

The Legalities and Realities of Emancipation Policies in the Netherlands and Their Associated
Welfare State Typologies

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Abstract

The Independent Study Project (ISP) investigated how Dutch emancipation policies have affected female labor market participation in the Netherlands. The ISP focused specifically on The Working Hours Modification Act, The Childcare Act, and The Work and Care Act. The ISP explored both the legalities and realities of the emancipation policies. Additionally, Esping-Andersen's welfare state typologies were incorporated and each emancipation policy was classified according to the welfare state typology that it best reflected. The legalities of the legislation were researched using literature and the findings of other comparative studies done on female labor market participation in the Netherlands. A qualitative survey and focus group were conducted to better understand the realities portion of the policies. The research revealed that the emancipation policies have little to no effect on female labor market participation in the Netherlands. It was concluded that female labor market participation was influenced by traditional Dutch ideology, the amount of employer support a woman receives, and a woman's financial situation. Additionally, research on the each of the policy's entitlements, conditions, and implications resulted in all of the emancipation policies being categorized within the conservative-corporatist welfare state typology.

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Chapter 1: Introduction

1.1 Primary Research Question

How do the following policies: The Working Hours Modification Act, The Childcare Act, and The Work and Care Act, affect female labor market participation in the Netherlands. What are the legalities and realities of these policies and which welfare state typology, as outlined by Esping-Andersen, do these policies best reflect?

1.2 Introduction of the ISP

The Independent Study Project (ISP) investigated emancipation policies in the Netherlands and the subsequent effects of the policies on employed, Dutch mothers. The ISP specifically focused on the Adjustment of Working Hours Act, The Childcare Act, and The Work and Care Act. An inquiry into these emancipation policies provided insight on the availability of childcare services; care leaves, flexible/reduced working hours, and the Dutch ideology regarding Dutch mother's participation in the labor market.

The framework for the ISP incorporated the welfare state typologies developed by Gosta Esping-Andersen, a Danish welfare state theoretician. Based on the typology guidelines and additional research, the ISP placed the emancipation policies into the appropriate welfare state typology. Additionally, the ISP used survey findings and a focus group discussion to highlight the realities and effects of the policies on employed, Dutch mothers.

The ISP is organized to appropriately answer the primary research question. The theoretical framework of the ISP provides background information on Esping-Andersen's welfare state typologies along with the typologies' relevancy to the research. The findings and analysis section of the ISP is divided in accordance to the policies researched: Adjustment of Working Hours Act, The Childcare Act, and The Work and Care Act. Within each section, the legalities (e.g., entitlements, conditions) of each policy are discussed along with the implications and realities of the policy. Quotes and findings gathered from the qualitative survey and focus group discussion are included within the implications and

realities section. Lastly, each policy portion is concluded with a debate on the policy and a discourse revealing the specific welfare regime as reflected by the policy.

Chapter 2: Theoretical Framework

Theoretical approaches to researching women's involvement in the workforce have undergone considerable development within the last twenty-five years due to a global increase in female labor market participation.

2.1 Three Approaches Used When Studying Women's Employment

The three main approaches used when studying women's participation in the labor market are outlined by Tanja van der Lippe and Liset van Dijk in, *Comparative Research on Women's Employment*. These approaches include: the micro approach, the macro approach, and the macro-micro approach. Each approach has its own theoretical point of view and differs based on the explanatory factors used, collected data-sources, and the way in which the data is analyzed.

The micro approach uses large-scale data sets with individual data to analyze the effects that individual characteristics have on women's work. These characteristics include: marital status, education, occupation (Treiman & Roos 2004), family life, family policy (Kaufman 1997), and the gender gap in workplace authority (Wright 1995). The micro level studies women's employment through a combination of case studies and a comparative analysis of data collected at the individual level (Van der Lippe & Van Dijk 2002: 228).

In contrast to the micro approach, the macro approach explores the societal context of women's involvement in the labor market. This approach analyzes the institutions, regulations, laws, structures and gendered norms associated with women working. The macro approach explores the institutional level of women's employment and avoids individual specificities (e.g. marital status, education, income). Esping-Andersen's typologies of Western welfare regimes are often applied when using the macro approach.

Lastly, the macro-micro approach combines the macro and micro approach and investigates aspects of women's employment that are, "explained by both individual characteristics and features of the institutional context" (Gornick 1998, Van der Lippe 2002:

229). Moreover, the macro-micro approach incorporates comparative studies of macro level institutions with individual data collected at the micro level.

2.2 Applied Approach of the Independent Study Project

The ISP uses the macro approach and features Esping-Andersen's welfare state typologies. The welfare state typologies are useful for understanding the variation in women's attachment to the labor market. As Widener explains, "All families emerge within a cultural context constructed by culturally driven attitudes, resources and practices. So it is important to relate social policies to those cultural frameworks, which shape parents' adaptation to work and family roles. Welfare state theory is a good way to organize and understand this dynamic" (Widener 2006: 17).

2.3 The Esping-Andersen Welfare States Typologies

The Esping-Andersen welfare state typologies are divided in terms of pension rights, employment structure, and power structure; the three typologies developed by Esping-Andersen are: the social-democratic welfare regime, the liberal welfare regime, and the conservative-corporatist welfare regime.

2.4 The Social Democratic Welfare Regime

The social democratic regime (e.g., Sweden, Denmark) is, "based on the idea of equal rights for all citizens" (Van der Lippe & Van Dijk 2002: 226). Central to the social democratic welfare regime is the state, which allocates social rights based on citizenship. These benefits are universal and not means-tested; included in these benefits are support from the state for full employment and high wages (Pettit & Hook 2009: 782). Furthermore, "the social democratic welfare regime looks to minimize the degree to which the individual's welfare depends on a person's fortunes in the free market; and, with the emphasis on maximizing 'activation' (employment to support such universal programs), the family is seen as needing universal support systems which enable men and women to work (Widener 2006: 18).

