Measures to promote work-family reconciliation in the MENA region: parental leave, childcare and good practices

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Abstract
In the Middle East and North Africa (MENA), the socio-economic, cultural and political spheres that affect women, particularly in terms of education, have undergone considerable changes in recent years. Research has indicated a close relationship between education/training and employment. However, the dramatic increase in the number of educated women in the MENA region is not reflected in their participation in the labour market, which remains low despite an increase in recent years. The fundamental, long-standing puzzle of the relatively low labour-market participation of women in the MENA region relates to an issue that has recently been at the core of studies in the social sciences, namely work and family reconciliation. Partly reflecting this, appropriate policies have increasingly become part of employment-led social policy, as well as neo-liberal programmes, in the EU and its member states. However, in developing nations, and in MENA in particular, the problem of work–family balance has not yet been expressed to the same extent, and there is a dearth of literature on this matter. This is not to imply that no action is being taken, or that work-family policies have not advanced in MENA, or that several countries in the region have undertaken considerable reform in recent years.

This paper will discuss work and family reconciliation strategies implemented in MENA, with particular reference to four selected case studies—Iran, Qatar, Tunisia and Turkey. Recommendations will be proposed for the further development of policies, programmes and strategies that support parenthood, and in reconciling work and family life in MENA. This is crucial given global changes in the working world. There is also increasing awareness that it will be difficult to achieve the Millennium Development Goals if they do not focus on families. The twentieth anniversary of the International Year of the Family in 2014 offers an opportunity to highlight the family in all parts of the world and promote family-based solutions to attain development objectives.
Introduction

In all the industrialised countries, and in many developing and transition countries, there are policies to support work-family reconciliation. These include care-related leave, childcare support and policies that improve the availability or quality of flexible working. There is considerable variation in the extent and characteristics of such support from country to country, although certain elements are similar. Due to these differences across countries, a considerable body of research exists examining the effect of various policies on women in the labour market and, more recently, on provisions for men's work–family balance and men's participation in unpaid family care. However, the problem of work–family balance in developing countries has not yet been articulated as it has been in the developed countries, although work–family tensions are growing in developing countries as well. In the Middle East and North Africa (MENA), women's employment is low, much lower than the education levels of women would otherwise suggest. It is all too easy to dismiss this as a purely culturally-induced situation rather than one due to a lack of policies that encourage a sound work–life balance; the vocabulary of work-life balance and family-friendly policies has seldom been used in the MENA region.

Indeed, wide differences in terms of levels of funding, coverage, and objectives have also been found across the world in childcare support policies, as well as in the availability of flexible work arrangements. The purpose of this paper is to provide an overview of some of these policies and to discuss the reconciliation of work and family in various types of welfare development, in four countries of the MENA region (Iran, Qatar, Tunisia and Turkey) and to draw out implications for policy designs that appear to maximise women's labour force participation. These countries were chosen as they represent diversity in the MENA in terms of history, culture, economy, and political systems.

Across the region, education is seen as a pathway to a meaningful career, through which young people, both male and female, can contribute to their communities and build their countries’ economies. At the same time, greater participation by women in economic and political life does not need to come at the cost of family life or traditional values; indeed, the well-being of future generations is more assured if work–family balance can be achieved.

Overview of comparison of maternity, parental and paternal leaves across MENA

Protecting maternity has been one of the ILO's primary concerns. The First Convention on Maternity Protection (Convention No. 3) was adopted at the First International Labour Conference (ILC) in 1919. Two further conventions, Convention No.103 in 1952 and Convention No.183 in 2000, extended the range of maternity protection in the workplace. These conventions have concerned mainly the prevention of health risks to women and their children and steps to ensure that women's maternal roles do not have an adverse effect on their financial and job security.

The conventions mentioned above set out measures to protect pregnant women and women who have just had a child include entitlement to paid maternity leave and to breaks for breastfeeding, protection from exposure to health and safety risks during and after pregnancy, protection against discrimination and loss of employment, and ensuring the right to return to work after maternity leave.

The health of mothers and their babies is prioritised by maternity protection. Thus it contributes to the accomplishment of the 4th and 5th Millennium Development Goals set out by the United Nations, which concern reducing infant mortality rates and improving mothers' health. In addition, by ensuring women's employment and financial security, maternity protection also serves to ensure that women have access to equal opportunities and equal treatment in the workplace. This contributes to the achievement of the 3rd Millennium Development Goal, which is to promote gender equality and the empowerment of women.

In June 2009, the 98th International Labour Conference concluded that the reinforcement of maternity leave is essential for gender equality in the workplace and called on the ILO to encourage the ratification and application of Convention No 183, as well as to "[ ] compile and disseminate good practices on parental leave and paternity and maternity leave and benefits, and provide technical support to governments to develop effective laws and policies" One part
of the study addresses three core aspects of provisions for maternity leave, i.e., the duration of maternity leave, what is to be paid to mothers during maternity leave, and what the source of these funds is to be.

In addition to maternity leave, other types of leave provision, such as parental leave, paternity leave and adoption can facilitate workers’ reconciliation of work and family life. Although there is no ILO standard concerning such kinds of leave, 49 countries provide some type of leave for fathers around the time of the birth of a child. Approximately the same number of countries provide some type of parental leave as well as maternity leave, and in many countries adoption leave is available.

An ILO report (2012) reveals considerable variation among regions in the proportion of countries in which 14 weeks’ maternity leave is granted. Almost all (92 per cent) of the countries of developed economies and the European Union (EU) fulfil or exceed this standard, while it is met or exceeded in all of the non-EU countries in Eastern Europe as well as the Commonwealth of Independent States (CIS). Indeed, 93 per cent of the Eastern European (non-EU) and CIS countries, and 46 per cent Developed Economies and EU countries, meet the 18-week standard in Recommendation No. 191.

Forty-eight per cent of the 50 African countries analysed provide at least 14 weeks of leave, while 34 per cent provide 12 to 13 weeks. However, in 18 per cent of these countries, fewer than 12 weeks is provided, and Tunisia provides only 30 days, which is the shortest period of leave among the African countries analysed in this ILO report. Of the 11 Middle Eastern countries covered, only two, Syria and Iran, fulfil the 14-week minimum set out in Convention No. 183. Fewer than 12 weeks of leave are provided in the other nine Middle Eastern countries analysed.

