

# 10 Gender, segmented labour markets, continental welfare states and equal employment policies, the case of Spain<sup>1</sup>

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A first glance at the position of women in the Spanish labour market would lead us to conclude that a significant advancement has taken place at least in the last three or four decades. The Spanish female activity rate<sup>2</sup> has constantly increased, and it is now 35% (Eurostat, 1996b; 1995 data). The former pattern of most women leaving the labour market (if ever present there) when they got married or had the first child seems to have been reversed, since currently many young women remain in the labour force after marriage or the first delivery (CES, 1994b, p.11), as can be seen in Table 10.1. In comparative terms, part-time work is still less widespread in Spain, where it accounts for 17% of female employment, 3% of male employment, and 7% of total employment - the equivalent European Union (EU) average percentages are 31%, 3%, and 16% respectively (Eurostat, 1996b; 1995 data). This means that even if the percentage of women who belong to the active population is lower in Spain than in most EU member states, most Spanish women who work for wages have full-time jobs which provide them with a higher degree of economic independence than jobs in other EU member states, where part-time employment is much more prevalent. In all countries, women are overrepresented among workers who earn the lowest salaries. In Spain, low-earners are protected by a statutory national minimum wage, which is the same for all sectors and all jobs, and which might be improved by collective agreements (there is a reduced minimum wage for workers under 18 years) (OECD, 1994, p.148).

Nevertheless, the aforementioned advancement of women in the Spanish labour market is more modest than what a superficial observation would lead us to think. As explained in the first section of this paper, the first reason is that the labour market is not homogeneous but a segmented space made up of different sectors. Each sector is composed of a different type of worker and functions according to its own logic. Women are underrepresented in the sector in which workers enjoy better working conditions, and are overrepresented in the remaining sectors,

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The female activity rate is the proportion of active women (employed and registered unemployed) in the female population of working age (women aged 15 or over, for Eurostat statistics).

where working conditions are worse. As described in the second section, another reason is that in Spain the welfare state is heavily transfer-oriented (the main benefits are monetary transfers for some people who fail to earn an income in the market), and provides very few social services. Thus, people who have caring responsibilities (usually women) get hardly any assistance from the state to help them combine their professional and family responsibilities. The third section of this paper argues that the equal employment policies elaborated in Spain in the last two decades have had little impact in changing the subordinated position of women in the labour market because these policies have not challenged either the segmentation of the labour market or the aforementioned characteristics of the welfare state. The fourth section argues that for several reasons the labour market and the welfare state have provided a different set of opportunities and constraints for women of different cohorts. Secondary sources constitute the main data for this paper.

Table 10.1

Female Activity, employment and unemployment rates by sex and age, Spain, 1994

Age	Activity	Employment	Unemployment
16-19	20.9	8.7	58.1
20-24	55.6	30.3	45.5
25-29	73.6	47.8	35.0
30-34	64.6	45.1	30.2
35-39	61.7	46.1	25.3
40-44	55.1	42.5	22.8
45-49	45.5	37.2	18.3
50-54	35.2	29.1	17.4
55-59	26.0	22.1	14.9
60-64	15.2	13.9	8.7
65-69	3.0	3.0	3.3
70-	0.5	0.5	0
Total	36.9	26.0	29.5

Source: Calculated by the author from INE [Instituto Nacional de Estadística] 1996. Encuesta de Población Activa: Resultados detallados, segundo trimestre 1996. Madrid: INE, pp. 44, 152, 334.

Female activity rate: proportion of active women in each age group.

Female employment rate: proportion of employed women in each age group.

Female unemployment rate: proportion of unemployed women among the active women of each age group.

### I. Segmented labour markets

As in the majority of countries, most individuals in Spain achieve economic independence by working and earning wages, due to the absence of a universal system of income support (O'Connor, 1993).

Labour market segmentation (LMS) theories developed in opposition to the neo-classical model of the labour market (a unitary market governed by salary fluctuations, in which salaries are fixed at the intersection of the demand and supply of labour). LMS analysts empirically observed the existence of different labour compartments (or segments), which are characterised by different rules of entry, working conditions, salary levels, degree of stability in employment, and promotion and training opportunities. Within each segment workers compete for jobs, salaries and working conditions. There are barriers against the mobility of workers across compartments. LMS theories explain the existence of different compartments in the labour market beyond the existence of imperfections in the functioning of the market (caused, for instance, by the intervention of the state), which is the explanation provided by neo-classical analysts. LMS theorists argue that the existence of different labour markets is the result of a number of different factors, among them, the strategies of employers (or firms); the role played by the state as employer; state regulation of the labour market; workers' collective actions; or the functioning of other institutions (e.g. the family, in which different people develop different attitudes and roles, which will be later reflected in their market behaviour) (Dex, 1991 [1985], pp.151-163; Doeringer and Piore, 1971; Piore, 1971; Wilkinson, 1981).

From a gender point of view, the labour market is divided up differently in different countries. First, analysts have identified a fundamental division between part-time and full-time workers in some countries, for instance, Great Britain. In comparison with full-time jobs, the majority of part-time jobs are characterised by lower pay, lower training and lower career prospects, and have fewer welfare state benefits attached. Part-time jobs also tend to exist in a smaller range of occupations, and are overwhelmingly performed by women (Lewis, 1992; O'Connor, 1993; Ruggie, 1984).

There is another type of differentiation in the labour market (from the gender point of view) in some countries, for instance in Scandinavia. Proportionately more jobs in the public sector are today performed by women, while many more jobs in the private sector are performed by men. Many state jobs are in the area of public social services. In these times of welfare state retrenchment it is reasonable to suspect that losses in 'female' jobs are going to occur (Langan and Ostner, 1991, p.135).

In Spain, the crucial divisions in the labour market are neither between parttime and full-time jobs, nor between the public or the private sectors. Pérez-Díaz and Rodríguez (1994) convincingly argued that the Spanish labour market consists of four different spaces: space 1 (permanent workers); space 2 (temporary workers); space 3 (workers in the informal economy); and space 4 (people who do not perform paid work). These four spaces are populated differently by men and women. It is to the description of these four spaces that we now turn.

