



INSPIRED

ROAD MAP
FOR 9BGI F-B; EQUAL LABOR RIGHTS FOR WOMEN AND MEN IN
ARMENIA



Funded by the European Union



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INTRODUCTION

Gender analysis of the labor and employment area in Armenia demonstrates that despite the high educational level of women, their input to the economic development of the country is significantly lower than their actual potential. In reality, women hardly have influence on political decision-making and are, overall, not engaged in the governance and development processes to the necessary extent. Such a situation is characterized as inefficient use of human resources and has a direct impact on the country's development processes and competitiveness.

Barriers to women's participation in the workforce result in an underutilization of valuable human capital and economic losses not only for women and their families, but for the entire society.

Only half of women population participate in the labor market in Armenia. This is more than 15 percentage points lower than men in Armenia

Reason for these gap is the persistence of gender norms emphasizing women's roles as household caretakers. Key barriers to work are often related to the conflicting demands of their time for care and work activities. These barriers produce a vicious circle of low labor participation and employment, reduced earnings and higher inequalities.

Gender discrimination by employers plays an additional role in limiting workforce participation by women

Anti-discrimination principles are enshrined in Armenia's Constitution and Labor Code, but are not always working. Indeed, discrimination may explain in part the persistence of gender gaps in Armenia.

Women's proportion among the labor resources stands at 55%, however, economically active are 52.8% of women, and 70.7% of men. The gender gap of women's and men's economic activism is 40% in the 25-34 age group, which is largely determined by women's family duties (pregnancy, child birth, child care, etc.)

Women make up 47.5% of the total number of the employed, and men 52.5%. Thirty one point eight per cent of the employed women and 27.6% of the employed men have higher or postgraduate education.

Women and Men of Armenia, 2018,
RA National Statistical Service,

Labor Market in the Republic of
Armenia, 2018,
RA National Statistical Service

The unemployment level is highest in Armenia among the CIS countries. It is 17.5% among women, and 18.1% among men. At the same time, there are essential gender differences in the duration of unemployment and reasons for not working. Women make up 70% of the officially registered unemployed, and, moreover, the level of long-term unemployment is especially high among women, making up 57% of the unemployed women.

Labor Market in the Republic of Armenia, 2018 RA National Statistical Service

Salary: According to the 2017 data, women's average monthly nominal salary /earnings/ in the Republic of Armenia made up 67.5% of the men's earnings or the gender gap in remuneration stood at 32.5%. Polling conducted in the republic revealed that public opinion justifies salary differences of women and men, believing that in the case of a working woman, the amount of the man's salary must be necessarily larger than the woman's since, if otherwise, women can use this circumstance displaying "disobedience" in family relations

Center for Gender Research and Leadership, Armenia's Gender Barometer, Yerevan, 2015

Time Budget: According to the data of the time budget study carried out by the RA National Statistical Service in 2008, women spend on unpaid work (household duties and family care) five times more time than men. Paid work does not free up women from household work to the same extent as it does in case of men. As a consequence, women perform a bigger scope of work as compared to men. Men spend on paid work three times more time than women and have 30% more free time than women.

RA NSS 2008

Thus, we can conclude the existence of the following main problems in the area:

- **Discrepancy between de jure rights and the facto situation with women labor rights in the Republic of Armenia**
- **Discrimination against women in the labor market;**
- **Impossibility to combine work and family duties;**
- **Lack of the labor rights protection mechanism in the country;**
- **Gender blind laws and programs related to the area.**

