposed to the 2008 crisis and are those who paid the most for the consequences in terms of employment (ISTAT, 2020, 147-148).

The year 2020, characterized by the Covid-19 emergency and its consequences, has seen employment rates worsen. Although the data published by ISTAT in February 2021 relating to 2020 are still defined as "provisional", we are witnessing a general decline in employment, with a -1.9% in December 2020 compared to December 2019 (ISTAT, 2021). The female employment rate in December 2020 was 48.6% against 67.5% of male employment (*ivi*, 3). Comparing this figure with December 2019, we can observe that male employment decreased by 0.4% while female employment by 1.4% (*ibid.*).

To analyse the Italian context on gender division of labour and female participation in the labour market it is needed to consider the data provided by the ISTAT surveys on the use of time. In fact, they allow us to understand how Italian women and men use to divide family activities. The first ISTAT survey on the use of time was conducted in 1988-89 and since then it continues to show a «persistent gender asymmetry in the distribution of paid and unpaid workloads» (ISTAT, 2019, 38). A man in Italy dedicates an average of 1h50' per day to family work while a woman dedicates an average of 5h13' to it. For men this figure is increasing, with an increase of 12' per day compared to 2009; for women, on the other hand, it is decreasing, with a decrease of 8' per day since 2009 (ISTAT, 2016). Data on family work times can be related to data on time spent on paid work. In Italy men spend more time than women in paid work and, on the contrary, women spend more time than men in unpaid work. Furthermore, even when considering the paid work, it is evident that women are mostly occupied in the third sector and with informal work-agreements. A good example of the Italian sexual division of labour can be found in education and science: women are the majority of the teachers at the primary school, where the teachers' role is more closely related to care and reproductive functions, but they become the minority in university and research centers, where the professors and researchers' roles are more closely related to intellectual and scientific attitudes (MIUR, 2019?).

According to data from the European Commission (2018), in Italy the wage difference between men and women, the so-called gender pay gap, corresponds to 5.3%. The OECD (2021) positions the Italian gender pay gap at 5.6%, however it distinguishes between employees, to whom this value refers, and entrepreneurs (generically defined as self-employed), for whom on the gender wage gap is much higher, reaching 44.9%. An interesting fact for the purposes of our analysis, is also the "gender overall earnings gap", i.e. the difference in the average annual earnings between men and women, which takes into account three different factors: the average hourly earnings, the average monthly number of hours of paid work and the employment rate. According to this indicator, the European Commission (2018) rated the annual gender pay gap at 43.7%. To demonstrate a condition of gender equality still



far from its fulfilment, it is also useful to look at the Global Gender Gap Report 2020 that places Italy in 76th place out of 153 countries, considering four areas: economics, education, health and politics. If we focus only on the economic sphere, Italy falls to 117th place (World Economic Forum, 2019, 197).

3.2 Care & work-life policies in Italy

Observing how the composition of total working time changes by gender (paid work + unpaid work), we can affirm that the male “breadwinner/female caregiver” model is still dominant in Italy. Men dedicate 62.4% of their total working hours to paid work and 37.6% to unpaid work; in contrast, women devote 75.0% of their total working hours to unpaid work and 25.0% of their daily working hours to paid work (ISTAT, 2019, 42). However, the evolution of the labour market over the decades has led to greater diversification of the workforce, characterized by the constant increase in the presence of women, the emphasis on flexibility and the spread of new technologies; in the same way, important changes have also occurred in the personal sphere that have contributed to redefining family structures, such as the spread of dual-income or dual-career families, the affirmation of new spheres of life in addition to the family and work spheres such as leisure and sporting activities, the greater importance attributed to quality and satisfaction in the world of work and the dissemination of biographies increasingly characterized by precariousness. All these changes have led to redefine the world of work and to question the model of the male breadwinner and the clear division between spheres of relevance on which it was founded. The overcoming of this Fordist model introduces us to a post-industrial society in which the transitions between the spheres of life are more fluid and the working biographies are less and less defined and more and more fragmented (Poggio, 2010, 66-67).

The path of work-life policies (in Italian usually referred as *politiche di conciliazione* conciliation policies) followed the development of these changes. If at the beginning it basically consisted in allowing women to enter the labour market, today the goal shifts towards the work and life well-being of individuals (Poggio, 2010, 67). Work-life policies have the aim of facilitating the combination of paid work and family work by making it less difficult to manage the times of daily life (Kazepov and Carbone, 2019, 108). The legislative context must therefore allow for an equitable redistribution of work and family responsibilities between the partners (Panzeri and Viale, 2016, 106).

Before analyzing work-life policies, it is due to introduce the status of the art regarding one of the most important care responsibilities: maternity.

Female workers in Italy have special protection in case of pregnancy and maternity (Sect. 2110 Civil Code, Act 1204 of 30 December 1971). A domestic worker’s pregnancy gives rise to various maternity protection measures according to the job positions. A fixed-term contract employee, during the period of compulsory abstention from work (maternity leave) is entitled to retain her job, do no work and receive a maternity allowance. From the start of pregnancy until the start of her maternity leave, she may only be dismissed for a serious fault which makes it impossible for the employment relationship to continue even temporarily. The maternity leave period covers: the two months before the expected date; the period between the expected date and the actual date; the three months following the birth.

An arrangement known as “flexible maternity leave” has recently been introduced: this allows the worker to put off her maternity leave until one month before the expected date and then continue it up to four months after the birth of her child (Legislative Decree No. 151/2001).

During the period of maternity leave the worker is entitled to a maternity allowance from the INPS (Istituto Nazionale della Previdenza Sociale) at 80% of the contractual wage rate on which national insurance contributions have been paid. This calculation only takes into account periods of employment as a domestic worker. A domestic worker is entitled to the financial benefits of maternity protection only if: 52 weekly national insurance contributions have been paid or fallen due (including



any relating to other sectors than domestic work) in the 24 months preceding the period of maternity leave; or, alternatively at least 26 weekly national insurance contributions have been paid or fallen due (including any relating to other sectors than domestic work) in the 12 months preceding the period of maternity leave.

Self-employed workers meeting the contribution requirements of the law are entitled to an allowance equal to 80% of their income, with no obligation to be absent from work.

Worker registered with the INPS separate national insurance and pension scheme (as per Article 2(26) of Law No 335/1995), meeting the contribution requirements of the law, are entitled to an allowance equal to 80% of 1/365 of the income deriving from dependent self-employment, joint venture or freelance professional activity, calculated on the basis of the income from work produced in the 12 months preceding the month in which the allowance period begins. This allowance is paid without any obligation to be absent from work.

The presence of children represents a strong criticality in terms of female employment rates: 11.1% of women who have had at least one child in their life have never worked to take care of their children, a value much higher than the European average (3.7%) (ISTAT 2020b, 13).

The participation of women in labour market is closely linked to family burdens, the employment rate of mothers is lower than that of childless women. In 2018, the disadvantage of women (aged 25 to 49) with preschool children increased if compared to women without children. The ratio between the employment rates of the two groups is equal to 73.8 and has decreased compared to 2017 by 1.7 percentage points. This means that the rate of employment of mothers is 26% lower than that of childless women. Young women with young children are the most penalized (-2.1 percentage points compared to 2017). Nevertheless, care duties are not a solely women's problem. Report says the conciliation of work and private life is harder for all, men included, in presence of children. Almost the same proportion of fathers and mothers of children under 15 years stated that there is at least one aspect to the current job that makes it difficult to reconcile family and professional life (34.6% and 35.9%, respectively) in particular when there are more than one children (36.8% of parents) or one children of preschool age (37.8%).

If employed fathers and mothers report problems of reconciliation in equal measure, it is above all women who have changed some aspect of their work activity to better combine work with the needs of childcare. The main changes concern the reduction in working hours: 38.3% of employed mothers declared that they had made at least one change, compared to 11.9% of employed fathers. Percentage that for employed mothers of children between 0 and 2 years rises to 44.9%, while for fathers with children in the same age group it is just under 13%.

Grandparents and in particular grandmothers are the pillar of support for working mothers with children up to 10 years old. When both parents are employed, they take care of them in 60.4% of cases when the youngest child is up to 2 years old, in 61.3% when he is from 3 to 5 years old and in 47.1% if older. In the South these values exceed the 65% (ISTAT 2020b, 15).

For the school year 2017/2018, 13,145 educational services for early childhood were active in Italy. The places available - 51% of which are public - cover 24.7% of potential users, children under 3 years old. This provision, albeit slightly increasing, is still below the 33% parameter that the European Union had already set in 2002 with the Barcelona European Council, as a goal for member states to be achieved by 2010 to support the work-life integration. About 80% of the educational provision for early childhood is composed by kindergartens (traditional nurseries), the 10% by the "spring sections", usually organized within kindergartens, which can be accessed by children aged 24 to 36 months, the 2% by places in company crèches (ISTAT 2020b, 16).



There are other factors hindering work-life balance for both men and women and they are: the length and rigidity of working hours, the duration of travel to and from work, the disposal of employers in meeting the family needs of employees, the cost and quality of domestic and care services (i.e: baby-sitting). In response to these problems, conciliation policies have been developed, such as part-time work, flexibilisation and personalization of working hours, teleworking and other interventions specifically aimed at care of employees' family members. Part-time work, which can be horizontal, vertical or mixed, is most requested and used by women in Italy (ISTAT 2020b, 12). Flexibility and personalization of schedules translate either into flexibility of the daily schedule, as in the times of entry and exit, or flexibility on an annual basis through systems such as the "hour bank".

The interventions aimed at employees' family members concern, for example, childcare, taking charge of services such as company crèches or summer camps, maternity and parental leave, as well as accompaniment on return from leave and, finally, monetary transfers for some family needs such as supplements to leave allowances or scholarships for the children of employees (Poggio, 2010, 68-69).

These measures, which should be used by both male and female workers, often become the prerogative of women. The most fitting example is that of part-time work that has become an almost exclusively female solution without affecting either working hours or the meaning that working time has for men and women. Full-time and career remain inextricably linked and part-time remains a fallback solution for those women who prioritize family responsibilities over work. The feminization of part-time employment confirms that both legislators and companies continue to consider conciliation as a problem that concerns only women, which confronts them with the need to give up their professional career. Indeed, in the last ten years (2009-2019), part-time jobs increased by more than 1.1 million to over 4.4 million employed in 2019 (+130 thousand compared to 2018), but 73.2 per cent of these are women. Moreover, the component of female workers in involuntary part-time employment (i.e. decided or imposed by the employer either to return to work after maternity leave or as a new contract) covers 64%, highlighting that its prevalence is largely explained by a lack of demand (ISTAT, 2020b, 149) and suggesting that it is caused by a traditional view of gender roles.

Additionally, part-time work in most organizations cannot be used by managers, thus leading to vertical segregation of women. However, we must not think that it is the part-time model in itself that prevents women from growing at work level but rather the reasons for which it is required, that is, to reconcile commitment in the family and commitment in the market (Saraceno, 2003, 220). In fact, companies are often deeply sexed in their habits, practices and actions, since they require an almost unlimited availability of time, which goes beyond office hours, and identify it as a demonstration of attachment and dedication to company. This unlimited availability therefore becomes a confirmation of the professional value and reliability of the employee, without taking into account that the asymmetry in the distribution of the family workload does not allow women to act like male colleagues who remain on the job longer. The only effective strategy to balance professional and private life would be twofold, cultural and structural: on the cultural level we should focus our efforts on the risks related to the long-working-hours system, very dangerous for the collective well-being not only for women; on the structural level we need to work for redistributing among genders care and reproductive responsibilities, encouraging men via more father-friendly policies and with incentives if needed to participate in family life.

The family model based on the roles of the male breadwinner and the female care-giver is slowly disappearing in favor of the spread of the dual earner-dual career model (Gornick e Meyers 2003; Crompton 2006). In Italy this dual earner-dual career model is still not the predominant, nevertheless gender roles and duties are changing also in our country. More than in domestic work, which remains a monopoly of women, the presence of men has increased in fact in the work of caring for children



and especially in that directed to playful activities, thus outlining new models of fatherhood and masculinity (Magaraggia 2013; Cannito 2018).

3.3 Father-friendly policies in Italy

If not properly balanced among genders, work-life integration policies risk to serve neoliberal and economic purposes, failing their very point consisting in supporting women and career advancement. The risk consists in the promotion of the *unconditional adult worker model* (Naldini e Saraceno 2011; Fraser 2017) and to avoid it the introduction of new concepts and policies is the first step. Suggested by Mathieu (2016), the concept of "*demotherization*" of reproductive work is useful to promote father-friendly policies and the *dual earner-dual career* model (Crompton 2006; Gornick e Meyers 2003; Fraser 1994).

Taken as a whole, Italy lacks a coherent system of policies to support childbearing or to facilitate work-family reconciliation that really includes fathers. A lack of shared consensus between political parties on the right and left and between patriarchal and non-patriarchal visions of society has prevented the formulation of consistent father-friendly policies.

Parental leave on a voluntary basis is a kind of absence-leave available for both employed parents. It is typically paid less than maternity leave, but it has a longer duration. Entitlement to the parental leave period is individual (each parent can ask for it) and often, in order to incite fathers to take leave and to share household responsibilities, the extent of the absence is prolonged when both parents take benefit of it or a quota of the leave is parent specific.

In Italy parental leave for each parent - working as employee - is up to 26 weeks (six months); the sum of the two periods cannot exceed ten months (eleven if the father enjoys the leave for at least three months) and the leave expires at the child's 12th birthday. The total leave is paid at 30 per cent of average earnings for the first six-month, while the rest of the leave is unpaid.

OECD (2019) report says that the use of parental leave in Italy is rather low with respect to the OECD average and recipients are mainly women (83.0 per cent). An explanation can be the fact that Italy, according to Eurofund (2019), has the lowest EU compensation ratio: 30% of basic remuneration until the child's sixth birthday or, under certain circumstances, linked to income and previous uptake, until the child's eighth birthday, when it is unpaid thereafter.

More recently Italy introduced also the paternity leave, devoted to employed fathers only in the first few months after childbirth. Paternity leave periods last less of maternity leave periods and they are usually fully paid. Italy introduced paternity leave in 2012 (law 92/2012) on an experimental basis initially for three years; the leave was mostly symbolic since it foreseen only one day of compulsory leave and two days of voluntary leave (to take benefit of the latter the mother must cut the same number of days from her maternity leave) to be used by the child's 5th month.

The compulsory leave has been progressively improved over time, becoming five days in 2019, seven days in 2020 and eventually ten days since 2021 (comma 363, letter b, Legge di Bilancio 2020), bringing Italian legislation into line with the European directive 2019/1158, while the voluntary one has been reduced to one day.

In 2013, the first year of introduction of the paternity leave, only 12% of new fathers, working as employees in the private sector, took full paid compulsory leave. In the period 2013-2018, there was a significant decrease in births, and a limited increase in the number of new fathers who took advantage of the measure. The utilization rate has progressively increased, affecting 33% of new fathers in 2018, but remains unused by two thirds of those entitled to it. Only a very small proportion



of fathers also used optional leave (INPS 2019). Nevertheless, it is important to highlight the lack of complete data on this measure, since INPS only makes available data for employees in the private sector, thus not allowing at national level to have a clear and defined picture of fathers who decide to access this welfare measure.

3.4 Employment regulation and labour market policies in Poland

According to regulations of the Ministry of Economic Development, Labour and Technology (Labour Code, 23rd September 1997) employees have the right to continuous paid annual leave. Workers must not waive their right to a leave. Documented employment periods with foreign employers completed by EU or EFTA Member State citizens are included in the employment period for employee benefits in Poland. There are the following types of leaves: annual leave (urlop wypoczynkowy) (art 152-173), maternity leave (urlop macierzyński (art 173), leave under the maternity leave conditions (urlop na warunkach urlopu macierzyńskiego), paternity leave (urlop ojcowski), childcare leave (urlop wychowawczy), training leave (urlop szkoleniowy), parental leave (urlop rodzicielski), and unpaid leave (urlop bezpłatny). Workers acquire the right to their first annual leave (equivalent to 1/12 of the annual leave available after completing one year of work) upon completing one month of work. As part of the annual leave, employers may grant a leave on request (not more than 4 days in a calendar year) on days specified by the worker. In addition, an unpaid leave is granted at the worker's written request (the leave is not included in the employment period which is the basis for employee benefits). Notwithstanding the foregoing, the employer may - at the worker's written consent - grant the worker an unpaid leave for the purpose of performing work for another employer during a period specified in the respective agreement between the employers (the period of such leave is included in the employment period which is the basis for employee benefits at the current employer).