Space 1, which is also called the 'core', consisted in the mid-1990s of almost 6 million workers with indefinite-duration jobs, that is, somewhat less than two thirds of the workers of the formal economy (but a minimal proportion of new hiring). Some (slight) gender differences existed with regard to permanent employment. Permanent employment accounted for 67% of male employment and 62% of female employment (Eurostat, 1996b; 1995 data). Core workers are protected by high severance payments, and generally speaking receive higher salaries than other workers. Permanent contracts were strongly promoted under the former right-wing authoritarian political regime (1936-1975), when most family needs were thought to be satisfied by the salary attached to the indefinite-duration job of the male breadwinner rather than by social policy, and when free mobility of labour was conceptualised as an inherent source of social disturbance, which policy-makers attempted to make disappear. In fact, until the mid-1980s, and with the exception of some seasonal activities such as tourism or agriculture, permanent employment was mandatory (Dolado and Jimeno, 1996, p.6; Pérez-Díaz and Rodríguez, 1994).<sup>3</sup>

Space 2 is composed of about 3 million workers with fixed-duration contracts, that is, more than one third of the workers in the formal economy. In Spain, the percentage of temporary wage-earners out of the total of wage-earners (35%) is not only by far the highest in the EU, but it is more than double the second highest (16% for Finland) and the EU average (14%). There are also some slight gender differences in this regard, since temporary employment accounts for 33% of male employment and for 38% of female employment (Eurostat, 1996b; 1995 data).

It is politically very difficult to reduce the high severance payments and the higher salaries associated with indefinite duration contracts, because permanent workers are the majority of workers, the majority of trade union members, and a significant number of voters in political and union elections. Therefore, the different governments in post-authoritarian Spain have only attempted very timid reforms of the regulation of indefinite duration jobs, but in 1984 permitted fixed-term contracts for all types of activities, whether temporary or not (with much lower employer contributions to the social security system than for indefinite-duration contracts). The number of fixed-term contracts have sharply raised since 1984, and the vast majority of the people employed since then, many of whom are the young, have signed temporary contracts. In the second quarter of 1996, fixed-

Permanent contracts were also widespread after World War II in the decades of economic growth and (male) full employment in many Western countries governed by democratic regimes.

The relaxation of the rules protecting jobs for the new workers, 'while leaving intact the job protection of existing job holders' was a labour policy that was established in many European countries in the 1980s, although the relaxation took different forms (e.g. the absence of labour law in relation to many of the new contracts such as in the UK, or allowing temporary contracts such as in Spain) (Cousins, 1994, pp.55-56).

term employment accounted for 86% of the total employment of people aged 16-19 years, for 73% of people aged 20-24, and for 51% of people aged 25-29.5

In general, temporary workers earn lower salaries than permanent workers due, among other things, to the lack of seniority and discrimination, and receive less training. Fixed-term contracts are more common in some sectors of the economy (agriculture and construction) than in others (manufacturing). Nevertheless, it should be stressed that very often permanent and temporary workers work for the same firms or state departments and even perform the same tasks (Bentolila and Dolado, 1993; 1994; Bentolila, Segura and Toharia, 1991; Dolado and Bentolila, 1992; Jimeno, 1993).

There is a high turn-over of workers with temporary contracts for three reasons. First, temporary contracts have low or no firing costs. Second, a person can be hired on a temporary basis up to a certain number of years. Afterwards, the firm either has to hire the person on a permanent basis or dismiss him/her (and hire another temporary worker after a mandatory waiting period). This latter option is the most usual, since the conversion rate of temporary into permanent contracts is very low (about 10-15%). Third, the fact that temporary workers are, in some cases, protected by unemployment benefits after their dismissal makes it easier for employers to dismiss them, and for temporary workers to accept the dismissal. Therefore, being temporarily employed in the formal economy and unemployed for some intermittent periods has become a 'permanent' condition for many young workers, who might also participate in the underground economy (Bentolila and Dolado, 1993, pp.117-119; Dolado and Bentolila, 1992, p.15).6

Space 3 is the informal economy. In the mid-1980s between 1.5 and 2.5 million people worked in this sector (Pérez-Díaz and Rodríguez, 1994, p.31). It is worth mentioning that informal workers are not only those officially unemployed but also some of those permanently or temporarily employed in the formal economy, who moonlight (Bentolila and Blanchard, 1990, p.239). Women are a significant proportion of informal workers. It has been calculated that, in the mid-1980s, roughly the same number of men and women were employed in the informal economy, while about 75% of the formal jobs were performed by men. Informal jobs are more prevalent among very young women, among married women, and among the least educated women (Ruesga, 1991).

Space 4 comprises, among others, the registered unemployed, whose number has oscillated between 2 and 3.5 million people since the 1980s (Pérez-Díaz and

The proportion of temporary employment is considerably smaller for the remaining age groups. Fixed-term employment accounts for 28% of total employment of people aged 30-39, for 19% of people aged 40-49, for 15% of people aged 50-59, and for 11 of people aged 60 or over — calculated by the author from data contained in INE (1996:237-238).

As this is being written (March 1997), employers and trade unionists are negotiating a reform of the labour market in order to modify the regulation of permanent and temporary contracts. The negotiations have not been concluded, so I will leave the discussion of this for another paper.

Rodríguez, 1994, p.32). The Spanish unemployment rate (23%) is the highest in the EU, and is more than double the EU average (11%) (Eurostat, 1996b; 1995 data). Two experts on the labour market have this to say about the Spanish unemployment rate:

An initial reaction to these figures is to take them with disbelief on the grounds of the existence of a large black economy which acts as a 'shock absorber'. Nonetheless, the official unemployment rate is approximately correct: taking account of the underground economy and correcting for some technical problems in the elaboration of the Spanish Labour Force Survey will reduce this rate by 3 points at most.

(Dolado and Jimeno, 1996, p.2)

Gender differences are considerable here, since the female unemployment rate (registered unemployed women as a percentage of the female active population) is 30%, while the male unemployment rate (registered unemployed men as a percentage of the male active population) is 18%. The Spanish female unemployment rate (30%) is not only the highest in the EU, but it is almost twice as high as the second highest (16% for Italy and Finland), and is more than double the EU average (12%). Moreover, Spanish women are overrepresented among those suffering what has been termed 'the worst types of unemployment': those unemployed for long periods, and those who are first-time job seekers (Cousins, 1994, p.55). 60% of unemployed women (and 49% of unemployed men) have been unemployed for twelve months or more. 27% of unemployed women (and 17% of unemployed men) are first-time job seekers (Eurostat, 1996b; 1995 data). In fact, many women enter the labour market not by starting a job but by registering as unemployed in the employment office.

