

# Comparing Governance Regimes for Equal Opportunities: Federal Administrations as Employers in Switzerland, Germany and Austria

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## 1 Introduction

Paid employment is a core field of action for all gender equality policies, since individual autonomy has gained ever more importance in current welfare state reforms and in the new paradigm of the social investment state (Morel, Palier, and Palme 2012). Yet, resilient inequalities subsist despite a wide range of gender policy measures. Recent research has shown that fragmentation and conflicts between transversal equality policies and related policy fields are responsible for only limited outcomes (See Prognos 2014, Schratzenstaller 2014, BMFSFJ 2011, Appelt 2009). We follow this stream of research and comparatively analyse the interplay of institutions and measures of corporate equal opportunity policies in one type of organisation – the federal administration in Germany, Austria and Switzerland. Public administrations have several interesting features: they are a typical and important sector of employment. They are legally bound to promote gender equality, yet their respective policies are the subject of political interventions and conflicts. Thus public employers implicitly and explicitly act as model employers. Furthermore, their policies are a genuine organizational activity and we can thus analyse the interaction of different instruments. For a better future policy design in general it would be necessary to understand the policies' underlying dynamics. In this respect, the possibilities of effective equal opportunity policy is the focus of our analysis.

We define equal opportunity policies as all programs, measures and laws that aim at equal participation of men and women in paid work, especially in terms of access (education, working hours, childcare, parental/family leave) and quality (employment conditions, tasks assigned, remuneration, further

education, career, dismissal or protection against sexual harassment, see Wahl 2005, 68; Bothfeld, Hübers, and Rouault 2010, 37).

Gender equality is a normative and multidimensional concept with legal, social, economic, cultural and symbolic components. Equal opportunity policies are transversal and affect numerous policy fields from social security to structural policies. They challenge principles and norms in the gender specific division of labour and care work, in the social recognition of occupations and in gender stereotypes. Thus we start our analysis from a regime perspective, which is better suited to look at interactions of policies than the isolated study of individual measures alone. Heather MacRae defines gender regimes as follows:

“Gender regime” refers to a set of norms, values, policies, principles, and laws that inform and influence gender relations in a given polity [...]. A gender regime is constructed and supported by a wide range of policy issues and influenced by various structures and agents, each of whom is in turn influenced by its own historical context and path. (MacRae 2006, 524–25)

In order to analyse institutions and measures of equal opportunity policies, we discern three kinds of ‘embedded’ regimes: the (national) *gender regime* is the most comprehensive concept that covers economic, social, symbolic and cultural norms, values and practices of gender relations. A *policy regime* is comprised of political regulations in a specific policy field relevant for gender relations like employment, social security or reproductive rights. Finally, a *governance regime* is composed of specific institutions and measures elaborated in a specific field of action. We are mainly concerned with these latter governance regimes.

In order to be effective, a governance regime must combine technically consistent and normatively coherent instruments (Howlett et al. 2009, 172; Bothfeld 2008, 13). Such policy instruments are generally based mainly on information (information and awareness raising campaigns, advice), authority (legal or self regulation), treasure (grants, taxes, financial incentives) or organization (e. g. provision of services, government reorganization; Howlett et al. 2009, 114–35). However, the design, combination and implementation of policy instruments have long been known as demanding and conflict-laden processes, where ideas, interests and institutional traditions interact (Peters 2002). Policy measures in given governance regimes are *consistent* if they do not contradict each other and aim at a similar behaviour of target groups, e. g. the rise of female employment. Policy measures are *coherent*, if they are logically related and normatively appropriate with regard to current social values and realities (like different earner and care giver models). For example, recent research showed that generous parental leave arrangements and part-time work increase the employment rates of women but may deepen occupational

segregation, since the share of women in top positions may decline and the gender pay gap increases (Hegewisch and Gornick 2011).