PARTICIPANTS IN THE ROAD MAP DISCUSSIONS

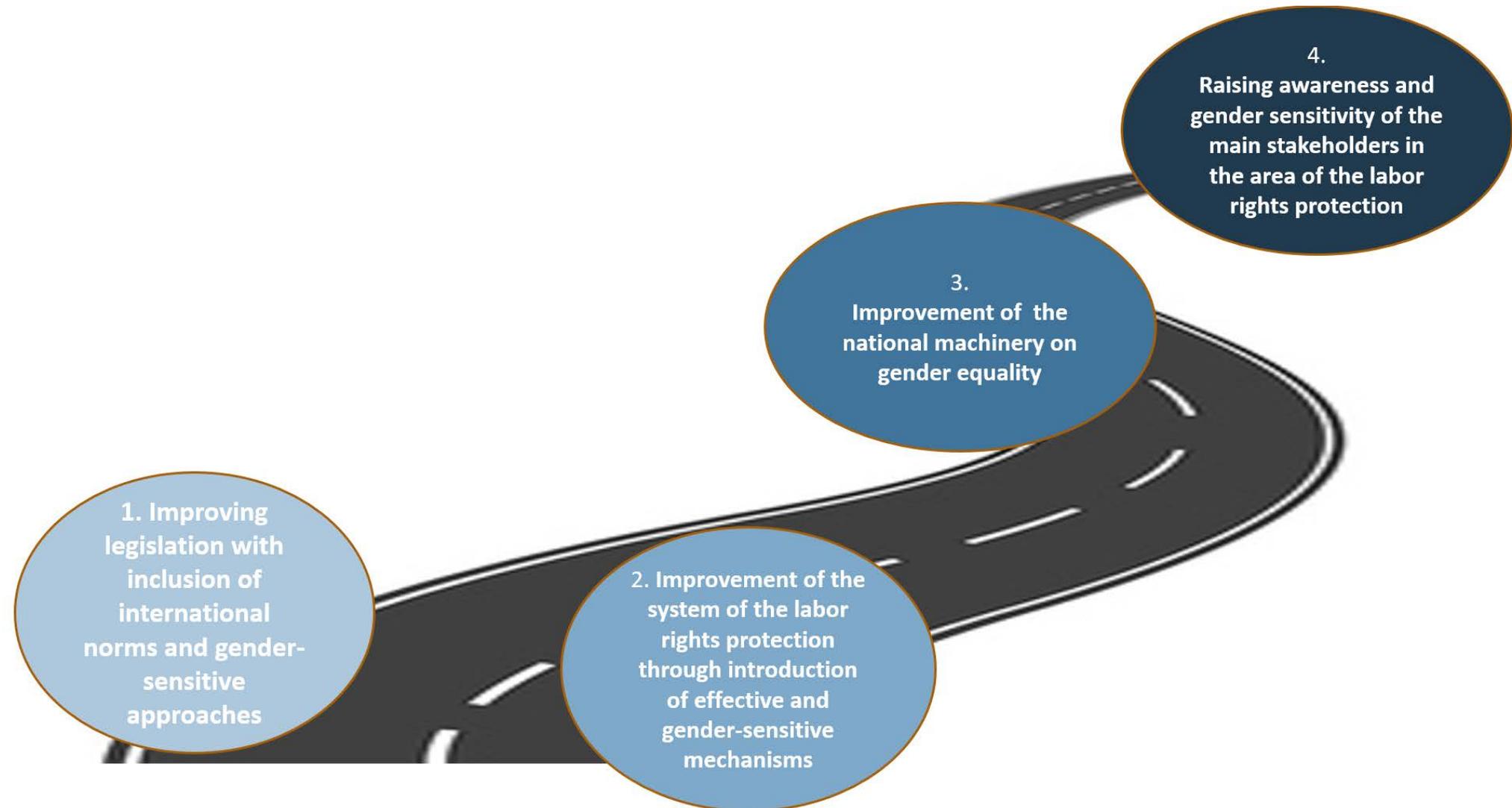
- **Government of the Republic of Armenia**
 - Social Affairs Department
 - Office for Coordination of Inspection Structures
- **Republic of Armenia Ministry of Labor and Social Affairs (MLSA)**
 - MLSA National Institute of Labour and Social Research
- **National Statistical Service of Armenia**
- **RA Human Rights Defender**
 - Department for Protection of Civil, Social-Economical and Cultural Rights
- **Confederation of Trade Unions of Armenia**
- **Republican Union of Employers**
- **OxYGen**
- **Pro-Media Gender NGO**
- **International Labor Organization**
- **[Eurasia Partnership Foundation](#)**
- **Open Society Foundations – Armenia**
- **GSP+ monitoring commission**
- **Transparency International Anti Corruption Center**