In Spain, some of the registered unemployed receive unemployment benefits because they have previously worked and made the required contributions to the social security system. In 1995 approximately over 60% of non-agricultural unemployed workers received unemployment benefits (Dolado and Jimeno, 1996, p.5). Women are economically less protected than men by the state in case of unemployment. For instance, in 1995 unemployed women received contributory unemployment benefits over a shorter period than unemployed men (15.3 and 17.2 months respectively – MTAS, 1996, p.794). Unemployed women receive, on average, lower contributory benefits than men (2,569 and 3,155 pesetas respectively, gross average amount per day – MTAS, 1996, p.795; 1995 data).

Generally speaking, in collective bargaining, the main unions have defended the interests of core workers, that is, the preservation of their stability in employment and higher wages. Although the trade union membership as a percentage of wage earners is in Spain among the lowest in the EU (11% in 1990) (OECD, 1994, p.184), the laws which regulate work council elections and collective bargaining

The unemployment rate is the proportion of registered unemployment in the active population (the employed and the registered unemployed).

place a lot of importance on main unions, and the coverage of collective bargaining is high, about 70% in the mid-1990s (Dolado and Jimeno, 1996, p.6). Collective bargaining is often studied in Western Europe as a process that is dominated by 'insiders', who are last period employees, protected by high dismissal costs and with the specific skills necessary for the functioning of firms. Insiders defend their interests and disregard the interests of 'outsiders' (the unemployed who want to be hired). In Spain not all last period employees are insiders but only those with indefinite-duration jobs. Due to the average short duration of fixed termed contracts<sup>8</sup> and to the fact that temporary workers are less unionised than core workers, it is very unlikely that temporary workers participate in the committees which take part in collective bargaining. If the firm or the sector is in trouble, temporary workers could always be paid less, forced to work longer hours, and/or easily dismissed (Bentolila and Dolado, 1993, 1994; Dolado and Bentolila, 1992; Dolado and Jimeno, 1996, pp.6-7).9

## II. Continental welfare state in Spain

According to Esping-Andersen's typology of welfare states in industrial capitalist countries, <sup>10</sup> that of Spain (and Italy, France and West Germany, among others) is of a continental type. In continental welfare states, social rights are linked to occupational categories and status (for instance, there are different insurance schemes for different types of workers). They (and their dependants) are the beneficiaries of the main social programmes. The redistributive effects of social policy are minimal. One result of this social policy is a certain degree of decommodification, that is, 'the degree to which individuals, or families, can uphold a socially acceptable standard of living independently of market participation' (Esping-Andersen, 1990, p.37. Provision of welfare benefits is mainly public. The welfare state aims at reinforcing the traditionally crucial role of the family as welfare provider. Thus, the

The average length of new temporary contract is very short: 3 months and 9 days (Missé, 1997, p.64).

There are signs of a limited change in the actions of trade unionists in collective bargaining. For instance, newspapers report that, due to the high rates of unemployment and temporary employment, trade unionists at the level of the firm are becoming more willing to accept salary moderation or other employer demands in exchange for the employers' commitment to job creation and the transformation of temporary into permanent contracts (see, for instance, El País 24 February 1977, p.65, for an example of this kind of agreement in the automobile industry).

On the other hand, it has been argued that, in general, Spanish trade unionists have defended the interests of the unemployed and the temporarily employed when they participate not in collective bargaining, but in policy-making, for instance, pressurising the government to increase the level and coverage of unemployment benefits.

Esping-Andersen (1990, pp.3-4) analysed the variation across welfare states along three dimensions: the type of social rights; the type of stratification that the welfare state produces; and the interrelation of the state, the market and the family in the provision of welfare.

state tends to intervene only when the capacity of the family to act as social provider is exhausted (Esping-Andersen, 1990, pp.27-28, 48).<sup>11</sup>

In Spain, as in any other continental welfare state, participation in the labour market is the main route of access to welfare state benefits, since, generally speaking, most of these have been historically given to workers (and their dependants) who have made the required contributions to the system (Guillén, 1992, p.12; 1996). The two main exceptions to this general rule are health care and compulsory education (for people who are 6-16 years old), which are programmes of universal coverage.

Historically, adult women have had access to all types of welfare state, not only via labour market participation but also via marriage, or more broadly speaking via family ties (Lewis, 1992, p.161; Orloff, 1993, p.308). Nevertheless, it is important to note that in former times marriage provided access to very few benefits in Spain (mainly to health care and survivors' benefits). Similarly, nowadays widow(er)'s pensions are the only important benefit to which women (and men) are entitled via marriage. Moreover, in all types of welfare states benefits acquired via marriage are less generous than benefits acquired via labour market participation (Orloff, 1993, p.315). 12

In all societies, women are those who overwhelmingly provide care for people who, for any reason, need the care of others, such as the frail elderly, the disabled, the ill or small children (Orloff, 1993, p.313). This provision of care is, in some cases, conflictual or even incompatible with the requirements of the performance of paid work. Of course, it cannot be argued that women have a subordinate position in the Spanish labour market just because a significant number of them perform (unpaid) care work for others. In fact, some women do not provide care for other people at all, while others do so for limited periods of their lives. The reasons which account for the different positions of men and women in the labour market are multiple. Nevertheless, other things being equal, a welfare state which

Two other types of welfare states exist in the classification made by Esping-Andersen (1990:, pp.7-28): the social democratic and the liberal welfare states. In the social democratic welfare state, which exists in Scandinavia, universal benefits are numerous. De-commodification is high. Social programs are directed to all social classes. The purpose of social policy is to attain equality. The state provides generous care services for children, the elderly and other people in need of care.

In the liberal welfare state, which exists in the United States, Canada and Australia among others, 'means-tested assistance, modest universal transfers, or modest social-insurance plans predominate. Benefits cater mainly to a clientele of low-income, usually working-class, state dependants'. De-commodification is very low. The state encourages market provision of welfare.