We assume three quality criteria for the *policy instruments*, namely: their scope, degree of obligation, and differentiation (Bothfeld, Hübers and Rouault 2010). Scope depicts if and how far measures are de facto accessible for all employees. The degree of obligation depends on (material and immaterial) sanctions in cases of non-compliance: rules must be clear, specific, measurable and verifiable in order to take effect. Differentiation means that measures are designed so as to prevent evasions by the target groups. Differentiated measures specify implementation procedures and entail the necessary resources to do so.

We differentiate between institutional and substantial policies. Institutional policies are rules of interaction for different groups of actors in an organization. They do not prescribe specific solutions. Substantial policies are concrete instruments like regulations, incentives, programs or information campaigns, which aim at the direct solution of a social problem and at an altered behaviour of target groups. Substantial policies in our case address employees, institutional policies the management in an organization. The latter policies may be as controversial as substantial policies, since they always shift power relations of actors within the organization. We assume a considerable influence of institutional policies on the extent and implementation of substantial policies.

In analysing equal opportunity policies, we specifically ask (1) if the institutional and substantial policy instruments meet the assumed quality criteria of scope, obligation and differentiation; (2) if the governance regimes are consistent and coherent, i. e. do not contradict each other, aim at the same target and are in line with social values and realities and (3) if any governance regime in the administrations better meet the two abovementioned kinds of criteria for effective equal opportunity policies.

In the next chapter we explain our case studies (2), and after a short description of federal administrations as employers (3), we analyse institutions (4) and measures (5) for gender equality and conclude (6) in what extent conditions for effective equal opportunity policies are met in the administrations.

## 2 Case studies of federal administrations

Corporate equal opportunity policies of federal administrations are well suited for an analysis of a governance regime with its interactions of institutions and policy measures, since they apply a set of differentiated regulation principles

namely in the fields of reconciliation and career development.<sup>1</sup> Furthermore, public administrations serve as a normative model for all employers on how to design corporate policies for gender equality (Henninger and Ostendorf 2005, 11–17). This unique configuration has hardly attracted scholarly attention so far (cf. Strachan 2011, 347) although these policies cover a substantial group of employees, are widespread and elaborated. Existing studies mostly cover the Anglo-American traditions (cf. Conley and Wright 2011, Conley and Page 2010, Conley and Page 2014), mainly provide quantitative data (OECD 2010) or have a sociological focus (e. g. Andresen et al. 2003). However, in our analysis of institutions and measures in federal administrations we can draw on a quite elaborate body of research on gender equality in private companies and firms (Krell, Ortlieb, and Sieben 2011, Funder 2014 and Jeanes 2011). Furthermore, a substantial number of comparative studies on national gender equality policies<sup>2</sup> allow us to consider the influence of different gender policy regimes on our policy field.

Our comparison of German-speaking countries follows a most similar cases design (Lauth et al. 2009, 68–75), where cases share key features of the political context: Switzerland, Germany and Austria are federal democracies with similar bureaucratic traditions (see also chapter 3). The three countries share conservative ideas of good motherhood and traditions of the male breadwinner model. They also have in common recent modifications from this model: according to the modernized breadwinner model, men continue to work full-time, yet more and more women are (part-time) employed and remain the principal caregivers.

However, the countries differ in their welfare regimes with consequences for the logic of equal opportunity policies in general: In the *conservative welfare regimes* of Austria and Germany, support for families within expanding equal opportunities logic is quite strong. Extensive parental leaves should support reconciliation of work and family life. In the *liberal-conservative regime* of Switzerland<sup>3</sup>, childcare arrangements remain mostly a private matter, with a minimal paid maternal leave in force only since 2005. Liberal traditions

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1 An analysis of federal administrations as gendered organizations remains well beyond the scope of this article. However, we look at this issue elsewhere (Fuchs et al. 2015, ch. 3, forthcoming).