VISION

***“Women’s and Men’s Labor
Rights are Protected in Armenia”***

MAIN DIRECTIONS OF THE ROAD MAP AND ACTION PLAN

MAIN DIRECTIONS OF THE ROAD MAP

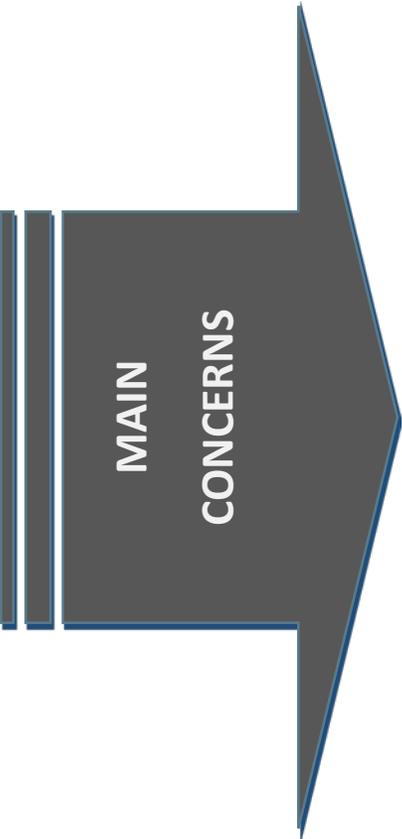




1. Improving legislation with inclusion of international norms and gender-sensitive approaches



The gaps and deficient legal regulation of the RA labor legislation present serious problems for development of labor laws and protection of labor rights;



A number of rights and institutes secured by the international documents ratified by the Republic of Armenia, including *Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Racial Discrimination, the Revised European Social Charter, the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women*, and ILO conventions, are not reflected or are deficiently regulated by the national legislation

Specifically,

The national legislation does not provide for the **right to labor**, but just declares the freedom of choice of labor, which means that the state does not offer any guarantees for ensuring the right of persons to labor.

The national legislation does not stipulate **the right to dignity at work**, but defines that there is no limitation of actions ... in relation to claims for the protection of the honor and dignity of workers

The national legislation only partially provides for the right to dissolving labor contracts on lawful grounds, workplace equal accessibility and exclusion of discrimination, prohibition of forced labor, protection of claims in the event of the employer's insolvency, as well as the right to safe and sound work;