Family policies within social democratic welfare regimes encourage female labor market participation by providing generous maternity and paternal leave as well as high quality and affordable childcare (Lambert 2009: 318, Van Der Lippe & Van Dijk 2002: 230).

2.5 The Liberal Welfare Regime

The liberal regime (e.g., United States, United Kingdom) is "characterized by the important role of the market" (Van der Lippe & Van Dijk 2002: 226). Liberal welfare regimes emphasize the sovereignty of the state and are run by social democratic governments (Widener 2006: 17; Van der Lippe & Van Dijk 2002: 226). It is uncommon for liberal welfare regimes to interfere with the labor market, and such interference only occurs if the market fails. Furthermore, within the liberal welfare regime it is understood that the individual is to rely on the market to meet his/her needs- the government provides limited benefits, most of which are reserved for low-income state dependents (Van Der Lippe & Van Dijk 2002: 226).

Family policies within the liberal welfare regime "do not actively encourage or discourage female labor force participation" (Lambert 2009: 318). The liberal welfare regime is entirely focused on "equal rights", however, "equal rights do not lead to equal outcomes" (Van Der Lippe & Van Dijk 2002: 226). Within the liberal welfare regime, the family is acknowledged as the individual's responsibility, resulting in minimal family support from the state (e.g., low levels of paid or unpaid leave, low publicly funded childcare) (Lambert 2009: 318).

2.6 The Conservative-Corporatist Welfare Regime

The conservative-corporatist welfare regime (e.g., Italy, Ireland) works to preserve status differences and, thus, central to the conservative-corporatist welfare regime is the family (Widener 2006: 16). Within the conservative-corporatist welfare regime, "rights are attached to class and status" and the dominant ideology is that of the traditional male breadwinner (Van der Lippe & Van Dijk 2002: 226). The affects of this ideology are present in the family polices of conservative-corporatist regimes. These family policies aim to

encourage motherhood by offering longer, unpaid leaves and limited subsidized childcare services (Lambert 2009: 318).

2.7 Critique of Esping-Andersen's Welfare State Typologies

Feminists have critiqued Esping-Andersen's welfare state typologies for ignoring the woman's role in the family and the non-market social divisions between men and women (Widener 2006: 19). This critique is founded within Esping-Andersen's concept of "decommodification". Decommodification measures the extent to which a person or family can maintain a socially acceptable standard of living, independent of market forces (Esping-Anderson 1999). Feminists argue that women do a majority of unpaid work and are, thus, dependent on the entitlements of the breadwinner (Widener 2006: 19). Furthermore, decommodification "presupposes that individuals are already commodified. It may adequately describe the relationship between welfare states and the standard, full-career male worker, but it is not easily applicable to women, considering that their economic roles are often non-commodified" (Esping-Anderson 1999: 44).

New welfare state typologies, such as those created by Jane Lewis (1993), have been developed to compensate for this deficiency. Lewis's welfare state typology is composed of three categories: the strong breadwinner, the weak breadwinner and the modified male breadwinner. The strong breadwinner typology (e.g., the Netherlands) features social policies that are organized around a single male breadwinner and a female housewife (Widener 2006: 5). The weak breadwinner typology (e.g., Sweden) encourages female employment by providing generous provisions of parental leave and childcare. Similarly, the modified male breadwinner typology (e.g., France) has a high level of female employment, however, associated with this is a strong patriarchal role in the family (Widener 2006: 5). These typologies are helpful for understanding the woman's role in the family and non-market social divisions; however, the typologies are insufficient for understanding cross-national variations in women's labor market participation (Del Boca & Wetzels 2007: 12).

2.8 Esping-Andersen's Counter Critique

Esping-Andersen's response to these critiques has been: "[feminists often argue] that models of welfare regimes that have been specified via a political economy perspective fail to hold up when subjected to a gendered analysis. Alternative "gendered" typologies do, in fact, often contradict "political economy" typologies. But the contradiction may be spurious because different phenomena are being explained and compared" (Esping-Andersen 2002: 49-50). Furthermore, the typologies are not goals in themselves; the typologies are "ideals that serve to represent a reality that cannot yet be described using laws" (Del Boca & Wetzels 2007: 4).

In his latest work, Esping-Andersen introduced the concept of "defamilialisation" to counter the critique of decommodification. "Defamilialisation measures the degree which women can live independent of family relations through either through active employment or social security provisions" (Widener 2006: 19). Additionally, defamilialisation "serves to capture policies that lessen individual's reliance on the family and maximize individual's command over economic resources despite familial or conjugal reciprocates" (Del Boca & Wetzels 2007: 12). Furthermore, it was the feminist critique of decommodification that led Esping-Andersen to realize that "female independence necessitates 'defamilialising' welfare obligations rather than 'decommodifying' them" (Del Boca & Wetzels 2007: 12).

Chapter 3: Methodology

3.1 The Macro Approach

After reviewing the approaches outlined by Tanja van der Lippe and Liset van Dijk, I felt that the macro approach was the most applicable framework for my Independent Study Project. The micro approach was not selected because it was unrealistic that I would have access to a population of employed, Dutch mothers that would enable me to properly measure the necessary individual characteristics. In contrast to the requirements for the micro approach, I had sufficient time and resources to investigate the institutional indicators of female labor market participation (e.g., ideological and political structures, and family policies) thus validating the macro approach as an appropriate framework for the research.

3.2 Assumptions

My research assumes that employment policies influence female labor market participation in the Netherlands. Furthermore, the research presupposes that the three emancipation policies selected (The Modification of Working Hours Act, The Childcare Act, and The Work and Care Act) are the most influential policies.

3.3 Relevancy of Esping-Andersen's Welfare State Typologies

Esping-Andersen's welfare state typologies are often applied when using the macro approach and were, thereby, incorporated within the theoretical framework and research of the ISP. The welfare state typologies were applicable to the ISP because the typologies reveal the interplay between the state, the market, and the family. Furthermore, the typologies were useful in understanding the variation in women's attachment to the labor market. For limitations and a critique of Esping-Andersen's welfare state typologies, see Theoretical Framework.

