Affordable child care is an industrial issue which needs to be taken up more actively by the trade union movement, along with issues such as parental leave and protective legislation for pregnant and breast-feeding women workers.

In this article, Carol O'Donnell discusses the issues and outlines the debates about how these objectives could be best implemented.

In most countries for which we have recent information, over 50 percent of women responsible for one child are now economically active. (In Australia this is the case if the child has reached school age.) In Sweden, which represents the extreme case, a large majority of women with children are working, even if they care for three or more. Labour force participation rates for women with children under seven, whether currently married or not, almost doubled between 1963 and 1978, increasing particularly in the younger age groups.

Trends in Employment and Unemployment of Women in OECD Countries.

Whereas measures providing income guarantees and financial compensation during the suspension of the employment contract come within the province of social security, those relating to protection of employment, working conditions and maternity leave come under labour law. It is clear, however, that as more women with children enter the workforce, the distinction between industrial issues and family support issues become less clear cut. The fact that the typical family is no longer one with a husband in paid work supporting a dependent wife and children forces us to redefine our ideas about what should be major industrial issues addressed by unions and what should be major issues addressed by our social security system. The need for the provision of high quality, affordable child care is clearly an industrial issue for working parents and it is one which the trade union movement is increasingly taking up.

The advent of a Labor government in 1983 meant a change of direction in Australian politics with the implementation of the ALP/ACTU Prices and Incomes Accord. The Accord is, to some extent, an outcome of the end of a sustained period of economic growth and the beginning of a period of economic downturn in manufacturing and high unemployment. The aim of the Accord is to hold down wages and prices, providing an environment where economic restructuring can be done in a planned way. The objective is to reduce unemployment, and this requires a sustained rate of growth. The Accord is designed to create a predictable environment for government economic policy and development. In return for wage restraint, workers are supposed to receive a better deal, especially for the low paid, through the taxation structure and welfare system, and they are guaranteed wage indexation. The Accord involves the setting up of tripartite planning structures in a wide variety of economic and social planning areas. Many European countries have a long post-war history of planning bodies representing the interests of capital, labour and the government. Sweden is a good example of the success of direct trade union involvement in government planning and its progressive policies regarding families and workers can, to some extent, be put down to a political system where labour organisations have concerned themselves much more centrally with issues of industry planning, social wage policy and taxation than is traditionally the case.
The gains that can be made by workers, and particularly women, during the era of the Accord will depend upon their strength and ability to organise effectively to ensure that the trade union leadership and government take account of their demands. Within the climate created by the Accord, however, welfare policies have a greater than usual potential to be put forward by the trade union movement and to be accepted by the government. This is because unions have to look for benefits other than wage increases which will also be attractive to a government concerned about maintaining wide electoral popularity.

In the context of an Accord, the broader the social appeal of particular policies, the more likely they are to be implemented by Labor. Medicare, tax cuts for middle and low income earners, and a national superannuation scheme are examples of this, and it is in this environment that the active efforts of women to emphasise the importance of policies which support families have a good chance of being successful.

Women were understandably angered that their interests were taken so little account of at the Summit deliberations after the election of the Hawke government. However, because so many members of the workforce, whether male or female, are responsible for children, it is a good time to try to get family policies, traditionally a concern of the welfare sector, more centrally onto the agenda of the trade union movement. Women are usually concentrated in low wage jobs with little potential for building industrial militancy and power. The advent of the Accord provides a potential avenue for having industrial demands met which does not exist for the low paid in the open marketplace where industrial muscle largely determines the size of the wage packet.

Whether we can make family policy an important trade union issue, with the same high profile that issues such as superannuation have, is, however, another question.

Australia still lags far behind many similar Western countries in its provision of services for families with young children. For example, our expenditure on pre-school education, measured on a per capita basis, is lower than that of all the OECD countries except Spain, Portugal and Turkey. In Australia, only 5.5 percent of the 1.8 million children below school age have access to day care centres or family day care schemes, yet half the mothers of these children are in the workforce.

