



LABOUR MARKET AND ENTREPRENEURSHIP OVERCOMING GENDER STEREOTYPES

A TRANSNATIONAL ACTION PLAN
PROMOTED BY BUSINESS WOMEN AND
GENDER EQUALITY ORGANISATIONS

COUNTRY REPORT FOR MALTA



This project is co-financed by the European Commission, Directorate General for Employment,
Social Affairs and Equal Opportunities





Labour Market and Entrepreneurship Overcoming Gender Stereotypes

A Transnational action plan promoted
by Business Women and Gender Equality Organisations

This project has been carried out by AFAEMME
Association of Organisations of Mediterranean
Businesswomen (Barcelona, Spain) in association with:

KARAT Coalition (Central and Eastern Europe)
WAD - Women's Alliance for Development (Bulgaria)
SEGE - Greek Association of Women Entrepreneurs
(Greece)

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Context

A key priority for the European Commission is to create equality for men and women throughout Europe. AFAEMME, Association of Organizations of Mediterranean Business Women (Barcelona) was awarded by the European Commission, in partnership with important organizations in Central and Eastern Europe - KARAT Coalition, WAD - Women's Alliance for Development (Bulgaria) and SEGE, Greek association of Women Entrepreneurs (Greece) to implement a unique project "*Labour Market And Entrepreneurship Overcoming Gender Stereotypes*".

The main objectives of this project are:

- to improve the understanding of the issues underlying gender equality and equal opportunities in the fields of employment and entrepreneurship in this area of Europe
- to strengthen gender equality and businesswomen organizations and their active partnership in influencing decision makers on social and economic policy
- and to improve the general economic status of women.

The project includes the elaboration of 12 national reports from Cyprus, Malta, Poland, Latvia, Estonia, Lithuania, Czech Republic, Slovakia, Slovenia, Hungary, Bulgaria and Romania. Which report the obstacles experienced by women in business and assess the impact of EU Employment Strategy on the situation of women in the new ten EU Members states and two candidate countries with case studies of a typical businesswoman in those countries relating to gender stereotypes in the labour market and entrepreneurship, with a final global report containing concrete policy recommendations addressed to European Commission and national governments. The publication is launched at a large scale European conference in Brussels in February 2006.

This report contains the national study from Malta



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Executive summary

Gender equality issues started to be addressed in Malta at the later date than in many other countries, consequently mechanisms of addressing gender equality's are not as developed as in some other countries. Similarly representation of women in public life and decision making is often lower than elsewhere. It is to be expected, however, that with an increased participation of women in economic life, there should be a proportional increase of women in public life and at decision-making level. Unfortunately, such an increase is not automatic.

According to Malta's legislation men and women are equal. Numerous new laws reinforce the principle of equal treatment between women and men. The Constitution of Malta guarantees equality between women and men. Malta's new legislation on labour law, aims to actively promote, facilitate and contribute to the ongoing development of an inclusive society through the provision of quality personalized services and by actively encouraging and assisting individuals, families and community associations to participate in fighting social exclusion, ensuring equal opportunities for all.

Following the enactment of the Equality for Men and Women Act, 2003, the National Commission for the Promotion of Equality for Men and Women was appointed in 2004 to act as the focal point on gender issues, and to provide the machinery for identifying, establishing and updating all policies related to issues of equality. The change in policy concept has now shifted from one based on women's rights, to focusing on gender mainstreaming and equality of opportunity between men and women. Malta has the lowest level of participation rate of

women in the labour market. A recent labour force survey published shows a figure of 32.6%. This figure is worrying not only because it is so low compared to the rest of the European Union. Statistics also reveal that the number of females working on a part-time basis has been continuously increasing. Most of the time, women tend to opt for part-time work in order to reconcile work with family life. Recently, we could see an increasing number of employed women. General social changes assisting workers in reconciling family and work responsibilities play an important role here. The government is now considering taking several measures to encourage women to enter labour market (maternity leave, career breaks for public service workers, creation of State kindergartens, etc). Lack of quality child care facilities is still an issue. Looking at the employment market, we can see that the work sectors are still gender segregated despite of the increasing number of qualified and trained women. Although the present educational system is based on the principle of equal opportunities and great strides have been achieved in this sector, socio-cultural resistance to the detriment of women is still very much present.

Women are still virtually absent from economic decision-making bodies, with the inevitable result that their voice or opinion is commonly not reflected when it comes to the formulation of financial, monetary, commercial, market and other economic policies. The principle of equal pay for work of equal value is a legal reality in Malta. Despite this there is a significant pay-gap between men and women. Though holding the same working position, women earn on average 15% less than their male colleagues.

Legal framework

Within the Maltese legislative framework, one finds a number of different pieces of legislation, both of a generic or specific nature, which provide for equality between the sexes, to help equal opportunities for employment and entrepreneurship, together with a number of remedies which may be sought if any provision found in the law safeguarding equality between the sexes is infringed.

The main legislation that deal with this matter are:

- > The Constitution of Malta
- > The European Convention Act, 1987
- > The Employment and Training Services Act, 1990

- > The Civil Code
- > The Social Security Act, 1987, and Income Tax Act, 1949
- > The Education Act, 1988
- > The Maltese Citizenship Act, 1964
- > The Employment and Industrial Relations Act, 2002

Malta's new legislation on labour law, the Employment and Industrial Relations Act, 2002, aims to actively promote, facilitate and contribute to the ongoing development of an inclusive society through the provision of quality personalized services and by actively encouraging and assisting individuals, families and community associations to participate in fighting social exclusion, ensuring equal opportunities for all, with special emphasis on the most vulnerable members of society.

The Constitution of Malta guarantees equality between women and men. The Constitution is the supreme law of the country, and, as a consequence, if any other law is inconsistent with the Constitution, the Constitution prevails and the other law is, to the extent of its inconsistency, void (Section 6, Constitution of Malta).

The Maltese Government ratified the United Nations Convention on the Elimination of All Forms of Discrimination Against Women on 8 March 1991. In July of 1991, Constitutional amendments were enacted in terms of which the State guaranteed non discrimination towards its citizens, with few exceptions. Section 45(2) lays down that no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority.

Another important provision was the enactment of Section 45(10) which provides for a two year period within which discriminatory legislation is to be repealed. Thus, as from 1 July 1993, any law inconsistent with Section 45 of the Constitution, which deals with the various forms of discrimination, can be challenged before the local Courts in the same way as, for example, political discrimination unless it falls under the exceptions laid down by the Constitution.

Moreover, Section 32 of the Constitution of Malta guarantees equality between men and women. With regard to Malta's commitment to fundamental human rights, the first Article in the Constitution states that: Malta is a democratic republic founded on work and on respect for the fundamental rights and freedoms of the individual. Moreover, Maltese law on equality between the sexes centres on two constitutional provisions

prohibiting discrimination based on sex, that is, Section 14 and Section 45, both of which were amended by Act XIX of 1991.

Case law which obtains in Malta on this section of the Constitution has affirmed the principle that discriminatory practices include those practices which are discriminatory in their effect. The Constitutional provisions on discrimination constitute a guarantee against discrimination, including sex discrimination by the State. In relations between private individuals, sex discrimination is prohibited in certain legislation regulating different spheres such as the Employment and Industrial Relations Act, 2002 and subsidiary legislation that regulates the relationship between employer and employee.

Article 26 in Part V Protection against discrimination related to Employment is an article introduced in the new labour law and addresses the issue of discrimination both in the recruitment process as well as during the course of employment. Moreover, Article 4 in the Gender Equality Bill covers discrimination in employment, complimenting the provisions presented in the Employment and Industrial Relations Act, 2002. Article 4 reinforces the principle of equal treatment and equal opportunity for men and women as regards access to employment. It also refers to the obligation of the employer to suppress sexual harassment in the workplace.