As can be seen from Figure 1 (in Appendix 1), globally, there has been a gradual move towards longer periods of maternity leave. Between 1994 and 2009, the proportion of countries providing fewer than 12 weeks of maternity leave fell from 19 to 14 per cent. In the same period, the number of countries providing 14 to 17 weeks of leave has risen from 29 to 35 per cent, while the proportion providing a minimum of 18 weeks has increased from 9 to 13 per cent.

Provisions for maternity leave increased between 1994 and 2009 in five of the nine Middle Eastern countries covered in the study. For instance, provision for maternity leave was increased from 45 to 60 days in Bahrain, from 90 days to four months in Iran, and from 50 days to 120 days (for the first child) in Syria. Where none of these countries provided 14 or more weeks leave in 1994, two of the nine countries did so in 2009.

There is a considerable difference among countries in terms of the provision of flexibility and choice as to when women may take statutory maternity leave and how it is divided before and after the birth of the child. For example, in Iran, the period of maternity leave was extended if the mother is breastfeeding. If the mother gave birth to twins, five months maternity leave was granted instead of four, and in the case of the birth of three or more children, one year’s maternity leave is provided. Overall, 42 per cent of the 152 countries analysed provide cash benefits of a minimum of two-thirds of previous earnings for at least 14 weeks. Indeed, 34 per cent of the countries studied exceed this standard by providing 100 per cent of previous earnings for a minimum of 14 weeks (see Figure 2 in Appendix 2). However, 59 per cent of the countries covered in the study, maternity leave is paid at a rate less than two-thirds of previous earnings, is paid for a period of less than 14 weeks, or is unpaid.

Eleven Middle Eastern countries calculate benefits according to previous earnings. In two of these, the ILO standards were already met several years ago, as Iran provided for four months (if breastfeeding) and two-thirds of previous earnings, and Syria provided for 120 days and 100 per cent of previous earnings (for the first child). While almost all of the other 9 countries provide 100 per cent of previous earnings, they do so for fewer than 14 weeks.

Countries generally take one of three main approaches to funding maternity benefits: social security, employer liability, or mixed systems. Employer liability systems are most widespread in Africa, Asia and the Pacific, and the Middle East, where social security systems remain underdeveloped. In Africa, 38 per cent of countries depend on employer liability systems, while 33 per cent depend on social security systems and the remaining 19 per cent rely on mixed systems.
In Asia and the Pacific, maternity benefits are funded by employer liability systems in 52 per cent of countries, by social security systems in 30 per cent, and by mixed systems in 13 per cent. In the Middle East, only Iran and Iraq rely on their social security systems to provide maternity benefits, making reliance on social security systems the lowest of all. Eighty-two per cent of countries in this region rely on employer liability systems to provide maternity benefits.

In some countries, such as Iran and Kuwait, it is necessary only for a woman to be employed at the time of going on maternity leave in order to be entitled to this leave. Rather than offering specific paternity leave, family leave or general emergency leave, which can be taken by new fathers is offered in a number of countries, such as Djibouti, Madagascar, Seychelles, South Africa and Togo in Africa. In addition, in Croatia for example, this type of paid leave is available for up to seven days.

None of the ILO conventions includes parental leave. However, both Recommendation No. 191 (accompanying Convention No. 183 on maternity protection) and Recommendation No. 165 (accompanying the Workers with Family Responsibilities Convention, 1981 (No. 156) contain provisions on parental leave. The adoption of the current Recommendations and the Convention on Workers with Family Responsibilities, 1981 (No. 156) signalled an important change in the policy of the ILO in that they recognised fathers’ involvement in family responsibilities in general, and particularly regarding parental leave in this case. Systems of parental leave sometimes allow parents to choose how and when the leave is taken. In some countries, parental leave is only available for a continuous period directly after maternity leave, while in others, it can be divided over a period when the child is young. This allows the parents to choose to take parental leave when it is most convenient to them. In several countries, it is possible to take parental leave part time, which allows parents the possibility to reduce their working hours when their children are very young. In Norway, for instance, a “time-account” option has been available to both biological and adoptive parents since 1994. This system permits parents who work at least half time to take partial parental leave together with a reduction in working hours for a period of up to two years, although it is not possible to take fewer than 12 consecutive weeks. It is also possible to take partial leave as a reduction in working hours to 90, 80, 75, 60 or 50 per cent of a full-time post. This corresponds to a partial payment of parental benefit equal to 10, 20, 25, 40 or 50 per cent of the selected daily rate.

Among those countries for which data on paternity leave is available, the duration ranges from one day in Saudi Arabia and Tunisia—one day of paternity leave (private sector), two days (public sector)—to three months in Iceland and Slovenia. Paternity leave is frequently paid, by the employer, by the social security system or by a combination of both. However, in a number of cases, paternity leave is unpaid. In Iceland, new fathers are given a separate, non-transferable period of leave, making the combined duration of maternity and paternity leave nine months. Three months are for the mother, three for the father, and the remaining three months can be shared between them as they choose. They receive 80 per cent of their usual salary. (7)

In at least 92 countries, legislation provides for breastfeeding breaks for nursing mothers, in addition to regular breaks. (8) In general, at least one hour is allowed for this, typically divided into two, half-hour breaks. If more than a certain number of women are employed in a workplace, there are frequently provisions for nursing facilities and day care facilities. As an example of good practice in Madagascar, a room for breastfeeding must be provided in or near enterprises employing more than 25 women.

The ILO has issued several conventions relating to the implementation of measures to encourage improvements in the protection, health and safety of mothers and children, parental responsibility and work and family balance across the world. However, among the MENA countries, there is considerable diversity in the implementation of these measures. The following sections will examine in greater depth this implementation in Iran, Qatar, Tunisia and Turkey.
Iran

In recent years, Iran has expanded Early Childhood Education (ECE), making it a very progressive country in this field in the Middle East. The reason could be an institutional response to demographic changes, especially the sharp decline in the fertility rate in Iran in the 1990s. Fertility has declined from more than 6 births per woman in the 1980s to approximately 2 in 2004. Kindergarten enrolment during the same period increased from less than 10 per cent of 5-year-old children to almost one half of the population. In this context, the growth of ECE appears to be “a new dimension of the response of families to the changing demographic situation and the substitution of child quality for quantity” (P: 9). In this respect, lack of facilities for working mothers may also discourage women from having larger families, which could present problems for the country in the future, given that policy in Iran is currently to encourage women to have more children to avoid the problem of an aging population in the future.