2 For Switzerland see Scheidegger 2008, Nentwich 2006; for Germany Lang 2007, Lang 2009, Rudolph 2009 and for Austria Appelt 2009, Lang and Sauer 2012. A rich comparative body of research stems from the Research Network on Gender and the State RINGS and from Quality in Gender+ Equality Policies QUING, see McBride and Mazur 2010 and Haussman and Sauer 2007.

3 Comparative welfare state research predominantly classifies Switzerland into the conservative regime type (Bambra 2007, 328), but a closer look reveals a peculiar mix of liberal and conservative elements, such as low level of decommmodification and comprehensive subsidiarity, see Pfau-Effinger 2005, Häusermann and Zollinger 2014, 911–19.

however gave way to a comparatively strong individualist anti-discrimination law with possible class action (in force since 1996, see Fuchs 2008). Austrian and German anti-discrimination provisions are weaker, although the European Union significantly influenced their development.<sup>4</sup>

It was not possible to study the entire administrations, so we analysed smaller units, ministries and offices. These are the ministries of labour and social affairs and finance (in Germany and Austria) as well as the State Secretariat of Economic Affairs and the Federal Finance Administration in Switzerland, which are both part of larger departments of Economy and Finance respectively. The more comprehensive Swiss project included two more units.<sup>5</sup> Swiss offices and units have a significant amount of independence under the roof of a department (with only small central staff). Therefore we compare ‘units’ as the functional equivalent of the ‘ministries’ in the other countries. The selection was based on the assumption of the Swiss project: It was hypothesized that the proportion of women in leadership positions and the extent of gender-related political activities influence the implementation of equal opportunity policies; in the units selected, these factors occur in different combinations (Fuchs et al. 2015).

We collected our data in subsequent steps. First, we looked at the legal framework. We then analysed policy documents like reports, statistics and gender equality plans for the administrations as a whole and for the units and ministries. We then conducted explorative interviews with external experts as well as 6 to 28 internal expert interviews with gender equality officers, line managers, HR experts and members of top management in the chosen ministerial units (Bogner et al. 2005) and coded them thematically. After having analysed the individual case, we collaboratively compared the governance regime across cases.

### 3 Federal Administrations as Employers

Comparative research on bureaucracy (Painter and Peters 2010, Kuhlmann and Wollmann 2013) places our cases in a “Germanic” or “Continental-European” tradition with a strong emphasis on the rule of law, legal regulations and a very high status of permanent civil servants. Cooperative federalism and the principle of subsidiarity lead to comparatively small federal bureaucra-

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4 For the different logics of compliance, see Falkner, Treib, and Hartlapp 2007 and Kodré and Müller 2003.

5 The additional units are the Swiss Agency for Development and Cooperation DEZA and the Federal Office for Agriculture BLW.

cies, which focus on tasks related to sovereignty. Historically, federal administrations have been institutions with masculine traditions (“*Männerbund*”, cf. Kreisky/Löffler 2009). Women have long been tolerated as salaried clerks only (Gottschall 1990, Kling 1999) mirrored in “celibacy rules” (women had to leave public service when they married until 1920 in Austria, until 1953 in Germany and in Switzerland until the 1960s). Still the women’s share of life-long civil servants in Germany and Austria is well below their share of salaried employees<sup>6</sup>.

All federal administrations under study have been considerably feminized since the late 1970s thanks to growing female education levels and an expansion of the share of salaried employees. In 2011, about 10% of the workforce in the three countries was employed in public administration, which is well below the OECD average of 15% and has been slightly diminishing since 2001 (cf. OECD 2013, 102). Main indicators of female employment are summarized in table 1.