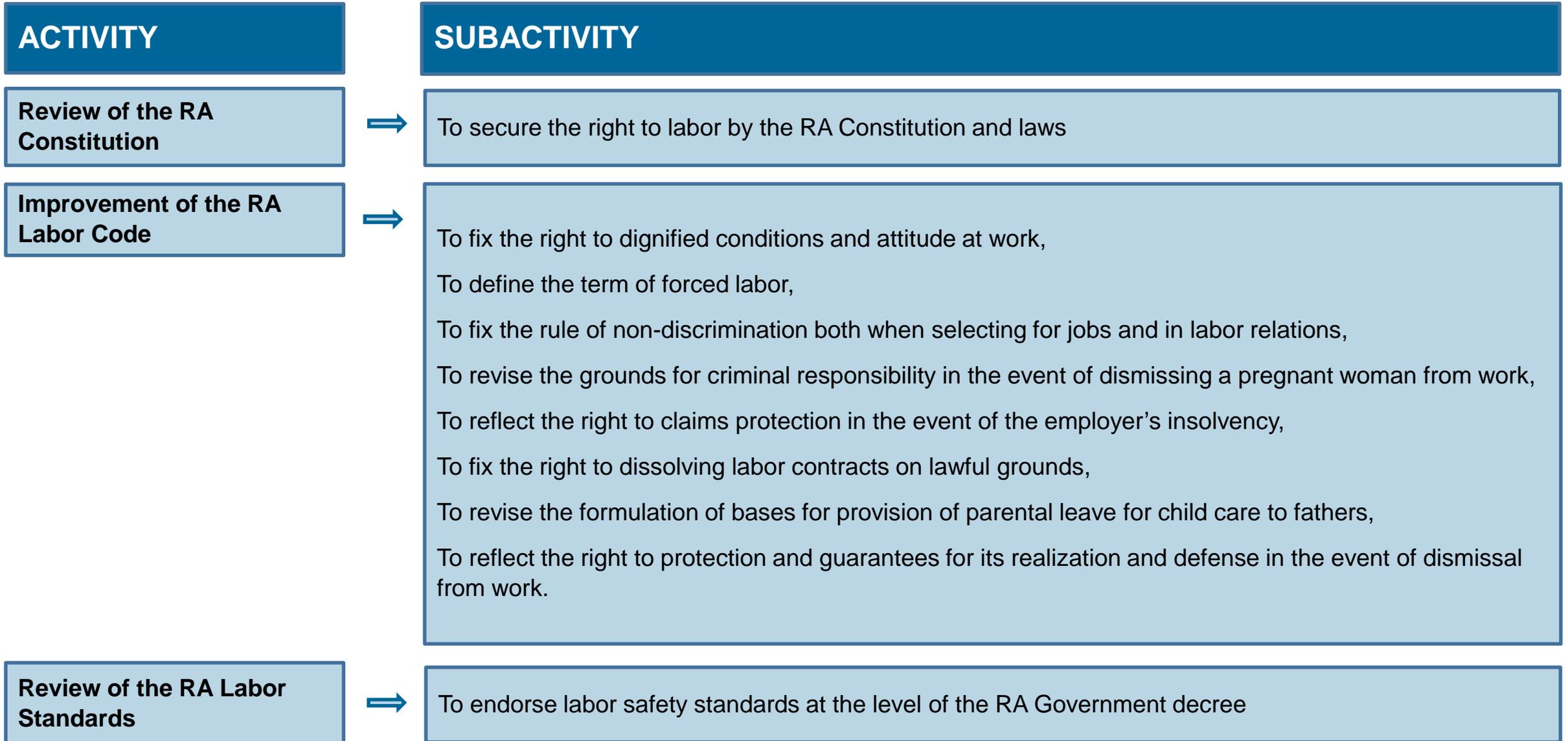
Missing are provisions for prohibition of discrimination and sexual harassment at workplace and a number of other provisions upholding and guaranteeing human rights;

Deficient are formulations concerned with the labor rights of pregnant and child-rearing women, as well as legislative guarantees for combining work and family responsibilities by women;

The RA legislation does not create satisfactory bases for women to combine family care and labor activities;

Men hardly make use of the parental leave for child care stipulated by the current RA Labor Code.

Thus, emphasizing the necessity of improving the RA legislation by inclusion of the international norms and gender-sensitive approaches it is recommended to carry out the following relevant activities



ACTIVITY

SUBACTIVITY

Gender expert review and mainstreaming of the existing legislation



To identify target groups impacted by legislative and sub-legislative acts,
To gauge the influence of legislative and sub-legislative acts on them along the following four directions:
1. Representation of women and men at the decision-making level, 2. Availability and accessibility of resources, 3. Upholding rights at workplace, exclusion of discrimination and sexual harassment as a part of it, 4. Accessibility of justice,
To carry out mainstreaming of legislative and sub-legislative acts,
To develop qualitative and quantitative indicators for assessment of the impact of legislation on women and men.

Gender mainstreaming of the RA national programs



To carry out gender mainstreaming of the programs that exist and are under development,
To assist the endorsement and implementation of the 2018-2022 program on strategy and activities for realization of the policies aimed at ensuring equal rights and equal opportunities for women and men.

Gender expert review and mainstreaming of state programs on regulation of the RA population's employment



To study the needs of the target groups of the state programs on regulation of the RA population's employment,
To carry out gender mainstreaming of the state programs on regulation of the RA population's employment,
To develop qualitative and quantitative indicators for assessment of the impact on women and men of the state programs on regulation of the RA population's employment.