The Education for All (EFA), UNESCO Report (2006) indicates that Iran’s gross pre-school enrolments are about 30.7 per cent, which places Iran above the average of Arab Countries (17.7 per cent), and slightly below Countries in Transition (34.6 per cent), and Developing Countries (34.3 per cent), albeit much lower than developed countries (81.1 per cent). The UNESCO indicator for 2010 was the enrolment of 70 per cent of pre-school children.

In Iran, the country programme document was developed to correspond to the fifth National Development Plan and preparation of the United Nations Development Assistance Framework (UNDAF) for 2012-2016. The conclusions and recommendations of the 2007/2008 midterm review are taken into consideration in the current country programme document. In addition, the country programme is in alignment with the Millennium Development Goals (particularly Goals 1 to 6), the goals of A World Fit for Children, the Concluding Observations of the Committee on the Rights of the Child and the priorities in the medium-term strategic plan, 2006-2013 of UNICEF. A central component of the country programme 2012-2016 is the inclusion and the reduction of child poverty. The programme aims to support the Iranian Government in improving the integration and inclusivity of social services for the most vulnerable children and to ensure that the most vulnerable women and children are able to benefit fully from inclusive social welfare and poverty reduction policies and programmes.

At present, most women have the responsibility of running the household and child rearing. In this way, they have a considerable share in national productivity. However, the traditional per capita indices have included only the total number of employees and thereby do not take into account women’s participation in work performed within the household. This concern led the Centre for Women’s Participation Affairs (CWPA) to propose a law concerning the insurance of housewives, which was passed in 2001, and in 2002 the State Welfare Organization (SWO) was made responsible for its implementation. In the following years, up to the present, this policy has been followed seriously by the Centre for Women’s and Family Affairs (CWFA) in order to address all the limitations in the process of implementation; finally, on 1st December, 2008, it came into practice.

Women’s employment seems to be more limited in some jobs; for example, in the judicial system in Iran, legislators decided that judges’ qualities and characteristics should be determined by ordinary law (CL, Article 163). The approved law of the parliament in 1982 specified the selection of the judges from among qualified men but later developments increased women’s roles in the judicial system. In accordance with the reformation of note 5 of the unified Article of the 1995 law, women...
for men, albeit with more consideration about the maternal role, as is emphasised in Article 21. In the context of Iran's social policy, women are accepted as both 'carer' and 'worker'. However, motherhood has been seen as a women's key role, i.e., women can work so long as they do not neglect their main role as mother and the agent of stability in the family unit. So, whilst women's employment and socio-economic activities are seen as vital to social well-being and economic growth, at the same time their responsibility as citizens is at home, occupying the role of wife and mother, the agent of peace and stability in the family. In regard to facilitating employment for educated women, paragraph 7 of the employment principle 1992 states the provision of necessary facilities for the use of professional and educated women's abilities so that their attempt in playing their role in the family and life situations would not lead to their withdrawal from these social activities (P:25). Thus, it lays particular emphasis on providing facilities for educated women. In addition, paragraph 107 Charter of Women's Rights and Responsibilities (CWRR) also emphasized the "right to enjoy facilities, standards and rules proportionate to women's family (as a wife and mother) responsibilities in their hiring, employment, promotion and retirement during the period of employment." (P:20)

Although the government did not mention childcare facilities specifically in the principles of women's employment policies in 1992, later, in 2005, the government realized the importance of childcare facilities for women's participation in higher education. Therefore, the government, in the APSCCRW 2005, i.e., 'policies for the promotion of women in higher education,' (shown in Chapter 6 of this policy under the heading of 'related policies for welfare and service affairs') clearly advocated the:

- Establishment of facilities and necessary and suitable services for female students for the fulfilment of the responsibilities of their wifehood, motherhood and education simultaneously (flexi-time in work, increasing maternal leave, breast feeding hours, childcare facilities, insurance services,...) P:128

Irish family policy is a key policy to which other social policies refer. Iran pursues a coherent and specific family policy agenda and domain. The government explicitly recognizes the family unit as a target for policy rather than promoting the interest of individuals. The government identifies family as a social institution founded only on marriage, and the state has a duty to protect it. (15)

The principal objectives of family policies in Iran have been ratified by High Council of Cultural Revolution in 2005. The main objectives of these policies (APSCCRW, 2005; 99) as follow:

- Fulfillment of the Islamic point of view about the importance of family position, and its function in the Islamic system.
- Supporting family formation, consolidation and elevation and preventing its instability and collapse.
- Raising the cultural and educational levels of family members to enable them to play a role in health and the improvement of the culture of society.
- Convergence and coordination of all the policies and planning on family issues in order to improve the conditions of its formation, consolidation and elevation.
- Awareness of the members of the family of each other's rights and duties and removing poor attitudes of society towards these.
- Development and deepening of original Islamic values in the family for the education of a healthy, faithful, responsible and influential generation on their own growth, and those of the family and the society.
- Protecting families against social ruin and crises and supporting vulnerable families.
Today, the focus of most families in Iran is more on the quality of children’s lives rather than the quantity of children or women’s subordination. Although women have had the main responsibility for family affairs and men have reserved the dominant economic position of breadwinner; since the 1970s married women have been joining the labour market in greater numbers, and a growing deviation from the sexual division of labour has emerged (16). In addition, many studies have found that respondents’ attitudes to women's employment are positive.