*Table 1: Main indicators of female employment in federal administration and overall economy*

	Switzerland	Germany	Austria
Women’s share of <b>employment</b> in federal <b>administration</b> (2011/12)	31.6%	25.1%	40.6%
Women’s share of <b>employment</b> in overall <b>economy</b>	45.1%	46.0%	46.0%
Women in <b>top management</b> of federal administration 2010	10.4%	19.5%	22.6%
Women in <b>middle management</b> of federal administration 2010	12.0%	19.6%	35.9%
<b>Women</b> employed <b>part time</b> federal administration 2011/12	47.8%	30.3%	33.0%
<b>Men</b> employed <b>part time</b> federal administration 2011/12	9.4%	4.4%	5.7%
<b>Women</b> employed <b>part time</b> overall economy 2013	60.1%	45.7%	44.0%
<b>Men</b> employed <b>part time</b> overall economy 2013	14.4%	10.3%	8.9%

Sources: *Management data OECD 2013, 123; other data Fuchs et al. 2015, ch. 7.*

6 The status of civil servants has been abolished in Switzerland in 2000.

In the last decade, female employment increased modestly but steadily by about 3% in all cases. Yet, the considerably different levels of female employment, ranging from 25% in Germany to 41% in Austria, are tied to the varying structures of federal administrations and not indicators for policy success: in Germany, nearly 60% of employees work for the federal armed forces (*Bundeswehr*). In Austria, a proportion of the teachers are federal employees and constitute 30% of the public employment workforce. Employment in federal administrations remains horizontally and vertically segregated with a lower percentage of women in higher positions. Again, our three cases are well below the OECD averages. Yet, our country data show a modest rise of women managers in the last decade. As federal administrations have more elaborated and transparent pay schemes than the private sector, their gender pay gaps are much smaller than on the respective national averages, namely 12% compared to 18% in Switzerland, 15% compared to 24% in Austria and 1% compared to 22% in Germany (Fuchs et al. 2015, ch. 3). Finally, the federal administrations have a gendered structure of part-time employment, which is well below national averages for men and women. This mirrors the male tradition of these organizations. Part-time work has increased over the years for both genders, but the female dominance persists.

## 4 Comparing Institutions for Gender Equality

All federal administrations are legally obliged to actively promote gender equality. Institutional regulations are detailed in specific laws in Austria and Germany, while in Switzerland, the Law on Federal Employment is a framework legislation in the tradition of New Public Management, which leaves specific gender equality arrangements at the discretion of departments and administrative units. Yet, the general Gender Equality Act binds public employers also. Federal Employment laws in Germany and Austria contain differentiated rules concerning various forms of leaves, part-time or telework, whereas Swiss federal employees have less legal entitlements which are regulated in ordinances and decrees. In order to attain gender equality, the legal regulations in Germany and Austria focus on the promotion of women (eg. via quotas) and reconciliation measures, while Swiss regulations stand in the liberal tradition of anti-discrimination with a comparatively stronger Gender Equality Act (see Fuchs 2013). Such differences also exist when it comes to gender equality officers and gender equality plans, essential instruments of institutional policies.

## **4.1 Equality Officers: Status, Role, and Coordination**

Since the early 1990s, the positions of gender equality officers have become increasingly institutionalized. German and Austrian gender equality laws for the civil service have provided them with a special status and varying participatory rights concerning the personnel policies of their respective department. The Swiss federal employment law bestows departmental and administrative entities responsibility for the draft and implementation of gender equality policies. This led to very heterogeneous and 'situational' institutionalization: they either established a centralized staff position, set up equality representatives or integrated equality issues into personnel commissions.

German equality officers are elected every four years by female employees, while Austrian and Swiss officers are nominated by their head of department or unit. This gives the German officers legitimacy as representatives of female employees, while their counterparts are rather representatives of the employer. Generally, equality officers assume a dual role: on the one hand, they offer individual guidance on anti-discrimination and reconciliation issues to employees, on the other hand they have an advisory role towards their human resource department or towards any line manager. This ranges from an occasional consultative role in the Swiss case to a mandatory participation in all gender relevant personnel decisions in the German case. Equality officers participate in recruitment or promotion procedures with an advisory role (routinely in Germany and Austria, only rarely in the Swiss Foreign Office). Officially, German and Austrian officers are 'watchdogs' in these procedures as regards quota regulations. Their participation in strategic decisions of personnel policy planning is rather consultative. Swiss gender equality officers can give advice on figures, measures and aims for the Federal Personnel Strategy. German and Austrian officers are consulted on a more regular basis. Nevertheless, the practical influence of Austrian officers strongly depends on their hierarchical position. German equality officers have to be informed extensively and at an early stage about such decisions and their opinion has to be adopted or counter-argued within a precise deadline. This broad participation in the German case has been secured by federal court judgments, which hint to the contentious character of these rights. A binding and differentiated regulation of consultation and participation rights of equality officers is more likely to result in the routinized consideration of gender equality issues of personnel policy, yet it does not guarantee it. Table 2 summarizes the differing degrees of obligation as well as scope and differentiation as our three assumed quality criteria.