Article 5 in the Gender Equality Bill obliges the employer to provide a report whenever an allegation of discrimination has been made including the procedures used by the employer in the matter alleged to constitute such discrimination. Following the 1991 Constitutional amendments, discriminatory laws regulating, marital status, family law, passports, banking, commerce, income tax and social security, were redressed. Consequently, departmental practices and procedures were brought in line with Constitutional provisions on gender equality.

The European Convention Act, 1987

The European Convention Act, 1987 guarantees fundamental human rights as enshrined in the European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950. These rights are guaranteed to everyone irrespective of sex. Through the above Act, its First Protocol to the convention was also fully incorporated into Maltese domestic law.

The Employment and Training Services Act, 1990 (Act No. XXVIII of 1990) as amended in 1995

The Employment and Training Services Act, 1990 provides for the constitution of the Employment and Training Corporation,

whose function it is to provide employment and training services. Section 15(6)(b) of the said Act provides that sex discrimination is an offence.

The Civil Code

Discriminatory practice in family law was redressed in reforms of the Civil Code (Chapter 16 of the Revised Edition of the Laws of Malta). The husband is no longer the head of the Community of Acquests and this is now being administered by both spouses. Moreover, certain extraordinary acts need the consent of both spouses. A step towards the elimination of discrimination against married women dates back to the enactment of Act XLVI of 1973 whereby, inter alia, married women were allowed to contract in their own name and represent themselves in judicial proceedings without the consent and assistance of their husband.

By virtue of OPM Circular No 103/80 dated the 31 December 1980, the marriage bar was removed and female employees are no longer required to resign from their employment on contracting marriage. The Conditions of Employment (Regulation) Act, 1952 regarding the private sector was also amended by virtue of Act XI of 1981 Section 34(14). This Act was amended to entitle married women to remain in full-time employment.

An employer may not dismiss an employee from employment on grounds of marriage. Article 2 sub-article (2) in the legislation on Gender Equality defines "discrimination on the basis of sex" as: "the giving of different treatment to men and women on the basis of their sex; treating a female differently for reasons of actual or potential pregnancy or childbirth; treating men and women differently on the basis of parenthood, family responsibility of for some other reason related to sex.

Protection of Pregnancy and Maternity

Leave for pregnancy and confinement (maternity leave), at full pay, was introduced for all female full time workers in Malta, by Act No. XI of 1981, which mended the Conditions of Employment (Regulation) Act, 1952. By virtue of Legal Notice 92 of 2000 in the Protection of Maternity at Work Places Regulations, 2000, an added one week of special leave was granted so as to make up 14 weeks of maternity leave. Section 34 sub-section (17) to (20) provides a guarantee to female employees against dismissals from employment in connection with maternity leave. A full time employee cannot be dismissed by her employer during the period of her maternity leave or during the period of five weeks following such leave in which she is incapable of work owing to a pathological condition resulting from the confinement. The Employment and Industrial Relations Act, 2002 provides comprehensive protection of married women and pregnant workers against dismiss-

sal. In 1996, regulations related to the protection of pregnant workers at the work place were published through Legal Notice No. 72, cited as Work Place (Protection of Maternity) Regulations, 1996. These regulations safeguard pregnant workers and women who give birth from performing any type of work that endangers their health and safety or the health of their child. They also provide security of employment should a pregnant female be deployed by her employer in order to avoid risks to the health and safety of the pregnancy or of the unborn child. These regulations further provide that a pregnant woman must not be exposed to certain physical, biological and chemical agents listed in the schedules to the regulations.

The above regulations were repealed and the Protection of Maternity at Work Places Regulations, came into force on 1 January 2001. These regulations contain all the guarantees provided in the 1996 regulations and bring Maltese law in line with Directive 92/85/EC on the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding of the European Union. Moreover, females who are pregnant and who have just given birth may avail themselves of another week of maternity leave either just before or just after the maternity leave provided for in the Conditions of Employment (Regulation) Act, 1952. The 2000 regulations (as did the 1996 regulations) provide that, pregnant workers are not required to perform night-work if harmful to the mother, pregnancy, or child.

Pregnant workers are also entitled to time off work, without loss of pay or any other benefit, in order to attend ante-natal examinations if these take place during working hours. To entitle pregnant workers to one week's special unpaid leave to be utilized immediately preceding or immediately following the paid thirteen weeks maternity leave to which they are entitled, Legal Notice 92 of 2000, stipulates that the financial benefit of the total period of this unpaid leave, together with maternity leave, should be thirteen (13) weeks pay. Government employees may still utilize parental leave as the special unpaid leave following maternity leave.

This is in keeping with the Government's policy for increasing health and safety at the workplace. Through OPM Circular No. 16/2001 dated 30 March 2001, a notice was brought to all Government employees stating that in conformity with the Protection of Maternity at Work Places Regulations, 2000, female government employees are entitled to one week special unpaid leave to be utilised immediately preceding or immediately following the thirteen weeks paid maternity leave as provided in Section 18 of the Conditions of Employment (Regulation) Act, 1952. This entitles the worker to 93 per cent of her full 14-week payment.

Social Security Act and Income Tax Act

In 1993, amendments were made to the Civil Code which defined the role of the husband as being that of the sole head of family prior to which the husband was vested with full authority over minor children and the community property, including its administration. Act XXI of 1993 amending the Civil Code, curtailed the father's and husband's undisputed dominance within the family, and provided that both spouses be placed on an equal footing, in the administration of their common property, and in relation to children. As a consequence of these amendments, the Social Security Act, 1987, and the Income Tax Act, 1949 were amended. The amendment to the Social Security Act, 1987, concerned the definition of "head of household". Whereas prior to amendment the husband was recognised as the sole head of the household, the new provisions define the head of the household as: such person, as in the opinion of the Director of Social Security, is the head of the household. Amendments to the Income Tax Act, 1949 made married women jointly responsible with their husband for the payment of income tax computed on revenue and earnings. Prior to the amendment, the husband was legally responsible for the completion of income tax returns and the payment of income tax for both his and his wife's earnings. A first set of amendments in 1990 brought about a situation where, husband and wife may opt for separate calculation of earnings. However, the husband was still responsible for tax returns and

payments. Following the enactment of Act XX of 1996, married women were given the opportunity to sign the income tax return form with their husband. This enactment also gave the wife the possibility of being elected, by consent of both spouses, as the spouse responsible for the tax on the chargeable income. Although the income tax return may be signed by just one of the spouses, as the responsible spouse, the Act specifically states that in all cases the return shall be presumed to have been made with the consent of both spouses.

Education Act, 1988

Primary education was made compulsory for all in 1946, while secondary education became obligatory irrespective of sex, in 1970. Vocational schools at the secondary level were set up in 1972 and the school leaving age was raised to sixteen years in 1974. In 1971 tertiary education was provided free of charge. The compulsory school age means any age from five to fifteen. A person shall be deemed to be of compulsory school age if he or she falls within that age bracket. The State has the duty to promote education and instruction and to ensure that schools and institutions are accessible to all Maltese citizens for full personality development and employability. The State has the right to regulate education through establishing a national minimum curriculum of studies and the national minimum conditions for all schools.