2. Improvement of the system of the labor rights protection through introduction of effective and gender-sensitive mechanisms



MAIN
CONCERNS

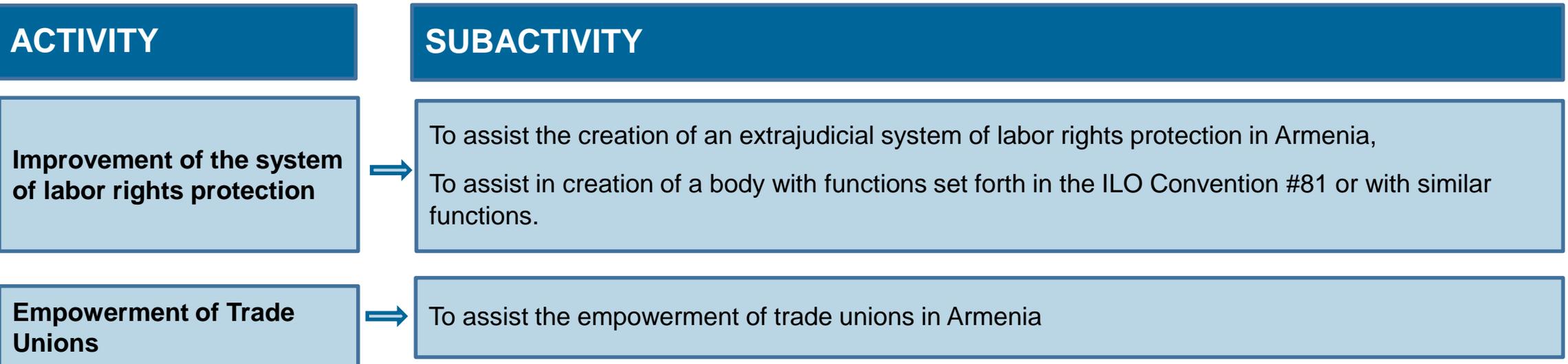
The RA Government decree 857-N of July 25, 2013 reorganized the Hygienic and Anti-Epidemic State Inspection of the RA Health Ministry and the State Labor Inspection of the RA Ministry of Labor and Social Affairs into the Healthcare State Inspection of the RA Health Ministry's Staff;

The Healthcare Inspectorate of the Republic of Armenia Ministry of Health was formed by the RA Government decree N 444-N of April 27, 2017 on the Creation of the Healthcare Inspectorate of the RA Ministry of Health, Endorsement of its Charter and Structure, on Introducing Changes and Additions to the RA Government's Decree N 857-N of July 25, 2013 and on Repealing the RA Government's Decree N 1293-A of November 14, 2013;

As a result of the above and other relevant legislative and sub-legislative changes, there is no more a separate state body, which would carry out state oversight over labor legislation and maintenance of requirements stipulated by secondary regulatory acts containing norms of the Labor Code and regulatory provisions of collective contracts;

The Concluding Observations of the UN Committee on the Elimination of Discrimination against Women regarding the RA fifth and sixth periodic reports also ascribe importance to the necessity of a regulatory body carrying out an oversight of the implementation of the Labor Code, as well as contain a requirement for expanding women's employment and economic capacities;

Thus, taking into account the necessity of improvement of the system of the labor rights protection through introduction of effective and gender-sensitive mechanisms, the following activities are proposed



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Gender mainstreaming of the regulatory documents