Equality delegates differ in their area of responsibility. German officers are responsible for gender issues only, their Austrian counterparts should promote equal treatment case of ethnicity, religion/ideology, age and sexual



orientation. Gender equality in Switzerland is part of the 'diversity management' portfolio along with multilingualism and the promotion of handicapped employees. The integration in the personnel policy gives gender issues only limited institutional visibility.

German and Austrian equality officers are free from any instructions in their position, while Swiss officers act in a hierarchical context. In German and Austrian contexts, the number of gender equality officers are pre-determined according to the number of employees of a department, but without fixed time resources for the Austrian Gender Equality Officers. Swiss equality officers are working on a strongly reduced part-time basis (with an exception at the Foreign Office) and they are from time to time supported by a group of voluntary colleagues or by the personnel commission.

The coordination and networking of equality officers is crucial for the exchange of information and strategies. It also helps to build a shared professional identity. In Austria, the Minister for Women Affairs heads a large working group gathering equality officers from all ministerial departments and other federal organisations that meets regularly. Less institutionalized in Germany, this networking activity was merely acknowledged in 1991 by the law but the corresponding inter-ministerial body (IMA) was provided with a solid legal status only in 2015. In the Swiss federal service, this coordination used to take place in a so-called Forum before being abolished in 2012, re-institutionalization attempts being underway. Interviews suggest that attempts for a stronger institutionalization in Germany and Switzerland failed, because such a co-ordination was perceived as a threat to the autonomy of ministerial units in dealing with gender issues.

The professionalization of gender equality policies is still fragile. Whereas German equality officers see the regular development of their career guaranteed by the law, an official acknowledgment of the specific competencies acquired in this office is not to be found in any of the civil services under study, which hints at the limited legitimacy of the function.

Table 2: Gender Equality Officers in Comparison

	Switzerland (units)	Austria (ministries)	Germany (ministries)
<b>Degree of obligation</b>			
Appointment	appointment	appointment	election by female employees
Participation rights in ...			
personnel decisions	weak / medium in FDFA*	strong	very strong
strategic planning	weak / medium in FDFA	strong	(weak)
<b>Scope</b>			
Area of responsibility	Gender, multilingualism, handicapped people	Gender, ethnic origin, religion or ideology, age, sexual orientation	Gender only
Hierarchical assignment	Board of directors	Minister	Director of departmental unit
Instructions	subject to instructions	free from instructions	free from instructions
Resources	low part-time (several posts in FDFA)	several officers with no fixed time resources	depends on number of employees
<b>Differentiation</b>			
(internal) networking	weak	strong	medium
Recognition of professional expertise	low (high in FDFA)	low	Informally
Conditions for efficiency of equality officers	weak (medium in FDFA)	medium	Strong

\* Federal Department of Foreign Affairs

Undoubtedly, interventions of gender equality officers can be more efficient and targeted in the implementation of equal opportunity measures, when the law comprehensively pre-defines their status, gives them sufficient resources, competences as well as information and exactly defined participation rights and when they are networked with other colleagues and gender equality institutions. The degree of obligation of gender equality officers seems to be

highest in the German case, where their legitimacy is strengthened through their election and where they have broad competencies to participate in personnel decision making. These competencies are also quite differentiated and the limitation on gender issues helps to specialize and to focus resources. The Swiss case underlines that the institutional integration of gender equality issues in personnel policymaking leads to their weak institutional visibility; moreover, it makes policies dependent exclusively on the management – or a strong personality of the officers. The actual scope of the institution gender equality officers remains limited mostly to their own organization; only the Austrian working group provides substantial time and space of exchange and discussion. In all three cases, however, the status of equality officers remains nevertheless fragile: as exchange and networking remain (legally) inadequate, the development of gender equality officers as a profession is hardly possible.