The 1983 ACTU Congress endorsed the view put forward in the ACTU Working Women's Charter that children's services are a central trade union concern. The policy states that:

Trade unions should be involved in the establishment of a range of child care facilities located at or near workplaces and within local communities. Particular attention should also be given to before and after school care, school holiday care and extended hours care to meet the needs of all workers and people undertaking studies.

The Trade Union movement should promote the right of parents and union committees elected by the workers concerned, to be involved in the planning, development and management of all child care facilities and for workers in children's services to participate at all levels of decision making.

At the beginning of 1981, in line with its policy, the ACTU itself began operating a child care centre at Moorabbin, Victoria, as a model of service provision to which all workers are entitled.

Community Child Care or Work-Based Child Care?

Within the child care movement there has been some debate over whether child care centres should be in the general community, in workplaces, or in both areas. It is clear that many people have work-related care as their highest priority. Such centres give parents and children more time together while they travel to work, and also enable parents to visit during their work breaks. The hours of work-related child care centres can be geared to suit the needs of people in the area, such as shift workers.

Migrant workers in particular have expressed the desire to make use of work-related child care. One Victorian study of female factory workers found that about three-quarters of the mothers surveyed stated that they would use a child care centre located at work. In 1982, a research study into the child care needs of migrants living in inner Sydney suburbs found that 57.2 percent would like child care near their workplace.
Recognition that child care is an industrial issue may lead an individual union to petition the employer or government, or both, for funding for a centre. In Argentina, Austria, Bolivia, Burma, Ecuador, Egypt, India, Iran, Iraq, Italy, Jordan and the Philippines, Negotium cites examples of government requiring certain employers to provide child care facilities. Nevertheless, this raises the cost of employing women, a point which is unlikely to be lost on employers. In Colombia and Mexico the employers’ obligation to provide creches has been replaced by the introduction of a uniform levy on employers whether or not they employ women workers, paid to public bodies responsible for setting up and administering child care facilities.

In Australia, many unions have lobbied the government to provide more services within the community generally. Others have added the demand for child care to logs of claims served on employers. Very few private employers in Australia have provided child care facilities for their employees unless it was in their direct interests to do so because of labour shortages. There are, however, a few exceptions, for example at Eden Park and Warriewood in NSW. The developers of industrial complexes in these areas provided child care centres which the federal government provides recurrent funding for, and Marquise Knitwear in Melbourne subsidises a child care facility for its employees which is also open to broader community and operates along commercial lines. More attention needs to be given by government and unions to the problem of encouraging private sector employers to subsidise child care. The Women’s Trade Union Commission, a government funded organisation aimed at helping to establish such centres, has shown that many employers are willing to provide capital funding for facilities as a goodwill gesture, but are daunted by the bureaucratic red tape and complex funding and licencing requirements necessary for such services.

Public sector unions have been more successful in gaining child care funding from the federal government. With a grant of $250,000 from the federal government, workers in North Coburg, Victoria, won a four year battle to establish a child care centre near their workplace. This was initiated by a group of migrant families from FILEF (Federation of Italian Migrant Workers and their Families) who organised the support of unions, local council and working women. In Sydney, the combined transport unions, the Labor Council of NSW, the Women’s Trade Union Commission and employee representatives from the State Rail Authority and the Urban Transit Authority have, after many years of lobbying, received funding to establish a 24-hour child care facility for shift workers in the city. The ABC Staff Association in Sydney spearheaded a successful campaign for a centre suitable for shift workers. Another centre on the drawing board has resulted from the joint organising efforts of the Public Service Association of South Australia and the Australian Bank Employees Union. In West Australia, four public service unions have cooperated in a submission for funding for a child care centre to be built in the near future. Once again, a central aim of the proposal is to meet the needs of shift workers, and it is hoped that funding will be available to open the centre from 5.30 am to 11.30 pm.