To carry out gender mainstreaming of the regulatory documents

Oversight and monitoring of cases of labor rights violation



To assist the monitoring by state structures of labor rights violations

Collection and analysis of statistics on cases of labor rights violation

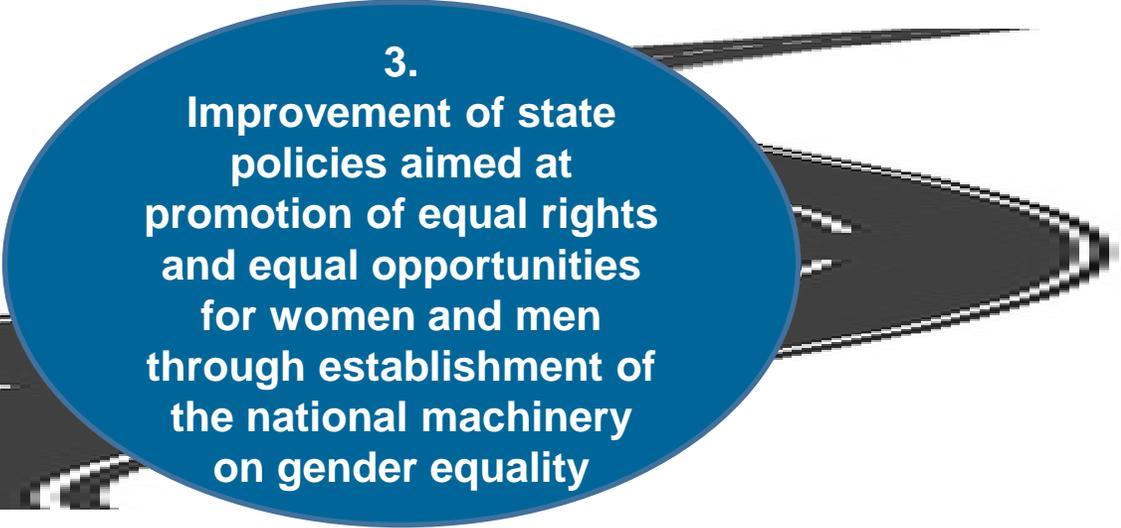


To develop a mechanism for collection and analysis of the statistics on cases of labor rights violation

Development of capacities of the staff of the RA judicial system



To assist in developing capacities of the staff of the RA judicial system



**3.
Improvement of state
policies aimed at
promotion of equal rights
and equal opportunities
for women and men
through establishment of
the national machinery
on gender equality**



JUSTIFICATION

The presence of functional and effective institutional mechanisms for attainment of gender equality in the state governance system is of utmost importance, and that the only guarantee for an effective and coordinated operation of the institutional mechanisms is the timely and proper organization of the National machinery

The National machinery is viewed as a central body in the government for development and coordination of gender policies;

The National machinery's task is assistance to, coordination and monitoring of the government's all actions targeting gender equality implementation;

The availability of the National machinery will promote the realization of the principles contained in the Beijing Plan of Action, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Sustainable Development Goals (SDG);

The availability of the National machinery will provide an opportunity to develop policies reflecting women's and men's needs and demands and to monitor their implementation in all areas of life, including the area of the labor rights;

Thus, the improvement of state policies aimed at ensuring equal rights and equal opportunities for women and men through establishment of the National Machinery on Gender Equality is the necessity. The following activities are proposed in that regard

ACTIVITY

Establishment of the national machinery for equal rights and equal opportunities for women and men

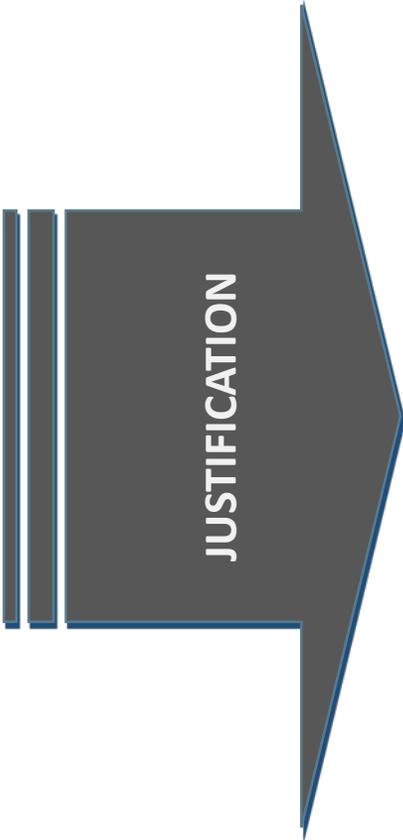


SUBACTIVITY

- To develop a nationalized model for the national machinery for ensuring equal rights and equal opportunities for women and men,
- To advocate for the necessity of national machinery for ensuring equal rights and equal opportunities for women and men,
- To support the creation and development of national machinery for ensuring equal rights and equal opportunities for women and men,
- To assist in creation of a strategy and an action plan for the national machinery,
- To develop effectiveness indicators for national machinery operation and to carry out the monitoring of works.