#### **4.2 Equality Plans: Strategic Instruments with Limited Effectiveness**

In all our cases, the departments have a *legal obligation* to periodically establish equality plans. Such plans have a double role of planning and controlling. They can be a strategic planning tool for the entire administration and should also help the departments to plan, monitor and evaluate the implementation of gender equality measures. Ideally this would lead to mainstreaming gender into all relevant personnel decisions. In general, the human resource departments are responsible for the plans. Drafting, reporting and participation of gender equality officers differ widely across our three case studies:

The *Austrian Women Promotion Plans (Frauenförderpläne)* of every department cover a period of six years. They are published in the Federal Law Gazette and respective statistical data should be updated biannually. They include mostly qualitative measures, whose focus is however strongly oriented towards the fulfilment of legally binding quotas set for the whole federal civil service. A working group of all equality officers in a given department is endowed with the drafting of the plan, while the decision on the included priorities and measures is in the hand of the head of ministry; equality officers moreover monitor the implementation and evaluation of such plans. Regularly, comparative reports for the entire administration are published.

In *Switzerland*, the Federal Office of Personnel drafts every four years the personnel strategy, which has to be adopted by the government. This program defines “target ranges” for women, linguistic groups and handicapped people, i. e. it has mostly quantitative aims. Departments and offices may define other, more qualitative goals. All departments produce annual progress reports (*Fortschrittsberichte*), which cover gender equality issues as well as

multilingualism and the integration of handicapped employees. These internal, non-public reports include quantified objectives, planned measures and recommendations. Gender equality officers act mostly in a consultative role and draft the progress reports of their department. The Federal Office of Personnel (EPA) publishes an annual report.

The *German* legislation prescribes that gender equality plans (*Gleichstellungspläne*) of federal ministries entail a statistical status quo, quantified objectives and deadlines and a list of corresponding policy measures; they are due every four years, with an interim report every two years to measure the attainment of set objectives and to justify possibly their non attainment. These reports are internal working documents and not publicly accessible. Equality officers are systematically consulted on the content of the plan of their department and can comment, amend, or veto it; moreover, they are legally entitled to complain about the missing, delayed, or defective implementation of the plan. However, the plans are very heterogeneous and implementation varies: in 2009, half of the departments did not have an equality plan. Establishment and quality of these plans depend thus on the assertiveness of gender equality officers and on gender awareness of the HR units.

Equality plans in the three federal civil services appear quite *differentiated*, have a (legally) *binding* character. But no formal sanctions are foreseen in case of non-execution or non-attainment. In Austria, the publication of ministerial plans nevertheless activates a mild version of negative incentives through ‘shaming and blaming’. Unfortunately, this reduces the efforts to publish very ambitious plans.

In all cases, an obligation to regular *reporting* exists and a departmental unit coordinates this process. Controlling and evaluation procedures remain relatively weak, as they are limited to a formal control of quantitative objective attainment in all three cases. Although technically possible, a systematic comparison across departments is carried out in none of our cases. One reason is that this is regarded as infringing upon the autonomy of ministerial units. The definition of women’s quotas in *Austria* and target ranges in Switzerland serve as important points of reference. On the other hand, quotas in Germany are hardly relevant, as they are considered as un-implementable. Moreover, benchmarking differs: Austrian reports are published and contain only a few, but comparable indicators; *Swiss* reports focus also on quantitative indicators, and the trade union *Verband des Personals der Öffentlichen Dienste* (VPOD) publishes a ‘shadow report’ with figures on women’s share in management, part-time in management, the gender distribution of performance evaluations as well as bonuses<sup>7</sup> The integration of gender issues in the centralized controlling of HR management in Switzerland enables a quantitative