Institutional framework

National Action Plan by the Commission of Gender Equality

In its Introduction, the Strategic Policy Directions 2004-2006 of the National Commission for the Promotion of Equality for Men and Women states that issues concerning gender equality and gender mainstreaming have been at the forefront of the government's social agenda since 1989, with significant landmarks such as:

- > Amendment of the Constitution to prohibit gender discrimination;
- > Accession to the UN Convention on the Elimination of discrimination against Women -CEDAW (March 1991);

> Setting up of Government machinery, such as the Commission for the Advancement of Women, and the Department for Women in Society;

> Initiation of gender mainstreaming awareness and training for senior public officers;

> Changes in the civil code (particularly those areas which affect family life) to give both partners in marriage equal access to and say in economic and other decision-making;

> The introduction of paid maternity leave for all female employees; and unpaid parental leave, career breaks and emergency leave entitlement for civil service and public sector employees;

> Recent legislation, such as the Industrial Relations Act and "Maternity Protection" Regulations, which aims to provide equality of pay, working conditions and access to training, protection from sexual harassment, etc.

> Equality for Men and Women Act, 2003.

Other effective measures include the programmes set up by ETC for retraining and empowerment courses for women; the certificate and diploma courses organised by the University's Workers' Participation Development Centre.

Following the enactment of the Equality for Men and Women Act, 2003, the National Commission for the Promotion of Equality for Men and Women was formally appointed in January 2004 to act as the focal point on gender issues, and to provide the machinery for identifying, establishing and updating all policies related to issues of equality. The change in policy concept has now shifted from one based on women's rights, to focusing on gender mainstreaming and equal opportunities for men and women.

The EU accession process has highlighted and accelerated the need for legislation and policies to address particular issues that are hampering the promotion of equality, such as:

> the low participation rate of Maltese women in the labour market when compared to the EU average;

> the very low rate of women in decision-making and representative positions, thus affecting the true democratisation of our society.

Innovative policy-making to tackle these issues should adopt a four-pronged approach: economic, social, legislative and cultural, and needs to take into consideration such factors as:

> Present and evolving state of Maltese society, traditional family values and whether further change will affect these negatively or positively; for example, the values of an inclusive society should take into account the rise in number of single-parent families and increase in single person households;

> Demographic changes and what needs to be done to cope with an ageing population and falling birth rate; the comparatively longer life-spans of women and need to develop new approaches to funding for old age;

> Ever-rising economic expectations and life-style changes, which may have far reaching affects; e.g. young couples with loans to pay off may delay having children and both continue in full-time employment;

> The relatively recent large increase in female graduates, possibly competing in what were traditionally regarded as male professions or employment (law, medicine, IT, engineering, etc); the "leakingpipe syndrome" where large numbers of qualified women leave the workforce for family or other reasons.

Promoting Gender Equality in Economic Life

It is an unfortunate fact of life that most people in contemporary society are defined by what they do (their "jobs") and their income has become the single most important factor in determining the quality of their lives. It follows therefore that promoting gender equality in economic life, particularly in the labour market, must be a priority issue for our society.

Measures that need to be taken include:

a) Providing access to affordable and reliable child care facilities;

b) Sensitising and encouraging employers and employees to work on work/life balance for both sexes, with reduced hours, job sharing, career breaks, teleworking, and other conditions offering flexibility and increased employment opportunities to both men and women;

c) Promoting lifelong learning and training opportunities;

d) Encouraging corporate sensibility and realisation of financial worth of loyal female employees;

e) Reviewing income tax and social benefits to reduce disincentives for women entering labour market;

f) Reviewing NI provisions (particularly retirement pensions) to benefit married women who are main breadwinners;

g) Promoting entrepreneurship and self-employment opportunities for women;

h) Protecting the interests of women and men who manage homes and family but have no earned income, leading to serious gaps in pension entitlements and social benefits.

Promoting Gender Equality in Representation and Civil Life

Running parallel to participation in economic life is the second crucial objective of promoting equal participation and representation - in political life, decision-making and policy-forming bodies, at both the national and international level. It is to be expected that, given the relatively short history of gender equality in Malta, representation is not yet on the same footing

as in countries with a much longer tradition. It is also to be expected that, with an increased participation of women in economic life, there should also be a proportionate increase of women in public life and at decision-making level. However, such an increase is not by any means automatic - for example, some trade unions have a majority of women members but this majority is not reflected in the unions' management or leadership.

There is much that can be done to help redress the present situation:

- > Reinforcing gender mainstreaming, and awareness in all policy-making exercises and at all levels of government and private enterprise that it must be taken seriously;
- > Political parties, trade unions and other social partners should have measures inbuilt in their statutes/regulations to ensure adequate gender representation at executive, decision-making and representational levels;
- > Tackling gender awareness in such areas as university courses, scientific research, medical and other services;

> Encouraging NGOs to promote gender equality through their activities, and

> Promoting change of gender roles and eliminating stereotypes through educational and media campaigns based on the local cultural context.

Furthermore, it is important to note that the proportion of women in high-ranking positions in Parliament and at cabinet level has remained low. Currently, there are six female members of Parliament out of a total 65, of which two are cabinet ministers, one is parliamentary secretary and three others are members of the opposition. The Commission will be called on not only to address all forms of discrimination between women and men, but also to spearhead the Government's policy of ensuring and promoting the dignity of every citizen. There is an awareness that great challenges lie ahead of Malta, but with the collaboration of all entities concerned, and with the Commission for Gender Equality acting as a catalyst for change, succeeding in bringing about a true cultural change, where all persons will be assessed on their abilities rather than their gender is possible. The Government has been committed to promoting gender equality, both by law and in practice. The present Government is focusing on such areas as gender mainstreaming, eliminating violence against women, including women in decision-making, the reconciliation of work and family responsibilities, and better working conditions. In 2003, the Equality for Men and Women Act was passed, and in January 2004, the National Commission for the Promotion of Equality for Men and Women was appointed. The Employment and Industrial Relations Act provides for equality of treatment in the workplace. Cases of discrimination in the workplace are investigated either by the Industrial Tribunal or through provisions of the Equality Act. Malta's national machinery on gender equality, includes the Minister for the Family and Social Solidarity; the Commissioner for the Promotion of Equality for men and women and the National Commission for the Promotion of Equality for Men and Women. The Minister for the Family and Social Solidarity was responsible, among other things, for equality in Maltese society. Set up in 2004, the National Commission for the Promotion of Equality for Men and Women is composed of a Commissioner and six members. The Commission plays an active role in raising public awareness on gender equality. The Commission's functions includes establishing policies related to equality issues, working towards the elimination of discrimination between men and women, investigating complaints and providing assistance to persons suffering from discrimination.