Special solutions in the field of leaves are provided for in the Law on Higher Education and Science. An academic teacher is entitled to a holiday leave of 36 working days a year, i.e. a holiday 10 days longer than the longest leave provided for in the Polish Labor Code.

The Rector may grant an academic teacher:

- 1) holding at least a doctoral degree, within 7 years of employment at a given university - paid scientific leaves in the total amount not exceeding one year for the purpose of conducting research;
- 2) preparing a doctoral dissertation - paid scientific leave not exceeding 3 months;
- 3) paid leave for the purpose of training abroad, research or teaching internship, participation in a conference or participation in joint research conducted with a foreign entity on the basis of a scientific cooperation agreement;

During such leave, the academic teacher does not conduct classes.

An academic teacher may also take a paid leave to improve health. The total length of leave for health reasons during the entire employment period may not exceed one year. This privilege is granted to an academic teacher under the age of 65, employed full-time, after at least 10 years of employment at the university. During such leave, the employee does not perform any work duties. No additional paid employment is allowed during the health leave.

Female workers have the right to a maternity leave of 20 weeks in the case of giving birth to one child, 31 weeks in the case of giving birth to two children in one delivery, 33 weeks in the case of giving birth to three children in one delivery, 35 weeks in the case of giving birth to four children in one delivery, and 37 weeks in the case of giving birth to five or more children in one delivery. Immediately upon using his/her maternity leave, a worker has the right to a parental leave of up to 32 weeks in the case of the birth of one child in one delivery, and up to 34 weeks in the case of the birth of two or more



children in one delivery. A parental leave is granted at a written request of the worker. A parental leave may be used immediately upon using a maternity leave, at one time or in 4 parts at most. It is also possible to use up to 16 weeks of a paternity leave during a period which does not immediately follow the previous part of the leave used. This option can be used at the parents' discretion, but the number of parts of a parental leave granted in this mode decreases the number of parts of the due childcare leave.

No part of a parental leave may be shorter than 8 weeks. The leave may be used by the end of the calendar year in which the child has reached the age of 6 years.

It is possible to combine a parental leave with work (on a half-time basis) for the employer that grants that leave. If this is the case, the amount of the parental leave is appropriately extended – to a maximum of 64 or 68 weeks. In addition, parents may exchange between themselves their parental leaves and maternity benefits during the leave if one of the parents is a worker and the other is covered by sickness insurance under a different scheme, e.g. is self-employed.

A maternity benefit is paid for the period of a parental leave. Working fathers have also the right to be granted a paternity leave. This type of leave may be granted to fathers, but only until the child has reached the age of 24 months. The amount of a parental leave is equal to 2 weeks, and it may be divided into two parts, each of which may be used at any time. A maternity benefit is paid for the period of a paternity leave.

Another type of leave is childcare leave. The amount of a childcare leave is up to 36 months, however not longer than until the end of the calendar year in which the child has reached the age of 6 years. A childcare leave may be granted to working mothers or fathers. While on a childcare leave, workers do not retain their right to receive remuneration (the leave is not paid as a rule) and are not entitled to any benefits, but are covered by retirement and health insurance which is paid by the employer. There are a number of life events when workers may be granted time off work. The most frequent occasions include incapacity for work due to sickness, medical examinations, necessity to care for a child, as well as personal or family events such as marriages and funerals. Also a worker who brings up at least 1 child aged 14 years or younger has the right to take paid time off work equal to 16 hours or 2 days in one calendar year.

The specificity of an academic teacher's work is the so-called task-based working time system. The adoption of a task-based working time system secures high flexibility of work of academic teachers.

Adoption of a task-based working time system is justified by the type of work, especially in terms of scientific duties and those organizational duties related to the implementation of teaching loads (preparation of curricula, preparation and checking of phased, control and examination papers). This type of work activity may in principle be performed at any time and on any day, also on days which are days off in the basic working time system. (Commentary to the Law on Higher Education and Science. Act on, Baran, ed., 2019)

The organization of academic teachers' working time is defined in the work regulations adopted by specific universities.

In special cases, justified by the necessity to implement the study program, an academic teacher may be required to conduct classes in overtime, in the amount not exceeding:

- 1) 1/4 of the annual number of classes (pensum) - for a research and teaching employee;
- 2) 1/2 of the annual number of classes (pensum) - for a teaching worker.



An academic teacher, with his / her consent, may be entrusted with teaching overtime classes in the amount not exceeding twice the annual number of classes.

An academic teacher, with his / her consent, may be entrusted with teaching overtime classes in the amount not exceeding twice the annual number of classes (pensum).

An academic teacher who is pregnant or brings up a child until the age of 4 may not be employed overtime without his consent. At this point, it is worth paying attention to the difference of the regulation on referred to in comparison with the regulations of the Labor Code, which constitute an absolute ban on employing pregnant women overtime.

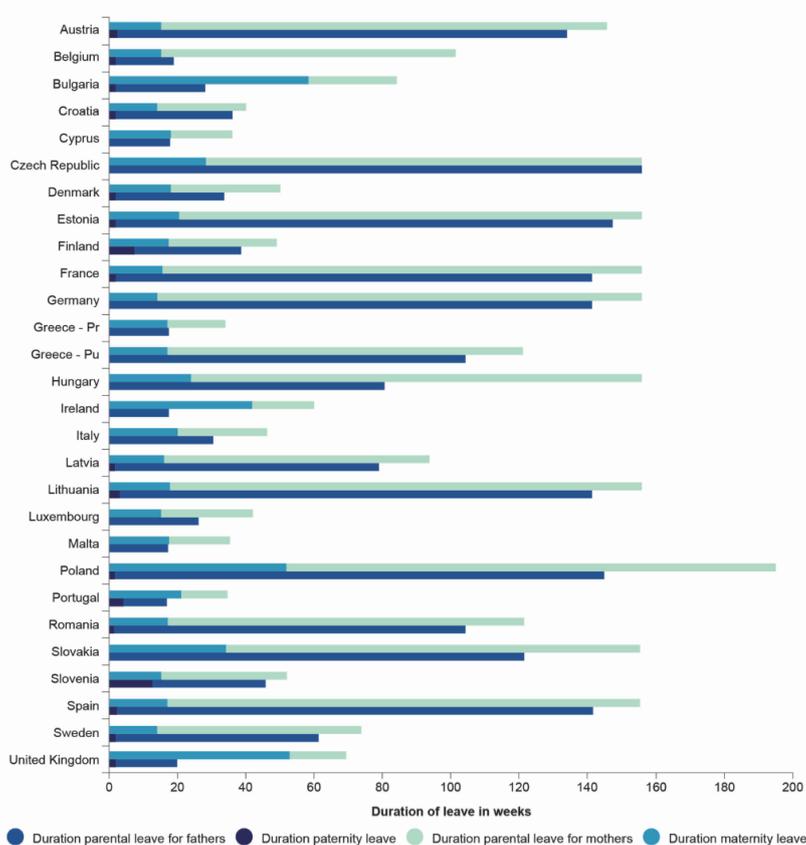
3.5 Care & work-life policies in Poland

There is a robust evidence showing strong relationship between employees successful work-life integration and organizational profits (Jain & Nair, 2013). Family-friendly policies allow employers to attract and retain the valuable professionals, foster their sense of belonging to the company and achieve better results. The survey carried out by the Public Opinion Research Center (CBOS) showed that Poles spend on average 46 hours a week on working, which makes them one of the busiest nations in Europe with 12 % of Poles declaring working for more than 60 hours a week. In addition, Central Statistical Office of Poland (2014) indicates that regardless of the family situation, women spent statistically more time on home and work duties in total. WLB benefits (flexible working system, range of leaves, telework etc.) are designed to help employees reconcile work and private lives. Legal WLB solutions in Poland derive from the Labour Code (Dz. U. 1974: Nr 24, poz. 141). Flexible forms of work is one of the most important WLB issues included in Polish law. Another form of flexibility at work is teleworking. Telework means work regularly performed away from the premises of an employer, using the means of electronic communication. Telework offers a form of facilitation, particularly for pregnant women, people taking care of children, and commuting employees however in times of COVID it actually adds more fatigue and frustration to parents (Gądecki, Jewdokimow, & Żadkowska, 2018). Other popular WLB solutions are sickness leaves and annual leaves, also called “holidays”. The former guarantees financial security for an employee who is temporarily unable to work. An employee may also take 14 days of sickness leave to take care of ill family members. Moreover, an employee has a right to annual, uninterrupted, paid leave. The “holidays” amount to 20 days or 26 days (depending on number of the years of employment). In crisis, an employee can have four days of leave at the request in each calendar year (counted into annual leave). Finally, the employer may also grant unpaid leave to the employee. Another important group of legal WLB solutions are working parents’ rights. First, not sooner than six weeks before the expected date of birth, a female employee may apply for maternity leave, lasting 20 weeks (14 weeks are reserved exclusively for the mother, six weeks can be used by either mother or father). Since 2010, the female employee has been also entitled to additional maternity leave of six weeks, immediately after using the maternity leave (Dz. U. 2008: Nr 237, poz. 1654). Another legal novelty introduced in 2010 (Dz. U. 2008: Nr 237, poz. 1654) refers to a male employee’s right to two weeks of paternity leave, until the child is 12 months old. After having used additional full-time maternity leave, an employee is entitled to 26 weeks of parental leave (52 weeks in total for both parents). The last long-term form of leave is an unpaid childcare leave, not exceeding 36 months, granted voluntarily by employer until an employee’s child reaches the age of 5. In Poland a nursing female employee has the right to two half hour breaks from work calculated into working time. Also a pregnant woman and an employee taking parental leave are protected – their contracts may not be terminated during the pregnancy or the leave. Employees who have children can take leave of absence when it is necessary to attend a sick child. An employee is entitled to a maximum of 10 days leave each calendar year. Employees are also entitled to the maximum of 10 days leave of absence per calendar year to care for parents, spouse, cohabitant or registered partner.



Although numerous WLB solutions are offered to employees the availability and fair opportunity to use work-flex arrangements is not fully met in Poland and is far from being equally used by women and men (cf. Stańczak et al, 2017). Definitely parental leaves are more used by women than by men, which is also related to strong traditional roles and normative gender role visible in Poland making men the main providers of the family and women being the core care takers of family (e.g. Kosakowska-Berezecka et al, 2018; Kosakowska-Berezecka, Korzeniewska, Kaczorowska, 2016; Żadkowska, Kosakowska-Berezecka & Ryndyk, 2018). On the other hand Polish regulations offer the longest parental leaves for mothers in Europe, which is parried with one of the longest parental leaves for fathers.

Figure 2: Duration of leave in weeks. Comparison of the maximum combined maternity and parental leave entitlement (light blue and turquoise) with paternity and parental leave duration (dark blue and blue) per EU Member State in weeks.



Notes: ‘Duration parental leave for fathers’ reflects the case where all the available shared parental leave is taken by the father, and ‘duration parental leave for mothers’ reflects the case where all the available shared parental leave is taken by the mother). Greece – Pr/Pu = private and public sector, respectively. The Netherlands was excluded because of the specific way the duration of parental leave is calculated. Based on data from 2012–2014, from European Parliament 2015b.

A research conducted on a group of 1000 unemployed mothers revealed that only 6% of them believed that combining work and private life was impossible and half of the respondents opted for part-time (Szydlik-Leszczynska, 2013). They also reported difficulties resulting from the break in employment caused by parental leave or lack of possibilities to organize child care (Szydlik-Leszczynska, 2013). Another study on successful female managers (Bilińska, Rawłuszko 2011) revealed that half of the women considered challenges with achieving WLB and excessive burden with family duties to be key barriers for women to achieve professional success in Poland. This is also visible for female researchers who as one of the barriers in fostering their scientific careers name the *maternal wall* (cf. Kosakowska-



Berezecka, Żadkowska, 2019, 2021). The results are similar to those found in a study including over 1000 employees, 84% of women and 79% of men claimed they had serious problems with carrying out their responsibilities towards families (Sadowska-Snarska 2013). Research carried out by Karasiewicz & Kosakowska-Berezecka (2013) actually shows that often men are not easily granted to combine work-life flex arrangements as they are less expected to be involved in childcare.

Recently a major social programme, called “500+” has been introduced in Poland (Dz. U. 2016: poz. 195). It aims to support parents of children aged under 18. However, this programme has been running since 2016 so we yet need to wait to fully analyze its long-lasting consequences for WLB in Poland.

3.6 Father-friendly policies in Poland

Studies conducted in Scandinavian countries show, that the involvement of men in parental and domestic duties can be shaped and encouraged by the state (Haas & Hwang, 2007; Rush, 2015; Singley & Hynes, 2005; Suwada, 2015, 2017, 2021; Żadkowska, Kosakowska-Berezecka, & Ryndyk, 2018, Żadkowska et al. 2020). Both European Union reports and a substantial body of research and literature indicate that men’s greater involvement in domestic responsibilities and childcare is beneficial to women’s career development and has a positive effect on men’s health and their children’s social, emotional and cognitive functioning (cf. Bartlett, 2004; Eurostat, 2017; Richter, 2006). According to Bühlmann, Elcheroth, and Tettamanti (2010), the type of capitalism in the country of current residence has a significant impact on the practices, attitudes and values visible within couples and families. As a result of this influence, the patterns they follow can be either egalitarian (allowing for equal share of domestic duties within couples) or gendered (following the gender-congruent division of duties – women: domestic and family vs men: financial and work). The study uses a four-field scheme to analyse attitudes and practices of couples (Bühlmann et al., 2010). According to Bühlmann et al. (2010), in socio-democratic countries (e.g. Norway) family policy (parental leave and institutions of child care) makes it easier for a couple to return to the first type (egalitarian/egalitarian) after a ‘tip over to inequality’. On the other hand, in other types of welfare state – conservative (e.g. Italy), neo-liberal (e.g. Ireland) and post-communist (e.g. Poland) – a couple without these forms of policy seems to adjust to inequality (Bühlmann et al., 2010). The phase ‘after a child is born’ is crucial and leads to ‘compromises’ in egalitarian practices the most. If strong egalitarian values are not supported by the state, the emerging non-egalitarian practices have bigger chances to be perpetuated. Men and women differ but are expected to work in the labour market and men feel greater pressure in connection with paid work. They more often perceive their parental obligations in terms of economic provision. Paid work for fathers is not an obstacle, but rather a core parental obligation (Suwada 2021).

In her book *“Parenting and Work in Poland A Gender Studies Perspective”* Katarzyna Suwada claims that the Polish family system in the 2010s is based on explicit familialism (Szelewa 2017) and is explicitly genderising (Saxonberg 2014; Suwada 2017). This means that it promotes a traditional model of a family, in which men are focused on paid work, whereas women are more oriented on the domestic sphere. The experiences of Polish parents show that the reconciliation of different obligations arising from family life and paid work is very difficult mostly because of time pressure. In the Polish system there are no incentives which promote part-time employment or reduce working hours. Consequently, full-time paid work severely limits the opportunity structures of Polish parents (Suwada 2021).

When it comes to legislative solutions after the birth of a child, parents can take two types of paid leave. These are maternity leave and parental leave. An additional 2 weeks off work to take care of a child is granted to men under paternity leave. Fathers can take it in whole or in two parts at any time they choose. They have time for this within 2 years after the birth of their child. This leave can be divided into 2 parts and used at any time, depending on the age of the child. In 2019 total number of 199,80 fathers took a paternity leave. In comparison from January to December 2019, a total number



of 787,800 of parental leaves was used by 515,000 women and 212,800 men. Only in December, 282,400 people were on leave related to the most important role in life. In 2020 a total number of 367,800 women and 12,000 men took maternity leave.

In comparison to other countries in the EU, in Poland the use of paternal leave is still small. That may be related to no “father quota policy”, the short period of existence and social beliefs.