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7 See [www.vpodbern.ch/Berufe/Bundespersonal.htm](http://www.vpodbern.ch/Berufe/Bundespersonal.htm) (13.05.2015)

evaluation of equality plans in a regular and systematic manner, but without much qualitative content; The *German* administration lacks a targeted, standardized and analytical reporting, as plans are not published and 'progress reports' (*Erfahrungsberichte*) present only aggregated data. .

In sum, none of the administrations fully exploit the potential of gender equality plans. In order to take effect, plans should contain three elements: (1) a (statistical) status quo on gender equality in each department, (2) a list of (quantified) objectives and of measures aimed at reducing remaining inequalities with a precise timeline and (3) possibly an obligation to justify the non-attainment of objectives previously set. Finally, they should have a high degree of differentiation as regards a list of indicators to be surveyed and common guidelines. Only recently the Austrian Ministry of Women Affairs has provided a detailed guideline on how to draft and implement such plans as strategic instruments. Additionally, gender equality officers should participate possibly in the plans' development and in the compilation of the data. Finally, a centralized controlling of their adequate implementation across the whole federal administration is necessary to prevent evasion or lip-service. Systematic reporting and comparison could make successful strategies and problems visible and thus bring about coordination and adjustment. There are points to start with, like the annual Swiss reports and 'shadow reports'; in Austria, the straightforward comparisons of several indicators could be expanded by analyses that take into account specific conditions in the different ministries.

## 5 Comparing Measures for Gender Equality

Non-institutional or substantial measures for equal opportunities in the three cases are concentrated on the reconciliation of work and family life for parents and on the career development of women, mainly of highly qualified employees. Other target groups are addressed only with single measures or passive equal opportunity policies like anti-discrimination rules or gender sensitive language.

### 5.1 *Reconciliation of Work and Family: Between Part-Time Employment and Parental Leave*

In all three federal administrations most experts we interviewed agree that reconciliation policies are a central pillar of equality policies. This is not surprising at all, since they do not provoke distribution conflicts – as it can be the

case by the promotion of female careers, and since in principle they address both women and men. However, these measures in fact mainly address women due to the still vivid traditional gender specific division of labour.

*Part-time work* and teleworking are rather new developments and their share is still lower than in the private economy (see table 1). The possibility of part-time work for civil servants was introduced in Germany only in 1969, in Austria in 1979 and in Switzerland in 1986. In all three cases part-time work and teleworking represent the lynchpin for enabling continuing careers by women with small children. Schemes supporting the right to part-time work and teleworking for parents of young children weaken the traditional principle of permanent availability and the culture of presenteeism of managers. This is especially visible in Switzerland and Germany where part-time work increases also in higher positions

In Switzerland, the increase of part-time work is mainly the result of changes in norms and values. Until 2013, the possibility of part-time work was mentioned in very general way only in legal documents. Nevertheless, part-time work increased and seemingly created only few conflicts between employees and management. Since then, parents after maternity leave have the right to reduce their hours to a minimum of 60%. In Austria and Germany, employees and civil servants are legally entitled to part-time work, but there are still differences for civil servants, who cannot reduce their working time to less than 50% or who cannot work in part-time longer than 15 years in both countries. The proliferation of part-time also poses challenges: it is demanding for teams (coordination, team spirit) and may lead to an overburdening of part-time workers, because often the reduction of work time is not compensated for. There are also hardly rules for employees who wish to return to full-time work. However, the available data for Switzerland indicates that part-time is mainly used with high working shares of about 70% of fulltime obligations. Finally, the promotion of part-time work perpetuates the gender-specific division of labour and thus it may negatively impact on female careers: in Germany, full-timers are promoted 2.3 times more often than part-timers (Fuchs et al. 2015).