In spite of a move towards a more nuclear family, kinship relationships are quite obviously still important in Iran. However, the transformation in the structure of family and in the roles of men and women, in which women are combining familial roles with economic roles, is creating stress for both parents and children. In recent decades, immigration and population transition has occurred much more than in the past (17). Young generations move more frequently in search of employment, and therefore they no longer have convenient access to relatives and close friends, who provided a good source of social support, such as childcare. Generally, in Iran, the welfare strategies have been designed to give the right to receive care (state responsibility for childcare, help in childcare fees) as well as the right to time for care (leave; possibilities for part-time work). For example, in paragraph 10 of women’s employment policies, as well as in the CWRR, women’s right to have access to facilities in carrying out family responsibilities while at work has been emphasised (Paragraph 107: 20). As a result, since 1980, each successive four-year parliament has enacted laws, which form women’s employment patterns. Some of the more relevant measures and good practices about the reconciliation of work and family are as follows:

• Official female employees of the government, government companies or government and municipal dependents can continue their service in part-time jobs (that is, with working time reduced by up to 25 per cent) if suggested and agreed upon by the top official so that there is no damage to their maternal, marital and domestic duties. The current government agenda is focusing on reducing women’s working hours while maintaining a full salary. For instance, recent legislation has reduced nurses’ working hours from eight to six per day (18). Moreover, legislation which was recently introduced permits mothers of disabled children, no matter what type of contract they have, to work part-time for as long as they choose, and not just for three years, as was previously the case. If they make up the shortfall in their national insurance payments, they will receive the same benefits as full-time workers. Further, legislation has recently been approved (although not yet in the implementation stage) which will reduce full-time working hours from 44 hours to 36 hours, with no reduction in salary for all women with children aged under 7, for those with a husband or child who is disabled, or who are the head of the household. (19)

• Job flexibility in the form of teleworking from home was introduced in the public sector in 2012.

• After a legal enactment, married women who were permanent employees and whose husbands were sent on fixed missions outside the country were allowed to travel with their husbands and stay there for several years on leave without pay and could go back to their previous jobs after their husbands’ missions were finished. In addition, both men and women can take unpaid leave for up to three years for reasons concerning family responsibility without losing their post.

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4 According to Article 1106 of the Civil Law: “The cost of maintenance of the wife in permanent marriages is the responsibility of the husband.” (P: 219) And in Article 1107: “such maintenance costs include accommodation, clothing, food and furniture appropriate to the wife’s situation and on a reasonable basis and the provision of a servant if the wife is accustomed to have servants or if she needs a servant owing to illness or disability.” (P: 219)

5 “Right to enjoy facilities, standards and rules proportionate to women’s family (as a wife and mother) responsibilities in their hiring, employment, promotion and retirement during the period of employment.” (CWRR: 20)
• Nursing mothers are allowed one hour per day for breastfeeding until the child is 2 years old. A mother with twins is allowed 2 hours per day. This time can be divided into two or three daily breaks (20). In addition, maternity leave was raised from 4 months to 6 months and for twins and triplets, 12 months. Job security for mothers is ensured after maternity leave and during breastfeeding. Moreover, a package as a part of the reconciliation of work and family programme including two weeks of paternity leave, 2 extra days paid leave per month for mothers and increased maternity leave from 6 months to 9 months is currently awaiting approval in parliament. Further, where previously female students had the right to take one semester maternity leave, this has been increased to 2 semesters.

• In addition to the above policies, women are offered help with childcare fees. This sum was recently raised from 250,000 Riyals per month (21) to 500,000 Riyals for children under 5 years, for a maximum of two children.

Article 78 of the Labour Law (22) which is partly related to women's jobs stipulates that the employer is obliged to give time to those women who want to breastfeed their children and include this time in their length of service. Moreover, the employer should provide childcare centres to care for their children.

Following the process of privatisation of state organisations, in 2008, all pre-school and day care centres, including those in enterprises, were transferred to the open market, except for a small number in the most underprivileged areas and in rural locations. Therefore, the government aim was limited to subsidising the purchase of private provision. However, the possibility of reintroducing these on-site day care centres has been under discussion of late. In addition, the emphasis has been on care for children under school age, while no attention has been paid to after-school care for older children. This represents a considerable problem for working mothers due to the disparity in school hours and normal working hours. Therefore, while there has been considerable progress in terms of the reconciliation of work and family in Iran in recent years, many implementation problems remain as there is frequently a dichotomy between policy and practice and there are a number of issues, such as after-school care, which remain to be resolved.

Qatar

Qatari women have an average of 3.4 more years of education than Qatari men, and this difference has an effect on employment patterns in the workforce (23). Between 1986 and 2004, work force participation rates of Qatari women, historically much lower than those of men, more than doubled, from 14 per cent to 30 per cent. Moreover, as the higher educational achievements of women are better aligned with private sector requirements, more young women than young men are entering the private sector (24). By 2010, the employment rate of Qatari women had risen to 36.3 per cent, and the National Development Strategy 2011-2016 aims to raise this rate to 42 per cent.

The Constitution of Qatar places great emphasis on the importance of the family. Article 21 states “The family is the foundation of the society. Religion, ethics and love for one's country are the family's main backbone. The law regulates the required means for protecting the family, supporting its entity, strengthening its bonds and preserving motherhood and childhood within its boundaries.” Further, on the organisation of the Supreme Council for Family Affairs (SCFA) in 2009, Emiri Decree No.15 was issued, which stressed the critical role played by the Council in implementing the Qatar national Vision 2030, primarily by reinforcing the role of the family in Qatari society. One of the responsibilities of the SCFA is to realise the aims set out in international charters and conventions regarding women and children (25).

According to the SCFA, Qatari women face a number of challenges that limit their participation in the workforce. This deprives the Qatari economy of their involvement in the country’s development and reinforces the country’s dependence on expatriate workers. The
SCFA conducted a study that provided a clear picture of the problems and barriers facing Qatari women in their attempt to balance the demands of family and work. As a result, the SCFA recognised the need to promote part-time employment for women and has submitted several recommendations to government policy-makers on mechanisms by which part-time work for women could become more readily available to them.

Qatari law has provided time off for mothers for childcare. The employer does not have the right to discharge them and mothers have the right to return to their last job. In addition, the law of Qatar provides for time off from work for family members, for instance, if a child is ill, or needs care, or a close relative of a woman needs care, it is possible for her to have time off from work. (26)

Qatar does not have a policy of providing nurseries at the work place. The National Development Strategy 2011-2016 calls for the establishment of these to promote women's employment. The SCFA is also aware of the sharp rise in the reliance on maids to look after children in the home. As a member of the SCFA pointed out to the author during a meeting, apart from the deleterious effect that this may have on the transmission of Qatari language and culture to children, it also affects women's decision to take up employment. It appears that many Qatari women do not trust their maids sufficiently to confide their children to the maids' care for the extended periods that would be required if they were to take up full-time employment. However, a number of women have indicated that they would be willing to leave their children in a nursery, either in their workplace or run by the government. In this light, the SCFA have introduced several initiatives, such as establishing free kindergartens in public schools run by the Ministry of Education and the introduction of a diploma programme in early childhood education at Qatar University to ensure the formation of an adequately trained body of kindergarten and nursery workers.