For example, in Spain on November 1, 1996, the average widow(er)'s pension (acquired via marriage) was 47,900 pesetas (2,521 Swedish crowns), while the average contributory old age pension (acquired via labour market participation) was 78,400 pesetas (4,126 Swedish crowns) (MTAS, 1997:490). All numerical data in this paper are given in monetary terms, in Spanish pesetas and in Swedish crowns (converted at the March 1997 rate of 1 Swedish crown=19 pesetas).

For a description of the requirements to receive the aforementioned pensions, see also notes 19 and 20.

provides numerous social services facilitates female labour force participation more than a welfare state which does not provide these services, because the former saves women from providing care for others (on an unpaid basis).

The Spanish welfare state, as any other of continental type, only facilitates the participation of women in the labour force to a limited extent, because the welfare state is heavily transfer-oriented and offers very few social services. <sup>13</sup> In the early 1990s, approximately one tenth of the welfare in continental welfare states was dedicated to social services (health care excluded), while the figure was one third in the social democratic welfare states (Esping-Andersen, 1995, p.2). <sup>14</sup> Let me illustrate this point with the example of the policies for two groups of the population in need of care: children under six, when mandatory school starts; and the elderly. This makes my analysis different from most feminist researchers (O'Connor, 1993; Orloff, 1993; Ruggie, 1984) who only focus attention on the policies related to the care of children. This narrower focus is inappropriate for studying Southern Europe (and probably every other country as well), where families (that is, mainly women) are generally in charge of the care not only of small children, but also of any adult who, for whatever reason (e.g. illness or disability), needs the care of other people.

### II.a Public policies for children under six

My next point is that parents receive modest aid from the state for children under six: 15 paid maternity leave and non-paid parental leave as a substitute rather than as a complement to child care; hardly any child care services for children aged two or under; means-tested child allowances; and low tax exceptions for dependent children and for child care. The main exception to this general rule is the relatively generous supply of pre-school services for four- and five-year-old children, services which are conceptualised by policy-makers not as gender equality programmes (with the aim of promoting the participation of mothers in the labour market) but as educational programmes for the benefit of minors (especially of those who come from less privileged families) (Valiente, 1995).

As for paid-maternity leave, working mothers who have been previously employed and have contributed to the social security system for at least 180 days within the five years previous to child birth are entitled to 16 uninterrupted weeks of paid leave. The number of years contributed and the level of contribution (which is proportional to the salary) are used to calculate the so-called regulatory

For an analysis of the Spanish welfare state with the analytical focus on gender, see Cousins (1995) and Guillén (forthcoming).

<sup>14</sup> If health care is excluded, social services include, among other things, 'day care and youth services, care of the aged and disabled, home help services, and the like, but also employment-related services such as rehabilitation schemes and employment exchanges' (Esping-Andersen, 1995, p.2).

This has also been the conclusion of comparative research on support for children. See, for instance, Bradshaw et al. (1993).

base (base reguladora). The amount received during parental leave is 100% of the regulatory base. The right to return to one's job is guaranteed. Since 1989, if both parents perform paid work, the father may take up to four of the final weeks leave (in this case the mother must return to work). There is also provision for up to three years of non-paid parental leave for working mothers or fathers. The right to return to one's job is only guaranteed during the first year. The right to a job in the same professional category is guaranteed during the second and third years. The period of leave is counted as effectively worked in terms of seniority (Guillén, forthcoming). The fact that, after this leave working women receive hardly any help from the state to combine family and work responsibilities has led some observers to conclude that in continental welfare states maternity and parental leaves are a substitute and not a complement to child care (O'Connor, 1993).

The main policies for children under six are educational preschool programmes for children aged four or over. In the academic year 1992-1993 the percentage of children who attended public preschool programmes was: 67.7 for five-year-old children; and 66.1 for four-year-old children. The extent of such programmes is quite high in comparative terms. In contrast, the percentage of children aged three or under cared for in public centres was very low: 0.3 for those under one year old; 1.3 for one-year-old children; and 3.0 for two-year-old children; and 24.3 for three-year-old children, as can be seen in Table 10.2. The table also shows that children younger than three are not taken care of in private centres either.

Foreign observers are often impressed by the extent of pre-school programmes for four- and five-year-old children, and emphasise that, in this regard, Spain is ahead of other countries, like the United Kingdom (see, for instance, Cousins, 1994, p.51). Nevertheless, it should be stressed that pre-school programmes are educational programmes that have been established with the purpose of attaining equality among children from different social classes. These are not at all gender equality programmes established to provide child care for working mothers (or parents). Pre-school programmes cannot then be used by parents as perfect substitutes for child care, since pre-school hours are shorter than working hours (and sometimes much shorter and interrupted by a break). It should be remembered that in Spain most women who work for wages do so on a full-time basis.

It is important to note that private child care or preschool centres are *de facto* hardly regulated by the state. Moreover, paid care provided in private premises (in the child's or the childminder's home) is not regulated by the state at all. The Spanish non-regulation of private centres and private care in homes contrasts with the efforts made by most Western governments to control such sectors, although it is known that the implementation of these regulations is always uneven and in part unsuccessful, especially as regards care provided in homes (Valiente, 1995).

The number of fathers who take the last weeks of maternity leave is insignificant. The Spanish Labour Force Survey (*Encuesta de Población Activa*) provides data desegregated by sex of wage-earners who are not working during the week when the survey questionnaire is administered. In the second quarter of 1996, 99% of wage-earners who were not working due to maternity leave were women, and the remaining 1% were men (INE, 1996: 205).

Table 10.2

Percentage of children under 6 who attend centres, by age of child, and type of centre, Spain, academic year 1992-1993

Age	Total	Public centres	Private centres	
less than 1	0.6	0.3	0.3	
1 year	2.8	1.3	1.5	
2 years	8.7	3.0	5.7	
3 years	46.0	24.3	21.7	
4 years	97.1	66.1	31.0	
5 years	100	67.7	33.1	

Source: Calculated by the author from data contained in INE (1994, p.27; 1995, p.5) and MEC (1995, p.91).