3.7 Employment regulation and labour market policies in Serbia

Women in Serbia are less active in the job market (with an activity rate of 41.9% vs. 56.6% for men in the working age population), and that has not improved since 2016. Segregation has increased, with a higher concentration of women in the sectors of social services, especially during the Covid-19 pandemics. Contributing factors to women’s low levels of employment and high rates of unemployment include prevailing patriarchal norms that constrain women’s participation in the labour highlighted that norms limit access to employment and attaining senior leadership roles because they tend to prioritize women’s primary roles in the family and household.

According to the Labour Force Survey in Serbia for 2019, gender inequalities in the labour market are continuously very pronounced. Women have a significantly lower activity rate than men (59.2 % vs. 77.4 %), although higher than in 2018 (46.7 %), lower employment rates (52.9 % to 70.7 %) and much higher inactivity rates (40.8 % to 22.6 %). The activity rate of women with higher education is somewhat higher than the activity rate of men with the same level of education (72.3% vs. 71.0%). However, the activity rate of women without education and with low-level education is 31.5%, which is lesser than the activity rate of men with the same level of education by 30.2 percentage points. Also, 10.7 % of women are unemployed, in comparison with 8.7 % of men.

There are twice as many self-employed among men than among women (in the age group 15 to 64, 25% of men and 14% women are self-employed). The largest number of informally employed are aged 15 to 24 (66.9% women and 55.3% men).

Some groups of women face major employment barriers. Among young women (15-24 years), the unemployment rate is as high as 37.8 %. Bearing in mind the reasons why men and women work less than full-time, category with the highest stake of women is “Looking after children or disabled persons” (87%), while men most frequently mentioned “Could not find a full-time job” (62%), as the reason for working less than full-time. Access to the labour market remains particularly difficult for Roma women and women with disabilities. Horizontal and vertical occupational segregation in the labour market is very pronounced.

Many other indicators reveal the disadvantaged position of women in the labour market, such as the concentration of women in low productivity sectors and in the care economy. Discrimination is also evident in the realm of recruitment, promotion, pay and benefits, the availability of training opportunities and in relation to maternity and parental leave. Women’s inactivity reflects unpaid work in the household; inadequate support to women in reconciling work and family responsibilities; employers’ discriminatory treatment of young women; the existing wage gap; lower statutory retirement age; as well as the existence of a statutory minimum social insurance contributions base, which discourages formal part-time work, an option more commonly used by women with family responsibilities in other countries.

The surveys on time use from 2010 and 2015 have confirmed the stereotypes that are valid for our region. Regardless of whether they are employed or not, women, in relation to men, work twice long time in the house, and spend half the time working paid jobs. For employed women, work in the house becomes the second shift. The data show that men do paid work, on weekdays and over weekend as



well, almost twice longer than women. On the other hand, as expectedly, women spend more time than men doing unpaid work, both on weekdays and over weekend. Married women with a child aged under seven, spend most time on unpaid work — almost an entire work shift. Men from this type of family structure spend more time on housework when compared to men from all other categories — almost three hours. However, women from all categories spend more time on housework, especially those with children of any age.

The way in which women participate in the labour market correlates with the prevalence of traditional gender roles, especially in rural areas of Serbia. Women working on farms are largely invisible, and they are unpaid, do not have insurance, and work double shifts with limited social rights. In more-traditional regions, women entrepreneurs often are limited to businesses that align with traditional gender roles. Female entrepreneurs, for example, established private kindergartens or choose to support family businesses through microenterprises that support a male family member (namely a husband, father, or brother). One consequence traditional social norms present is that when a woman succeeds in her business, she often transfers it to her husband or other male relatives.

Traditional roles also contribute to labour-market discrimination based on gender and other factors of exclusion. In a recent report the Commissioner for Equality prepared, almost one-third of the complaints related to discrimination were on the basis of sex (followed by age, then marital status), and there were reported cases of discrimination on appearance and health status. Furthermore, there has been a marked increase in the number of complaints filed based on discrimination that the Commission for Equality has received, likely due to women's increasing awareness of their rights.

For women entrepreneurs, lack of access to assets, information, and networks, plays a critical role in their levels of participation and productivity. The National Strategy for Small- and Medium-Sized Enterprises in the Republic of Serbia (2015–2020) notes that among employed women, only 15 percent report self-employment, compared with 30.5 percent for men. This discrepancy is due to gender discrimination and the existence of stereotypes; limited access to childcare; and difficulties in reconciling work, family, and private life.

Women also continue to earn lower wages across almost all age groups. The Gender Pay Gap shows 8.8% difference, at equal educated and performing similar work. Serbia is among the countries with the lowest gender pay gap in Europe. However, if earnings are observed according to educational attainment or occupations, the difference in earnings between women and men is significantly higher than the average gender pay gap, most often in favor of men.

In Serbia, social protection is an organized social activity of public interest carried out with the aim of providing support and empowering citizens to lead an independent and productive life in the community, as well as preventing the emergence of social exclusion and eliminating its consequences. The objectives of social protection are implemented by rendering the services of social protection and through activities that help avoiding, lessen or eliminate the dependence on social services. Beneficiaries of rights or services of social protection are individuals or families who face obstacles in meeting the needs, due to which such individual or family is unable to reach or maintain the quality of life or does not have enough resources to meet the basic needs, and cannot achieve them by the work, from property income or from other sources. Children and young people (under the age of 26) are the beneficiaries of rights and services of the social welfare system when, due to family and other life circumstances, their health, safety and development are at risk, i.e. if it is certain that without the support of the social protection system they cannot reach an optimum level of development.

The Labour Law defines direct and indirect discrimination, as well as harassment and sexual harassment. It implements the principle of equal pay for equal work or work of equal value has been



implemented in national legislation. The Law stipulates in Article 104(2) that employees shall be guaranteed equal earnings for the same work or work of equal value performed with an employer. It defines work of the same value as work requiring the same professional qualification level, the same work abilities, responsibility and physical and intellectual effort (Article 16(3)). In 2016, the Law on the Salary System in the Public Sector was adopted, introducing the principle of equal pay for equal work for all public sector employees (“Official Gazette of the Republic of Serbia”, no. 8/2016, 108/2016, 113/2017, 95/2018, 86/2019. Its implementation was postponed to 1 January 2021.).

The anti-discrimination legislation also contains the principle of equal pay. Thus, Article 16(1) of that law prohibits discrimination in the sphere of employment, and violation of the principle of equal opportunity in gaining employment or equal conditions for enjoying all rights pertaining to the sphere of employment, including equal pay for work of equal value.

Furthermore, the Gender Equality Law is even more explicit and in Article 17 guarantees the right to equal remuneration for the same work or work of equal value with the same employer, in accordance with the Labour Law, for all employees regardless of their sex.

However, although legal framework prescribes equal pay for work of equal value, the Commissioner for the Protection of Equality stressed that it is very hard to prove inequality in payment between men and women for work of equal value as there is non-transparency of wage system data and inaccessibility of information on add-ons, bonuses and rewards which are crucial for determining discrimination in this area. The Commissioner furthermore pointed out that unequal earnings for the same work were the result of discrimination against women, and not the lack of legal framework.

3.8 Care & work-life policies in Serbia

The Serbian Constitution stipulates in Article 60(5) that women are provided with special protection at work and special work conditions in accordance with the law. The Labor Law says in Article 12(2) that an employed woman shall be entitled to special protection in the course of pregnancy and childbirth. An employer may not request from the candidate information relating to family and/or marital status and family planning, and/or to be furnished with documents and other evidence having no direct bearing on the performance of jobs for which the employment relationship is established (Article 26(2)). Moreover, an employer may not make the establishment of the employment relationship dependent on a pregnancy test, unless the relevant jobs involve considerable risk for the health of the woman and child, as determined by a competent healthcare agency (Article 26(3)).

Also, Article 16(3) of the Anti-discrimination Law stipulates that it shall not be considered to constitute discrimination to take protective measures towards certain categories of persons, such as women, pregnant women, and women who have recently given birth. The Law on Gender Equality also defines that the absence from work because of pregnancy and parenthood must not be any barrier to promotion to a higher rank, advancement or professional training, or ground for assigning a person an inadequate job or terminating the employment contract.

According to Article 94(1) of the Labour Law, an employed woman is entitled to leave from work due to pregnancy and childbirth (maternity leave), as well as to leave from work for childcare (parental leave), of 365 days altogether. An employed woman is entitled to commence maternity leave, based on findings of a competent medical agency, 45 days at the earliest, and 28 days in any case, prior to the time of the expected delivery (Article 94(2)). The maternity leave shall be three full months from the day of childbirth (Article 94(3)). An employed pregnant woman must commence maternity leave 28 days before the expected date of delivery (Article 94(2)) and cannot be on maternity leave for less than three full months (Article 94(3)).



The total duration of parental leave is from 3 months after the birth of the baby until the expiry of 365 days from the day of commencement of maternity leave (Article 94(4) of the Labour Law).

However, Article 94(a)(1) provides an even longer period of parental leave for an employed woman for the third and every subsequent new-born child for the duration of two years in total. This right is also due to an employed woman who gives birth in the first delivery to three or more children, as well as to an employed woman who has given birth to one, two or three children, and who gives birth in the subsequent delivery to two or more children (Article 94(a)(2)). Also, this right is due to the father of a child, but only if the mother abandons the child, dies, or is prevented due to other justified reasons to exercise this right (serving a prison term, serious illness, etc.), or if the mother is not employed (Article 94(5)).

Article 16(2) of the Labour Law stipulates that an employer is obliged to provide to an employee conditions of employment and to organise work such as to achieve safety and protection of life and health at work, in conformity with the law and other regulations. Also, some other provisions were described above which protect an employee from hazardous jobs or from night work during pregnancy.

The Labour Law defines in Article 94(7) that during maternity leave and childcare leave, a female employee is entitled to compensation of earnings, in conformity with the law. Also, Article 157 provides that the criterion for establishing collective redundancy shall not include the absence of an employee temporarily prevented from working due to pregnancy, maternity leave, and childcare leave. This means that during maternity leave a woman has a right to maternity pay.

The Law on financial support for families with children (The Law on Financial Support for Families with Children, Official Gazette of the Republic of Serbia, no. 13/2017, 50/2018.) provides that the amount of maternity pay – which is an allowance from the State – is equal to the average basic salary paid in the past 18 months prior to the month in which maternity leave was taken, up to a maximum amount of three average salaries in Serbia (Article 13(3)). The average monthly salary is determined based on data published by the public authority in charge of statistics (Article 9(1)).

Maternity pay is higher than sick pay, as sick pay is a minimum of 65 % of average earnings in the preceding three months before the month in which the temporary impediment for work occurred, on the condition that it may not be lower than the minimum salary, where the impediment for work was caused by illness or injury sustained outside work (Article 115(1)). The amount of maternity pay is equal to the average basic salary.

Upon returning from maternity leave, an employee continues working under the terms and conditions applicable until maternity leave and also benefits from any improvement in working conditions to which she would have been entitled during her absence, unless changes have been introduced through an annex to the contract of employment.

The Law also defines the leave for special care of a child or another person. One of the parents of a child in need of special care due to a serious degree of psycho-physical impairment, apart from cases prescribed by the health insurance regulations, is entitled to, upon expiry of the maternity leave and the leave of absence for nursing a child, be absent from work, or to work half of the full working hours, the longest until the child becomes five years old. In course of absence from work, the employee is entitled to compensation of salary, in conformity with the law. A parent or legal guardian, i.e. a person who takes care of the person suffering from cerebral palsy, polio, some kind of plegia or muscular dystrophy and other serious illnesses, based on the ground of the opinion of a competent health agency, may upon his request work part-time working hours, but not less than half of the full working hours.



An employee working part-time working hours, in terms of paragraph 1 of the present Article, is entitled to an appropriate salary in proportion to the time spent at work, in conformity with the law, by law and employment contract.

The Labour Law stipulates in Article 77(1) that an employee has the right to a paid leave of absence for a maximum of seven workdays in a calendar year, in cases of serious illness of a member of their immediate family, and in other cases as determined in the general act (labour rulebook or collective agreement) and the employment contract. Members of the immediate family are considered to be: the spouse, children, brothers, sisters, parents, adoptive parents, adoptee, guardian and other persons who live in a joint family household with the employee (Article 77(4)).

However, the Law in Articles 96-100 sets out the leave for special care of a child or another person. Article 96(1) provides that one of the parents of a child in need of special care due to a serious psycho-physical ailment, shall be entitled, upon expiry of the maternity and parental leave, to be absent from work, or to work half of the full working hours, at most until the child turns five. This right is exercised based on the opinion of an agency competent to assess the degree of the child's psycho-physical ailment, in conformity with the law. During this leave, an employee is entitled to compensation of earnings, in conformity with the law (Article 96(3)). The employee can also request to work half time, and in that case, he/she is entitled to compensation for another half of the full working hours (Article 96(4)), which means that in this case there is no loss of earnings. Conditions, procedure, and the manner of exercising the right to absence from work for special care of a child is regulated in detail by the Minister in charge of social childcare. This right also pertains to one of the adoptive parents, foster parents, and/or guardian of the child, should the child, due to a psycho-physical ailment, need special care (Article 99). They are entitled to absence from work until the child turns three (Article 100(1)).

The Labour Law, which recognises the right to parental leave, applies to both the public and the private sector. The scope of the Labour Law includes contracts of employment for part-time workers, fixed-term contract workers, and employment contracts with a temporary agency.

In Serbia, there are no specific acts on work-life balance. The Labour Law prescribes rights, duties and responsibilities arising from employment, and/or on the ground of work. It prescribes part-time employment, and the employment relations for performing jobs outside an employer's premises, which includes remote work and work at home. It also prescribes a work timetable and possibility for flexible working hours.

The Labour Law stipulates in Article 39 that an employment relationship may also be established as part-time employment for either an indefinite or a definite period of time. In this case, an employee has all rights deriving from the employment relationship, proportionally to the time spent at work. However, there is no possibility to reduce working time per week on request, nor the right to extend working time – in the case of structural overtime, for example. There is no right to adjust working time patterns. Labour Law only provides in Article 92 that an employer may reschedule the working hours of an employed woman in course of pregnancy, and of an employed parent with a child under three, or a child with a serious psycho-physical ailment, only upon consent of the employee in writing. An adoptive parent and/or guardian of the child has the same right (Article 93).

Also, the Labour Law stipulates that the employer will provide that the employed woman, upon returning to work prior to expiry of the first year after the birth of the child, has the right to one or more breaks during working hours for a total duration of 90 minutes, or the right to reduce the daily working hours by 90 minutes, in order to be able to breastfeed her child, if the daily working hours of the employed woman equal six or more hours. This break will be considered as a part of the working



hours that will be compensated to the employed woman as remuneration in the amount of the basic earnings, increased by seniority compensation. (Article 93(a)).

In addition, Article 55(4) prescribes that if the nature of work and the organisation of work permit it, the beginning and the end of the working hours may be determined, or contracted, in a special time interval (flexible working hours). The adjustment of working hours can be requested not only in relation to breastfeeding, within the stipulated 40 hours per week, but employers in Serbia are still reluctant to introduce this type of work.

3.9 Father-friendly policies in Serbia

The Labour Law in Article 77 stipulates that a father has seven days of paternity leave when his spouse gives birth. This is paid leave, which means that a father has 100 % compensation during the leave. Although the Labour Law recognises only married couples, Article 65(5) of the Constitution stipulates that cohabitation is to be equated to marriage in accordance with the law.

The Labour Law allows fathers the opportunity to use leave for child care only when the child is three months old. Maternity leave, which lasts from birth to the first trimester, can only be used by the mother. Parental leave is recognised for one parent of the child. The compensation during parental leave is subject to agreement between parents and can be changed over time (Article 4 of the Rulebook on Detailed Conditions and the Manner of Exercising the Right to Financial Support to Families with Children, „Official Gazette of the Republic of Serbia“, no. 29/2002, 80/2004, 123/2004, 17/2006, 107/2006, 51/2010, 73/2010 and 27/2011 – CC decision). For fathers to be able to exercise this legal right and stay with the child until his first birthday, both parents must be in a permanent employment relationship. In Belgrade one out of 200 fathers uses this opportunity.