3.4 Policy Legislation

The IPS focused on three policies: The Working Hours Modification Act, The Childcare Act and the Work and Care Act. The policies provided information on the legalities of the legislation; included in this were the specific conditions and entitlements as outlined by the

policy. I chose to focus on the policy aspect of the macro approach because a country's policies are a direct reflection of the attitudes, norms, and culture of which they are derived. Furthermore, with limited time and resources, the investigation of policies was the most efficient and pragmatic approach to the research. The policies that were selected all contained legislation pertinent to employed mothers. Moreover, these policies were previously used in other comparative studies conducted on Dutch women's labor market participation, thereby, validating their applicability to the research.

Methods

3.5 Literature Review

Multiple journal articles and studies were reviewed to help select the appropriate framework for the ISP. Of these the most notable are: *Comparative Research on Women's Employment* by Tanja van der Lippe and Liset van Dijk, *Sharing the Caring: State, Family and Gender Equality in Parental Leave Policy* by Anmarie Widener, and *Social Policies, Labor Markets and Motherhood: A Comparative Analysis of European Countries*, by Daniela Del Boca and Cecil Wetzels. Lippe & Dijk's article, *Comparative Research on Women's Employment*, outlined the three approaches commonly used when analyzing female labor market participation. The authors detailed the specifics of the micro, macro, and macro-micro approach and such information was vital to the selection of which approach would be applied to the ISP. Widener's article, *Sharing the Caring: State, Family and Gender Equality in Parental Leave Policy*, was applicable to the research because Widener's thesis used the macro approach. Furthermore, Widener's description of Esping-Andersen's welfare state typologies added to my understanding of the typologies. Del Boca and Wetzels' article, *Social Policies, Labor Markets and Motherhood: A Comparative Analysis of European Countries*, provided more in-depth information on the Esping-Andersen's welfare state typologies. Moreover, both the critique of Esping-Anderson and the counter-critique were founded within this source.

Information regarding the legalities of the emancipation policies were gathered from a variety of sources. These sources included: *Care in Europe: Joint Report of the "Gender and Employment" and the "Gender and Law" Groups of Experts*, by the European Commission of Employment and Social Affairs, and *Patterns of Development in Work/Family Reconciliation Policies from Parents in France, Germany, the Netherlands, and the UK in 2000s* by Jane Lewis, Trudie Knijn, Claude Martin, and Ilona Ostner. The report by the European Commission of Employment and Social Affairs broke down each specific policy. Additionally, the report noted the uptake of the policies along with the implication of the policies on female labor market participation. The article by Lewis, Knijn, Martin, and Ostner was a comparative study, which analyzed the work/family reconciliation policies in France, Germany, the Netherlands, and the UK. Even though the article focused on multiple countries, it contained very specific information on the policies in Netherlands and was, thus, beneficial to the research.

More explicit details of the implications and realities of the policies were gained from the following articles: *From Subsidiary to 'Free Choice': Child-and-Elder Care Policy Reforms in France, Belgium, Germany, and the Netherlands*, by Nathalie Morel; *The Comparative Political Economy of Parental Leave and Child Care: Evidence from Twenty OECD Countries* by Priscilla A. Lambert; and *Patterns of Transition: Female Native Dutch and Ethnic Minority Employment Patterns in the Dutch Labour Market, 1991 and 2002* by Pieter Bevelander and Sandra Groeneveld. Morel conducted a comparative study on Bismarkian welfare states (e.g., France, Germany, Belgium, the Netherlands); it provided specific information on the implications and realities of childcare policies in the Netherlands. Similarly, Lambert reported a comparative report of twenty OECD countries. Lambert provided specific information on the parental leave and childcare. In contrast the article by Lambert and Morel, Bevelander and Groeneveld's journal article did not provide insight on the implications of the policies, but rather, was a valuable source because of its statistics on female labor market participation.

3.6 Qualitative Survey

A qualitative survey was created and distributed to a sample of employed Dutch mothers who had lived in the Netherlands for more than ten years. This sample included other student's host mothers, friends of the host mothers and employed mothers working at the World Population Foundation (the location of my practicum). In total fourteen women participated in the survey. The purpose of the survey was to gauge women's awareness of and personal experiences with the policies being researched. The survey was divided into several sections, including: demographic information, employment information, awareness of and experience with the Work and Care Act (i.e., maternity leave, paternity leave, paternal leave), awareness of and experience with The Childcare Act, and awareness of and experience with the Working Hours Modification Act. The survey method was selected because a survey could gauge women's awareness of and experiences with the various policies and could be created and distributed in a time efficient manner. Although the experiences gathered from the survey were well-founded, they were limited by the low number of participants and by a lack of diversity in regards to participant age (a majority of the survey participants fell within the 50-60 year age range).

3.7 Focus Group

The focus group took place on Saturday, May 2, 2009 from 7:30 – 9:30 PM. Five employed mothers who had lived in the Netherlands for more than ten years participated in the discussion. All of the focus group participations were selected by my host mother- a majority were neighbors and past co-workers. The focus group discussion was structured to address the participants' awareness of and experiences with the policies being researched. The focus group enabled a more in-depth discussion on the women's experiences with the policies, and the group setting added an interesting dynamic that would be impossible to achieve through one-on-one interviews. The experiences reported by the focus group participants were beneficial to the understanding of the realities of the policies. However, similar to the survey, the experiences were limited by a lack of diversity in regards to age.

3.8 Interview

Ton Janusch, from the Ministry of Social Affairs and Employment, was interviewed on May 7, 2009 from 3:30 – 5:00 PM. Mr. Janusch was able to verify the accuracy of the legalities gathered from the literature review and other comparative studies concerning the emancipation policies. Furthermore, Mr. Janusch enriched the research by providing insight on the policies from a governmental perspective. Unfortunately, the interview with Mr. Janusch was conducted too late within the research process to incorporate many of the findings into the report. The interview, however, was helpful in verifying the validity of the legislation and expanding my own perception on the policies.