Affordable Child Care

At present, union-initiated child care services are few and far between, but it is certain that, with the involvement of an increasing number of women in their unions, the number will expand rapidly. However, the cost of services to users is an equally important issue for working parents and the unions which support them. ACTU policy states:

Unions should seek to substantially reduce the cost of child care services to parents and in the longer term unions should strive for free child care services available on the same basis as public education.

Currently, fees in government-sponsored child care services are very high. The charge for having a preschool child cared for during normal working hours is $40 to $60 per week, higher than the fees charged by elite private schools. While some parents pay reduced fees because they are considered needy on criteria established by the government, most do not. To be eligible for a subsidy, a family must have an assessed income
School meals, after school and holiday programs were subsidised by the federal government.
of less than $250 per week after deductions for housing costs (up to $100 per week) and dependent children ($30 per child). This assessed income is assessed before tax has been taken out.

Which members of the community should have their child care fees subsidised by the public purse? The Family and Children's Services Agency (a policy unit responsible to the New South Wales Minister for Youth and Community Services) has demonstrated that a household consisting of two adults and two children, with a combined income equivalent to male average weekly earnings, would have no surplus income above basic minimum living requirements. The budget on which this assessment was made is austere. It makes no allowance for child care, household insurance, hire purchase instalments, furniture, crockery, TV, radio, floor coverings, gifts, toys, alcohol, tobacco or recreation. For a family on such an income, the agency has argued, "paid child care except on a very occasional basis would be an unattainable luxury".

Child care costs are incurred by families at a stage in the life cycle when they are under considerable financial pressure. Many parents of young children are spending a high proportion of their income on mortgage payments or rent. The costs of children themselves are also high. Rather than setting severe income tests and charging high fees to such families, it would be more reasonable if child care services were financed by taxation revenue. This would still mean that the "user pays" (most parents contribute a significant amount of their personal incomes in taxes), but the cost would be spread over the taxpayer's lifetime and would also be shared by those who do not have children.

This policy has already been adopted by several countries which are comparable to Australia. In Sweden, parents pay an average of 10 percent of the full costs of care, in Hungary and West Germany the rate is about 15 percent, and even in the United States the maximum parent fee in a government sponsored service is about 70 percent of the full cost. Subsidising parents for at least part of the cost of child care is a recognition of the fact that all members of society share responsibility for the next generation and will benefit from its productivity in their later years.

The Case Against Tax Deductions for Child Care

The ACTU is increasingly interesting itself in taxation matters, arguing strongly, for example, for taxation cuts for lower and middle income earners as a redistributive measure. ACTU policy also favours tax deductions for child care, based on the argument that child care expenses are incurred by the parents of young children in the course of earning a living and should hence be deductible. However, whether such deductions were in the form of concessional deductions or rebates they would be regressive and should hence not be supported by a labour movement concerned about reducing inequality. As an example of the regressive nature of such deductions, consider three women in the paid workforce, each paying $50 per week for child care; one is a salaried business executive, one a teacher and one a part-time sales assistant. After claiming a deduction at the rate of 46 cents in the dollar, the business woman will finally pay $27 per week for child care; the teacher, whose marginal tax rate is 35 cents in the dollar, will outlay $32.50 per week in the end; while the sales assistant (who, in this hypothetical example works part-time but needs full-time care because of the length of her journey to work) has an income below the tax threshold, is ineligible for any deductions and will have to pay the full $50.

Sixteen percent of women workers (two percent of full-time and 44 percent of part-time workers) have earnings below the tax threshold and would thus not benefit from a system of tax deductions. Those women who are not in the workforce but need child care for other reasons would not benefit either.

At present, two-thirds of all child care arrangements in Australia are informal, and few people providing this type of care declare their earnings as income. They would, however, be obliged to do so if the people whose children they care for were to claim the cost of that care as a deductible expense, and as a consequence many would lose income in the form of income-tested pensions, related benefits, and dependent spouse rebates. It is not unreasonable to suppose that many caregivers would increase the cost of their service to make up for income foregone. In this case, the users would be in no better situation than previously, since tax deductions would be accompanied by higher initial costs. It is also important to note that even with a system of deductions, families would still have to find the $50 each week to pay for the service at the time it is used, and low income earners would still be unable to do this.