3.10 Employment regulation and labour market policies in Ireland

There is extensive employment law and regulation in Ireland, which are mandatory and aligned with EU directives. These laws relate to all areas of contracts, terms and conditions, salary, leave, dismissal, labour relations. Key legislation includes:

- Employment Equality Act 1998 to 2011
- Payment of Wages Act 1991
- Maternity Protection Act 1994 and 2004
- Minimum Notice & Terms of Employment Act 1973 – 2005
- Organisation of Working Time Act 1997
- Protection of Employees (Part-time Work) Act 2001
- Workplace Relations Act 2015

The Workplace Relations Commission (WRC) was established under the Workplace Relations Act 2015. It is the body to which all industrial relations disputes and all disputes and complaints about employment laws are referred. The main functions of the WRC are to:

- Promote and maintain good workplace relations.
- Promote and encourage compliance with the relevant laws.
- Provide guidance around compliance with codes of practice.
- Conduct reviews and monitor developments around workplace relations.
- Conduct or commission relevant research and report the findings to Joint Labour Committees and Joint Industrial Councils
- Advise the Minister for Enterprise, Trade and Employment in relation to the application of, and compliance with, relevant laws.
- Provide information to the public in relation to employment laws other than the Employment Equality Act (information about this Act is provided by the Irish Human Rights and Equality Commission).



3.11 Care & work-life policies in Ireland

Each Higher Education organisation in Ireland has a suite of policies relating to work life balance and carers such as carers, compassionate and parental leave and flexible working. These policies and supports are managed via the HR and EDI Units and are informed by and aligned with Irish Government policies, such as the Carer's Leave Act, 2001, which provide for carer's leave of up to 104 weeks for employees to provide full-time care and attention to a person whilst protecting the employee's employment rights during the leave.

The EU has provided a series of legislative acts creating minimum EU rights of citizens to combine work with family responsibilities with the most recent update must be implemented in Ireland by August 2022. This new directive includes rights to request flexible working conditions for carers and working parents of children up to eight years old, including remote working and the right to disconnect. Many changes are underway in Ireland with the changes to the Family leave act (see below), the Remote Working Strategy 2021 and a code of practice on the right to disconnect 2021.

3.12 Father-friendly policies in Ireland

The Irish Government introduced new legislation relating to parental leave on April 1st 2021. Under the Family Leave and Miscellaneous Provisions Act 2021 parents. Fathers in Ireland are entitled to Paternity leave under the Paternity Leave and Benefit Act 2016. This entitles father to two weeks leave for any child born or adopted on or after 1 September 2016. Fathers can start paternity leave at any time within the first 6 months following the birth or adoption and are entitled to Paternity Benefit. This is a payment for employed and self-employed people who are on [paternity leave](#) from work and covered by [social insurance \(PRSI\)](#).

Fathers are also entitled to Parents leave which provides for 5 weeks leave for each child born or adopted in the first two years post birth / adoption. The changes in 2021 also ensure that:

- Parental and adoptive leave extended to same sex couples.
- Adoptive couples can now choose which of them will avail of Adoptive Leave, with Paternity Leave and Benefit being available for the other parent.
- Parent's Benefit will be paid at the same rate as Maternity, Paternity and Adoptive benefits, which is €245 per week.

3.13 Employment regulation and labour market policies in Spain

Spain's active population amounted to 23 million people in 2020, according to data from the Labour Force Survey (EPA) conducted annually by the INE. Of these, around 19 million were employed and more than 8.7 million were women. Translated into percentages, this means that female participation in the labour market was almost 46% by 2020.

Despite the increase in the employment rate in recent years, women continue to be in a situation of inferiority in aspects such as presence in the labour market, the salary gap or the risk of poverty, situations that show that women continue to have fewer professional opportunities, receive lower salaries and suffer greater difficulties of socio-labour integration.

For years, efforts have been made in Spain to make progress in eliminating this inequality, with the involvement of several areas: legislation, the implementation of public policies and also social concertation. The social partners have a fundamental role to play in this desirable progress, as the main players in social dialogue, but, above all, as the sole protagonists of collective bargaining. The social partners have two fundamental tools at their disposal to help eradicate the pay gap: collective agreements and equality plans.



In order to contribute to this task, RD 901/2020 of 13 October, which regulates equality plans and their registration, and RD 902/2020, of 13 October, on equal pay for women and men, have been negotiated between the social partners and the government.

With the application of both regulations, the aim is to improve the presence and participation of women in the labour market, guaranteeing not only their access to and permanence in the labour market, but also their salary according to the characteristics and conditions of the work to be carried out.

Legislation in force

- Royal Legislative Decree 2/2015, of 23 October, approving the revised text of the Workers' Statute Law
- Royal Decree-Law 6/2019, of 1 March, on urgent measures to guarantee equal treatment and opportunities for women and men in employment and occupation.
- Royal Decree 902/2020, of 13 October, on equal pay for women and men

In the Spanish legal system, the principle of equal pay for work of equal value is regulated in article 28 of the revised text of the Workers' Statute Law, approved by Royal Legislative Decree 2/2015, of 23 October. It is a precept that has been growing in importance since its first formulation in the text of the Workers' Statute of 1980 and which has recently been modified by Royal Decree-Law 6/2019, of 1 March, on urgent measures to guarantee equal treatment and opportunities between women and men in employment and occupation.

The latter has set up a system in Spain that improves on the provisions of the Commission Recommendation of 7 March 2014 and combines several of the options set out in that text: thus, the Spanish pay register system allows the legal representation of workers to have access to disaggregated and averaged pay information in all companies, and not only in those with at least fifty workers, as established in the recommendation. Likewise, the wage audit, which in the recommendation refers to companies with at least 250 employees, in the Spanish regulation applies to all companies that are obliged to have equality plans which, once the transitional periods established in Royal Decree-Law 6/2019 of 1 March have elapsed, will apply in Spain to all companies with at least 50 employees.

In Royal Decree 902/2020 on equal pay for women and men, the regulations develop the pending "duties" that RDL 6/2019 had included in its articles 12.4. d), 22.3 and 28 of the ET.

The new regulation specifies:

- The content of the concept of work of equal value.
- The obligation to keep a pay register.
- The job evaluation systems of the professional classification contained in collective agreements and in the company.
- Transparency of remuneration through correct job evaluation.
- The right to information for workers.

To close the pay gap, experts agree that it is necessary to make pay transparent. At present, collective agreements cannot introduce any type of clause that establishes discrimination, but there are still salary and non-wage supplements that are not made visible.

Salary gap

In 2018, the average salary in Spain was €24,009, an increase of 1.5% compared to the average salary in 2017. Women in 2018 received an average salary of €21,012 while men received €26,738, even though the salary increase is slightly higher for women (1.9%) they continue to receive lower salaries; the salary gap was 1.27%, that is, the average salary of women must increase by 27% to be equal to the average salary of men.



Despite the decrease in the wage gap in recent years, its existence is a testimony to the presence and working conditions of women in the labour market. On average, women earn €5,726 less than men per year. This wage gap occurs in all age brackets with different intensity, with special incidence in the 65 and over age bracket where the difference is €9,530, followed by the 55-59 age bracket where the difference is €8,263. In these age brackets the gap is 35% and 49% respectively.

The wage gap among the older population is due to the unequal labour market insertion that began 30 or 40 years ago, a period in which these women studied and entered the labour market, developing academic, work and life trajectories in less favourable conditions than men for decades, which have been accumulating year by year in this larger gap. In the period 2014-2018 the total pay gap has been gradually decreasing at national level.

Type of working time

25% of female wage earners work part-time, compared to 7% of male wage earners. Among part-time wage earners, men's earnings are equivalent to 1.17% of women's, that is, women's part-time earnings would have to increase by 17% to catch up with men's. Among full-time wage earners, men's earnings are equivalent to 1.17% of women's, that is, women's part-time earnings would have to increase by 17% to catch up with men's earnings.

Among full-time wage earners, men's earnings are equivalent to 1.12% of women's earnings, in this case women's earnings would have to increase by 12% to catch up with men's earnings. This indicates that part-time working continues to gain weight among women. Among men, part-time work is restricted to the younger age groups and becomes less relevant as the age of the workers increases. Among women, part-time work has a structural character as it is present in all age groups.

Women's labour market insertion is characterised by a high feminisation of part-time work: 25% of female employees work part-time compared to 7% of men. Among part-time employees, the gap is wider than among full-time employees. Among part-time female employees, the most common occupations are catering, personal and sales services, as well as elementary occupations and office workers. Among part-time male employees, the distribution is balanced in all occupations, with only elementary occupations and catering occupations having a share of more than 10%.

Part-time work implies lower pay not only because of the number of hours worked, but also because of lower hourly wages. In fact, analysing the average wage of women according to their type of working hours, women working part-time are paid 40% less per hour than women working full-time.

3.14 Care & work-life policies in Spain

Despite a more balanced participation of men and women in the labour market in recent years, women continue to take on the majority of family and household responsibilities.

Work-life balance is related to various aspects of the organisation of society, such as flexible working hours, infrastructure and provision of care services for children and dependants, changing family structures, increasing longevity leading to an increase in the need for care for the elderly or people with disabilities. The European Institute for Gender Equality (EIGE) published, based on data from 2016, what percentage of Europeans care for and educate their children or grandchildren, elderly or disabled people for an hour or more every day. In EU households, 37.5% of women and 24.7% of men do unpaid work on a daily basis. The figures in Spain are very similar: 39.8% of women and 27.7% of men spend at least one hour a day doing unpaid work. The EIGE also compares by country how men and women do household chores, including who prepares the food. 78.7% of European women do housework every day. The percentage of men is 33.7%. In Spain, the involvement of both sexes is



somewhat higher, but the inequality remains: 84.5% of women and 41.9% of men cook or do other work inside the house on a daily basis.

The reconciliation of personal, family and working life is one of the main challenges facing Spanish society, especially after the outbreak of the coronavirus, which has revealed the need to find a balance between personal, working and family life.

The first law on work-life balance in Spain was passed 20 years ago with the entry into force of Law 39/199 of 5 November to promote work-life balance for workers, with the aim of making maternity leave more flexible, making biological and adoptive maternity equal, prohibiting dismissal due to pregnancy and creating a new economic benefit for risk during pregnancy.

Eight years later, another step forward in terms of work-life balance in Spain was taken with the Organic Law 3/2007, of 22 March, for the effective equality of women and men.

Spain is currently in what could be called the third generation of work-life balance, with changes in areas such as paternity leave, the right to digital disconnection, new equality regulations, legislative improvements in the field of positive parenting and teleworking. The following is a summary of the main measures that favour the reconciliation of personal, work and family life:

- Equality Plans: for companies with 50 or more employees and the creation of a Register of Equality Plans (see section 2.1.1 Gender Equality legislation).
- Paternity and maternity leave: extension of paternity leave to 16 weeks on a par with maternity leave (this measure is described in more detail in section 3.3- Father-friendly policies).
- Breastfeeding leave: this leave is regulated in article 37.4 of the Workers' Statute, which has been reformed in 2019 to allow both parents to take the leave. That is, at present, both parents are entitled to breastfeeding leave, whether or not they work in the same or different companies, regardless of what the collective agreement says; before the 2019 reform, only the mother was entitled to this leave. The leave consists of 1 hour of absence for every 8 hours of the working day, which can be taken in three different ways: paid leave of one hour every working day or two half-hour fractions, reduction of the working day by half an hour, or accumulated breastfeeding leave.
- Reduction of the working day: this is a right granted to parents for the care of children under 12 years of age. Unlike other rights, this is unpaid. The reduction of the working day also entails a reduction in salary. In order to apply for this reduction of working hours, the worker must have been with the company for at least 1 year.
- Leave of absence to care for children and family members: this is a measure that allows workers who have been with the company for at least one year to apply for leave of absence to care for a child or other dependent family members. During this period, the applicant does not receive a salary, but his or her job is saved. The duration of the leave can range from 4 months to 5 years.
- Flexible working hours: Royal Decree 6/2019, on urgent measures to guarantee equal treatment and opportunities for women and men in employment and occupation, modified a section of article 34.8 of the Workers' Statute. Since the entry into force of the current regulation, any worker in Spain can request the adaptation of her/his working day. This includes more flexible working hours, shift changes or even the possibility of teleworking. The aim is to offer better conditions for workers while maintaining their salary, thus avoiding common practices such as reduced working hours, which favoured the reconciliation of family and work in exchange for a proportional reduction in the employee's salary. The request for the adaptation of the working day is not subject to any specific requirement, unless it is a reasoned and proportionate request.
- Right to digital disconnection outside the work environment: Organic Law 3/2018, of 5 December, on Personal Data Protection and guarantee of digital rights.
- Progress in telework: more than 80 Spanish companies such as Accenture, Admiral Seguros, Allianz Partners, Altran, Banco Santander, BBVA, Calidad Pascual, Enagas, English Matters, Fraternidad Muprespa, Multiasistencia, Mutua Madrileña, Naturgy, Reale Seguros, Repsol and Telefónica have committed to the need to extend a culture of flexibility and telework to promote a more advanced



society in line with the new times. To this end, in February 2020 they signed the Telework Charter, committing to having this modality for 20% of their workforce. According to data from the 2nd White Paper on Teleworking, prepared by the MasFamilia Foundation, only 8% of Spanish workers carry out their professional activity in the form of teleworking and only 13% of companies have implemented it.

3.15 Father-friendly policies in Spain

Paternity leave is an allowance given to workers who suspend their employment contract or cease their activity, during the legally established days, due to the birth, adoption or fostering of a child. Paternity leave as such did not exist until 2007. Before that date, men only had two days of paid leave for the birth of a child, according to the Workers' Statute.

In 2007, Organic Law 3/2007, of 22 March, for the effective equality of men and women was passed. It included for the first-time paternity leave as a measure to support the reconciliation of personal, family and working life. Its duration was 13 uninterrupted days of leave for birth, adoption or fostering. To this leave was added the two days' leave recognised by the Workers' Statute in the case of the birth of a child, making a total of 15 days.

Ten years after its creation, and although it had been contemplated since 2011 in the Equality Act, it was extended to 4 weeks on 1 January 2017, and to 5 weeks in 2018.

Royal Decree-Law 6/2019, of 1 March, in order to encourage joint family responsibility, carried out a notorious reform of the Workers' Statute and the General Law on Social Security with regard to maternity and paternity. Specifically, it brought the duration of the rights of both parents to 16 weeks, with a gradual application to paternity leave.

In April 2019, the extension of paternity leave to 8 weeks came into force, in 2020 it was extended to 12 weeks and in January 2021 the extension to 16 weeks came into effect, which equalises parental leave for mothers and fathers, so that both parents have the same time to care for the new child after birth or adoption.

The first six weeks of leave must be taken uninterrupted after childbirth. The remaining weeks can be taken as interrupted leave and can be taken from the end of the compulsory post-natal leave until the child reaches the age of 12 months. This leave, paid at 100%, will not be transferable, so if the father does not take it, he will not be able to transfer it to the mother.

It may be taken on a full-time or part-time basis of at least 50%, subject to prior agreement with the employer, and is compatible with and independent of shared maternity leave periods.

Maternity and paternity leave are therefore equal, they are non-transferable and the first six weeks (one and a half months) are compulsory and simultaneous. In 2018, only 2% of couples shared the transferable part of maternity leave (10 weeks at that time).

One of the most debated aspects in Spain has been that paternity leave has increased significantly in recent years without changes to maternity leave. Experts in favour argue that very long maternity leaves disengage women from the labour market, that equal leave encourages men to be co-responsible, and that when leave is transferable it is taken more by women than by men. On the other hand, there are opinions that would have preferred to increase maternity leave as they consider that it would recognise the difference of "putting the body in" and would allow for the protection of certain situations such as breastfeeding up to 6 months.

Social Security processed 342,974 birth and childcare benefits between January and September 2020. Of these, 167,047 were for the first parent, usually the mother, and 175,927 for the second parent.



However, if we take a closer look at the figures related to family care, we can see the importance of equalising the duration of leave in order to make progress towards effective equality between women and men. According to the September figures, out of every 10 people who apply for leave of absence to care for a child, foster child or relative, between eight and nine are women. Specifically, of the 43,855 leaves of absence requested, 87.6% were requested by women, according to data from the Ministry of Inclusion, Social Security and Migration.