Chapter 4: Analysis of the Emancipation Policies- Working Hours Modification Act

4.1 Legalities of the Working Hours Modification Act

The Working Hours Modification Act (WHMA) was introduced and implemented in the Netherlands in 2000. WHMA provides the individual right of employees to increase or decrease their working hours while maintaining their position within the company. All employees within the public and private sector who have been employed for more than one year are applicable to apply. Application to adjust working hours can only be made once every two years and employees must notify their employer in writing four months prior to the anticipated change. Such notification must include: the commencing date, the specifics of the change in working time, and the desired dispersion of working hours over the week. It is not necessary for the employee to provide a reason for the adjustment of hours nor, by law, is the employer permitted to demand such. The employer cannot deny an employee's request unless the adjustment of hours would cause an "undue burden upon the business". More specifically, an employer can only refuse if: a company has less than ten employees; the employer cannot find someone else to cover the hours that will no longer be worked by the employee; or if the adjustment would lead to serious schedule, safety, financial or organizational problems (The Netherlands Ministry of Social Affairs and Employment 2009).

4.2 Facts and Figures of The Working Hours Modification Act

The implied economic motive behind WHMA was to increase labor participation by introducing flexible working arrangements. Since its implementation, there has been an increase in female labor market participation from 48% in 1990 to 62.71% in 2003 (Organization for Economic Co-Operation and Development 2005). In addition to the increase in female labor participation, there was an increase in part-time employment; "By 2004 the part-time employment rate made up 45% of the total employment for the Netherlands" (Europa 2004). The increase of female labor participation and part-time employment are related; today the Netherlands has the highest rate of female part-time employment of all the OECD countries, and 75% of employed women in the Netherlands

work part-time. As Eurostat highlights, “The massive entry of women in the labor market has been made possible mostly thanks to the policies that favor part-time and flexible employment” (Eurostat 2007).

4.3 Realities of The Working Hours Modification Act

Despite the presented statistics and facts, the findings from the qualitative survey and focus group revealed that WHMA has had little affect on female labor market participation. Focus group discussions on WHMA revealed that the policy is irrelevant to women’s choices regarding employment status and, furthermore, that women are relatively unaware of the policy’s existence. One woman, when asked of her awareness of WHMA replied, “Is there such a law in Holland?”

Many women from the survey and focus group expressed that WHMA had little affect on their decision to adjust their working hours. Several women had opted to reduce their employment status from full-time to part-time, but this decision was neither motivated nor inhibited by WHMA. As one woman explained, “In the beginning of my career, I did social work [full-time]. When my first son was born, I moved to part time. It was not a question that they allowed me to go; I just said ‘please give me a day free, because then I can have more time for the children.’” A self-employed woman also mentioned the irrelevancy of WHMA: “This [WHMA] has never applied to me because I have always worked for myself. There was never a question of not working or reducing my working hours because business always went on. My husband did the traveling and I worked from home; there were times I had my baby in the tub and the phone would ring. I would have to run, put the baby in the crib, and answer the phone- it was some sort of sport to me.”

In addition to being unaware of WHMA and finding it irrelevant, many women also conveyed doubt concerning the actuality that WHMA would enable a worker to increase their working hours and move from part-time employment to full-time status: “I think it’s all theory. If you are a worker working part-time and you want to work full time, you won’t get it; your employer is not obligated to give it to you.”

While the specifics of WHMA were rarely discussed due to their ambiguous nature, the implied result of WHMA – an increase in female part-time employment participation – was a popular topic of discussion. This discussion highlighted several themes including: the perpetuation of the traditional breadwinner Dutch ideology; the establishment of specific male worker expectations; and the detrimental affects felt by mothers who chose to pursue motherhood and a career.

Dutch ideology follows the traditional male breadwinner model; it promotes women as the primary caregivers and men as the primary source of income. This ideology and its influence on female labor market participation was highlighted by a woman who stated: “I found it very important to raise my children myself so I quit my job when I was pregnant with my second child. I stopped working totally for eighteen years.” This ideology not only influences female labor market participation, but was also responsible for the creation of specific male worker expectations. As one woman explained, “My husband works four days a week and, at work, he is seen as the man who doesn’t want a career because otherwise [if he did want a career] he would show all of his ambitions and would spend all of his time [at work]. Instead, he chooses to work four days and he feels as though he is not taken seriously because of it; for a man that is a difficult thing.” Furthermore, women who chose to pursue motherhood and a career are negatively affected by Dutch ideology: “It’s always, for Dutch mothers who are working, that they have the feeling that they are not a good mother and that they are not a good worker.”

4.4 Debate of The Working Hours Modification Act

There is a lack of evidence to prove the relationship between WHMA and female, part-time employment. However, statistics reveal that since WHMA's implementation, there has been a steady increase in female, part-time labor market participation. Furthermore, it can be assumed that WHMA has had little effect on female labor market participation and the purpose behind WHMA was to legalize, and further normalize women working part-time.

The increase in part-time employment is damaging to the status of women in the Netherlands because part-time employment limits a woman's economic independence and career advancement opportunities. Moreover, managerial positions and jobs with higher salaries are structured so only full-time employees can access them. As Widener explains, "The higher status positions are available for those willing to fill the role of the 'ever present employee'. Women are less likely to meet these expectations given the demands of the double burden of care work- women simply have less time to be present in the office and more pressure to attend to care activities in the home" (Widener 2006: 32).

In addition to limiting economic independence and career advancement opportunities, an increase in female, part-time labor participation can result in further confining care to within the family. As Morel explains, "Rather than invest more massively in day-care infrastructures, the choice was made to reduce working time to allow for both work and care, i.e. care is still considered as something that should be carried out within the family" (Morel 2007: 634).

These implications of WHMA (e.g., limited economic independence, career advancement, and care that is confined to the family), along with the first hand experiences gathered from the survey and focus group (e.g., perpetuation of Dutch ideology, creation of male worker standards, and difficulties faced by women who pursue motherhood and a career), reveal that WHMA lends itself to a more traditional breadwinner model and, furthermore, to a more conservative- corporatist welfare state.