In Spain child allowances (except for handicapped children) are means-tested, the income threshold established in the means test is low (slightly above the national minimum wage) and their level is relatively modest in comparative terms (Guillén, forthcoming). This means that child allowances are not at all an important monetary transfer, which might be used to pay for child care. The same could be said with regard to tax exemptions for dependent children and for child care expenses, whose amount is also relatively low. 18

To summarise, after the 16 weeks of paid maternity leave (for those who work for wages and have made the required contributions to the social security system), working women receive very little help from the state to combine work and family responsibilities: unpaid parental leave; pre-school services for children

<sup>17</sup> Child allowances (prestaciones familiares por hijo a cargo) amounted to 36,000 pesetas (1,895 Swedish crowns) per year in 1995 per dependent child younger than 18 years. These allowances were given to family units whose yearly income was lower than 1,080,540 pesetas (56,870 Swedish crowns). This income threshold increased 15 per cent for each dependent child since the second.

Child allowances for handicapped children are not means-tested and their yearly level is higher.

Those who pay the personal income tax (Impuesto sobre la Renta de las Personas Flsicas, IRPF) can benefit from tax exemptions for each dependent child. A child is defined as a person up to the age of 30 who lives with his/her parents and whose income does not reach a certain level. In 1997, this tax relief amounts to 21,100 (1,110 Swedish crowns) for each of the first two children, 26,700 (1,405 Swedish crowns) for the third child, and 31,000 (1,674 Swedish crowns) for the fourth child and the following.

In 1997, IRPF tax payers may be the beneficiaries of tax exemptions for 15 per cent of the amount of child care expenses (of the under-threes) up to a maximum of 25,000 pesetas (1,316 Swedish crowns). The yearly income of the tax payer should be lower than 2,000,000 pesetas (105,263 Swedish crowns) or 3,000,000 pesetas (157,895 Swedish crowns) if both parents pay IRPF taxes jointly. Both parents have to work for wages. In the fiscal year 1993, 106,299 IRPF tax payers were the beneficiaries of this tax exemption. The average tax exemption was 11,835 pesetas (623 Swedish crowns) (MEH, 1995:108).

aged three or over (pre-school hours are usually shorter than working hours); means-tested child allowances; and modest tax relief (for dependent children and child care expenses).

### II.b Public policies for the aged

Because the Spanish welfare state is so heavily transfer-oriented, it is important to study the income that the aged receive from state transfers. Since the retirement age in Spain is 65, in this paper the elderly are defined as those who are 65 years old or older. In Spain, most of the aged derive their main income from state pensions. Most analysts agree that, generally speaking, the economic situation of the elderly is very varied, but has improved significantly for many of them in the last two decades. If old people have been previously employed and have made the required contributions, they are entitled to contributory retirement pensions. 19 Contributory retirement benefits are very generous, if benefit levels are not measured in absolute terms but as a percentage of net earnings. Nevertheless, what is usually less emphasised is that, in many cases (but with important exceptions), if the elderly person is in need of care, these contributory retirement pensions are not high enough to purchase all the caring services needed at the market-rate, and that their beneficiaries are partly (or totally) dependent on the care of (usually female) relatives (Esping-Andersen, 1995). The same is, of course, true for the other main source of income of the aged in Spain, contributory widow(er)'s pensions, 20 and also for the two types of means-tested retirement benefits which exist for some of the people outside the contributory system: non-contributory and assistential benefits. Moreover, in some of these means-tested programmes the means test (imposed not on the applicant but on the family unit) is much less strict when the old person lives with their children or parents than when s/he lives alone.<sup>21</sup> In other words,

In order to receive a contributory retirement pension, a person has to have contributed at least 15 years (at least two of these have to have been included within the eight years previous to the retirement). See note 12 for the average contributory retirement pension.

In order to receive a widow(er)'s pension, a person has to have been married to an employed person who had contributed for at least 500 days within the five years previous to death. The amount of the pension is 45 per cent of the regulatory base, that is, almost half of the contributory retirement pension. See note 12 for the average widow(er)'s pension.

In order to receive a non-contributory old age pension the yearly income of the claimant must be below a certain level. This is the total amount of the pension for claimants living alone. If the claimant lives with other people (whether relatives or not), the incomes of all of them are counted. All these incomes must again be below a certain level: the sum of the amount of the pension plus 70% of the pension multiplied by the number of people who live with the claimant minus one. Nevertheless, there is an exception to the general rule: when the old person lives with their children or parents. In this case all aforementioned limits are raised 2.5 times. In 1996, the monthly amount of a non-contributory old age pension was 35,580 pesetas (1,873 Swedish crowns.

the state sometimes provides clear incentives for old people to live with their relatives.

The system of contributory retirement and means-tested old age benefits is not universal in Spain. People who have made the required contributions receive contributory benefits, and people who have not made the required contribution but live in family units whose level of income is low according to the means test receive means-tested benefits. Thus, people without the required contributions but whose family unit has a level of income higher than the income threshold established in the means test do not receive any benefit. Gender differences are conspicuous in this regard since this last group of people consists mainly of old women who have been housewives during most of their adult lives and whose family unit has an income level higher than that established in the means test, probably because such family unit is composed by one or more wage earners or recipients of welfare benefits (Durán, 1995, pp.467-468). In 1994, 97% of men and 66% of women (both older than 65 years and who did not perform paid work) received a state pension. Less than half of these women received a pension based on their own contributions while the rest received widow's pensions. 1.2 million of women aged 65 or over did not receive any state pension (CES, 1995, pp.414).

Although theoretically the elderly might live in centres, where they receive the care needed, in practice most of the elderly live in their homes or in the homes of their relatives but not in centres. In 1994, approximately 2.8% of the elderly were cared for in public or private old people's homes (CES, 1995, pp.445-446).

The most common type of family in Spain is the nuclear family. It is formed by a couple who live with one or more children. The extended family, where other relatives live with one or two parents and dependent children, is clearly less common.<sup>22</sup> In fact, the elderly living with their adult children is not the option preferred by either party. The former prefer to live in their own homes as long as possible (CES, 1995, pp.447-448); De Miguel, 1994, pp.802-803). This option is facilitated by the fact that a large number of elderly people own their homes in Spain. In 1993, 69% of the elderly lived in dwellings which they owned (INSERSO, 1995a, p.39), although many of the places where old people live are not adequately equip-

Assistential pensions for people aged 66 or over existed from the 1960s but were abolished in 1992, except for those already receiving the benefit. The amount is fixed yearly and is the same for all people who receive it. Afterwards, many of these people have applied for non-contributory old age pensions, because the amount of the latter is higher.