The reconciliation of work and family responsibilities is a considerable problem in Qatar. Family roles are extremely gendered and men's non-financial contribution to the family is limited. Women are divided between their responsibilities at work and their responsibilities towards the family such as taking care of children who are ill and elderly family members, and supporting children's education. This last is rapidly becoming a serious problem, as education reform is putting pressure on children and hence, their families, to cope with changing curricula and long hours.

Tunisia
Education, for both women and men, has been the main driver of social change. In the early 20th century in Tunisia some families in cities began to educate their daughters, and this trend accelerated after independence. Currently, the younger generations of women are as educated as their men and equally capable of participating in the political and economic life of the country.

The Ministry of Women, Family, Childhood, and the Elderly (MAFFEPA), the National Board for Family and Population Affairs, and approximately 20 women's organizations, and women's committees within the political parties actively contribute to the consolidation of women's rights and the reduction of gender-based inequality in all areas. However, women's participation in work and public life meets opposition from adherents of a conservative form of Islam. A conflict exists between traditional values and a move towards innovation as the tendency toward the principles of equality, non-discrimination, and freedom continue to come in conflict with conservative values. (27)

Concerning the right to work, the equality of men and women is established both within the civil service and Article 5 of the 1993 Labour Code, calls for the repeal of "all forms of discrimination between the sexes with regard to work," while Article 234 mandates a penalty for all violations of this basic right. In 1993, the requirement that a woman must obtain her husband's permission to work was struck from the Law of Obligations and Contracts. A woman's right to work is further developed in Article 64 of the Labour Code, concerning maternity leave and nursing mothers. However, in practice, women remain underrepresented in the workforce and face gender-based salary inequity and obstacles in career advancement, notably in the
private sector. Nonetheless, the economic role of women has improved in recent years. Women are increasingly rising to managerial positions or taking the initiative to establish their own businesses, despite considerable social resistance. (28)

Tunisia signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1980 and ratified it in 1985, but issued a declaration to the effect that Tunisia “shall not take any organizational or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of Chapter I of the Tunisian Constitution”. Chapter I of the Constitution identifies Islam as the official religion of the country.

The main purpose of MAFFEPA is to ensure equality between men and women. It coordinates the activities of various government institutions in an effort to promote the status of women and the family, and to encourage women to play a major part in the development process of the country.

Amendments made in 1993 to Article 23 of the personal status code established the equality of spouses with regard to reciprocal family obligations, cooperation in household management, and assistance in childcare. Both husband and wife are expected to treat each other well and refrain from harming one another and both are expected to cooperate in running the family affairs. The wife does not have the duty to obey, but the husband is still considered the “head of the family” with the responsibility to support his wife and children financially. However, the wife also has the duty to contribute to maintaining the family, if she has the means to do so, which is a unique provision as compared to the personal status laws of neighbouring countries.

In practice, however, there is a persistent imbalance in how family members allocate their time on a daily basis; such inequality is particularly prevalent in rural areas, but is also apparent in urban environments. The data show that gender roles are deeply ingrained, and that while men divide their time between work and leisure, women spend most of their time doing household work. One study also indicated that women’s total daily workload, including paid employment, family care-giving, and domestic work, is on average two hours longer than that of men, and that “whatever their professional situation, women always have a greater workload than men.” (29) The workload of rural women is particularly heavy. The same study found that while men spend on average 36 per cent of their time outside the home in a public or professional environment, women spend only 14 per cent of their time outside the home.

Professional women, particularly those with demanding careers, experience problems in balancing their professional and familial responsibilities. Men rarely participate in housework or share childcare responsibilities, instead retaining their traditional gender roles. Adding to the pressure, women in modern Tunisian society have less opportunity to benefit from the traditional support of their mothers, mothers-in-law, or sisters than they did in the past, partly because they may have their own careers or live some distance away. Social services are inadequate substitutes for these family members. As a result, women who have a strong attachment to their traditional roles experience career setbacks, and those who focus on their careers either use family and social support or rely on paid domestic help. Furthermore, women in managerial positions are increasingly choosing not to marry.

Women in the workforce enjoy some gender-based benefits. Those in the civil service may take two months of maternity leave at full pay. In the private sector, maternity leave technically lasts only 30 days, but it can be extended for 15-day periods for medical reasons for up to 12 weeks. Mothers are also entitled to a half-hour break twice a day for one year to breastfeed infants. Since 2006, in the public sector, the law has permitted mothers with children under 16 or with a handicapped child to work part-time while receiving two-thirds of their salary for a period of three years, twice renewable. However, this measure did not prove popular, as, although many women would welcome shorter hours from the point of view of balancing work and family, such as looking after children, helping with their homework and so forth, the majority require a full-time salary to help the family financially. These measures have the unfortunate effect of consolidating the inequity between men and women in their representation in various social institutions, and of accentuating the differences between the public and private sectors. The
MAFFEPA recently mandated new requirements with regard to the provision of nurseries and daycare facilities, and between 2004 and 2008 the number of childcare centres increased from 11 to 186. In addition, there are provisions for after-school care.

Recently, the National Board of Crèches and Kindergartens has called for a national conference of politicians, other policy-makers, and concerned members of the public to be held urgently to examine the problems facing the childcare sector. President of the Board, Nabiha Kamoun Tlili, explained that this demand was being made as a reaction to the indifference of the authorities to the subject of childcare in particular and children in general.

Mme Kamoun Tlili spoke of “the chaos which currently prevails in childcare establishments, which opens the door to all kinds of abuses directed towards children” However, she stressed that the Board is not in favour of certain proposals such as children starting school at 5 years old, and which she held to be “a political expedient aimed at reducing the unemployment rate of primary school teachers”. She added that the Board is equally opposed to the proliferation of Koran schools, which do not have any facilities, qualified staff, or teaching methods which are suitable for children in that age range. Mme Kamoun Tlili also deplored what she and others viewed as the disparity between the rhetoric and the action of the Minister for Women’s Affairs.