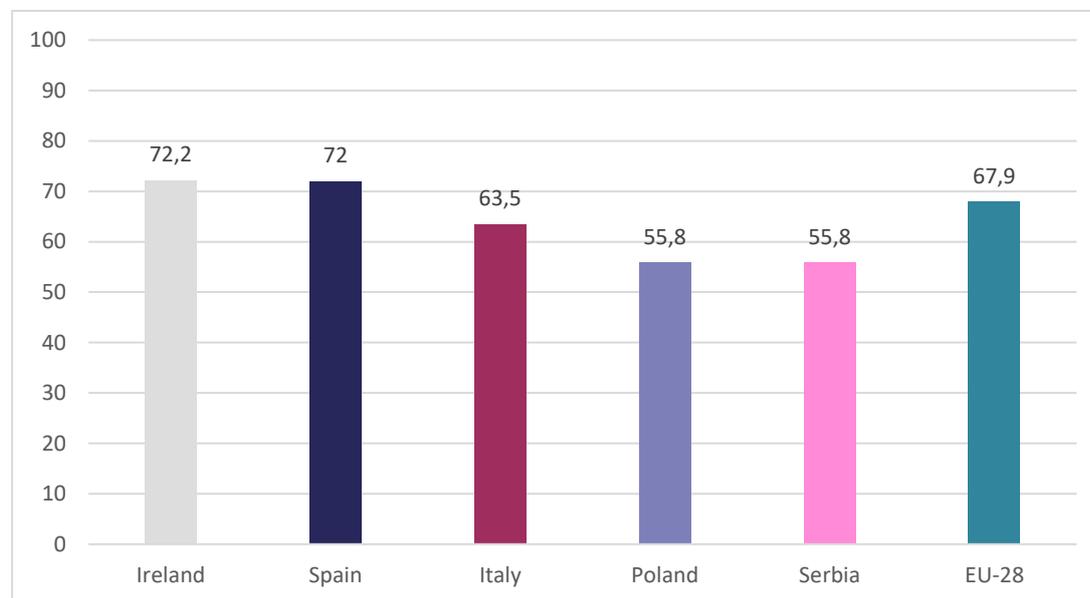
With regard to the reduction of working hours, according to the La Caixa Social Observatory, in 2019 only 4% of men will reduce their working hours after paternity leave, compared with 37.7% of women.



4. Outcomes: comparative analysis

According to the Gender Equality Index Report 2020, MINDtheGEPs implementing partners registered the “status of the art” described in the Introduction and reported in Figure 3

Figure 3: Gender Equality Index (data 2020, Serbia 2018)



In reading the whole deliverable it is possible to state that Ireland and Spain are the MINDtheGEPs countries ranked in the first ten positions of the Gender Equality Index and that this happened for specific reasons that can not be reduced to their national legal frameworks. On a formal level, in fact, all MINDtheGEPs countries have anti-discrimination legislations and public policies to encourage equal opportunities. What really makes the difference in terms of reaching gender equality are the labour market features and the national welfare policies, two domains strongly affected by the national cultures and in particular by the understading of gender roles and family values and relationships.

Believing that the achievement of gender equality in the domain of knowledge (i.e: all levels of education and scientific research) is strictly connected to the national welfare policies and trends of the labour market but also of the family (especially in the gender division of domestic and care work), in the following two sections MINDtheGEPs provides two sets of figures, the first focused on research and higher education and the second focused on labour market, family and welfare policies.

To favour a more comprehensive understading of the inequalities that shape the domain of Knowledge, in this general introduction we also report at Figure 4, 5, 6 the EIGE data respectively for the domain of Power, Health and Violence. The EIGE data for the domain of Knowledge are reported in section 4.1 *Research and higher education facts* while the EIGE data for the domain of Work, Money and Time are reported in section 4.2 *Labour market, family and welfare policies facts*.



Figure 4: Gender Equality Index - POWER (data 2020, Serbia 2018)

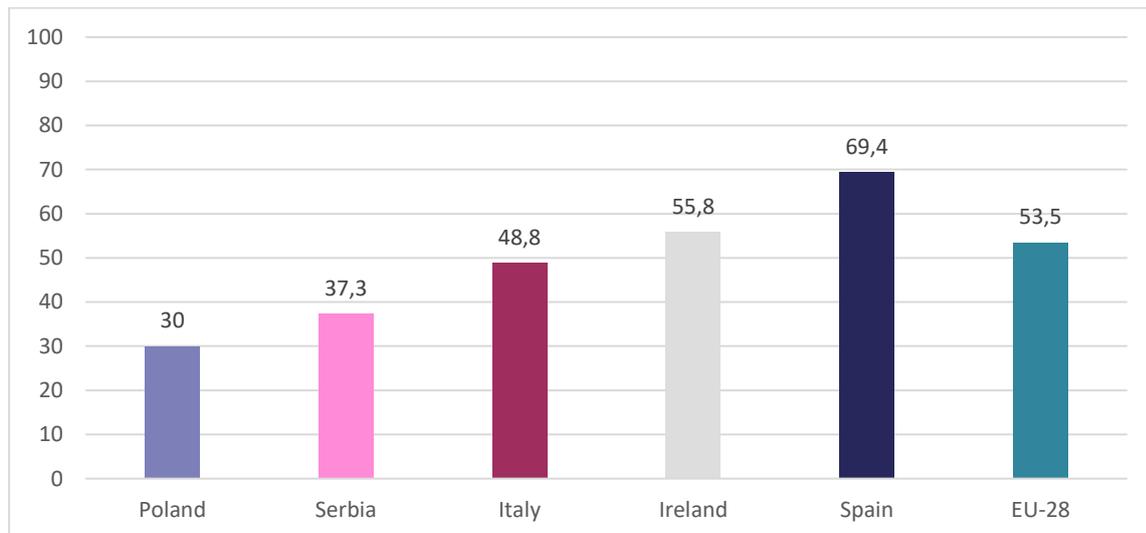


Figure 5: Gender Equality Index - HEALTH (data 2020, Serbia 2018)

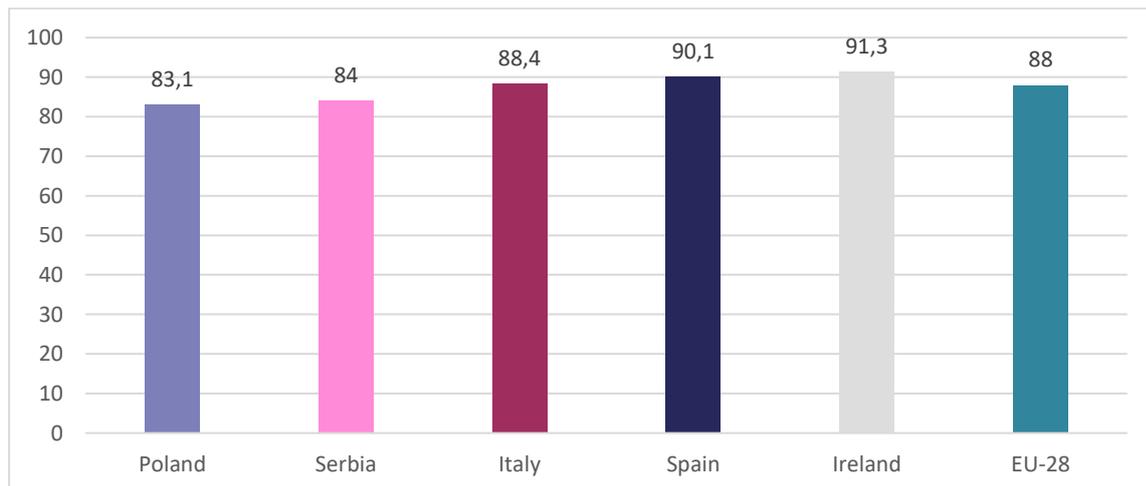
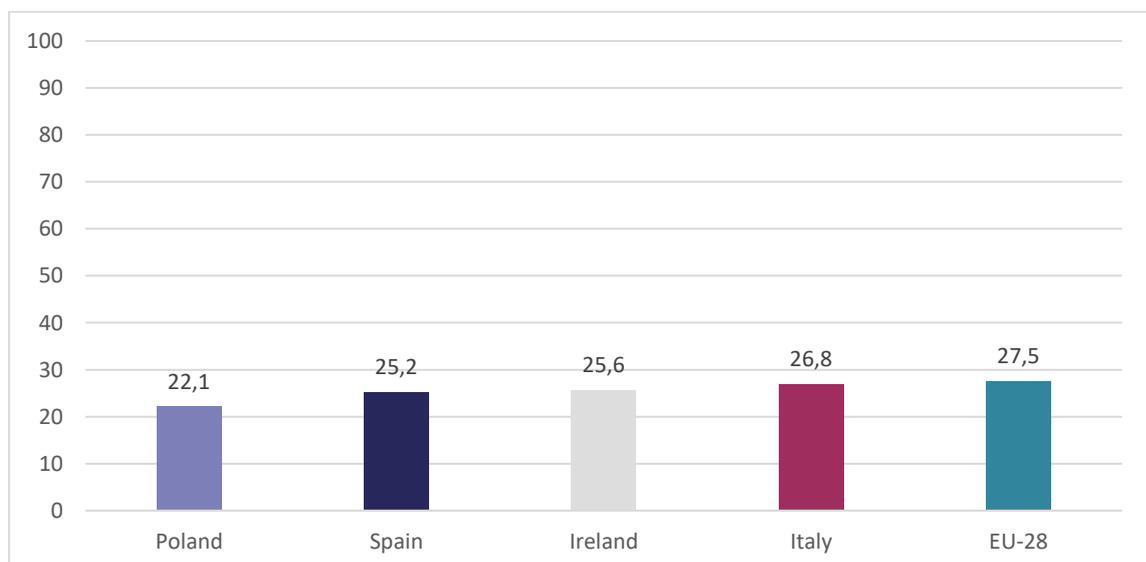


Figure 6: Gender Equality Index - VIOLENCE (data 2017, not available Serbia)





4.1 Research and higher education facts

4.1.1 EIGE Knowledge domain

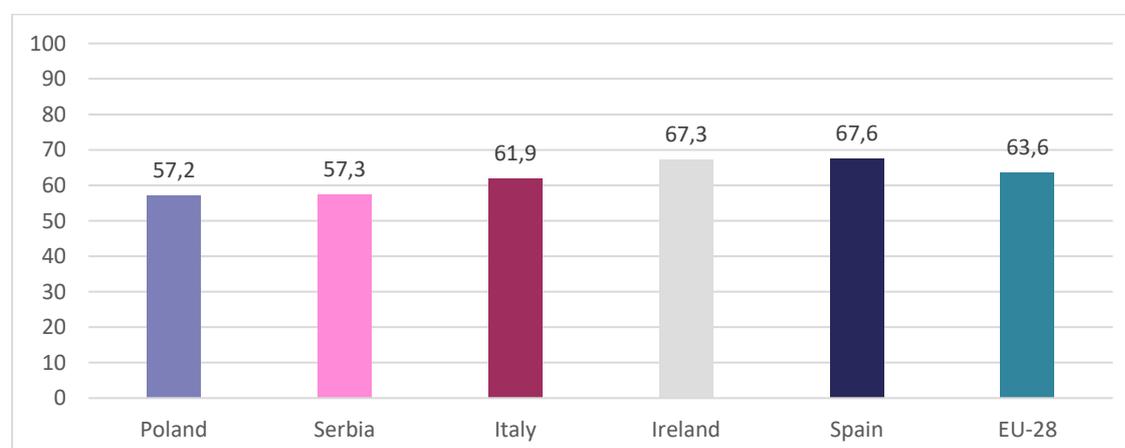
Considering the EIGE domain of knowledge it becomes evident that MINDtheGEPs implementing partners' countries suffer of gender inequalities. The domain of knowledge for EIGE measures gender inequalities in educational attainment, participation in education and training over the life course and gender segregation. The sub-domain of educational attainment is measured by two indicators: the percentage of women and men tertiary graduates, and participation of women and men in formal and non-formal education and training over the life course. Figure 7 shows that Italy, Poland and Serbia rank below the EU average of 63.6.

For different reasons Spain (67,6) and Ireland (67,3) overcome the EU average. As for Ireland, it is possible that the actions of The Higher Education Authority Gender Task Force (HEA) had a broad positive impact. HEA developed a dedicated section in the Gender Actions Plans of each higher education organisation titles "Gender Proofing Recruitment, Promotion and procedures and practices" with a suite of actions for achieving the target of 40% gender balance across all posts and grades. Another Irish positive action is funded by the Irish Government to address gender imbalance at professorial grades: the Senior Academic Leadership Initiative (SALI) in which 45 new posts were funded over a 3 year period.

As for Spain, it is possible that national laws increased the level of gender equality in particular in scientific research. As instance, Spanish Law 4/2011 on Science and Innovation clearly states that for the awarding of grants and subsidies by research funding agents mechanisms to eliminate gender bias have to be foreseen as compulsory.

Similar actions are unluckily not replicable in country as Italy (61,9), where the legal framework does not allow a recruitment procedure that favour one gender, for example women, considering it an indirect discrimination towards men and other genders (discriminatory in force of the Italian Constitutional Chart that at article 3 clearly states that no-one can be discriminated basing on sex, age, religion, ethnic origin). Moreover, there are countries as Poland (57,2) where no clear indications on recruitment procedures are given by the Government, beside the principle of openness, or countries as Serbia (57,3) where the practice of recruiting the researchers from the best students is still the dominant. In Serbia, only 50% of the faculties submit the position ads to the university administration and the job position is not advertised in a very transparent way (see section 1.5).

Figure 7: Gender Equality Index – KNOWLEDGE (data 2020, Serbia 2018)





4.1.2 Level and type of education attained by sex

Figure 8 shows that in all MINDtheGEPs implementing countries women’s tertiary educational attainment has surpassed the one of men. Yet, figure 9, 10 and 11 together prove the horizontal segregation still affecting MINDtheGEPs implementing countries. Looking at the share of tertiary graduates by field of education and gender, it can be observed that the women’s presence is higher in the field of Humanities, Social Sciences and Business/Administration and Law, while is lower in Information and Communication Technologies, Engineering, Manufacturing and Construction, Agriculture, Forestry, Fisheries and Veterinary.