In regard to child care expenses, it would be more equitable to reduce the weekly cost of child care to all users and to address the problem of equity through changing the tax scales. Both of these matters, which discriminate against the low income earner, are long overdue for attention.

While many unions have been active in regard to child care provision and its cost, many others still operate on the outdated assumption that families are predominantly supported by a male wage and that most women remain dependent at home looking after children. Also, it is difficult for the trade union movement to make child care a central issue for its membership, although it is the key to women workers' equality in the long run, and is often the difference between two or one family incomes being available. Many women have to drop out of work during the early years of child-rearing, many others are too overwhelmed with their dual role to force the union to be active on their behalf regarding child care provision.

Because, at any particular time, only a small proportion of trade union members are affected acutely by child care problems (though all of them are affected by wage matters), it is difficult to get the issue to the top of the agenda, even if we take the most generous view of the male-dominated trade union leadership. There is a tendency for unions with female members to take up the child care issue. If trade unions with an overwhelmingly male membership took it up, it would be an important step towards changing assumptions about the appropriate sexual division of labour and domestic responsibility. The task of membership education towards this end is a long and difficult one, but it is not impossible as is shown by changing attitudes in European countries such as Sweden.
A number of groups in Australia have tended to argue that part-time work for both sexes is the answer to society's child care needs. The problem is that many people are not able to choose whether they do part or full-time work, but have their labour market status thrust upon them. We must be cautious about favouring part-time work because, in many cases, the implementation of increased part-time employment has meant the replacement of full-time workers with casualised part-time workers who have few industrial rights and no job security. The casualisation of retail employment is a good example of this. The jobs which employers are usually only too willing to make part-time are unskilled, dead-end, low paid jobs normally undertaken by women. They are more resistant to creating skilled managerial level jobs on a part-time basis and these are the jobs commonly undertaken by men. There is a danger that the call for part-time work will be used to erode the situation of full-time workers, and to avoid the responsibility to provide adequate child care, reinforcing instead a low-paid and insecure ghetto of female employment. These dangers must be avoided by people struggling through their unions to get part-time work as an option for those workers who want it. As unions such as the NSW Teachers Federation has found, a part-time work scheme which genuinely protects workers' rights is not generally taken up with much enthusiasm by employers.

An important principle in negotiations over part-time work is to protect the employee's right to full-time employment when she/he desires. It is equally important to ensure when a full-time employee opts to become a part-timer, that the full-time position is retained so that an employment opportunity exists for somebody who needs it and that other employees do not get an increased work load. Similarly, it is important to ensure that two people sharing a job are not being made to do a plethora of extra tasks outside of their working hours. There is a tendency to forget that half-time workers are also on half pay. Though the phrase "permanent part-time work" is bandied around a lot, it is vital to ensure that part-timers really
Maternity Leave and Other Forms of Parental Leave

The Australian Conciliation and Arbitration Commission in 1979 recognised the rights of women in the workforce to unpaid maternity leave of up to 12 months, and the right to return to their jobs or to similar jobs at the end of the leave period. Though government employees are entitled to paid maternity leave for three months and up to 52 weeks' unpaid leave for "maternity purposes", hardly any private sector employees operate under awards where they gain such benefits. The maternity leave initiative was brought in by the federal government in 1974 and it was followed by state government initiatives in the area. The federal Labor government also introduced maternity leave, but this was withdrawn by the coalition government which followed Labor in office. Paternity leave is essential if the existing sexual division of labour, around child-rearing is to be seriously challenged.