Hence, in Tunisia it appears that there is childcare problem both in terms of the quantity of childcare centres available, and in the quality of care given in these centres. It appears that there is a considerable shortage of qualified childcare staff. In addition, men’s participation in childcare and other domestic responsibilities is minimal, and working hours are long and inflexible. With regard to this last, progress has been made recently as employees are no longer required to work on Saturday mornings. However, it is clear that there are multiple issues with regard to women’s reconciliation of work and care and that it will require changes in legislation, practice, and societal attitudes to address and resolve these.

Turkey

In Turkey, work-family balance has been an issue in public policy issue only since the early years of the 21st century. This came about for two main reasons. The first was the influence of the international obligations to which Turkey is a party, in particular, becoming a candidate for entry into the EU and the beginning of the accession process in the early 2000s, as well as the UN CEDAW reporting process. The second reason was advocacy and pressure by the women’s movement, which began to exert a strong influence in Turkish politics in the 1980s. Women’s NGOs made strategic capital of Turkey’s EU and CEDAW obligations to lobby for measures to be taken to improve work-family balance in order to improve the low rates of women’s activity in the labour market in Turkey. These two factors have together assisted in advancing the policy agenda to a certain extent by arousing discussion on the requirement for more preschool education for children aged between zero and five (30).

As Turkey is a member of the OECD, data are available to permit such a comparison with regard to both the level and the features of female employment. Over the past twenty years, female employment in Turkey has fallen while it has risen considerably in the OECD region, particularly in southern European countries. The employment rate of 26 per cent for women is one of the lowest in the world. However, this average hides great disparities, as the employment rate for female university graduates is around 70 per cent, while for women with less than high school education (i.e. three-quarters of the female population) it stands at only 25 per cent. Overall, the rate of female participation in the labour force in Turkey is 27.6 per cent and the 9th Development plan (2007-2013) aims to attain a rate of 29.6 per cent, which is still behind the EU’s Lisbon goals of 60 per cent. Nation-wide promotion and support programmes are implemented in order to increase these rates. The Prime Ministerial Circular on ‘Enhancing Female Employment and Ensuring Equal Opportunities’ came into force in 2010 and allocates responsibility to all relevant institutions and organisations with regard to increasing women’s employment.

The predominant pattern of female labour market activity in Turkey is one in which young women take up employment before marriage and child-bearing and then leave it due to the lack of work/family reconciliation mechanisms. The question that arises is why the correlation...
between education and labour force participation in Turkey is so much stronger for women than for men. It is comparatively easier for educated women to gain access to mechanisms to reconcile work and family. Higher education increases the likelihood of being employed in the formal market, which permits educated women to benefit from legal rights facilitating reconciliation mechanisms such as maternity leave, and the right to return to work after giving birth, as well as access to daycare services in large workplaces, albeit that access to this is limited. Moreover, as higher education brings employment with a higher salary, services for domestic care may be purchased over market value. Hence, women with higher education have the opportunity, in part at least, to shift the burden of the double shift of domestic tasks and job, which is the gender-specific cost of participation in the work force.

Working hours are very long, with a 52-hour average working week, according to a 2006 World Bank study, reaching up to 59 hours for informal workers who frequently cannot refuse to work overtime without risking dismissal. These circumstances make it extremely difficult for women to combine employment with family responsibilities, particularly in view of the inadequacy of public care services. In addition, recent educational reforms have changed school hours, previously a full day, to shifts, causing working mothers considerable problems in terms of after-school care. Hence, the nature of working life in Turkey restricts the supply of female labour and influences the probable decision of employers not to employ a woman if a woman applies for a job with long and irregular working hours.

In Turkey, public child care services are focused on pre-primary education and fall within the remit of the Ministry of National Education. Pre-primary education mainly comprises nursery classes (84.4 per cent) incorporated within primary schools attended by children aged 4 and 5. In many of these, children attend for only half a day. As a global average, 40 per cent of children are in pre-school education. However, while this figure may reach 90 per cent in developed countries, in the developing world, it is frequently as low as 24 per cent. According to the Turkish Ministry of Education, 24 per cent of children in Turkey are enrolled in pre-school education. Kaytaz (2004) pointed out that although there had been some improvement in the situation since the mid-1990s, Turkey still had one of the lowest levels of preschool education of any lower-middle income country. Kagitcibasi et al (2009) report that children in low-income families have the least access to pre-school education in Turkey.

The number of crèches, nurseries and childcare centres for children aged 3 and under is currently very limited. Bug˘ & Yakut-Cakar (2010) suggest that there has been no great demand for childcare services as the vast majority of women do not work outside the home. The independent nurseries that belong to Ministry of National Education (MoNE) only accept children aged 3 to 5. It is probable that some of the private nurseries and SHÇEK (Social Services and Child Protection Institution) nurseries accept children below age 3. Hence, pre-school education, which is of great importance both in terms of women’s participation in the about market and child development could be extended to full days and not just half days, and provided as a public service. This would necessitate an increase in the Ministry of National Education’s budget and for a greater share of this budget to be devoted to pre-school education.

Regulation no. 25522 on nursing rooms and childcare centres, issued under Article 88 of the Labour Law, provides comprehensive arrangements for nursing rooms in organisations employing 100 to 150 female workers, while obliging organisations with more than 150 female employees to provide childcare centres. Although there is no accurate information on the number of organisations in Turkey that meet this obligation, many employers either deliberately limit the number of their female employees to below these thresholds or simply do not pay the fines incurred for infringing the regulation. This fine is around £150, and has no deterrent effect as it is far less than it would cost to arrange a childcare centre or even nurseries. Such behaviour on the part of employers is generally tolerated by the government and trade unions. The fact that the provision of nurseries and childcare centres is based on the number of female employees shows a traditional patriarchal mentality which views the care of children as an exclusively female occupation. This mindset is common to all of the social parties.
In this context, there could be several approaches in which childcare is regarded as a social responsibility. For instance, the requirement for nursing rooms and childcare centres could be linked to the total number of workers, both male and female and when this number falls below a certain level, organisation could combine to run joint crèches and childcare centres in organised industrial districts. In fact, Article 15 in the Regulation states that, “Employers may come together to provide centres and crèches or fulfil their obligation in this regard by contracting with private facilities satisfying required specifications”. However there are various explanations from the government that they plan to set employers free from these responsibilities.