Issues for women employees

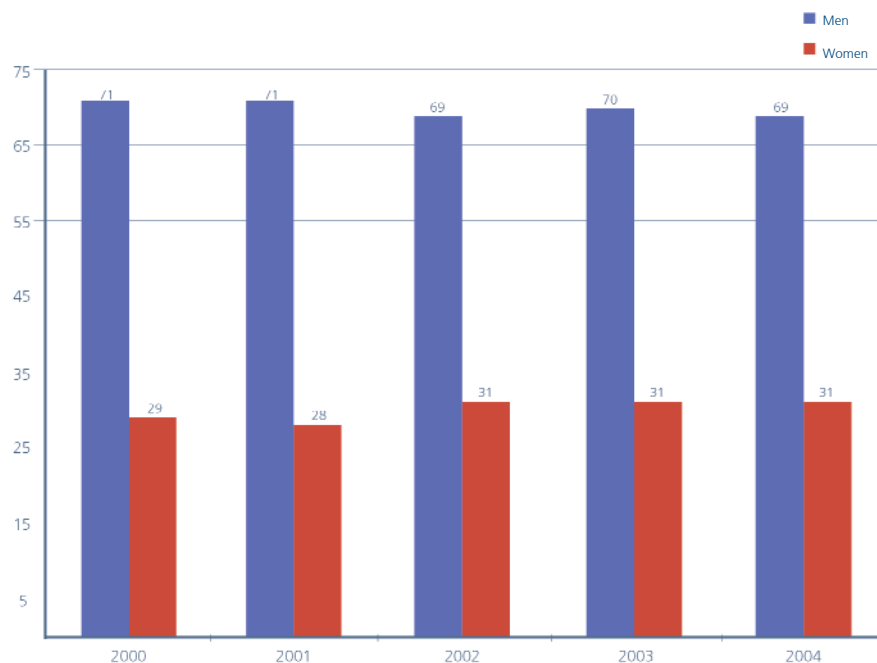
Currently the number of women in the labour market rose from 37 thousand in 1995 to just round 45 thousand in 2003. At the end of 2004, some 45 thousand were employed, 4.7 thousand were unemployed, and 113.5 thousand were classified as inactive (not employed and not seeking employment). Young women participate strongly in the job market, but many leave it by the age of 25. Women in the 30 to 45 age group seem to be returning to the labour market, although breadwinners in Malta are still predominantly male, with caregivers work remaining a woman's prerogative. Malta has taken several measures to encourage women to join the labour market, such as paid maternity leave; unpaid parental leave; career breaks for public workers; the creation of State kindergartens for children between three and five years of age; and summer school programmes for pupils in primary school.

However child care facilities are still very scarce judging by the large demand there is for them. In the following section an analysis of different aspects which are affecting working women follows.

Employment, unemployment and inactivity

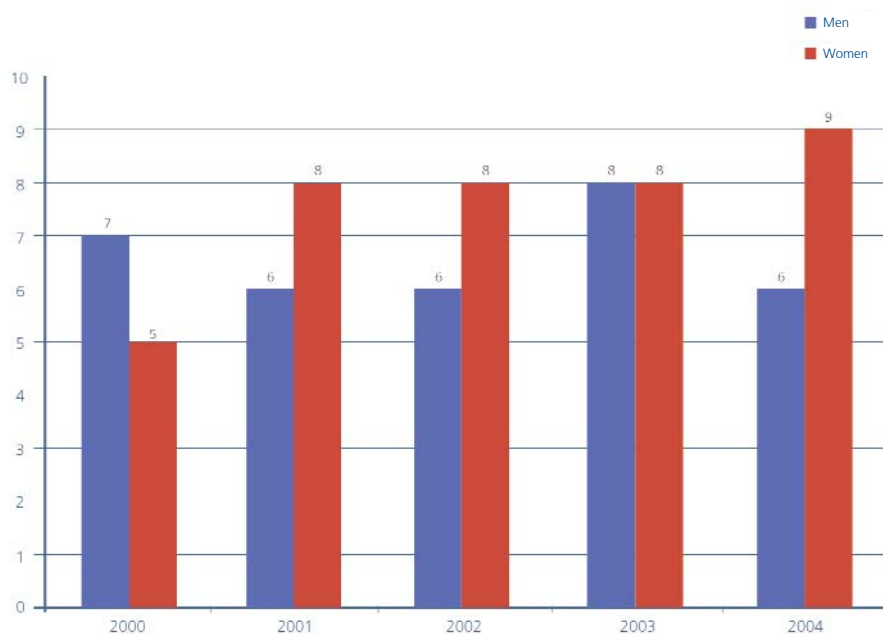
In the following graphs the figures over the past 4 years for the main labour market indicators are shown. The situation of Maltese women in the labour market has not been very good, as their activity has risen, but so has their unemployment rate. Although there is also a drop in the activity rates for men, this could be do to increasing years of education for men and lower pre-retirement ages.

Activity rates for women and men in Malta, 2001 - 2004



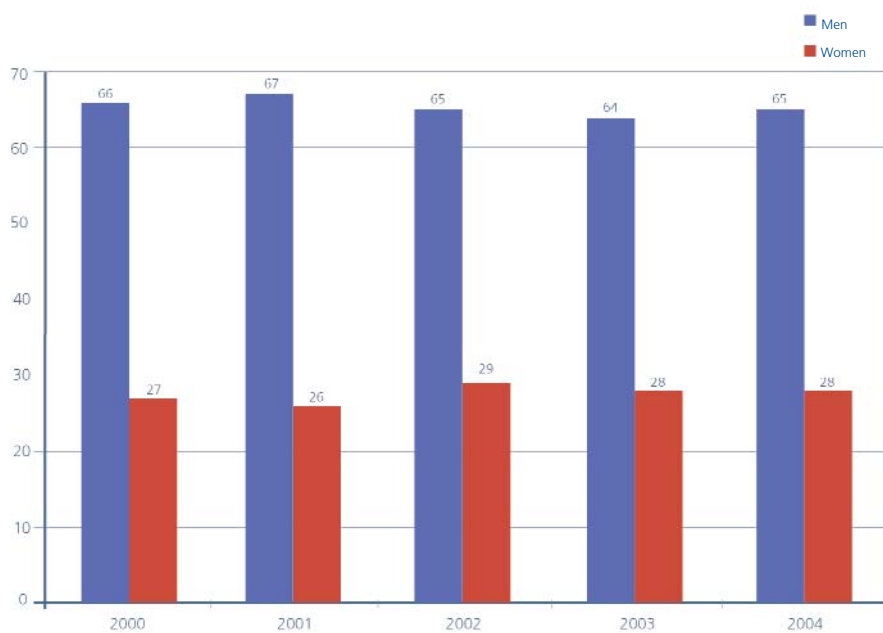
Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

Unemployment rates for women and men in Malta, 2001 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

Employment rates for women and men in Malta, 2001 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

In the following table the comparison with the European averages for employment and unemployment are shown. It is clear that Malta exceeds the employment rate for men, but that its overall rate is pulled downward by women's extre-

mely low average. The same is true for the unemployment rate. Men's rate is better than the European average, but women's rate brings the overall rate to higher levels than the EU average.

EMPLOYMENT AND UNEMPLOYMENT RATES IN MALTA FOR 2003		
	Malta	EU - 25
Total employment rate	54.5 %	62.9 %
Men	73.3 %	70.9 %
Women	33.7 %	55.1 %
Total unemployment rate	7.9 %	9.1 %
Men	6.8 %	8.3 %
Women	11 %	10 %

Source: Eurostat

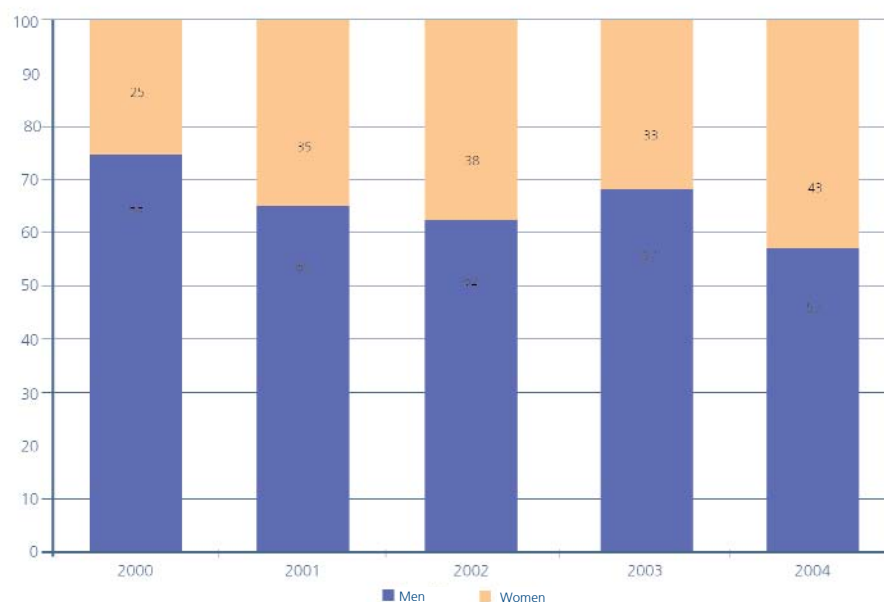
DISTRIBUTION OF UNEMPLOYMENT BY AGE, DECEMBER 2003			
	Men %	Women %	All population %
15 - 24	36.1	63.4	45
25 - 34	25.2	13.2	21.3
35 - 44	20.7	8.8	16.8
45 - 54	14.9	14.6	14.8
55 - 64	3.1	0	2.1
Total	100	100	100