Figure 8: Tertiary educational attainment by sex (15- 64 years old) (Eurostat 2019)



Figure 9: Share of tertiary graduates by field of education and gender – MAN (OECD, 2018, data not available for Serbia)

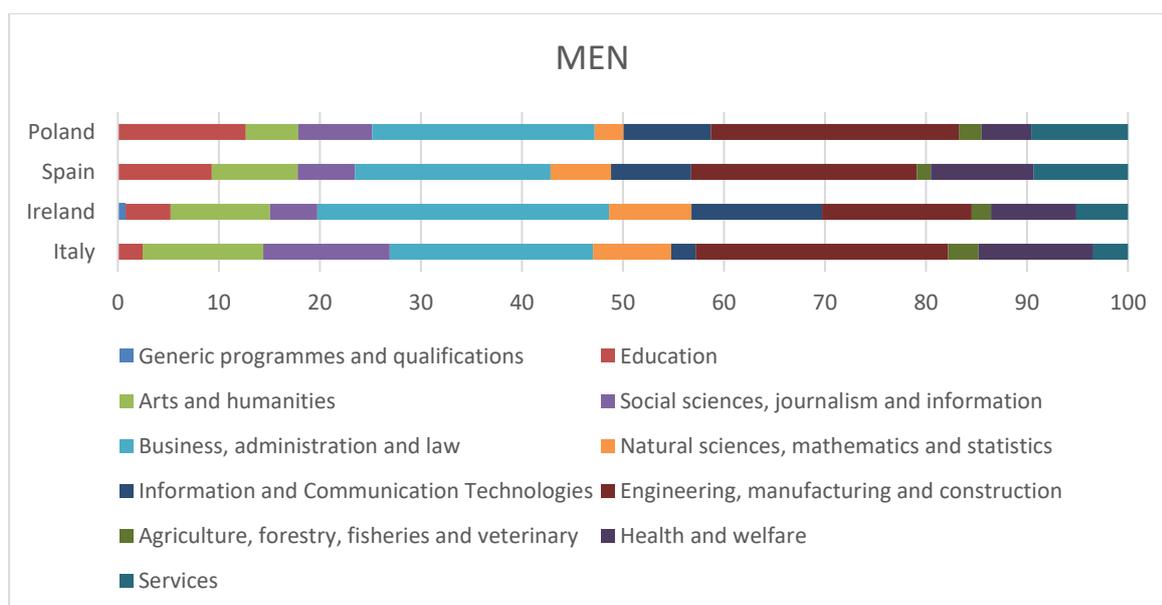




Figure 10: Share of tertiary graduates by field of education and gender – WOMEN (OECD, 2018, data not available for Serbia)

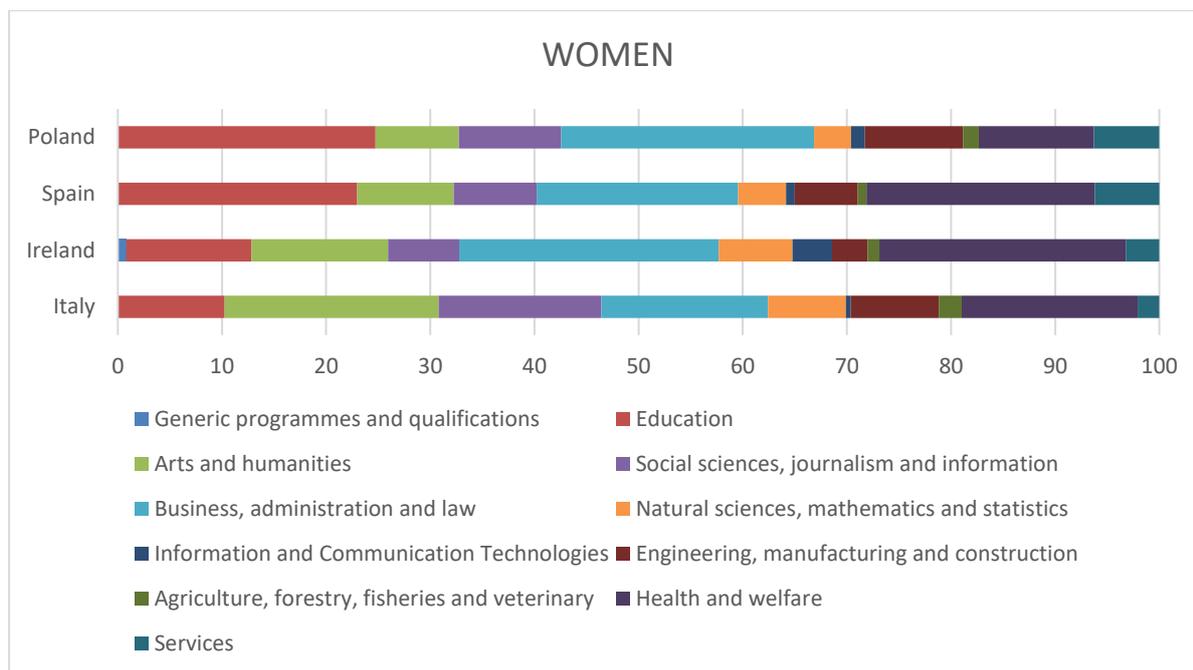
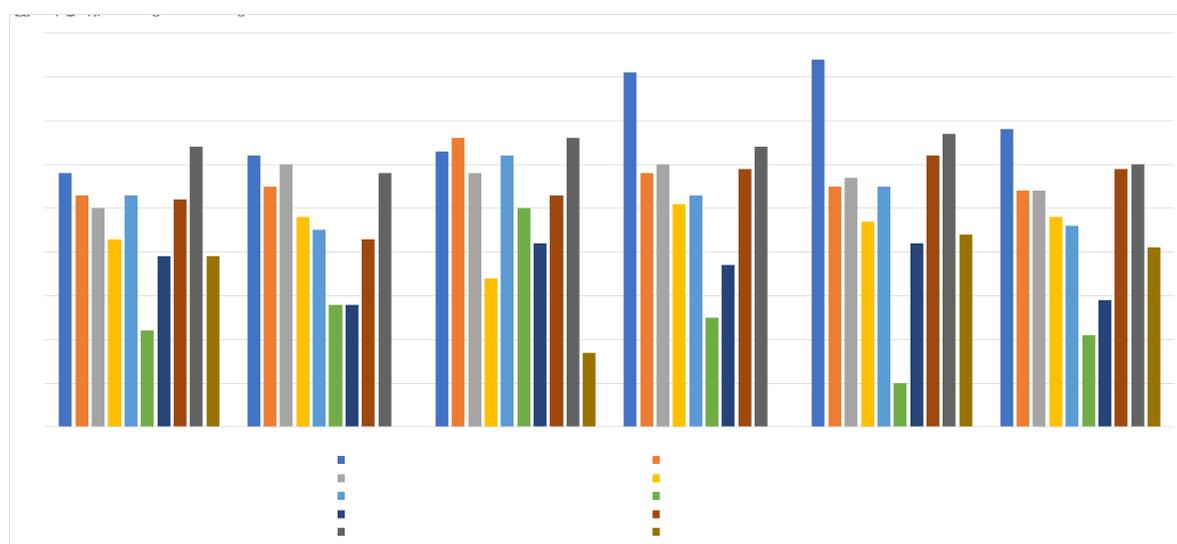


Figure 11: Proportion (%) of women among doctoral graduates, by broad field of study (Shefigures, 2018)



4.1.3 Position in Academia by sex

Data on the proportion of women among grade A staff by field of R&D (Figure 12) show the persistency of horizontal segregation in MINDtheGEPs implementing partners countries. It can be observed here a clear differentiation between fields reflecting the EU average. Women are less represented at grade A of academic staff in Engineering and Technology and in the Natural Sciences. Their highest shares among grade A academic staff were observed in the Humanities, the Social Sciences and the Medical Sciences. Vertical segregations is also still present in MINDtheGEPs implementing partners, as proven by Figure 13 that illustrates the proportion of women highlighting how they are more employed in grade D and C positions.



Figure 12: Proportion (%) of women among grade A staff, by main field of R&D (SheFigures, 2018, data not available for Serbia and Ireland)

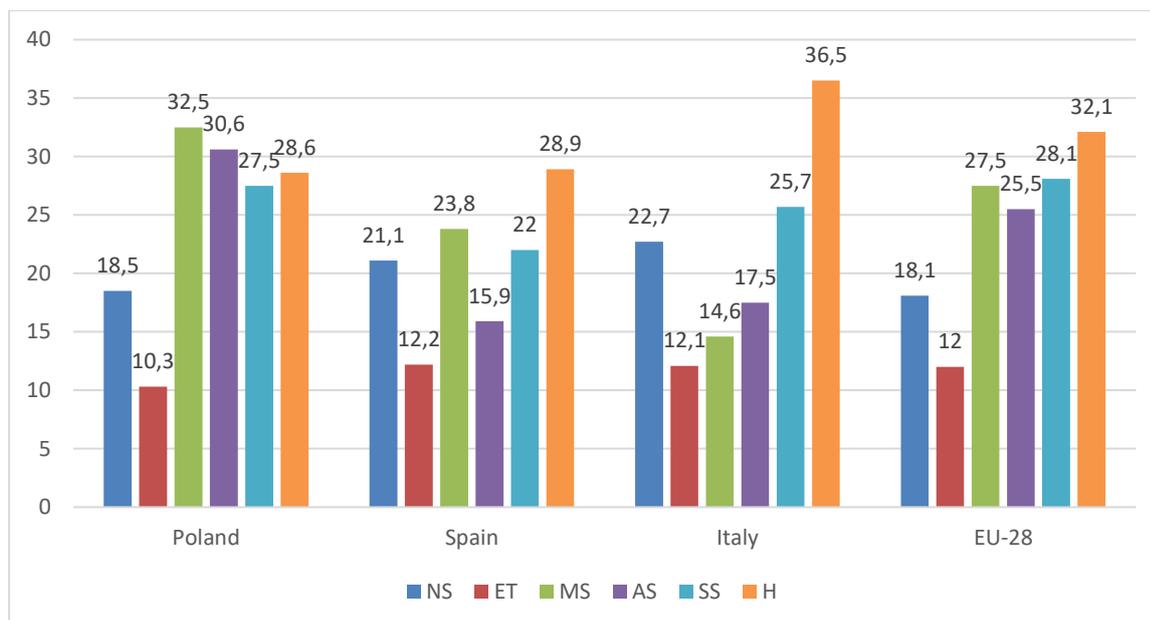
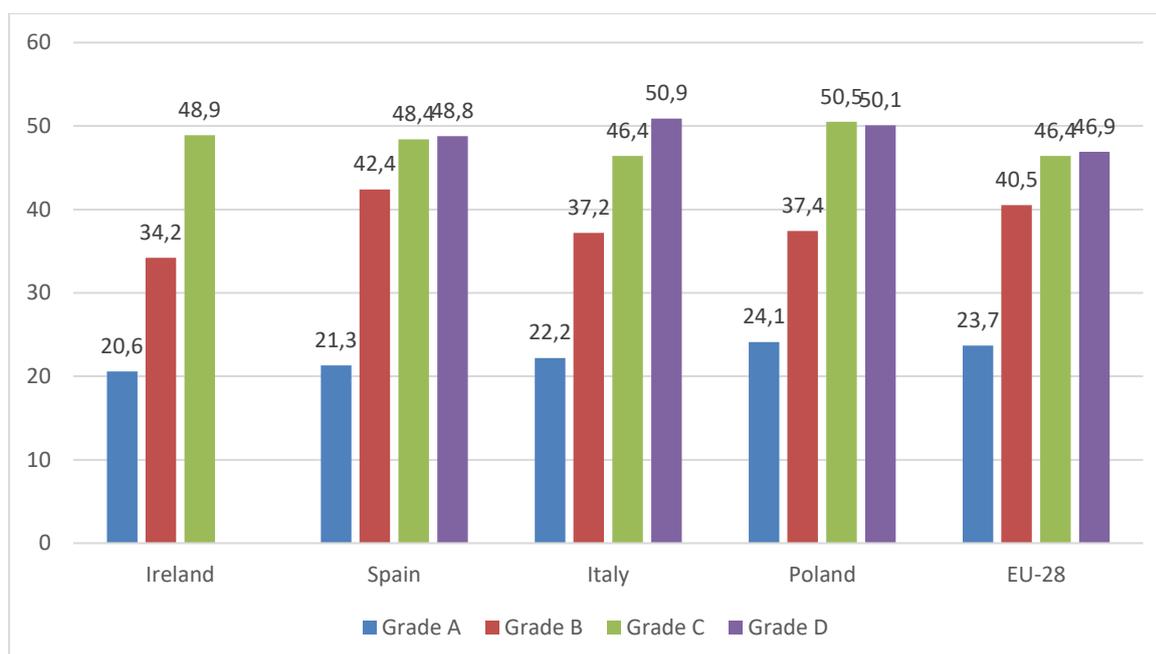


Figure 13: Proportion (%) of women among academic staff, by grade and total (Shefigures, 2018, data not available for Ireland Grade D, data not available for Serbia)



4.2 Labour market, family and welfare policies facts

4.2.1 Time use by sex

Pivotal in defining the labour market of a country and essential to elaborate effective welfare policies are the aspects related to reproductive and care responsibilities. For this reason, this section starts with the EIGE data on Time (Figure 14) integrated with data from OECD family database (Figure 15 and 16) to progressively move in section 4.2.2 towards the domains of Work and Money.



The EIGE domain of time measures gender inequalities in allocation of time spent doing care and domestic work and social activities. Here it is considered the first sub-domain, concerned with care activities, measuring gender gaps in involvement of women and men in caring for and educating their children or grandchildren, older and disabled people, as well as their involvement in housework.

Narrowing the gender gap in time spent on unpaid care work is fundamental to favour women equal access to paid work and the public sphere. Countries as Spain and Ireland are reducing the percentage of women with daily caring responsibilities, while slightly increasing the percentage of men, thus reducing the gender asymmetry. For this reason it can be observed that also in the domain of Work Spain and Ireland reach better scores.

Countries as Italy – where women are four times more likely than men to spend time in unpaid work – and Poland – where the share of men involved in daily care activities has even decreased, while the share of women has slightly increased – together with Serbia – where the 67.9% of women against the 11.5% of men performs housework activities every day – also show lowest rate in the domains of Work.

Figure 14: Gender Equality Index - TIME (2020, Serbia, 2018)

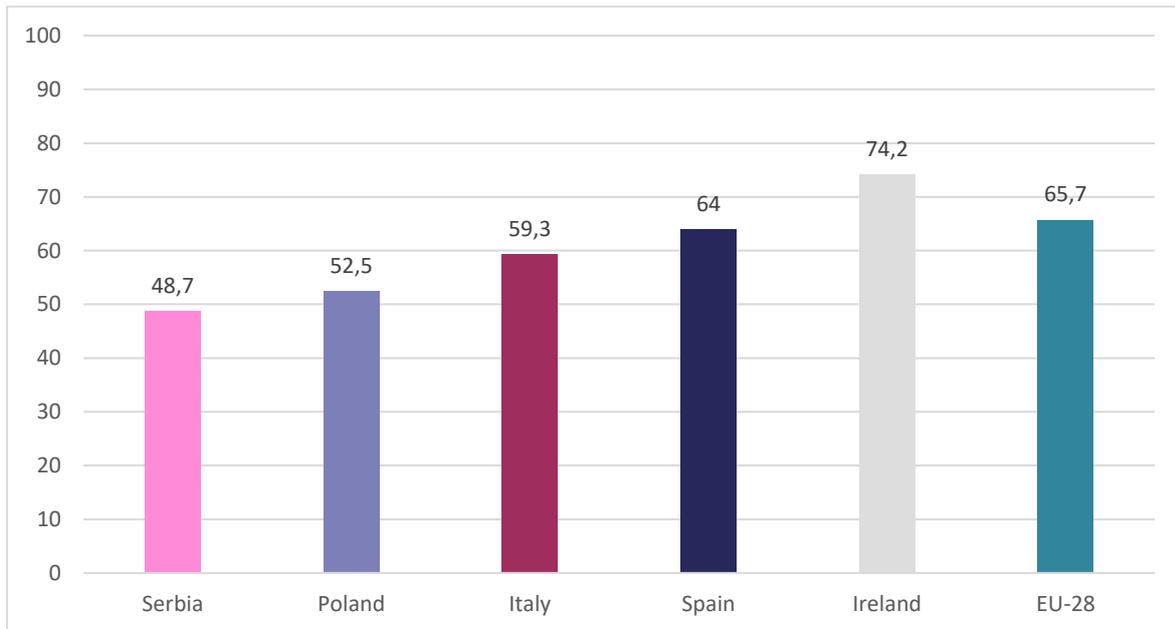
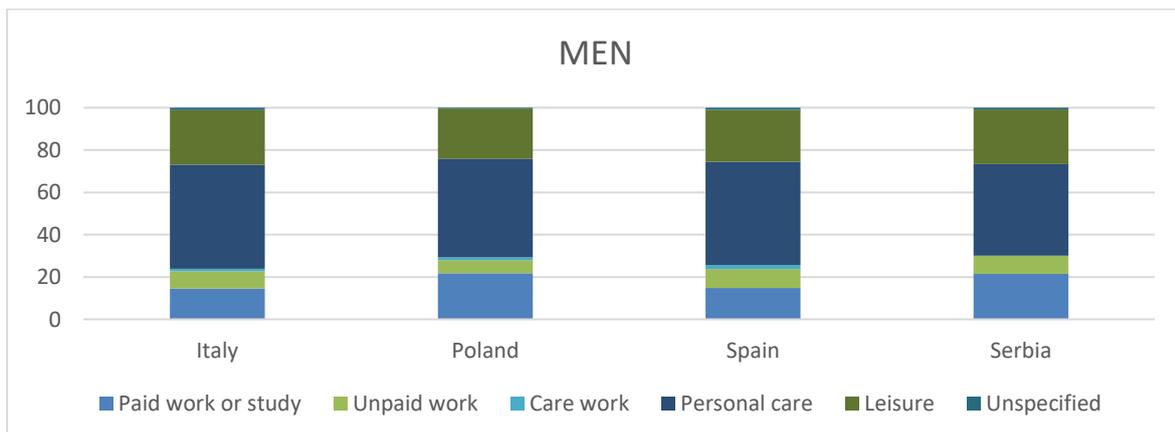
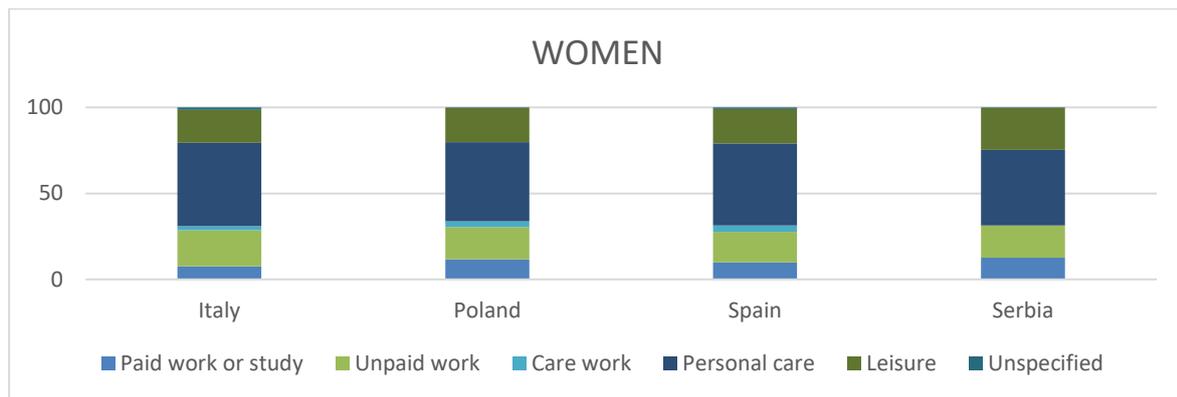