The state rewards relatives who live with the elderly by granting these relatives personal income tax relief. IRPF tax payers can benefit from tax relief if they live with one or more parents, grandparents, and so on, whose income is lower than the minimum wage. In 1997 the amount of the exemption was: 16,500 pesetas (868 Swedish crowns) if the relative is 65-75 years old; 32,900 (1,731 Swedish crowns) if the relative is aged 75 or over. In the fiscal year 1993, 446,817 IRPF tax payers were the beneficiaries of the first tax exemption (for living with a relative aged 65-75 years) and 441,991 of the second tax exemption (for living with a relative aged 75 or over (MEH, 1995: 108).

ped to meet their needs.<sup>23</sup> Nevertheless, it is important to understand that, in general, members of Spanish families do not need to live together in order to feel that they belong to a moral community whose members should share economic resources and provide care when required (CES, 1995, p.286; Pérez-Díaz and Rodríguez, 1994, p.35).

When the elderly are in need of care or of any other type of help, they are helped by relatives in the majority of cases. For instance, when an old person is ill, she or he is taken care for by relatives in 90% of the cases (Rodríguez, 1994, p.56). These relatives are usually (although no exclusively) women, mainly spouses or daughters and, to a lesser extent, daughters-in-law and other female relatives (INSERSO, 1995b). The majority of the elderly who declare that they need help are helped by others. In 1993, the opposite was the case to less than 4% of old people who declared that they needed help but did not receive it (INSERSO, 1995a, p.63).

The preceding paragraphs should not lead the reader to the conclusion that the elderly in Spain are simply dependent people. Help and care are provided reciprocally by the elderly and their relatives. For instance, in 1993, 35% of the elderly with children confirmed that they helped them with domestic work or in caring for their grand-children (INSERSO, 1995a, p.79).

When the elderly need the help of others, they (and their relatives) get very little help from the state. Social services provided by the authorities for the elderly are very scarce in Spain in comparison with other countries. Personal social services appeared above all in the late 1980s, in contrast with other EU member states where they have been developed since the 1960s and 1970s. The main social services for the elderly are home helps, day care centres, holiday programmes, stays in places with thermal baths and subsidies to non-profit non-governmental organisations working with the elderly, and to the elderly associations (CES, 1994a). To exemplify the lack of social services in Spain, it may be mentioned that the number of beneficiaries of the main social service, home helps, was 25,214 old people in 1993 (CES, 1994a, p.242).<sup>24</sup>

To summarise, public provision of social services is very scarce in the Spanish welfare state. This circumstance hinders the participation of some women in the labour market in equal terms with men, since women perform most (unpaid) care work. There is still another dimension in which continental welfare states have not enhanced women's capacity to gain economic independence via labour market participation. The importance of the state as an employer of women has already been stressed (Meyer, 1994). Because the continental welfare state provides very few social services, it employs less women than if the welfare state were less transfer-oriented and provided more services. The reason is that care is in

In 1993, 66% of the dwellings where the elderly lived had no heating, 18% had no telephone, and 7% had no hot water (INSERSO, 1995a, p.41).

This number refers to beneficiaries in the territories administered at that time by the central state in this policy area, that is, all regions except Andalusia, the Basque country, the Canary Islands, Catalonia, Galicia, Navarre and Valencia (Spain is composed of 17 regions).

all countries mainly provided by women, whether on an unpaid basis or in exchange for wages (if the wages are paid by the state, this provision of care is called 'social services'). In Spain, 29% of female wage-earners and 21% of male wage-earners were employed by the state (calculated by the author from data contained in INE, 1996, p.223, p.225; second quarter of 1996 data). It has been argued that the comparatively better situation of women in Scandinavia has been achieved in part through an 'alliance' between women and the welfare state (if I am allowed to use this personalising metaphor). Social policy has not only diminished women's responsibility for providing unpaid care work in the family sphere, but has also employed women in the sector of public provision of services (Langan and Ostner, 1991, p.135).

### III. Equal employment policies

As has been observed, Spanish women face obstacles if they attempt to gain economic independence by performing paid work. The labour market is segmented and women are overrepresented in the worst segments, that is, those who are unemployed, employed in the underground economy or temporarily employed in the formal sector of the economy. The welfare state provides few social services which help women to combine family and work responsibilities. These obstacles still exist in spite of the development of equal employment policies (EEP)<sup>25</sup> at the central state level during the last twenty years. As we shall see, the main EEP in relation to gender have been the revision of discriminatory legislation, the extension of paid maternity leave and non-paid parental leaves (see the preceding section for a description of these leaves), and the promotion of research on labour matters with an analytical focus on gender. In this section I argue that the impact of EEP has been limited, because EEP have not tackled either the segmented structure of the labour market or the continental characteristics of the Spanish welfare state.

With respect to the revision of discriminatory legislation inherited from former times, the 1978 Constitution included the prohibition of gender discrimination before the law (art.14), in the labour market (art.35.1) and in the civil service (art.35.1). Former legislation has been revised, in order to abolish its discriminatory aspects. In practice, this process of revision meant that women were allowed to perform some types of work which were prohibited to them in the past, such as night work, or to perform various jobs also previously closed to them, for instance, in the police, in the army, or the mining sector (Valiente, 1994, pp.301-311).

According to Mazur (1992, p.54), 'equal employment policy means any policy (legislation, decree, program, etc.) which targets direct or indirect discrimination based on gender, race, religion or age in hiring, firing, professional training and promotion'. In this paper I concentrate on the study of EEP in relation to gender at the central state level (and not at the regional or local level), because the right to legislate in labour matters belongs to the central state (MTSS, 1995, p.32).

