

## Questionnaire on ‘Women’s Human Rights in the Changing World of Work’

### German Contribution

The Working Group on discrimination against women and girls will present a thematic report on ‘women’s human rights in the changing world of work’ to the 44<sup>th</sup> session of the Human Rights Council in June 2020. This report will be produced in the context of the Working Group focus on key areas affecting the human rights of women and girls and will aim at reasserting women’s right to equality and countering rollbacks in this area. An overview of the scope of this can be found in the Appendix.

In this regard, the Working Group would like to seek inputs from States and other stakeholders to inform the preparation of this report in line with its mandate to maintain a constructive approach and dialogue with States and other stakeholders to address discrimination against women in law and practice. Submissions should be sent by 1 September 2019 to [wgdiscriminationwomen@ohchr.org](mailto:wgdiscriminationwomen@ohchr.org) and will be made public on the Working Group's web page, unless otherwise requested.

**What are the promising practices emerging from your country to ensure the realization of women’s rights to work and women’s rights at work, in the context of technological and demographic change, as well as continuing globalization and the shift towards sustainability? (laws; economic, labour market and social policies; programmes).**

In Germany as from 1 January 2015, employees are given more time flexibility and security so that they can care for their relatives and continue to work since the regulations in the Family Caregiver Leave Act and the Caregiver Leave Act. Since the majority of “Family Caregivers” in Germany are Women (about 70 percent) this legislation especially helps them to stay in the Workplace while they are caring for close relatives.

The regulations provide:

1. Short-term absence from work and carer’s grant, which means care situation occurring at short notice and wage compensation benefit: Close relatives can stay away from work for up to 10 working days in order to organize appropriate care in a care situation occurring at short notice or to ensure the provision of long-term care in this time. From 1 January 2015, a wage compensation benefit – the carer’s grant – is proposed for this time, limited to up to 10 working days. This right applies in respect of all employers irrespective of the size of the company.
2. Caregiver leave: Employees can step out of work fully or partly for up to 6 months in order to care for a close relative in need of long-term care at home. Since 1 January 2015 they have the possibility of applying during this time for an interest-free loan to the Federal Department for Family and Civil Society Affairs in order to cushion the loss of income during this time. No legal claim against employers with 15 employees or fewer. It is also possible to have a complete or partial release from work for up to 6 months to care for a close relative who is a minor in need of long-term care. Care does not need to be provided in the home.

3. Family caregiver leave: A legal claim to partial release from work for up to 24 months and an interest-free loan. If a close relative is in need of long-term care, you have a right to reduce your working hours to 15 hours per week minimum for up to 24 months to care for them at home. A legal claim against employers with 25 employees or fewer, excluding employees undergoing vocational training. It is also possible to have a partial release from work for up to 24 months to care for a close relative who is a minor in need of long-term care, whether this is at home or outside the home.
4. It is also possible to take time off work partly or completely for up to three months to be with a close relative in the last phase of life.
5. During all the leaves employees are protected against dismissal from the notification date – but not more than 12 weeks before the notified commencement – until the end of the period of full or partial release from work.

To create decent work opportunities in the care sector, the care sector itself should provide reconciliation measures for employees who care for an elderly or disabled relative, so they can maintain a professional life while caring in family.

### ***Demographic change***

**What economic and social policies are needed to ensure that the growth in the care sector creates decent work opportunities for women? What are some emerging promising practices? (laws, economic and social policies, institutional measures, regulation, actions by employers).**

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