Chapter 5: Analysis of the Emancipation Policies- The Childcare Act

5.1 Brief History of Childcare Policies in the Netherlands

Childcare policies were first implemented in the Netherlands in 1991 and the aim was to provide childcare to all employees through a multidimensional payment system in which parents, employers, and the government were each responsible for a third of the overall costs of the childcare. In 1996, the childcare policy was replaced with The Childcare Stimulation Act. The Childcare Stimulation Act aspired to provide “sufficient, affordable, accessible, and high-quality childcare services to all citizens” (The Netherlands Ministry of Social Affairs and Employment 2009). The result of The Childcare Stimulation Act was the establishment of 70,000 additional childcare facilities within the Netherlands. The Childcare Stimulation Act was later revised, and then replaced in 2005 with Wet Kinderopvang, or The Childcare Act (The Netherlands Ministry of Social Affairs and Employment 2009).

5.2 Legalities of the Childcare Act

The Childcare Act, as outlined in 2005, provides subsidized costs, tax deductions and multiple forms of childcare for employed individuals in the Netherlands. The cost of childcare is subsidized and the costs are relative to the parent’s income; parents pay one sixth of the costs of childcare directly and are further financially assisted through government contributions and tax deductions (Dekker & Ederveen 2005). These tax deductions are only applicable towards professional childcare (e.g., crèches, guest parent care, toddler play groups, company places) and cannot exceed a certain threshold. Despite the subsidies and tax deductions, the cost of childcare for Dutch parents is relatively higher than other OECD countries; parents are responsible for 42% of the total costs of childcare (Widener 2006: 27). Moreover, unlike the Childcare Stimulation Act, the Childcare Act does not oblige employers to contribute to the costs of childcare, further increasing the cost for parents. However, should an employer choose to assist employees with the cost of childcare, the employer is entitled to a tax deduction of up to 20% of the total cost of the childcare services.

The professional childcare services that are available include: crèches, guest parent care, toddler playgroups, and company places. Crèches provide full-day and half-day care for children ages four to thirteen years. Childcare is available both before and after school and sometimes during lunch breaks and on holidays. Guest parent care is childcare provided by a host family in their home. Ages accepted and availability of guest parent care varies and is based on the individual provider. Toddler playgroups offer childcare for children ages eighteen months to three years. Services are available for a maximum of four hours per day and are limited to only a few mornings and afternoons per week. Company childcare places are founded within collective agreements made between the employer and the employee where the employee and employer agree to share the costs of childcare. Availability of the childcare ranges from half-days to full-days, depending of the specifics as outlined in the collective agreement. Furthermore, company childcare services operate through reserving or purchasing places within external daycare centers- these spots are later filled with children of employees (European Commission Employment and Social Affairs 1998: 89).

5.3 Facts and Figures of The Childcare Act

Despite several decades of childcare policy reforms, childcare services are in the decline. Available Childcare services have dropped from 53% in 1990 to 14% in 2002. Employers who paid 11% of childcare costs in 1990 and 72% in 2005 have picked up the shortfall; however, today an increasing number of employers are refusing to assist their employees with the costs of childcare (Lewis, Knijn, Martin & Ostner 2008: 273). Employers are no longer legally obliged to contribute to the costs of childcare and, thus, childcare has become too expensive for many parents. The increased expense of childcare along with the decrease in availability of childcare services has led the current decline.

5.4 Realities of The Childcare Act

The survey and focus group findings exemplified both the high costs and limited availability of childcare services in the Netherlands. One woman mentioned that the crèche became too expensive for her family without financial support from her employer: "To keep

with the crèche was too expensive. I received a tax break but my employer did not pay or help. I received a letter from my employer that said that too many employees were seeking childcare contributions and, because of that, my employer was no longer going help out." Additionally, another woman disclosed that she had to pay almost her entire salary to provide childcare: "I sent my children to the crèche and had to pay almost all of my salary to the crèche for five years. But, I didn't mind paying the crèche to look after my child because it allowed me to follow my career. It's was a way to keep my work and you have to pay something for that, of course."

The schedule of hours and scarcity of available childcare spots were common themes mentioned when discussing the limited availability of childcare services. The segmented hours, as one woman explained, made childcare and employment impossible: "You cannot work and use the play group because of how the hours are set up. You had to take your children to the childcare in the morning and then pick them up again at noon only to drop them off again at two o'clock. Your day became very segmented into small parts; you have to watch your clock all the time. It was not helpful." Another woman mentioned the difficulties mothers faced when searching for childcare and the dramatic steps they are taking, today, in order to ensure their child has a spot within the crèche: "You have to wait for a spot at the crèche and that is a shame. Even if you want to pay, there is not enough room. In every part of Amsterdam you have to put your child on the list before it is even conceived if you want room. Yes, my daughter in law did this. She won't be having her baby for a while but she already put it on the list. It's stupid, it doesn't make more room because someone else will need that space- you don't get more available spots by starting earlier."

5.5 Debate on The Childcare Act

The intent behind the implementation of the Childcare Act was to allow more women to be involved in the labor market while simultaneously managing care activities through the assistance of childcare facilities. However, the high expense and limited availability of childcare services has prevented The Childcare Act from achieving its goal. Additionally, it

could be argued that the current childcare facilities, as established within the Childcare Act, promote increased gender inequity through their high costs and limited availability.

The high costs of childcare promote gender inequity by forcing mothers to stay home and raise their children as to avoid the high expense of childcare services. Furthermore, the schedule of hours for toddler play groups, day cares and early childhood education, are not meant to accommodate full-time employment, and instead, lends itself well to the part-time working parent, further emphasizing the gender inequality (Widener 2006: 28).

While the intent of the Childcare Policy is to increase female labor market participation by providing additional options for managing care activities, the current childcare policy is inadvertently doing just the opposite. The policy's associated high costs and limited availability of childcare services reflects that of a conservative-corporatist welfare regime.