Nowadays the principle of equality of all citizens before the law informs general legislation. The discriminatory clauses that exist are contained in collective agreements negotiated between representatives of employers and workers. Wage discrimination is one of the most common forms of gender discrimination. It occurs with the creation of labour categories that include only or mainly women. These female workers are paid less than workers included in mixed, or male categories. Many job offers are also discriminatory, because they are directed to only one sex. This is common, as can be seen from the job offer pages of newspapers (De la Fuente and Crespán, 1995; Sáez, 1994, p.139).

The revision of discriminatory legislation and the subsequent approval of gender-neutral new legislation has been an important reform. Legislators have sent a clear message to society that overt gender discrimination is no longer tolerated (at least in general legislation). Women may now use the law to fight for or defend a better position in the labour market. Nevertheless, the importance of the reform cannot be overstated, since very few women have initiated a legal process in matters of gender discrimination (De la Fuente and Crespán, 1995, p.1; Sáez, 1994, p.29).

Another significant EEP has been the promotion of research on issues related to women and the labour market by the main state feminist institution at the central state level, the Institute of the Woman (Instituto de la Mujer, IM). <sup>26</sup> One objective put forward in the founding documents of the Institute was to study all aspects of women's situation in Spain. This is an important task, because when the IM was founded in 1983, little research of this type existed, particularly compared with the level of research on the status of women in other advanced industrialised democracies. The IM has published books, given grants to researchers, established awards and prizes for the best books and articles, commissioned pieces of research, and established a documentation centre in Madrid.

The aforementioned EEP have led a very small number women to fight in court for equal treatment in the work place, have provided an important number of working women with a paid-maternity leave (but have not helped them to combine professional and caring responsibilities after the end of this leave), and have contributed to increase the knowledge about gender issues in the labour market. Nevertheless, EEP have not tackled the segmentation of the labour market in the four spaces differently populated by women and men, nor have they modified (even slightly) the continental characteristics of the welfare state. As a result, EEP have been of limited help in demolishing the obstacles that women face for the achievement of equal status in the labour market.

Since the 1960s, institutions with the concrete purpose of promoting gender equality have been set up, developed (and sometimes even dismantled) in most industrial countries. In social science literature such institutions have been called 'state feminist' institutions, bureaucracies or machineries. The people who work in them are described as 'femocrats' or 'state feminists' (Stetson and Mazur, 1995).

# IV. Stratification among women

The labour market and the welfare state foster stratification along class lines (Esping-Andersen, 1990; 1995) but also along gender lines (Langan and Ostner, 1991; Lewis, 1992; Orloff, 1993; Sainsbury, 1994). In this section I argue that the labour market and the welfare state might also produce stratification within sexes, as is the case of different age groups of women in Spain. As I shall explain, a very different set of professional opportunities and constraints has been given to women under or over approximately 45. Although very different situations within both age groups can be found, it is possible to generalise about the differences between the two. Generally speaking, women over 45 came of age empowered with less education than men of their cohorts and social class. Women over 45 came of age at a time when housewifery was the prevalent option for women. As a result, most of them abandoned the labour market (if ever present there) and never returned. Women under 45 are empowered with the same education as men of their cohorts and social class, and many attempt to participate in the labour market at a time when housewifery is a socially discredited option.

With regards to women over 45, the majority of them do not participate in the labour market, as can be seen in Table 10.1. It was often the case that these women had not attained the same educational level as men of their generation and social class (as is shown in Table 10.3), since they grew up in a period when more importance was attached by families and the state to the education of men than to that of women. Women over 45 came of age during the authoritarian regime, when housewifery was the option for married women encouraged by public policies and by the official discourse and propaganda. Moreover, housewifery was broadly seen as the most socially accepted choice. Therefore, while it was not that uncommon for single young women to work for wages, most women left the labour market after marriage (if they were ever present there). Since then, they have been almost entirely in charge of domestic tasks, and have also cared for any relative in need of care.27

What makes these women over 45 different from other women of that age in other countries is that most of them left the labour market forever and not only for a limited period of time. Housewifery was seen in the past as a long-term status, and not as a temporary situation mandated by the requirements of rearing children. After having been out of the labour force for so long (two or more decades), it is not feasible for most of them to return to the formal labour market (spaces 1 and 2) although their chances in space 3 are slightly higher.

Class differences are, of course, important among these women who are older than 45. Upper-class women could hire domestic workers to perform household tasks and care, while low-class women not only perform most household and caring tasks in their households, but, in some cases, also in the household of others as domestic workers in order to supplement the family income. In any case, women of all social classes have had in common the responsibility for organising (and/or providing themselves) the performance of household duties and of caring. In the past, they have also had to face a social stigma, if they wished to engage in paid work outside the home after being married or having children.

Table 10.3

Educational attainment (university level) by age group and gender, Spain, 1991

Years old	20-24	25-29	30-34	35-44	45-54	55-64
Men	8.0	15.6	14.2	12.5	8.5	5.7
Women	13.9	19.8	15.7	10.0	4.6	2.8

Source: OECD (1994, p.67).

A common situation for women aged 45 or over is to live in a household where a relative (usually the husband) is employed as a 'core' worker. Given the high rate of unemployment and temporary employment, and the low activity rates in Spain, <sup>28</sup> many 'core' workers provide for other relatives. In families with one 'core' worker and dependent relatives it is beneficial for the family as a whole that the 'core' worker maintains the status of a fixed-termed employee. This usually implies the maintenance of a gendered division of labour within the households (he provides and she performs domestic and caring work). The problem is that situations which can be beneficial from the family point of view might be detrimental for individual members of the family, if they try to achieve independence from each other but end up choosing options that erode their potential to be economically independent.

As for women under 45 (named 'younger' women in what follows), they have come (or are coming of age) after a hidden revolution has taken place in Spanish families, as many parents have decided that they should give their daughters and sons the same education. A number of studies have demonstrated the existence of this attitude (Aguinaga and Comas, 1991, pp.181-183; Escario, Alberdi and Berlín, 1987, p.49), which contrasts with the traditional idea that boys needed an education to prepare them for work outside the home, whilst girls should be trained to be home-makers. This traditional idea has also been revealed by research (De Pablo, 1976, p.378). Moreover, and more importantly, parents have been acting in accordance with these egalitarian ideas regarding their offspring's education. In addition, educational policies have increasingly promoted the enrolment of girls and women in education. As a result, many young women are now as qualified as the men of their generation and social class (or even more qualified) to participate in the labour market). This can be seen in Table 10.3, which shows that educational attainment at university level in 1991 was higher for women than for men under 35. Thus, in comparison with older women, younger women have the advantage of being more educated.