Indeed, education and training are largely the responsibility of the government, and hence pre-school education and childcare should be also be considered as a basic public service and provided by the MoNE, Social Services, Child Protection Institution (SHÇEK) and local governments jointly. The SHÇEK Law no. 2828 gives the Institution the remit to provide such services by setting up and running crèches and childcare centres. For the further expansion of childcare services, it will be necessary to develop a model suitable for Turkey with the participation of all parties concerned and in the light of existing models in the EU countries. The will and commitment to provide a vital service are of paramount importance. If these are absent, childcare will be considered a problem that must be solved by women alone and the commitment to encourage women’s participation in the labour market will remain only theoretical. Currently there is a discussion on this topic, and the government has announced that it is planning to establish a “Motherhood Fund”. Contributions from employers, trade unions, the state, and benefitting mothers to the budget of the fund are foreseen to enable them to buy childcare services from private institutions. Although the details have not yet been developed, it would appear to involve market-based provision of services rather than public services.

Article 74 in the Labour Law no. 4857 deals with maternity leave. It stipulates that female workers cannot work for 8 weeks before and 8 weeks after delivery, a total of 16 weeks absence from work. During this time, female workers receive 2/3 of their wages from the Social Security. After 16 weeks, a female can choose to take further unpaid maternity leave up to 6 months, or one year for public sector employees. However, no data are available on the number of female workers or public sector employees who avail themselves of this option.

The Directorate General for the Status of Women has drawn up a draft law for common childcare responsibilities of working parents. The draft proposes 6 months of unpaid parental leave after childbirth for working parents subject to the Labour Code and up to 12 months unpaid parental leave in two consecutive periods for working parents subject to the Law on Government Employees. The same rights are also given to couples adopting children. However, this draft has remained at the agenda stage of the Grand National Assembly for several years. The Employers’ Trade Union Confederation opposes this draft proposal, arguing that it will increase business’ costs by obliging employers to hire new workers during parental leave.

Ilkkaracan (2012a) believes that this is a very inadequate move in terms approaching the issue holistically; it nevertheless represents a first step towards putting the issue on the political agenda. Another indication of the start of a shift in the political discourse is the inclusion of “accessible child care services and centres” as one of the three major policy recommendations in the recent World Bank report. (35) However, if these documents are read critically, it can be seen they are inconsistent and contain only superficial references to childcare services, changing gender roles and so forth within traditional, gender-blind analyses, rather than approaching the issue from the perspective of comprehensive gender equality and analytically integrating unpaid domestic labour.

In Turkey, the export-led growth strategy has been less successful in making labour demand sufficiently strong to draw women into the labour market. According to Ilkkaracan (2012b), there may be a number of reasons for this, such as an absence of strategic state policy, increasing competition from China in labour-intensive industries, and the substantial rural labour supply that resulted from the demise of small-scale family farming under market liberalisation. Those women of lower socio-economic status who were drawn into the labour market found conditions of long working hours and informal employment, and thus, no access to care leave. This situation
has led to the continuation of the male breadwinner family model. İlkkaracan (2012b) indicates a vicious circle, whereby low levels of female employment lead to there being little or no demand for work/family balance policies. In turn, this disabling work/family balance environment results in marriage and child-bearing serving as institutional restrictions on the labour supply of married women. Exacerbating this vicious circle, is the increasing conservatism of the political discourse, which stresses women’s roles as wives and mothers and offers money transfers to homemakers, who form the majority of the female electorate. (36)

Only around 7 per cent of children who receive ECE services attend private institutions. (37) Such institutions, which include private preschools, nursery classes and day care centres, are to be found mainly in major cities. There are around 26000 children enrolled in such schools, 14000 of whom live in Istanbul, Izmir and Ankara. There are no private institutions in nine of Turkey’s provinces. This implies that income distribution in Turkey is such that it is only in the major cities that parent have the means to pay for the full cost of services and parents who have to have ECE services for their children either out of necessity or for educational purposes inevitably lead to a concentration of these services in large cities. (38)

Since 1993, the Mother & Child Education Foundation (AÇEV) has taken an active part in early childhood and adult education activities. AÇEV works closely with partners to educate children and their families. All of the foundation’s educational activities are intended to provide the basis for a healthy early childhood and hence a stronger society in the future. AÇEV is regarded as the first nongovernmental organisation (NGO) devoted to early childhood education in Turkey. It is part of a network of national and international collaborations and has a presence in 65 of Turkey’s 81 provinces as well as in twelve countries in Europe and the Middle East. AÇEV carried out research, develops scientific programmes, and, with its partners, implements these for the socio-economically disadvantaged. Its two main areas of expertise are early childhood education and adult education. It aims to abide by the principle of equality of opportunity in education; support children and those in their immediate environment; and ensure that learning is a continuous, lifelong process.

In 2001, 2004 and 2010, amendments were made to the Constitution of Turkey with the aim of ensuring the same rights for men and women. (39)

- Women must receive the same pay as men if they do the same work. It is not permitted to dismiss women from their posts because of their marital status, pregnancy, and childbirth or family commitments.

- Women workers and civil servants are entitled to 16 weeks of paid maternity leave in total. As of the end of maternal leave period, women civil servants are entitled to breastfeeding leave on the basis of three hours daily during the first six months and one and half hour daily during the second period of six months.

- The “Project on Strengthening Pre-School Education” run by the Ministry of National Education is aimed at forming and improving the quality day-care services and pre-school education services for the disadvantaged children and families by way of developing community-oriented models and partnerships.

- A Cooperation Protocol was signed between the Ministry of Family and Social Affairs, Ministry of Science, Industry and Technology on 10th of February 2012, which aims to improve entrepreneurship activities of women, the disabled, the relatives of martyrs and veterans and increase women’s employment. New strategies which will support female entrepreneurship have been defined within the scope of the protocol. Also, as a part of the reconciliation of work and family life, the protocol envisages opening crèches for women who work in the organized industrial zones.
• A protocol was signed between the Ministry of Family and Social Affairs and Ministry of Labor and Social Security on the 17th of February 2012. The protocol covers the following points, which will contribute to increasing women's participation in economic life and empowerment of women: reconciliation of work and family life and proliferation of crèches in this context, inclusion of gender equality and women rights subject in the training modules of labor training offered by the Turkish Employment Organization (İŞKUR) for the unemployed and carrying out activities for the improvement of life, and working conditions of women who work as a seasonal agricultural workers.