Chapter 6: Analysis of the Emancipation Policies- Pregnancy and Maternity Leave

6.1 The Work and Care Act

Provisions and entitlements for the following policies are established and guaranteed within the Work and Care Act. The Work and Care Act was implemented in the Netherlands in 2001. The Work and Care Act was inspired by a European Union Directive and, through its framework, aims to ensure maternity leave, paternity leave, and paternal leave to all employed citizens (The Netherlands Ministry of Social Affairs and Employment 2009).

6.2 Legalities of Pregnancy & Maternity Leave Policy

Maternity and pregnancy leave or "zwangerschapsverlof" was introduced in the Netherlands in 1990. However, it was not until 2001, with the approval of the Work and Care Act, that maternity leave became reimbursed and universal. All women in the Netherlands are entitled to maternity leave; maternity leave is available through the employer and accessible to unemployed and self-employed women through funding provided by the Social Security Agency. However, paid compensation for women who are unemployed or self-employed is not guaranteed, and the amount reimbursed is based on the number of hours work in conjunction with other guidelines as outlined by the Dutch Tax Administration (Belastingdienst)(The Netherlands Ministry of Social Affairs and Employment 2009).

An individual seeking to claim maternity leave must apply three weeks before the pregnancy benefits are set to begin. The application must include a written statement by the doctor, midwife or obstetrician which mentions the expected due date of the child. Employers cannot deny a woman's application for maternity leave, however, a small number of collective agreements exist which contain stipulations on options for additional pregnancy leave should the woman seek it (European Commission for Employment and Social Affairs 1998).

Once the application for leave is granted a woman is entitled to sixteen weeks of paid pregnancy and maternity leave. Pregnancy leave often begins six weeks, or forty-two

days, before the expected due date of the child; pregnancy leave should begin no later than four weeks prior to birth. Maternity leave entitles a woman ten weeks leave after the birth of the child. The allotted ten week leave is independent of the actual birth date of the child- the mother is guaranteed ten full weeks even if the baby is born later than the estimated due date. All pregnancy and maternity leave must be taken in one continuous period and, during the period in which the leave is taken, the woman is assured full wage compensation. Some restrictions exist, however, and individuals who earn more than 174,640 Euros per day may experience a drop in income during maternity leave. In addition to salary compensation, maternity leave also provides job protection; a woman cannot be fired because she is pregnant, nor can she be fired during pregnancy leave or within the first six weeks of maternity leave (The Netherlands Ministry of Social Affairs and Employment 2009).

6.2 Facts and Figures of Pregnancy and Maternity Leave

Utilization of maternity and pregnancy leave is 100%, although the actual duration of the leave taken by self-employed and family workers may vary (European Commission of Employment and Social Affairs 1998). Pregnancy and maternity leave was implemented to insure all women the right to paid leave when preparing for and upon the arrival of a newborn child.

6.3 Realities of Maternity and Pregnancy Leave Policy

Most of the women who participated in the survey and focus group were moderately satisfied with the Netherlands' current pregnancy and maternity leave policy. The reoccurring themes that emerged during the discussion on maternity and pregnancy leave were: the specific time allotted for pregnancy and maternity leave, and the lack of job protection.

In respect to the sixteen weeks allocated for pregnancy and maternity leave, a small minority of the women were satisfied. One woman explained that the sixteen-week leave was adequate and, by the end of the leave, she was ready to return to work: "I thought [sixteen weeks] was enough. I was not that stressed with the children and, at the end of

the sixteen weeks, I felt as though we were just beginning to develop a sense of regularity- that was when I knew it was the proper time to return to work. It was at that point that I was just enjoying myself, it was just for fun at the end of it." Not all women, however, were as satisfied with the time granted for pregnancy and maternity leave. One woman explained that sixteen weeks is not a sufficient amount of time for the mother to recover from the birth:

"It's a total ridiculous amount of time because there is no base for this time, this is just an office rule and totally not made by a woman who has children. Approximately one-year would be more agreeable with the impact that a child has on a women." Additionally, another woman explained that the provided pregnancy and maternity leave was not comprehensive enough to cover the additional weeks of leave that she was forced to take due to a post-pregnancy illness: "I had many difficulties with the sixteen weeks. I had to go on sick leave for months due to my sickness and pre-birth of my son."

In regards to job security, many of the woman expressed dissatisfaction with the lack of job security. One woman explained how her pregnancy resulted in her one-year contract with her company not being renewed: "At my first job, I was fired after becoming pregnant. I had a one-year contract with the shop I was working at and it closed six weeks before I left and my one-year contract was not renewed. All the other employees within the company were reassigned to new stores except me. They didn't use my pregnancy as the reasoning behind the firing but it was implied. The same job wouldn't hire me at first because I was pregnant with my first child. They gave me the training but would not let me work. They hired me after the baby was born so, during the pregnancy, I had to find other ways to pay to stay at home. I was searching for jobs while I was pregnant, that was very difficult." Another woman shared a similar experience except her pregnancy did not result in the loss of her job but, rather, in a reduction of working hours: "My job position only changed with my second child. During that pregnancy leave I was told by my employer that my working hours would be reduced fifty percent."

6.4 Debate on Pregnancy and Maternity Leave

Studies have revealed that universal, paid maternity leave creates a stronger attachment to the workforce and results in a higher percentage of women returning to the labor market once the child is born. "Work behavior changes when women have the option of paid leave, instead of unpaid leave. Although women were more likely to take time off from work during the birth month if their leave was paid, they also interrupted work later during pregnancy and started work soon once their infant was at least two months old" (Josesh 1997: 1018). Pregnancy and maternity leave in the Netherlands is both universal and paid and, thus, it can be implied that the leave encourages women's participation in the labor market. Furthermore, while the Netherlands' pregnancy and maternity leave may not be as generous as the leave provided by its Nordic neighbors, it is available to all women and offers wage compensation and is, thereby, in accordance with a social democratic regime.