Source: National Statistics Office

On the other hand, and very likely linked to the pre-retirement phenomenon men were the larger proportion of those who are long-term unemployed in 2000 (six months to more than twelve months in unemployment). This was due to the fact that work force in Malta constitutes predominantly of men. However, as the following graph shows, the proportion of women as long-term unemployed is steadily increasing since

2000 reaching 43% of all long-term unemployed in 2004 (from only 25% in 2000). Furthermore, the largest drops for men have been in the category of six-months or less (25% drop over the four year period, or 5% annually), while the largest increases for women have been recorded in long-term unemployment of over 12 months (61% growth over the same period, or 12.2% annually).

Distribution of long term unemployed between women and men, 2001 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

Given the large proportion of women who are inactive, it would be interesting to note what their age distribution is in order to know if the younger generations are the ones beginning to change the picture and if there has been any change among the older generations. In the following graphs show the recent evolution of the inactive population of women and men.

These graphs show the very marked male-breadwinner model of Maltese society whereby it is men who are out in the labour market and women only come into the labour market at specific ages that coincide with their role as mothers and carers of other family members. The marked inactivity of younger and older men indicates that they finish school and immediately enter the labour market and then exit with retirement.

The more even distribution of inactivity among of women indicates that many women are extending their time at school (inactivity increasing for younger age groups). Following their life-cycle most join the labour force between 25 and 34, but then women's inactivity reaches its highest numbers between 35 and 44 and 45 and 54. These periods of women's

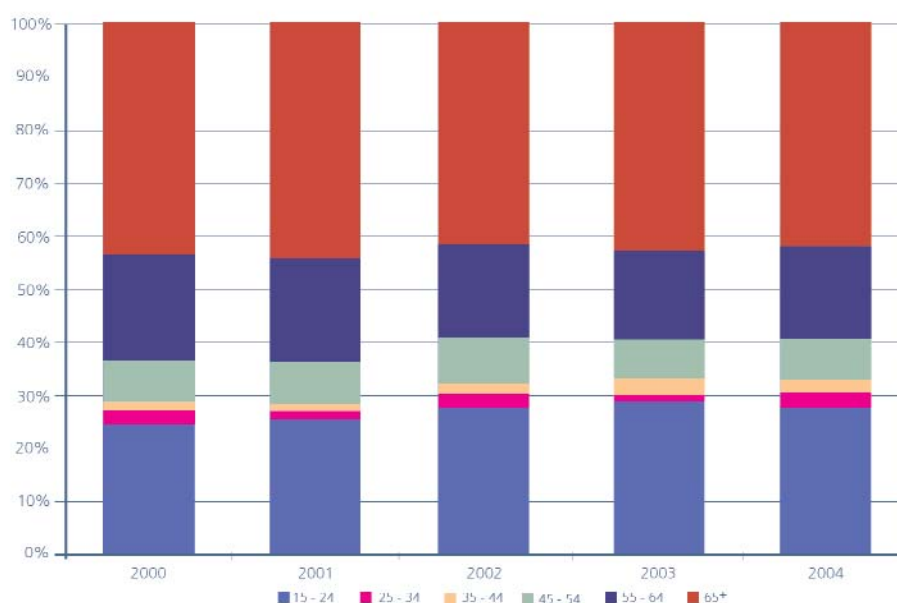
life-cycles are linked to the birth and raising of children. It is most interesting to note that contrary to expectations, women between 55 and 64 years of age seem to increase their activity (or decrease their inactivity).

This situation could be explained by the end of the raising of children which would allow women to look for work, but it could also be linked to strong incentives to work just before retirement age in order to receive some kind of pension under the Maltese social security system.

In Maltese system, the pensions are calculated on the basis of last ten years of working life, so this could encourage women to become gainfully employed. However success of such women in finding jobs at the age of 55 is quite doubtful.

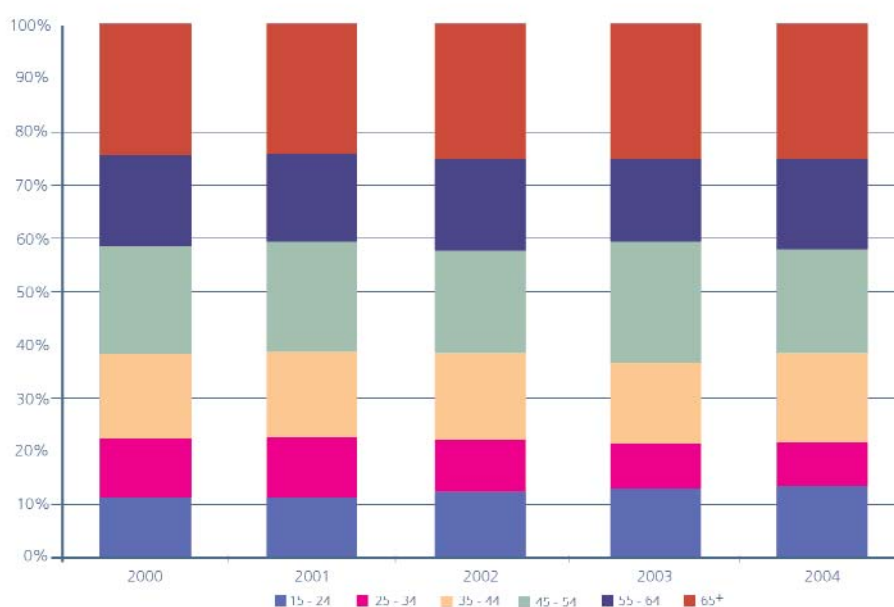
It is very difficult for women of that age to find a employment. This is related to the fact that in many cases they will not be computer literate, and this skill is very important to employers. The government has recently introduced a scheme called TEES it is a scheme that gives a financial incentive to employers to employ people over 40.

Distribution of inactive men by age group, Malta, 2000 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

Distribution of inactive women by age group, Malta, 2000 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

According to some recent research, there are strong stereotypes in the family roles in Malta. According to this research, women are "allowed" to work if it is financially necessary to do so and on the condition that children's well being is not affected ¹. This same research points out that Malta remains one of the most family oriented countries in Europe and that society expects women to bear the responsibility of caring for the family. At the same time the society is increasingly aware that women should also work, but no structural support for caring for family dependents (children and adults) is associated with this awareness.

The situation for women in Malta according to this brief analysis of the main labour market indicators can be summed up as follows: participation of women in the labour market is weak, and women as compared to men experience significant difficulties in finding employment and remain active. In the following sections more aspects of the working conditions and other characteristics of the female labour force in Malta are described.

Conditions of work

In 2003, only 17.4 per cent of working-women worked full time, while 3.9 per cent worked part-time and 1.1 % were in full-time employment but with reduced hours.