• Setting a model for childcare services to increase women's employment in collaboration with the Ministry of Family and Social Policies and the World Bank.

However, although there is some involvement of NGOs as part of good practice in Turkey and in spite of all the efforts of the government noted above, working hours remain long, and no parental leave or any other work/family reconciliation-related benefits such as flexible work are offered to employees. In addition, there is little childcare provision, particularly for after-school care.

So far, good practice in work and family reconciliation policies in four MENA countries has been presented. However, lack of adequate work and family balance strategies and family responsibilities remain the most important barriers to female employment. Women are more involved in unpaid work, and they engage in different types of activities from males. The tasks most typically performed in the household by males are construction and repairs, while women tend to have little involvement in these. Similarly, tasks that have traditionally been considered to be the domain of women, such as cooking and cleaning, are still carried out mainly by women. In the countries surveyed, 82 per cent of women, but only 44 per cent of men, prepare meals on an average day. Moreover, women spend on average of four times as much time as men on cooking.

In almost all OECD countries, with the exception of Sweden, gender inequality in the allocation of childcare time is generally greater in households with young children. However, there seems to be a more equal sharing of household tasks other than childcare (40). This suggests that the first thing required to support women in employment is an understanding of the significance of family to women's employment. Therefore, one solution is the equal division of family responsibility between partners, where women can consider employment outside the family home, as well as work regulations such as flexible working arrangements, for example, part-time work and job sharing. National work-family balance policies in MENA should consider both formal and informal care arrangements in providing more social facilities.

To face the challenges of the future, an integrated work and family balance policy for improving women's lives regarding work and family is required.

Policy recommendations

Policy recommendations derived from this study are listed below. They focus on organizations and involve planning and decision-making in the areas of national childcare and women's employment policy, and work-family balance strategies. This is a holistic approach, involving co-responsibility. Overall, society's expectation of women in most MENA countries is for them to fulfill three roles as a mother, wife and paid worker. Any new model of work and family reconciliation in the MENA would involve greater compatibility of these three components, i.e. citizen as carer/mother, citizen as wife and citizen as worker (41). Specific recommendations that would enhance these three dimensions include the following.

Recommendations for labour market policies

• The reduction of women's hours of work, and the availability of more flexi-time jobs. To ease women's entry into the labour market and in acknowledgement of the work family balance agenda, a desirable option would be with adequate social security provision to conciliate work and family responsibilities, particularly care. This would better align the
schedules of mothers, children and jobs, and also facilitate women to work at home or in a family-owned business.

- The redefinition of labour laws in such a way as to oblige employers to establish childcare in workplaces for both pre-school and school age children, encouraging part-time work to include the private sector, as well as introducing regulations for parental leave for jobs with different hours with adequate social security, will allow more women will be able to do paid work and jobs will be provided for childcare workers.

- The restructuring of cultural expectations in the following areas could be useful: employer attitudes to the recruitment of women; men's attitudes to women's work, paternal leave and to taking leave to help women with family responsibilities. A suitable site for such cultural restructuring could be in the educational system such as schools; mass media could also play a greater role in this regard.

**Recommendations for childcare policies**

- The availability of formal childcare services must be an urgent policy aim in MENA. It is recommended that governments should take into account the needs of all children in every age group—pre-school and school-age—as future citizens, for better planning of national childcare policies in MENA. Today, family support with childcare is less available in most developing countries than it was in the past, due to several factors, such as migration and urbanization; thus there is a greater need for services outside the family. Because of the lack of services for school-age children in most MENA countries, it is recommended that older children should also have access to educational and recreational activities after school hours, during weekends and school holidays to contribute to healthy childhood development and growth. The welfare needs of working mothers should also be taken into account in tackling ineffective and low productivity working practices.

- Childcare should meet an acceptable standard and quality of care and trustworthiness, as well as being offered at a reasonable cost. It is likely that they will only be used by mothers if these criteria are met. To meet these objectives, more help is needed from the government in the subsidising of childcare services so that as many people as possible will be able to use these services. If access to formal childcare services is limited to certain strata of the population, gender equality will be jeopardized and social inequality will emerge. The government should ensure availability of care services to all sectors, not only to its own organizations and enterprises. The state should therefore participate in providing this service. In fact, the state as a key institution is responsible for organising and delivering services. This includes monitoring childcare services, for example, by establishing a system of registered childminders. Children are actually an investment for the future; they need protection and provision.

- Partnerships with the private sector, schools, NGOs and communities should be developed for wider availability of childcare services while taking into consideration government budget constraints and fiscal problems.

**Recommendation for domestic roles**

- More institutional resources for supporting working mothers in domestic duties such as childcare and housework should be provided by employers and governments. In addition, governments should establish centres for easy access to services to help women with their family responsibilities at home and subsidising the fees of these centres for working mothers could be an ideal. Currently, domestic help such as house workers is only widely available in a few countries in MENA.
• Training workshops for men to become more aware of women's rights should be offered by governments, NGOs and workplaces. In this way, men could be encouraged to help women in domestic roles and adjustments could be made to the culture of organizations in regard to work flexibility regulations.

• Labour legislation should reflect Civil Law and Constitution Law. Labour legislation does not effectively promote women's rights as enshrined in MENA law such as the Civil Laws and the Constitution Laws. To facilitate the shift of the gender division of labour and encourage more men to become involved in caring and thus achieve better gender balance, social security should support men as well. It is recommended that the regulations for taking leave should be changed in such a way that leave can be taken by both parents, and other relatives who want to care for the child if the governments in MENA want to prioritise work and family balance.

All of these measures could improve the lives of mothers who have great potential for participation in the labour market and could contribute to the economic growth of society as well as responding to the particular features of MENA society that have been discussed in this paper.
Length of statutory maternity leave, by region, 1994 and 2009 (139 countries)

Appendix 1
Source: ILO Report 2012: 21

Cash benefits and leave duration, by region, 2009 (152 countries)

Note: Figures may not add up to 100 per cent because of rounding.


Appendix 2

Source: ILO Report 2012: 21
Bibliography