Figure 15: Time used for work, care and daily household chores - MEN and WOMEN (OECD, Poland; 2006; Italy; 2008/2009 Spain; 2010, Women and Men in the Republic of Serbia, 2020)





4.2.2 Participation and positions in the labour market by sex

According to EIGE the domain of work measures the extent to which women and men can benefit from equal access to employment and good working conditions. In Figure 16 it can be observed that Ireland and Spain are the countries that overcome the EU average, all the others being below. However, Figure 18, that shows the employment rates (15-64) by sex, demonstrates that even in Spain and Ireland men are more employed than women, while Figure 19 shows that women more often than men work on a part-time basis, especially in Spain, Italy and Ireland. With the exception of Serbia, women seem also more involved in temporary jobs, although the difference with men is tiny (Figure 20).

Figure 16: Gender Equality Index - WORK (2020, Serbia, 2018)

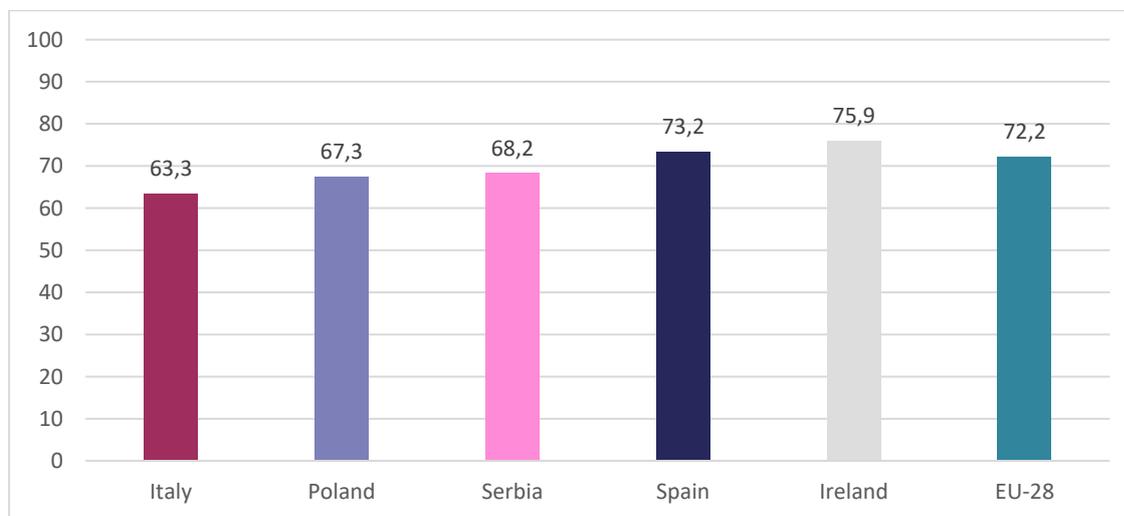




Figure 17: Gender Equality Index - MONEY (2020, Serbia, 2018)

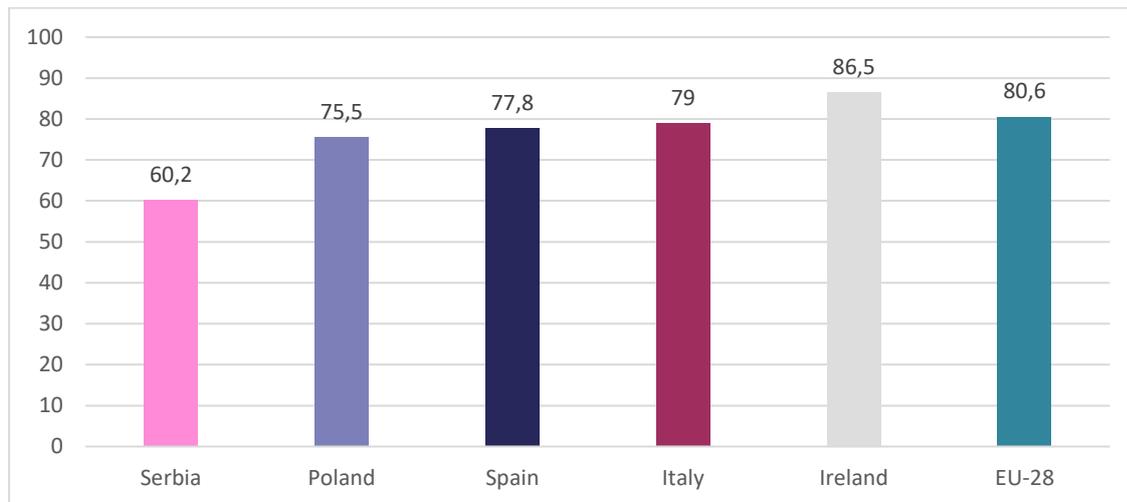


Figure 18: Employment rates (15-64) by sex (Eurostat, 2019)



Figure 19: Part-time employment (15-64) by sex (Eurostat, 2019)

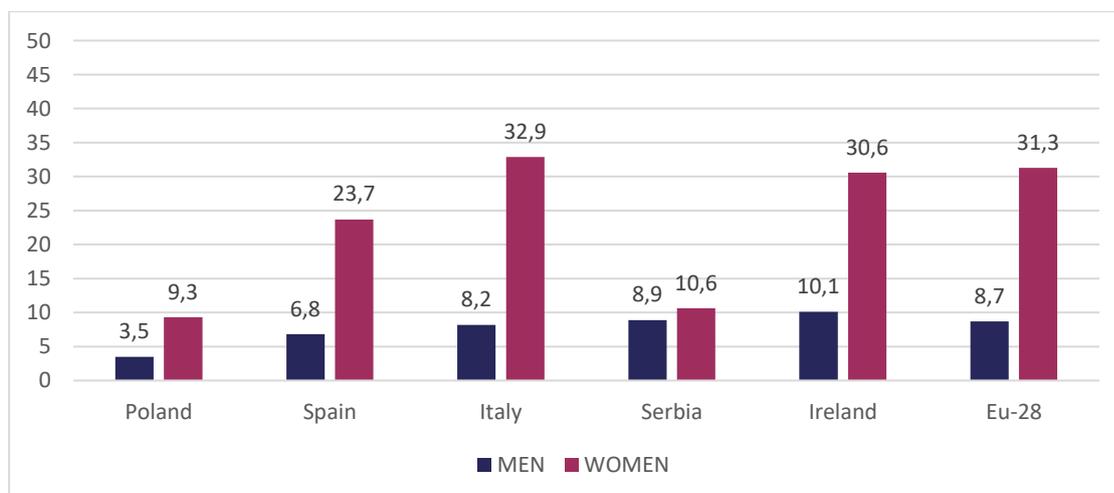
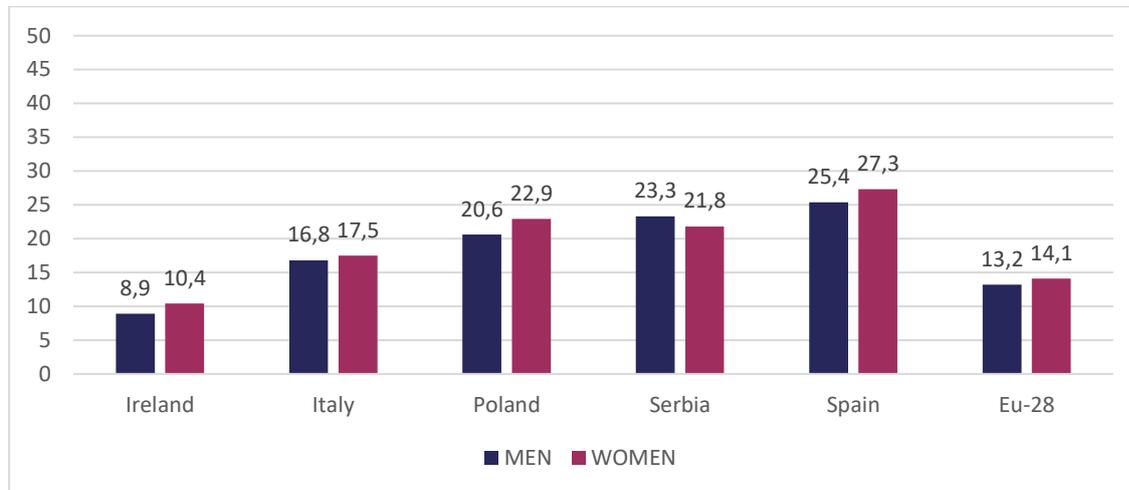




Figure 20: Temporary employees as percentage of the total number of employees (15-64), by sex (Eurostat, 2019)



4.2.3 The effect of motherhood on labour market participation

The choice of motherhood directly affects the employment rates of women, as it can be observed in Figure 21. It can happen, as the EU average seems to suggest (Figure 22), that less women than in the past, choose to become a mother and/or that they postpone the time of this decision, knowing that motherhood can decrease their chances of finding or keeping an employment. Figure 21, in fact, shows how women with children aged less than 6 have lower employment rates if compared with women with children aged from 12 and over, proving that reproductive and care duties' amount related to the first period of life of a children affect negatively women possibility to earn a salary.

Figure 21: Employment rates (%) for women (15-64 years old) with children less than 6, from 6 to 11, 12 and over (Eurostat, 2019, data not available for Serbia)

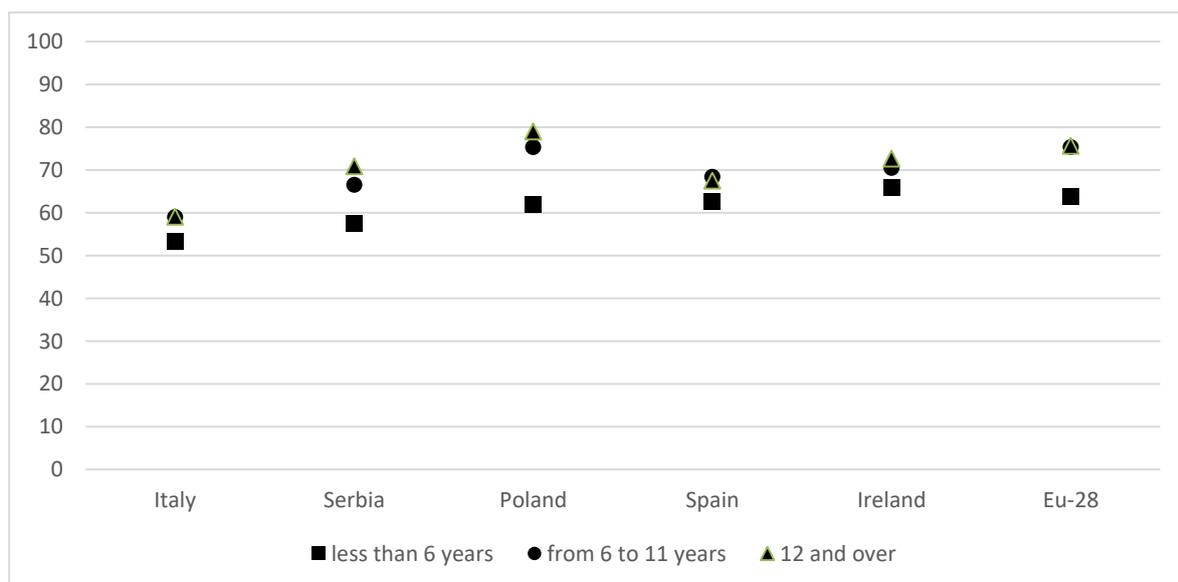
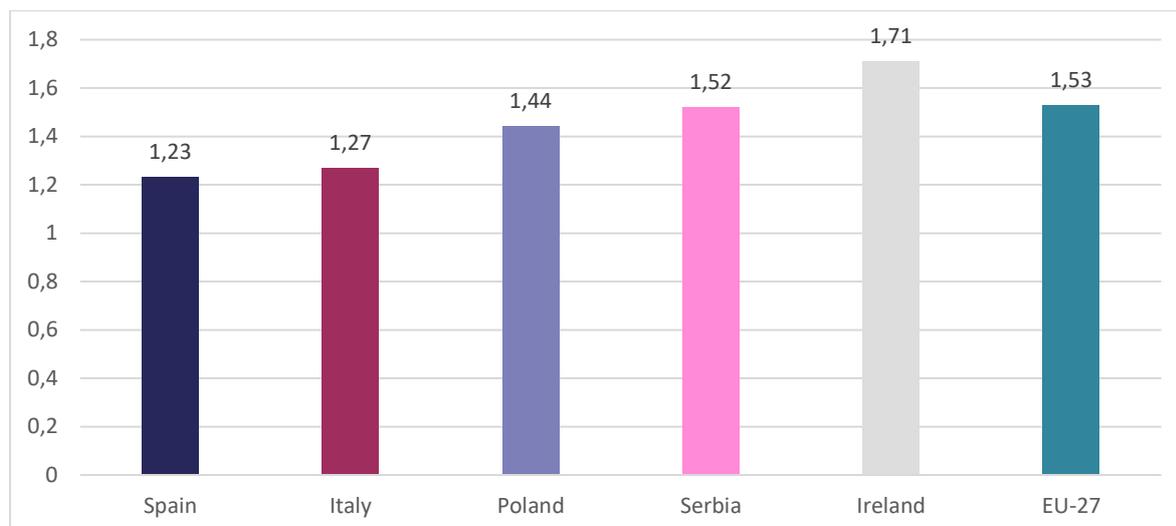




Figure 22: Total fertility rate (Eurostat, 2019)



4.2.4 Welfare policies on education and on families

One possibility to reduce the reproductive and care duties' amount that negatively affects women employment rates relies in welfare policies on education and family. Here it is possible to observe how much MINDtheGEPs implementing countries invest in: tertiary education (Figure 23); in primary, secondary and post-secondary non-tertiary (Figure 24); in family benefits (Figure 25).

As can be seen in Figure 24, all MINDtheGEPs implementing countries, except Poland, rank below the EU average of public expenditure on tertiary education. Poland is the country with the highest public expenditure on tertiary education (Figure 23) and also the country with the highest public expenditure on family benefits (Figure 25) and with the highest public expenditure on maternity and parental leaves (Figure 31). However, Poland is also the country with the lowest enrolment rates in early childhood education and care services (0- to 2-year-olds, Figure 29) and with the lowest enrolment rates in early childhood education and care services and primary education (3- to 5-year, Figure 30). The fact that Poland is the country with the highest public expenditure percentage on welfare policies on education and family can be explained by a recent major social programme, called "500+", introduced to support parents of children aged under 18. However, this programme has been running since 2016 so time is needed to fully analyze its long-lasting consequences (see section 3.5). On the other side, the fact that Poland is the country with the lowest enrolment rates in early childhood education and care services can be explained by the persistency of a binary division of work based on sex, one that understands women as fully devoted to family thus more available for the unpaid work of taking care of early aged children.