Chapter 7: Analysis of the Emancipation Policies- Parental Leave Policy

7.1 Brief History of Parental Leave Policy

Parental leave was first introduced in 1996 under the European Union Directive on parental leave. It was adopted and enacted in 1998. However, it was not until the authorization of the Work and Care act in 2001 that parental leave was guaranteed as a right of all employees in the Netherlands (European Commission of Employment and Social Affairs 1998).

7.2 Legality of Parental Leave Policy

As outlined in the Work and Care Act, both parents are entitled to parental leave or "ouderschapsverlof". Parental leave exists separately for each child under the age of eight and, included within this definition of "child" is: adopted children, foster children, and stepchildren. In order to be applicable for parental leave, an individual must be employed for over a year and be currently living with the child whom the individual is claiming leave for. If an individual qualifies for parental leave, she/he is guaranteed a minimum of three full months of leave. This allotment of time is the result of a recent expansion made in January 2009 adjusting the time from thirteen to twenty six times the individual's weekly work hours. Once parental leave has been granted, there are three distribution options of which the individual can select from: an individual can spread their leave over a period longer than one year; an individual can take more hours of leave per week (e.g., full time leave); or an individual can stagger the leave in a maximum of six parts, each part being at least a month long. An employer cannot deny an employee parental leave, however, an employer can object to the manner in which an employee chooses to distribute his/her leave. Moreover, an employer can object to the dispersion of leave if the leave could "cause serious problems in the company" (European Commission on Employment and Social Affairs 1998: 87). Parental leave is mostly unpaid leave, however, and variations of wage reimbursement are often found within employer contracts and collective agreements (e.g., some civil servants receive 75% wage reimbursement while taking parental leave)

(European Commission Employment and Social Affairs 1998: 87). In addition to affecting an individual's income, parental leave may also affect the tax allowance one receives because childcare, healthcare and rental allowance is income based.

7.3 Facts and Figures of Parental Leave

Since the introduction of parental leave, 25% of all eligible employees have used it (Widener 2006: 33). Parental leave has been used primarily by mothers; 40% of Dutch mothers take parental leave while less than 20% of Dutch fathers make use of the policy (CBS 2005). As of 1993, 48% of entitled individuals working for the government took parental leave. This is in contrast to the 8% of entitled individuals from the private sector who claimed parental leave. As of 1995, only 6% of full-time employees were offered wage reimbursement for parental leave. Parental leave is important for working parents who are not planning to stop working but want to work less hours temporarily. Furthermore, "research has shown that, in most cases, there is no lasting negative influence on career patterns" (European Commission on Employment and Social Affairs 1998: 87).

7.4 Realities of Parental Leave

The findings generated from the survey and focus group participants revealed that paternal leave has had little effect on women's labor market participation. Indeed, none of the survey or focus group participants had taken paternal leave. The two common themes that arose from the survey and focus group discussion of parental leave were the lack of wage reimbursement and the ambiguity concerning the conditions and entitlements of the policy.

One woman expressed her desire to claim parental leave, however, mentioned that, because it was unpaid, she was unable to do so: "No companies are paying anymore [for parental leave]. The companies refuse so then you have to take it [parental leave] at your own costs, which my family cannot afford. The hospital that I am working at refuses to pay. My husband is working for a bank and they won't pay either." In regards to the ambiguity of the policy, a woman explained that she was unsure of the specific conditions and

entitlements granted by parental leave; she was reluctant to claim parental leave because she was unclear of the effects that it may have on her career and finances: "Very few women are actually aware of this policy and little is known about effects the policy will have on your job and income. I am not comfortable with the policy because so few people take parental leave and such little information is provided."

7.5 Debate on Parental Leave

The lack of wage reimbursement for parental leave has made the policy unrealistic and irrelevant to a majority employed women in the Netherlands. Of those individuals who have claimed parental leave, an overwhelming majority are female. This gendered utilization promotes the Dutch ideology of the traditional male breadwinner and further contributes to the assumption that it more acceptable or "natural" for women to take parental leave than men. As Widener explains, "Women are considered more 'willing' than men to sacrifice career aspirations by working fewer hours; employers support this sense with the attitude of it being more 'natural' state for women to work part-time as opposed to me" (Widener 2006: 31). Furthermore, "if parental leave was taken equally by women and men it might promote or consolidate gender equality. But to be equally taken requires gender equality to have been achieved already, or to be further advanced than at the present. If gender equality is not already advanced, the parental leave may retard or even reverse progress towards its achievement" (Moss & Deven 1999: 13). Due to the gendered utilization, the lack of financial support from the employer and the resulting consequences of the leave on national insurance, parental leave policy in the Netherlands reflects a conservative-corporatist welfare regime.

Chapter 8: Analysis of the Emancipation Policies- Paternity Leave Policy

8.1 Legalities of the Paternity Leave Policy

Paternity leave is leave granted to the partner/spouse of the individual who has just given birth. To qualify for paternity leave, an individual must have been employed for over one year. Paternity leave entitles the partner/spouse to two days paid leave to formally register the birth of the child. The two-day leave must be used within the first month after the child's birth and often conditions exist obligating the leave to be taken within the first four weeks after the child returns home from the hospital. Employers cannot refuse to grant paternity leave, however, existing collective agreements could limit the amount of additional leave available to the partner/spouse (The Netherlands Ministry of Social Affairs and Employment 2009).

8.2 Facts and Figures of Paternity Leave

The take up rate of paternity leave utilization is 90% and, when taken, paternity leave ensures 100% wage reimbursement. Almost all collective agreements (94.4%) contain paternity leave and offer other unpaid leave options (European Commission of Employment and Social Affairs 1998). Furthermore, the two-day leave allocated in paternity leave is "not oriented towards care as such, but towards registration of the newborn and for making the essential arrangements in case of emergencies" (European Commission of Employment and Social Affairs 1998).