Australia lags behind many European countries in its maternity leave provisions. The paid leave from work following childbirth in Europe varies from three months to three years. In most countries, six months is typical, with growing discussions about extending the leave to nine months or a maximum of one year. At present, many European countries permit additional unpaid, but job-protected leave of somewhere between six months and two years. France offers two years unpaid post-childbirth leave for either parent under certain circumstances. Norway provides a parental leave of up to one year. Sweden's Parent Insurance Scheme allows either parent to take leave from work for the birth or adoption of a baby, for nine months on 90 percent of pay. After this, either parent is entitled to an unpaid leave until the child is 18 months old, and the parent's right to work part-time (a six-hour day) is guaranteed until the child is eight.

When children are sick or when there are other family emergencies to attend to, it is usually women workers who bear the brunt of such problems. ACTU policy refers to employees being:

entitled to paid leave for the purposes of caring for dependants or next of kin in the event of illness or other personal emergencies and that a person caring for children be entitled to paid leave when required to visit each child's school or child care centre.

The policy is light years ahead of workforce practice. At present, parents in the paid workforce are faced with the problem of using up their own sick leave or taking time off without pay to care for their sick children. Child care centres do not have facilities to care for those who are ill, and most cannot take children with illness which could infect other children. Family day carers are probably less strict about taking sick children, but the problem of infection still exists, and they are provided with no back-up services or compensation. Parents with sick children are, as a consequence, often faced with the prospect of intolerable financial burdens through loss of income while caring for their offspring, or they may even lose their jobs. Even if children are hospitalised there is good reason to believe that the parents' presence is desirable and those parents who are unable to leave work when their children need them face an enormous burden of anxiety and guilt about it.

Forbath cites a study conducted in the Melbourne suburb of Collingwood during June/July 1970 where 101 primary and pre-school children attending schools, child care centres and kindergartens in the area were surveyed in relation to their care arrangements when they were sick. The study found:

- there were 253 instances on which a mother missed work to care for a sick child (this involved 100 children)
- there were 17 instances on which a father missed work to care for a sick child (9 children were involved)
- there were 42 instances on which a sick child was left alone (22 children were involved)

Unions are slowly beginning to collect such information from their members as a basis for making claims for additional leave provisions to cover this problem.

Many European countries already have paid parental leave, and attempts are being made to introduce it in all member countries of the European Economic Community. Under the European Economic Commission's Equality Action Programme, proposals have been formulated for a Community-level Directive to entitlement workers to parental leave and leave for family reasons under broadly similar conditions in each of the member states. These proposals have already been adopted in principle by the European Commission and involve rights for workers in both private and public sectors to claim allowances from public funds for parental leave periods after maternity leave of at least three months. There is also widespread acceptance in Europe, reflected in the EEC's Equality Action Programme of paid parental leave granted to enable working parents to attend emergency or exceptional situations arising in the home, such as sickness of children, settling children into new schools, etc. Such leave for family reasons is already granted in most member states.

For example, in Sweden, awards in the public and private sector allow parents paid leave to care for sick children and, in some parts of the country, the government employs special child care workers to look after sick children in their own homes if this becomes necessary. The Directive to member states of the EEC will apply to all wage earners, i.e. male and female workers in full or part-time employment (with part-timers' rights pro-rated accordingly) and employed either in the public or private sectors. The payment during leave periods will be made out of public funds.
to avoid any need for direct payment by employers which might have a negative influence on the employment of young, temporary replacement workers, etc.23

One of the major reasons for the expectation of the acceptance of the proposals for parental leave across all member states is the recognition that such leave is a form of absence from work which can contribute to greater flexibility in the organisation of working time, and can also provide a valuable means of work experience for unemployed school-leavers and other young people who may be taken on as temporary replacements for those on leave. Paid leave available to members of either sex is vital in changing the unequal sexual division of labour in the home which disadvantages women in the workforce and also prevents men who wish to do so from taking time off to be with their children.