Figure 23: Expenditure on tertiary education as % of GDP (OECD, 2017; Budget of the Republic of Serbia, 2019)



Figure 24: Expenditure on primary, secondary and post-secondary non-tertiary as % of GDP (OECD, 2017; Budget of the Republic of Serbia, 2019)

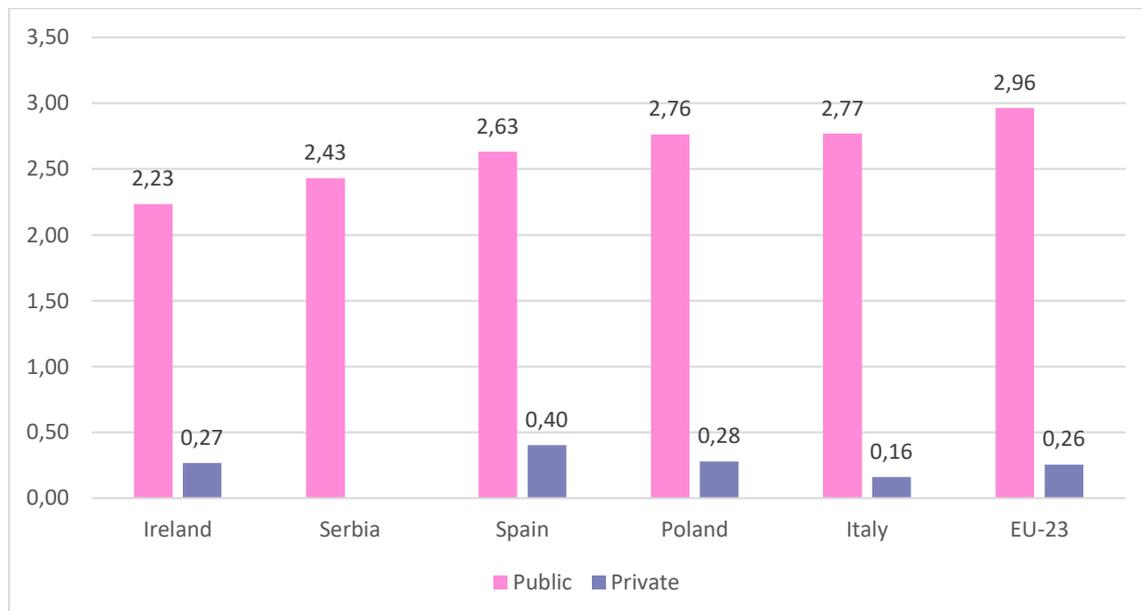




Figure 25: Public expenditure on family benefits by type of expenditure, in percent of GDP (OECD, 2017, data not available for Serbia)

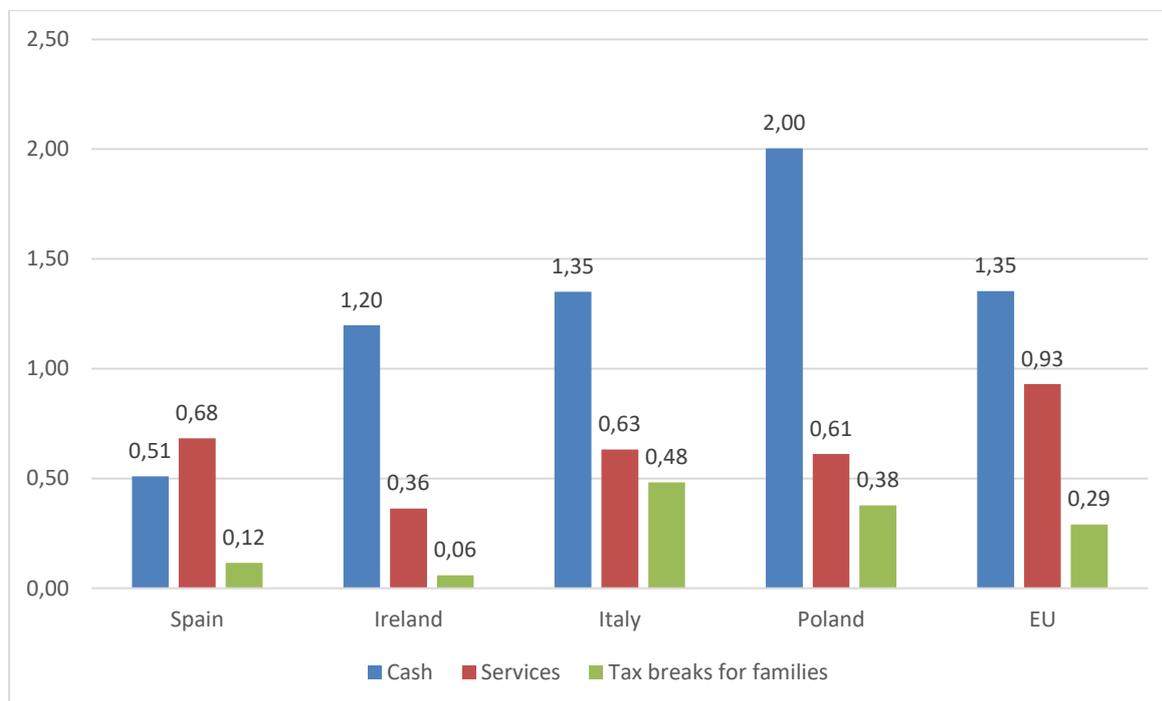


Figure 26: Paid maternity and total paid leave available to mothers - length (weeks) (OECD, 2018, for Serbia Law of labour, No. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 - decision US, 113/2017 and 95/2018)

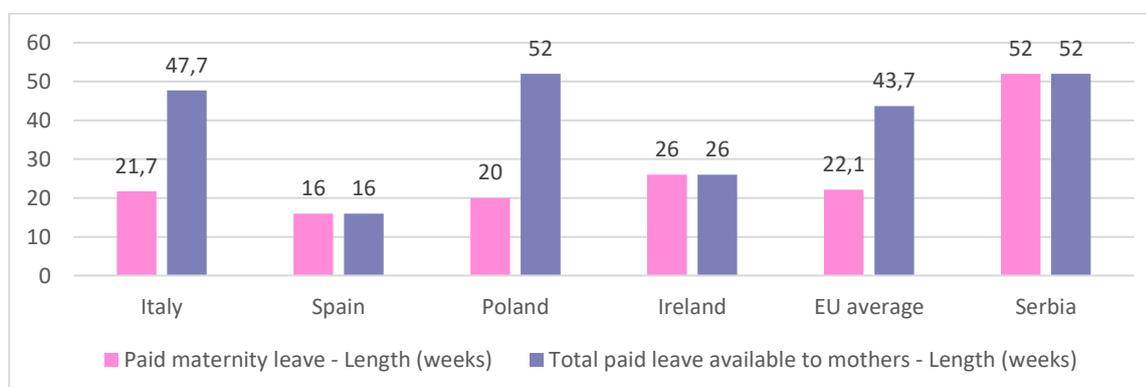




Figure 27: Paid maternity and total paid leave available to mothers - average payment rate (OECD, 2018, for Serbia Law of labour No. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 - decision US, 113/2017 and 95/2018)

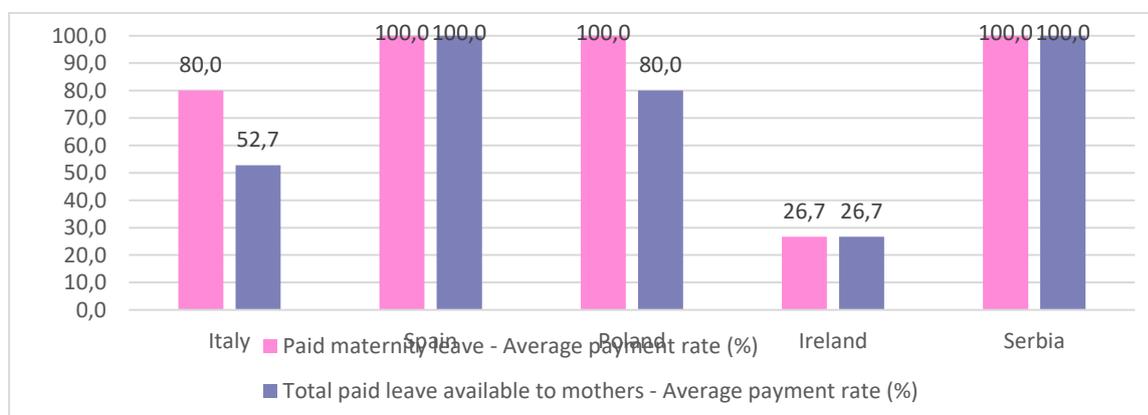


Figure 28: Paid maternity and total paid leave available to mothers - full rate equivalent (weeks) (OECD, 2018, for Serbia Law of labour No. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 - decision US, 113/2017 and 95/2018)

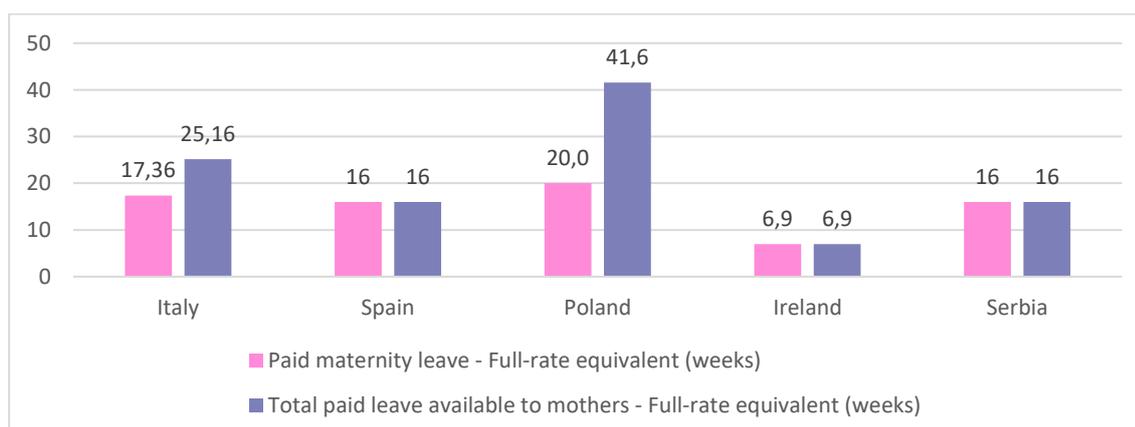


Figure 29: Enrolment rates in early childhood education and care services, 0- to 2-year-olds (OECD, 2017, data not available for Serbia)

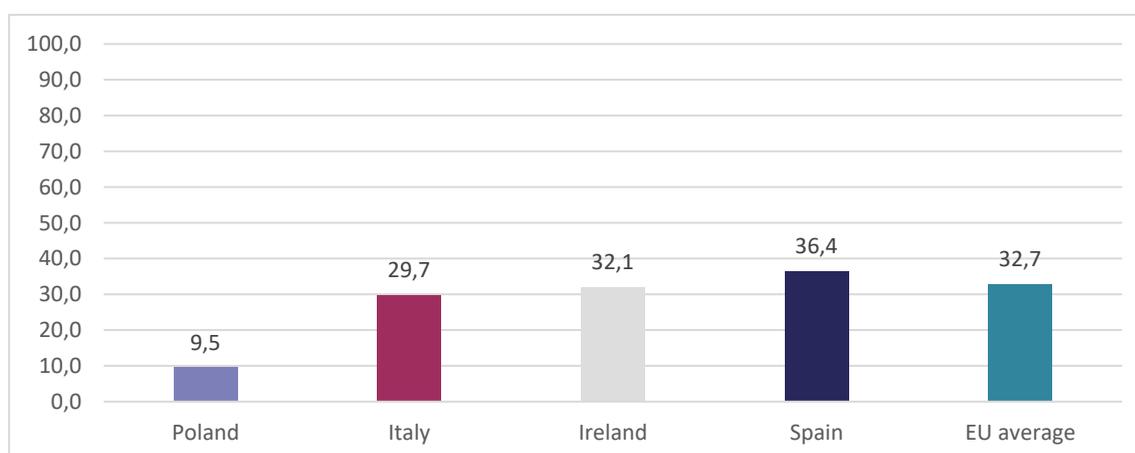




Figure 30: Enrolment rates in early childhood education and care services and primary education, 3- to 5-year-olds (OECD, 2017, Women and Men in the Republic of Serbia, 2020)

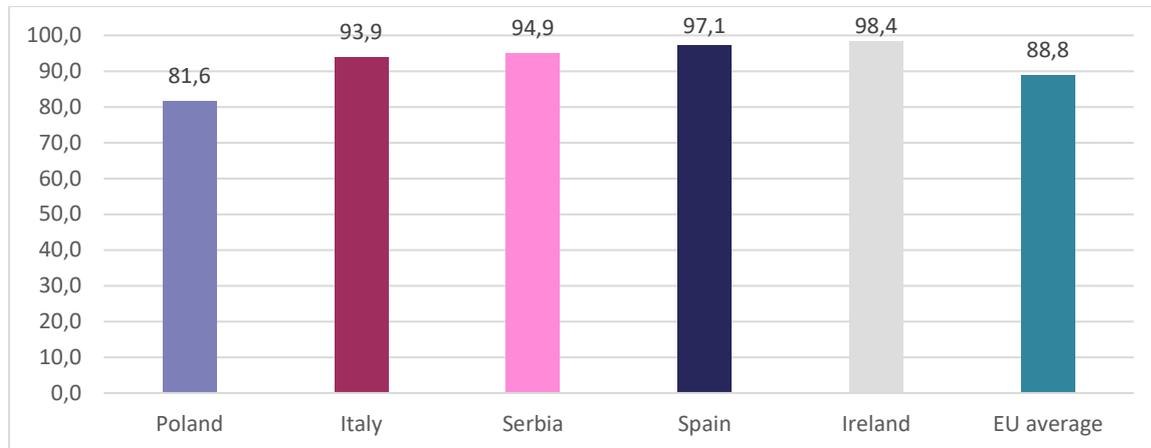
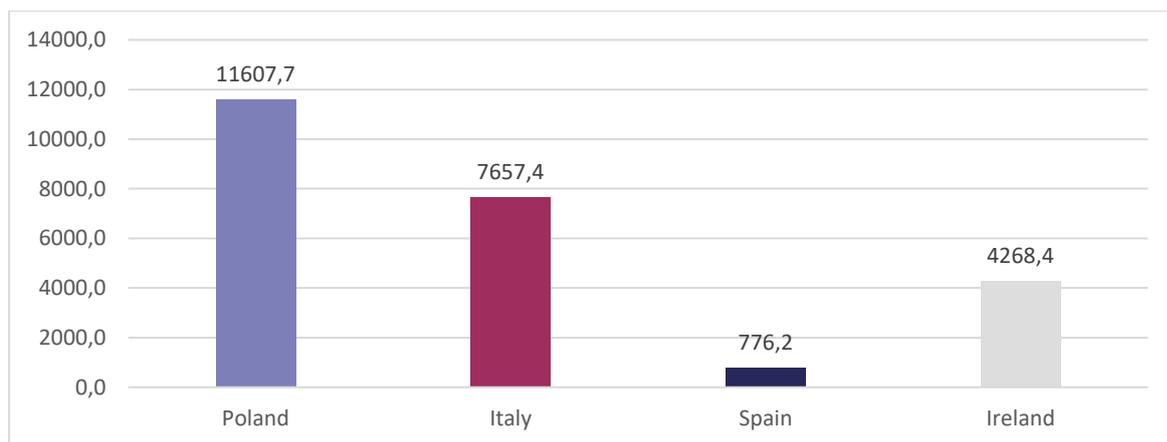


Figure 31: Public expenditure on maternity and parental leaves (OECD, 2015; Poland 2012; data not available for Serbia)





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