8.3 Realities of Paternity Leave

The participants of the survey and focus group expressed a strong dissatisfaction with the current paternity leave policy in the Netherlands. The discontent of the women stemmed from the limited amount of leave and the lack of government provision to facilitate the partner/spouse's active engagement in the life and care of the newborn. One woman explained how the current paternity leave policy did not provide adequate time for her husband to both register the child and assist with the care of the newborn: "I think it's [paternity leave] ridiculous. A baby is crying during the whole night. How does the

government expect men to help out if they only have two days off, and one of which they have to spend registering the baby?" Another woman highlighted how current paternity leave policy did not allow her husband to properly bond with the infant: "It's [paternity leave] too short and it's sometimes too expensive for some fathers to take leave to get used to the new child. It [paternity leave] doesn't allow fathers to bond with their newborns which is very important."

8.4 Debate on Paternity Leave

Arguably, the limited amount of paternity leave provided to partners/spouses promotes the Dutch ideology of the traditional male breadwinner. Furthermore, the policy reveals the lack of encouragement given to partner/spouses to play an active role in the life and care of the child. As Widener explains, "There is no indication that issues (such as bonding with their infant or promoting father's sharing the caring from the birth in an equal division of care) is high on the local or national agenda" (Widener 2006: 30). The limited provision of paternity leave, along with the government's inactive role in facilitating the involvement of the partner/spouse in the care and life of the child, qualify this policy as falling within the conservative-corporatist welfare regime.

Chapter 9: Conclusion

Through the investigation of the legalities and realities of the emancipation policies, the primary research question was answered. The primary research question inquired how the emancipation policies (The Working Hours Modification Act, The Childcare Act, and The Work and Care Act) affected female labor market participation in the Netherlands. Furthermore, the question asked how the emancipation policies would be classified within the welfare state typologies as defined by Esping-Anderson.

From the research, it can be concluded that the three emancipation policies have had little to no effect on the female labor market participation. The Working Hours Modification Act is irrelevant due to the fact that it is relatively unknown. While there has been a steady increase in female labor market participation since the implementation of the Working Hours Modification Act, there has been no established link connecting the two, therefore implying that the Working Hours Modification Act has not served to increase or decrease labor market participation. Rather, it has perpetuated the institutionalization, legalization, and further normalization of female part-time employment in the Netherlands.

Research on the Childcare Act reveals that, while the government's provision of and assistance with childcare services has decreased, women still continue to seek and use these childcare services. Furthermore, the investigation revealed that a majority of women either already choose to work part time to provide care for their children or have alternate childcare services available. Research on the realities of The Childcare Act revealed that the decision to work part-time was influenced more by Dutch ideology, and financial issues associated with the high costs of childcare, then by The Childcare Act itself. The Childcare Act does not provide sufficient benefits to women and therefore does not significantly influence and/or change their work and childcare decisions. Moreover, the Childcare Act does not have the intended effect of supporting women who choose to pursue a career and motherhood. From my research I have concluded that Dutch ideology promotes women as the primary caregivers of children and as financially responsible for the costs associated

with the children should the mother choose to seek out other childcare options.

Furthermore, women have come to understand and accept the high expense of childcare and The Childcare Act has only further “normalized” the expense that a mother must pay to pursue work and motherhood; the Childcare Act does not influence labor market participation, it promotes Dutch ideology and the male breadwinner model.

Similar to the findings of the Childcare Act, the Work and Care Act and its policies on maternity leave, paternity leave, and paternal leave have had little influence on female labor market participation. An overwhelming majority of women take advantage of the maternity leave despite the time limit, and their decision to work and/or have children is not significantly influenced by this policy. Similarly, paternity leave is taken by most men and, furthermore, a large number of these men take additional holiday leave to spend more time with their infants. This reveals that a majority of men have the ability to extend paternity leave and that the two day allocation, while short, is not influential enough to effect labor market participation. Paternal leave, in contrast to the other leave policies, is irrelevant due to its low utilization rate. This is related to the fact that a majority of parental leave is unpaid, thereby making it inaccessible to many families.

In addition to revealing the paucity of effects the emancipation policies have on female labor market participation, the research illustrates several factors that do impact employment decisions; these factors were highlighted by the survey and discussion group. More influential than emancipation policies on women’s employment decisions are the Dutch ideology, the amount of support from the employer and the individual’s financial status.

The current Dutch ideology promotes the traditional male breadwinner model and the assumption that the woman is the primary caregiver while the male provides the main source of income. This ideology results in the normalization of women working part-time or not at all. Furthermore, it is this ideology that plays a strong role in women’s decisions to work part-time and stay home to care for their children, with virtually no significant impact from the Working Hours Modification Act or the Childcare Act.

The last two concepts, support from the employer and the individual's financial situation, are directly related. A lack of support from a woman's employer results in difficulties with adjusting work hours to better attend to care activities and with other additional expenses, such as those associated with childcare. Furthermore, because women are viewed as the primary caretakers, the costs of caring for their children are often assumed to be the responsibility of the woman. Thus, a woman's financial situation greatly influences labor market participation; the fact that the cost of childcare may be higher than an individual woman's income may inhibit a woman from entering the workforce.

Another conclusion that I have reached is that each of the emancipation policies, in accordance with Esping-Andersen's welfare state typologies, reflects a conservative-corporatist regime. The Working Hours Modification Act qualifies as a conservative-corporatist regime because the part-time employment supported by the policy limits female economic independence and career opportunities. Furthermore, it perpetuates the traditional male breadwinner model. The high costs and limited availability of childcare services indicate that the Childcare Policy reflects the conservative-corporatist regime. Lastly, the Work and Care Act and its legislation on maternity, paternity and paternal leave reflect a conservative-corporatist welfare regime based on the limitation of time allotted and, with regard to parental leave, a lack of pay.

Questions for future research include a more in-depth investigation of the Dutch ideology, amount of employer support, the individual's financial situation and the role these concepts play in influencing female labor market participation. Additionally, it may be beneficial to look into the key components of the current Dutch ideology regarding motherhood and employment and how these components have evolved and changed over time.

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Appendix- Qualitative Survey

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