**Protective Legislation**

The question of the necessity for protective legislation for women based on their biological difference from men is a difficult one, since this form of legislation has usually been used to keep women out of highly paid jobs normally occupied by men. ACTU policy states:

*All pseudo-protective laws related to women's employment should be urgently reviewed by unions. Discriminatory clauses, which restrict entry, should be deleted from awards so that the range of occupations open to female workers is expanded.*24

One can understand the concern that such legislation should not be a covert means of discriminating against women workers. However, some form of protection for pregnant women workers seems necessary if women are not simply to be forced to give up their jobs. In the Federal Republic of Germany, for example, it is forbidden to employ pregnant women and nursing mothers on physically arduous work, jobs exposing them to the effects of harmful substances or radiations, dusts, gases or vapours, heat, cold and humidity, vibrations or noise, or on assembly line work or piecework. The employer must organise the work and equip the premises taking into account necessary precautions and protective measures for such working women. In Belgium and Italy, similar legislation
exists, and women workers who are pregnant or breast-feeding have the right to be transferred to another post and work compatible with their condition without loss of wages. The national legislations also grant pregnant women the right to transfer for individual reasons, on presentation of a medical certificate.25

The legislation of the Scandinavian countries regulates the same conditions of work for men and women, and does not provide for any specific ban on the employment of women in some jobs. In Sweden, however, women have recently won the right to be transferred to less arduous work when pregnant. If transfer is impossible, the woman usually has to apply for sickness insurance benefit and then receives compensation for the corresponding loss of wages.26

In Austria, Belgium, the Federal Republic of Germany, Luxembourg and Switzerland, overtime for pregnant women and nursing mothers is prohibited. Time off for medical visits and care during pregnancy and following confinement has recently been introduced into the legislation of the Federal Republic of Germany, Ireland and the United Kingdom. In many countries, young mothers also benefit from nursing breaks which constitute a reduction in their daily hours of work. The length of such breaks and the period of time over which they are granted varies from country to country. In Spain they are granted until the child is nine months old; in France and Italy until the child is one year old. In Austria, East Germany and Italy, such breaks may not involve any loss of pay. A mother, working eight hours a day, is entitled to two breaks of 45 minutes each in Austria and the Federal Republic of Germany. In Italy, she is given two one-hour breaks (in France and Spain two half-hour breaks). In Spain, young mothers who so desire may have their normal hours of work reduced by half an hour each day instead of taking these breaks. Norwegian, Swedish and Swiss law also provides time off for nursing mothers, but does not specify its duration.27

Nursing breaks often go hand in hand with the employers’ obligation to provide special rooms for working women, which frequently means a financial contribution to creches or nurseries.28 In Australia, many migrant women workers are astonished by the lack of child care in factories. As one Turkish clothing worker commented:

When I went for a job in this clothing factory and I got it, I asked the boss where the creche was. He said to me: "You are a stupid woman — there are no creches here". In my country, which is supposed to be a backward one, the factories have creches and we could go there and breastfeed our babies.29

Australia does not have an impressive record in its provision of benefits to working parents. The assumption that women are dependent on a male wage and remain at home looking after children is an outdated one which has enabled some employers to pursue discriminatory practices and has meant that some unions have not thought to fight for the most pressing needs of some of their members. As mothers enter the workforce in increasing numbers, the traditional division between industrial issues and family policy issues becomes increasingly irrelevant. Outdated assumptions about the nature of the family and the needs of the workforce can only lead to the further entrenchment of socio-economic and sexual inequality.

References


9. Ibid.

10. Examples which follow are taken from Horbath, B., op.cit.


19. Ibid.


23. Ibid.


26. Ibid.

27. Ibid. p. 7.


29. Nord, S., Migrant Women Workers — These Are Your Rights, South Coast Labor Council (NSW), 1983.
Who’s still holding the baby?

“This image was entirely constructed. The wall was graffitied by us, then photographed; another photograph was taken of the mother and children, then a print laid underneath the whole which we cut in the print of the wall. Thus the link could be made between the WHY of the struggles for childcare facilities, and the HOW.” Hackney Flashers collective.