4.
Raising awareness
and gender
sensitivity of the
main stakeholders in
the area of the labor
rights protection



Awareness-raising is considered to be a pivotal area of state policies aimed at the establishment of gender equality;

The issues of upholding labor rights and effectively enforcing labor legislation are directly related to the low level of societal legal consciousness, including of the existing gender issues and serious lack of awareness of overt and covert discrimination;

No proper and consistent measures have been undertaken in the country to raise the awareness of the manifestations of discrimination against women in the labor market and the employment sphere;

Perceptions of discrimination against women in the labor market are either absent or justified by the employer's interests;

Sexual harassment against women is prevalent in the labor market, but, as a rule, it is a taboo and is not discussed in society;

The existing gender stereotypes are impeding women's advancement in the work area and are contributing to horizontal and vertical discrimination;

Employers, even those that benefit from the Generalized System of Preferences (GSP+) of the European Union, are hardly aware of 27 international conventions operating under its aegis and of the commitments taken up by Armenia within their framework, including sections concerned with women's rights;

Representatives of the executive, regional and local authorities and political and public figures are not satisfactorily aware of the gender problems in the labor market and, as a consequence, are not ready to perceive and acknowledge them and to make the struggle against them part of their strategies and actions;

There is insufficient realization of the importance of women's role in society and women's work in the public domain, as well as of its benefits for the economy;

Thus, it is agreed on the necessity of raising the awareness and gender sensitivity of the main stakeholders in the area of the labor rights protection and agreed to carry out the following activities

ACTIVITY

SUBACTIVITY

Public awareness raising on labor rights



To organize awareness raising activities on labor rights,
To inform the public about opportunities for labor rights protection and all accessible measures, including extrajudicial ones, and human rights structures, as well as to inform about the ways of resolving labor disputes through accelerated judicial procedures,
To create a hot line for labor issues at Healthcare and Labor Inspectorate (HLI) , to provide for continuous update of the official web site, including frequently asked questions and answers about labor rights,
To develop and carry out informational campaigns on national and international documents for ensuring equal rights and equal opportunities for women and men, including CEDAW and ILO conventions.

Awareness raising of the problems existing in the labor market and of their gender peculiarities



To organize awareness raising activities of the problems existing in the labor market and of their gender peculiarities.

ACTIVITY

SUBACTIVITY

Awareness raising of the state programs on regulation of the RA population's employment



To organize awareness raising activities of the state programs on regulation of the RA population's employment.

Awareness raising of employers on women's labor rights



To organize meetings/discussions with different groups of employers with the purpose of raising their awareness of women's labor rights and their gender sensitivity,
To expand the scope of awareness raising and preventive measures implemented by inspection bodies, including materials on labor contractual rights and work discrimination.

Enhancement of capacities for upholding principles of gender mainstreaming of the public sector employees



To prepare manuals on labor rights protection and gender mainstreaming,
To organize training courses on labor rights protection and gender mainstreaming with participation of representatives of relevant state structures.

Development of gender sensitivity among trade unions representatives



To organize meetings/discussions with representatives of trade unions with the purpose of developing their gender sensitivity

ACTIVITY

SUBACTIVITY

Work with representatives of law enforcement agencies



To engage representatives of law enforcement agencies dealing with labor rights in discussions and programs concerned with international norms and gender issues existing in the labor market

Work with journalists and mass media representatives



To help awareness raising of journalists and mass media representatives on the problems existing in the labor market and their gender peculiarities,

To encourage the introduction of special gender-related training courses at journalism departments of higher education institutions for the purpose of gender sensitivity development among future journalists,

To organize gender training for working journalists,

To support initiatives aimed at development of positive image of working women and women enjoying success in their work, as well as their coverage in the press,

To develop, in cooperation with mass media outlets, zero tolerance towards sexual harassment in the workplace.

Implementation of educational programs



To initiate the implementation of educational programs on labor rights and working careers free of stereotypes for young people.