Statistics also reveal that the number of females working on a part-time basis has been continuously increasing and, in fact, the number of women in part-time occupation doubled over the period 1995 to 2000, i.e. from over 5,000 in 1995, there are now more than 11,000 females in part-time occupation².

Many married women move into part-time work primarily to be able to balance family responsibilities and work. A recent survey, conducted by the Malta Association of Women in Business on 'Perceptions on Employment and Career Development', shows that the majority of women choose to work because they have to, owing to the changing economic environment. This choice also reflects a significant cultural move towards independence by supplementing the family income and raising its standard of living ³. More analysis on the issue of reconciling work and family life is presented in the corresponding section below. Another important issue with respect to conditions of work is whether women work in the

private or the public sector. In Malta, the strong presence of the public sector in terms of employment (almost 40% in 1995) is steadily decreasing in favour of the private sector. By 2000 the employment in the private sector had already reached 63% of the total. According to the Employment and Training Corporation almost 65% of all employed women were working for the private sector by the year 2000, while the percentage of men lagged behind at around 63%.

Additionally, there is a significant pay-gap between men and women. Though holding the same working position, women earn on average 15% less than their male colleagues. One of the keys to understanding this gap, in addition to the differences in public and private sector distributions, is the sectorial and occupational segregation which is analysed in the following section.

Occupational and sectorial segregation

In addition to the rather weak participation and problems to remain in a continued way in the labour market, women in Malta, as in other EU countries, also face restrictions in the type of work that they can contribute to society.

As to the distribution of women among occupations and the distribution between women and men in each occupation and sector of activity, the following tables show that there is a marked segregation in Malta where only 5% of all working women make it to the top of the occupational ladder (Legislators; senior officials and managers), while for men this reaches 15%. It must be noted, however, that the percentages of women in this occupation have risen since 2000. This reality is reflected in the distribution between women and men in this same occupation. Only 15% of all top occupations are held by women.

Linked to this situation is the fact that, according to a recent Women Network's survey, almost 80% of female respondents do not participate in the decision-making process of their organisation, and this mainly because of "lack of time" (49,5%) and "family obligations" (35,5%). Women, more than men, are facing the challenge of reconciling family responsibilities with full-time employment. In fact, a women's dominated occupation and sector such as teaching and education (56%

1 - Abela, A.M. (2000) *Values of Women and Men in the Maltese Islands -A comparative European Perspective*. Malta: Commission for the Advancement of Women, ministry for Social Policy.

2 - <http://www.uhm.org.mt/page.jsp?id=10243&siteid=1>.

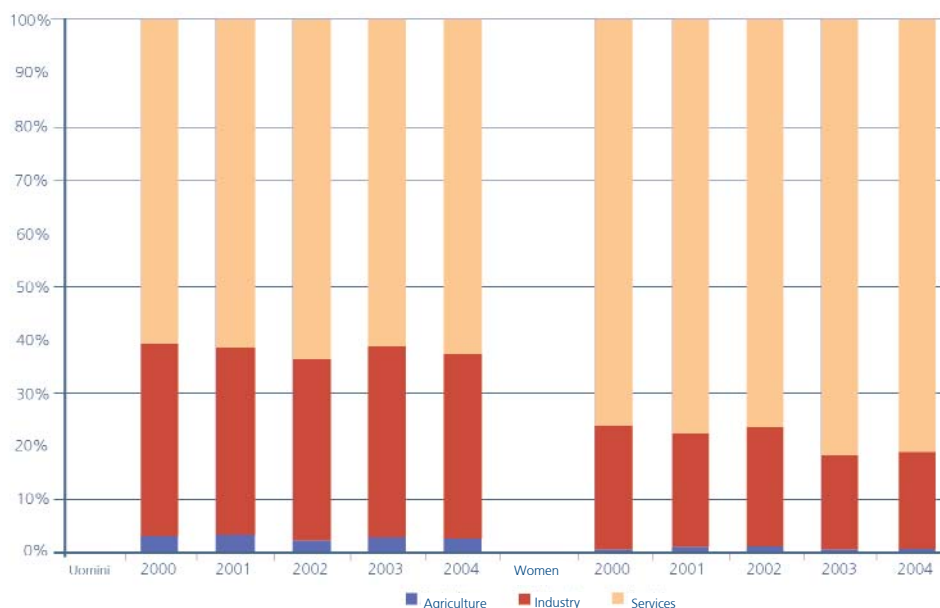
3 - Country Report for Malta", drawn up by Anna Spiteri, in preparation for the Regional Forum on The role of women in economic development: dimension equal opportunities between Women and Men within the Euro-Mediterranean Partnership, 2001.

4 - Country Report for Malta", drawn up by Anna Spiteri, in preparation for the Regional Forum on The role of women in economic development: dimension equal opportunities between Women and Men within the Euro-Mediterranean Partnership, 2001.

of all teachers are women) does not reflect in the leadership of the teachers union which is an all male directed organisation ⁵. The following occupations were there is a scarce or non-existent presence of women in the skilled agricultural worker category and craft and related trades. However, women's presence in these occupations seem to fluctuate year upon year as the figures showing the distribution of employment in these occupations between women and men. Next, the occupations where women are most concentrated, are Service workers and Associate professionals (19% of all working women in each case), followed by Clerks (17%), which has dropped substantially from its proportion in 2000 as the most feminised of all occupations (at 23% of all working women). There is also a large proportion of women who work as professionals (16% in 2004, which is the same proportion as in 2000). Finally, the lower end of the occupational spectrum (plant and machine workers and elementary occupations) also have substantive proportions of women (above 10% of total female employment), but which are similar to the proportions for men. It is most interesting to note that in none of these wide occupational categories in 2004 women made up more than 50% of all workers. Only in the case of Clerks in previous years was a figure of over 50% recorded for women. It can be said that the entire labour market, from an occupational perspective, is male dominated. The only other occupation where women

have a stronger foothold is in the category of Professionals where they make up 42% of total employment. As to the distribution by sector of activity, in the following graph the differences between men and women with respect to the sector of employment are also very marked. Although the presence of men as employed in agriculture is much higher than women's participation, one must also consider that in many cases women are unpaid family workers in the agricultural sector, so that these figures, which only pertain to paid work could be misleading. It is highly likely that there are the same proportions of women working in this sector although they are not paid and they do not have contributions to the social security system. On the other hand, the distribution for men and for women in industry and services can be said to be very different according to the data. More than 30% of men work in industry, while only 18% of all women work in these activities. In services, there is, as in other EU countries, a concentration of most of the female employment (81% in 2004 up from 76% in 2000), but it must be noted that, as in the case of occupations, in none of these wide sectors is the proportion of women more than 50%. In services where there are the most women working, they make up only 26% of all service workers. This sectorial and occupational distribution is closely linked to the educational attainment of the population. The following section deals with this issue.