The activity rate is the proportion of active people (the employed and the registered unemployed) in the population of working age. The Spanish activity rate (48%) is the second lowest in the EU after Italy (47%), and it is seven points below the EU average (55%) (Eurostat, 1996b; 1995 data).

Younger women are encouraged to perform paid work outside the home, since performing a paid job after marriage or the first delivery is no longer a socially and politically stigmatised option. Quite the contrary, housewifery is now a socially discredited status, to the amazement of some women over 45 who consider that either they had been cheated when they were encouraged or forced to be housewives or that younger women are nevertheless choosing the wrong option of being workers and mothers at the same time.

In Spain, a large proportion of young adults live in their parents home until their mid-or late-twenties. In Spring 1995, 77% of people aged 15-29 lived in their parents' home. Moreover, this was the case for 52% of people aged 25-29 (Martín Serrano, 1996a, p.5; 1996b, p.2). Most young women and men leave their parents' home to marry and form a new household. From this moment, younger and older women have in common the fact that they are both in charge of the organisation (and in many cases also the actual performance) of household and caring duties. Both women live in a country where the welfare state is transfer-oriented and offers very limited social services. Most younger women are not 'core' workers and are married to men who are not 'core' workers either. This circumstance pushes younger women to participate in the labour market (Adam, 1996). It is in this context that we have to understand why Spain (together with Italy) has the lowest fertility rates in the world (synthetic index of fertility: 1,22 in 1994 -Eurostat, 1996a, p.116) (Esping-Andersen, 1995). Women are 'choosing' to have fewer children and to delay their pregnancies, after having postponed marriage (the number of children born out of wedlock is in Spain very low in comparative terms) while attempting to participate in a segmented labour market, and finding little or no help from the state to combine professional and family responsibilities.

It is again important to remember that most women who perform paid jobs do so on a full-time basis, in contrast to other countries where part-time work is very prevalent. Nevertheless, the regulation of part-time work has changed in recent years, and it is now an attractive option for employers. As a result, the number of part-time jobs is increasing. As in other countries, these jobs are mainly performed by women. Most new part-time jobs performed by women are for very low skilled workers. In contrast, an important number of part-time jobs performed by men are for very skilled workers (CES, 1996, pp.158-162).

### V. Conclusion

In Spain in the last three or four decades the number of women participating in the labour market has increased significantly. Nevertheless, women are entering a segmented labour market, in which, in comparison to men, they are underrepresented in the core (composed of those with indefinite-duration contracts), and overrepresented among those temporarily employed or employed in the informal economy, and especially among the registered unemployed. In fact, in Spain a significant number of women begin to participate in the labour market by registering as unemployed instead of starting to work for wages. Given the very high rate of female

unemployment and the still high number of women who do not perform paid work and are not registered as unemployed, a crucial division in the Spanish female population of working age is still between those who perform paid work and those who do not. This is different from other countries where the majority or a significant number of women are wage-earners, and where there is a fundamental division of the labour force into 'good jobs' and 'bad jobs' (O'Connor, 1993). In addition, given the high rate of temporary contracts in Spain, a central division within the group of women (and men) who work for wages is between those who have an indefinite contract and those who do not.

In their attempts to be among those who perform paid work, women in Spain (and in other continental welfare states) find little support from a welfare state which is heavily transfer-oriented and provides very few personal social services. Although it cannot be argued that women have a subordinate position in the Spanish labour market mainly because the welfare state is of a continental type, it is true that care is provided in most cases by women and that in some cases caregiving is conflictual or incompatible with the performance of paid work.

In Spain, a segmented labour market and a continental welfare state are the main (or two of the main) barriers against the equal status of women in the economic sphere. These obstacles have not been tackled by the introduction and development of equal employment policies over the last twenty years. These policies have consisted of the revision of discriminatory legislation inherited from former times and the subsequent approval of gender-neutral new legislation; the extension of paid maternity leave and non-paid parental leave from paid employment to care for small children (and the inclusion of fathers among their potential beneficiaries); and the promotion of research on issues related to women and the labour market. These policies are important because they have allowed women to fight in court for equal treatment in the work place, although very few have initiated a legal process with regard to gender discrimination. Equal employment policies have allowed women and men to stop working in connection with child birth while still receiving their salaries, although the overwhelming majority of men have decided not to 'benefit' from maternity leave. Finally, in part as a result of equal employment policies, information and knowledge about gender issues in the labour market is broader than it was two decades ago. Nevertheless, equal employment policies have been of very little help in demolishing the main obstacles that women face to achieving equal status in the economic sphere: segmentation in labour market and the continental characteristics of the welfare state.

Finally, the labour market and the welfare state (among others) have provided a very different set of opportunities and constraints for women who are either over or under 45. The former have been given many incentives to leave the labour market (if they were even present there) after marriage or the first delivery, while the latter have been given some incentives to try to participate in the labour market

A future paper could explore three related questions. First, it would be interesting to research further what incentives women younger than 45 years old have been given in their attempts to be wage-earners. Given the lack of personal social

services provided by the state, it might be the case that the majority of these younger women are given incentives to participate in the labour market not on equal terms with men, but rather as another category of workers: less committed to their jobs, because these have to be compatible with the performance of household and caring duties.

Second, it would be important to study intra-family solidarity. Many younger women are now as educated as the men of their cohort and social class. This might be the outcome of gender equality policies in the area of education, but it is more the result of family strategies of empowering not only sons but also daughters. It is not clear if families later support or not (and how) adult women once they are participating in the labour market.

Third, the development of part-time work will have to be followed carefully. A peculiarity of the Spanish labour market is that many women remain in employment after marriage and child rearing, performing full-time jobs although there is a lack social services (child care, for instance). As we said, in recent years, part-time work has been increasing. Two future scenarios seem now possible: the maintenance of the *status quo*; or the further increase in part-time jobs to reach the same level as in other countries. This would mean the appearance of another gender division in the Spanish labour market, between full-time workers (mainly men), and part-time workers (mainly women, and possibly the young too).

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