Distribution of inactive women by sector of occupation, Malta, 2000 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

5 - <http://www.mut.org.mt/>

OCCUPATIONAL DISTRIBUTION

	Armed Forces		Legislators; senior officials and managers		Professionals		Technicians and associate professionals		Clerks		Service workers and shop and sales workers		Skilled agricultural and fishery workers		Craft and related trades workers		Plant and machine operators and assemblers		Elementary occupations	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
2000	1	0	9	4	9	16	12	13	8	23	13	17	2	0	19	1	13	16	13	10
2001	2	0	10	5	7	13	13	14	7	24	12	17	2	0	19	1	12	15	16	12
2002	1	0	11	5	7	14	13	16	7	21	13	16	2	0	19	1	11	15	15	11
2003	1	0	11	6	8	15	14	15	7	21	12	23	2	0	19	2	11	10	14	9
2004	2	0	10	5	9	16	12	19	8	17	13	19	2	0	20	1	10	12	13	11

DISTRIBUTION BETWEEN WOMEN AND MEN IN EACH OCCUPATION

	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
2000	91	9	85	15	57	43	69	31	47	53	63	37	92	8	97	3	65	35	76	24
2001	100	0	84	16	57	43	71	29	43	57	64	36	95	5	99	1	67	33	76	24
2002	100	0	83	17	53	47	64	36	44	56	64	36	95	5	97	3	62	38	75	25
2003	100	0	82	18	54	46	66	34	44	56	55	45	98	2	96	4	71	29	77	23
2004	100	0	83	17	58	42	60	40	52	48	60	40	93	7	97	3	66	34	73	27

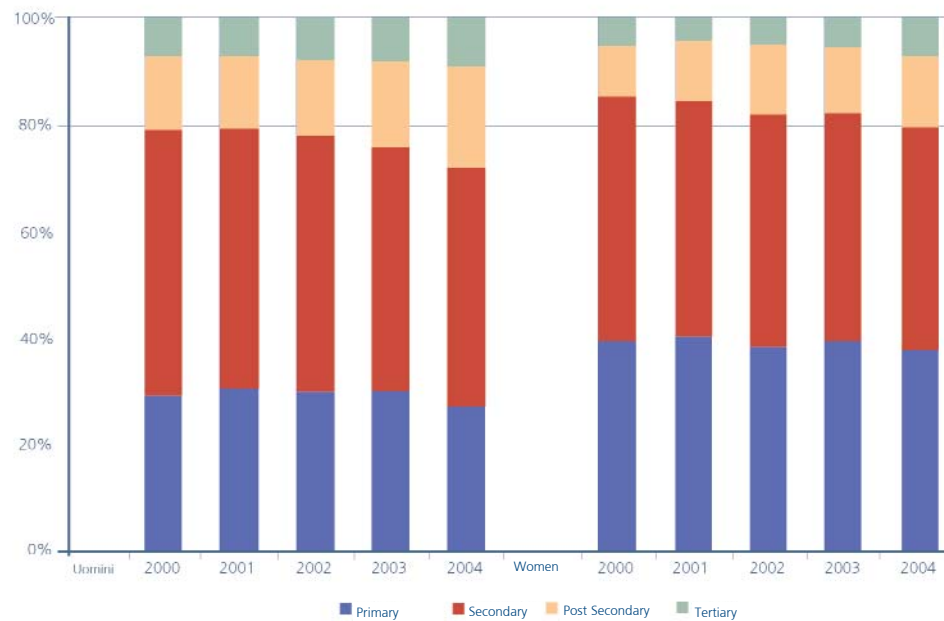
Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

Access to education

In the section dealing with the legal framework of this report, the changes to the educational laws to increase the equality of opportunities in this area has been very great in recent years in Malta. However, the present state of this issue shows that women have not had the same opportunities as men for many years.

As the following graph shows, the proportion of women with only primary education or less is still very large and up to 10 percentage points higher than that of men (which is also very high for EU standards). However, this proportion is diminishing quickly as the younger generations reach higher levels of education.

Distribution of inactive women by sector of occupation, Malta, 2000 - 2004



Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

Men are also increasing their higher levels attainment, and therefore a gender gap in this respect will continue to exist for some time. It must be noted that only in primary and secondary education women make up 50% or more of the total. In tertiary education, however, a strong increase is noted from 42% to 48% between 2000 and 2004. This trend will continue and will be one of the tools that women will use to access to the labour market more easily. It will also lead to women returning to the labour market after child rearing period.

Reconciliation of work and family life

The government realises that the women can contribute a lot to the economy of the country so the government invests in the education of women. With this change of more women going out to work it has also brought change in the family regarding the roles of the parents. With this change society plays also an important role, that to help the worker take the responsibilities at work and of the family. The government is now considering child care facilities more seriously and is now offering this service to workers in places like St Lukes hospital and the Zammit Clap hospital. Also recently a centre was opened in Birgu which offers both child care facilities but also helps children with their education after school hours. Apart from these centres the government offers the kindergarten facilities, starting from the age of 3.

There are also many married women who start a family and do not take a career break, particularly the professionals. This results in economic hardship due to lack of assistance to working parents, particularly as there are no tax rebates or other forms of monetary relief for working couples who need to employ childcare at home. Many endure this economic hardship to pursue their careers. On the whole, however, women's personal preference is to stop work after the birth of a child for at least two years. Some women maintain that their decision is influenced by lack of childcare facilities and the financial viability of employment.

Very often, women work part-time in order to be able to look after their family, particularly the upbringing of children. Working part-time very often reduces a person's career prospects. They are also ineligible for certain social benefits unless they work beyond the minimum threshold, which in Malta stands at 20 hours per week. Part-timers must also pay a relatively high national insurance contribution even if the hours worked are minimal. As analysed in a previous section, Malta has quite a high percentage of inactive persons of working age

(30%). The percentage rate of inactive men is much lower than that of women who make up 70% of the inactive population in 2004 (down from 72% in 2001). The main reason for inactivity of women is attributable to personal or family responsibilities. This means that very often women stay out of the labour market due to child-care and family commitments in spite of having invested in years of education. In fact, there are not many child-care and day-centres; and even schools finish very early in the day, which makes it difficult to make work and private life compatible. The few child-care centres available in Malta are still not regulated and remain very expensive. No licences are available and although many carers are undergoing training, there are many who do this work without any form of qualification. This has been possible since no inspections are held. In the light of this, parents may find it to trust their children to these centres. Consequently, parents very often rely on grandparents to take care of their children. This solution will soon not be available as there will be more cases of both grandparents working. "Another major obstacle is our traditional values, which is a very positive aspect of Maltese society. However, there is a stigma surrounding working mothers.

The prospect of a working mother and a househusband is hard to come by. Those men, who venture into the realms of atypical work such as reduced hours in order to share family responsibilities, usually bear the brunt of interminable jokes about a reduction in virility. The concept of sharing both financial and family responsibilities should be promoted and praised. It would reduce tension in many families and ease the burdens on both parents. The Maltese Church should play a pivotal role on this issue"⁶.

Most of the time, women tend to opt for part-time work in order to reconcile work with family life. "The way our taxation system functions, it is not financially viable for these women to work since they end up paying all that they earn to the Commissioner of Inland Revenue. Time and again, suggestions have been put forward to the Government to change tax burdens on the second wage earner. Unfortunately, to-date, this has fallen on deaf ears. The system is such that even in marriages governed by the community of acquests, pension cheques are received only by the husband. This is so even though the wife is legally entitled to half the earnings - even if she has never worked outside the home"⁷. Finally, as was described in the legal framework section of this report, there have been many changes to the social security system. As in other countries, the system can be encouraging or discouraging women to enter and remain active in economic life. According to one

6 - <http://www.uhm.org.mt/page.jsp?id=10243&siteid=1> this is also the view of other researchers such as Abela (2000) cited in footnote 3.

7 - <http://www.uhm.org.mt/page.jsp?id=10243&siteid=1>

of the experts in this field in Malta there needs to be more changes towards true individualisation of taxes and benefits, which are very much centred on a male-breadwinner model at the moment. A policy-led change in toward more "family-

friendly" working conditions, including encouraging more active participation of men in caring activities in the household, "should go a long way towards making both employment and mothering (or parenting?) possible"⁸.

Stereotype of employed women

The typical stereotypes of women working as employed workers are secretaries, receptionists, chamber maids, factory workers, clerks, sales girls, waitresses, customer care sections, nurses, and all other professions related to care, and teachers. Stereotypes of women that work as self-employed are hairdressers, beauticians, maids, run small bazaar shops or small stationery's. There is no record of a typical time

of employment, one would find women working at all times, however in most cases it is in 9 to 5 jobs, women generally prefer to work part time while children are at school this is due to a significant lack of child care facilities in Malta. The number of families with both parents working, however, is constantly increasing. Further, number of single mothers working in order to sustain her family is also increasing.

Issues for women entrepreneurs

The number of Maltese women who own Small and Medium Enterprises, has decreased over the recent years. In 1980, 2,598 self-employed (with no employees) women made up 2.2% of the gainfully occupied. At the end of the year 2000, the number stood at 2,245, and represented only 1.5% of the gainfully occupied⁹. By 2004 the figure has fallen to 1,936, and represents 1.3% of total employment (adding together women and men). In the following table the figures of self employed (with and without employees) are shown. Although the category of self-employment without employees seems to have a great deal of fluctuation, self-employment with employees, which in many cases is taken as the true measure of entrepreneurship, has almost doubled from 459 to 891 women over the period 2000 to 2004. At the same time, new categories of self-employed women, like hairdressers, beauticians, lawyers, doctors, graphic designers and others are increasing. It may be that the changes in agricultural work and practice can explain for the observed varying trend. We can ask ourselves what are the reasons (direct or indirect discriminations) that have brought about this situation (such as a lack of opportunities and incen-

tives from the Banks, benefits for the social contributory pension etc). Moreover, self-employed women do not enjoy the right of pregnancy benefits nor paid parental leave."

Barriers facing women as entrepreneurs

Maltese women wanting to generate their own income through the setting up and developing a business must overcome the gender barriers which mirror the barriers that face women as employees in the labour market. The lack of a motivating environment does not give women the self-confidence to start or expand their business. Moreover, lack of business skills, or lack of recognition of their actual skills, does not facilitate matters. A survey commissioned recently by the Malta Independent (a local newspaper) found that 80.3% of respondents are convinced that without a 'patron' one does not succeed in life. It is interesting to note that the survey shows that females are more convinced of this than males (82.1% vs. males 78.5%). The most effective 'patrons' are said to be Ministers according to 85.9% of the respondents to the survey. These survey results denote that there is more faith in "men in powerful positions" than with the current system,

8 - "Country Report for Malta", drawn up by Anna Spiteri, in preparation for the Regional Forum on The role of women in economic development: dimension equal opportunities between Women and Men within the Euro-Mediterranean Partnership, 2001

NUMBER OF EMPLOYED BY EMPLOYMENT STATUS CATEGORY AND SEX, 2000 - 2004, MALTA

Year	Self employed without employees		Self employed with employees		Family workers		Employees	
	Men	Women	Men	Women	Men	Women	Men	Women
2000	10,772	2,245	5,337	459	0	116	85,322	40,952
2001	12,799	2,432	4,726	831	157	369	85,925	38,348
2002	12,825	1,760	5,370	752	0	48	83,925	43,723
2003	11,353	2,896	6,000	787	0	74	83,806	42,126
2004	11,508	1,936	6,040	891	0	190	85,253	42,284

Source: National Statistical Office, On-line data base, rates calculated by author, 4th quarter

since going to the Minister denotes bypassing the system with all its ingrained prejudices¹⁰. Direct discrimination is also found in the form of prejudice within enterprise development agencies, business support services, business training, business incentives schemes and financial institutions.



Also indirect discrimination prevents access to business finance and training support. Business networks locally are predominately male since the women do not have the time to "network" after office hours. Moreover, women with additional responsibilities of domestic management, the organization of childcare and care of the elderly

are severely limited in the amount of time and energy they are able to devote to establishing, expanding and diversifying their business. It is more difficult for women to access finance as banks see women as a higher risk. The reason that a great deal of women go into entrepreneurship is due to lack of employment opportunities, especially women who are married and with children. This in turn leads to the general stereotype businesses. Family obligations and difficult access to finance are still the main hurdles for female entrepreneurs, both present and future. To overcome these obstacles I feel we need to have the following measures:

- > Ensure easier access to finance and microloans
- > Offer additional and more flexible childcare facilities
- > Promote household assistance to help women in dealing with their family life .

Stereotype of women entrepreneurs

The stereotype of a woman entrepreneur shows a woman who established her own business in order to work but at the same time be able to combine it with

childcare and house work responsibilities. This includes being able to fit the time dedicated to her business around the needs and work of her husband.

Case studies

Case Study 1

A business woman who is now in her 40's, Anna started her business fifteen years ago. She is a highly educated woman and very qualified in her sector. She had been employed with a company from the age of 21 and had a very good pay. So no problems there! The problems were that her boss abused her verbally and did not treat her like her equals. She got no help from her male colleagues as she was seen as a liability and not an asset to the company. Through the years the verbal abuse from her boss got worse and this is when she decided that enough was enough. It was one particular episode that made her change her mind. One day during a meeting with a very important client, HER client might I add, her boss waltzed into her office during a meeting, introduced himself and the next words that came out of his precious mouth was " let's go to my office and really discuss business she will bring us the coffee". So this was the last straw, she handed in her notice and left. She then applied to start her own business, the first problems that she encountered were through the different authorities and bank as most of them wanted her husband's signature or a letter stating that he gives permission to his wife to do it!!!!!! So finally after going through all the bureaucracy the business started, she started in an office that only had one room and a desk. She would go round her friends and ask for business, she finally had made it: the business started coming in. Unfortunately there was her dreadful ex-boss again who to protect his male ego decided to take her to court saying that she could not operate in this sector as she was taking his clients. What he did not realize is that he let go the main strength of his company and they were HER clients. So years started passing and the business is going well, but she encounters a different type of discrimination, although the business is hers and her husband does not work there, certain clients insist that they talk to the boss, so when Anna insists that she is the boss the next reaction is get me your husband, I want to talk to the man in charge!!!! Last but not least of the problem that this women encounters is the society itself as a whole, since she works long hours and the husband has a reduced work week, he looks after the children. The stigma that she gets however from men and women alike is that she is not a proper woman; if she was she would look after the children!!!! What they do not realize is that child care in this country is so poor that the husband had to opt for a reduced hour work week as there was no option as to where to leave the children.

Case study 2

Miriam owns a small stationery shop in Naxxar, she is married with two children. She started the business after the children were born and were of a school age, the shop is actually what use to be the garage under her house. The reason that she started this small shop under her house she said is to be able to cope with taking care of the children when they come from school and to be able to cope with the house chores. The that could be noticed straight away is that the business is in her husbands name. When asked she said that her husband believed that this would be better for tax purposes. There is lot of women like this in Malta. At the same time there is a lot of women who's name appears as to be a shareholder of a company together with their husbands but they would not be allowed to run the company or even say that it was theirs. But now back to Miriam. She stayed in school till the age of 16 as required by law and then went to work as a machine operator during the week and a maid on Saturday's.

She worked till about a year after she got married which was when she was 23, and then her husband did not want to let her work anymore, she had her children and about 7 years later she wanted to go back to work but her husband would not allow it. This is when the idea of the stationery shop came along, as this would mean that she could still carry on doing her daily chores between customers and after closing hours without disrupting her children's and husband's life.

This is very, very important to many women in Malta: their life is shaped to suit their husbands, and God forbid if a husband would have to adapt his life to suit his wife's lifestyle. However a slow change in the younger couples is now starting to show.