Another important instrument for reconciliation in federal service are *parental leaves*, which follow the traditions of the national policy regimes. In *Austria*, parental leave regulations for the public sector exceed the provisions for the private sector and allow paid parental leaves for up to 30 months. Also, the highly differentiated models of parental leave are supplemented by a 'Daddy month' for public administration.<sup>8</sup> In Germany, the share of men among parental leavers is about 12% – slightly under the share of men in the private

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8 The "*Papamonat*" is a special arrangement for public administration entitling fathers with a paid one-month leave after childbirth.

sector. In Austria the share of men is estimated to be higher than in the private sector. Mirroring liberal welfare traditions, Swiss federal administration has no paid parental leave after 14 to 16 weeks of paid maternity leave, although fathers in federal administration get two weeks paid leave.

Part-time work and long parental leaves show their effect in discontinued employment and impact negatively on career development. Austrian gender equality plans especially address this problem and provide support for reintegration after leave is taken, promoted through individual counselling and coaching, organized meetings or information during parental leave as well as training opportunities for returners. Similarly the German equality law foresees such measures. Explicit inclusion of men in parental leave schemes and the expansion of public childcare facilities should foster female employment but they do not reframe the ideology of the male breadwinner/female caregiver model. With incentives for long career breaks on the one hand and expensive supporting programs for returners on the other, this policy profile results in a stop and go-policy for women's employment (Leitner et al. 2013; Appelt 2009). However, in Switzerland continuous employment, probably in part-time, emerges as a new *Leitbild*, due to the lack of parental leave arrangements. Unfortunately, this is not a satisfactory alternative, since in both models of reconciliation – continued employment or re-insertion after parental leave – the main share of early childhood care remains women's work. Parental leaves and part-time thus remain very ambiguous instruments for gender equality. *Childcare* is a precondition for continued employment of parents. In Germany this seems not to pose a problem since the administration is mostly centred in cities and a statutory entitlement for a place in nurseries is in force since 2013. In Austria, experts appreciated high-quality childcare in employees' day care centres; yet all-day childcare is in short supply even in Vienna. The Swiss liberal-conservative regime defines childcare still as a private responsibility. Some federal departments used to offer their own childcare facilities. More importantly, high private childcare costs are subsidized for parents with monthly gross household incomes up to 20,000 Swiss francs. There are concerns that this subsidizing scheme has trap/threshold effects and thus may pose an inconsistent incentive, namely to reduce working hours. Still, this instrument goes beyond the otherwise scarce promotion of reconciliation.

Reconciliation measures are especially differentiated in Austria, to a slightly lesser degree in Germany. The promotion of reintegration and "daddy months" reduce the potential burden of mothers, however, without changing the gendered division of labour. In contrast, the few Swiss measures are hardly differentiated, which also reduces the scope of reconciliation strategies – they remain a private matter that has to be negotiated by couples. The

development of part-time work shows that its proliferation can be the result of legal entitlements as well as changes in values and norms.

## 5.2 ***Women's Career Development: Between Individual Promotion and Quotas***

Gender quotas in all occupational fields and at all hierarchical levels of federal civil services are the main instruments to stimulate the promotion of female careers. These quota regulations are explicitly anchored in gender equality law in Germany and Austria. Swiss 'target ranges' setting the proportion of women to be reached in the different salary categories are laid down in the Personnel Strategy. Female career promotion mainly addresses higher qualified women since male dominance persists especially in high positions.

In Germany and Austria gender quota regulations for recruitment and promotion take the form of so-called "performance-based quotas" (*qualifikationsabhängige Entscheidungsquote*) that allow a preferential treatment of women in hiring and promotion procedures under restrictive conditions – there must be a gender underrepresentation in the occupational sector considered and the candidates in competition for the post offer should have the "same qualification".<sup>9</sup> Austrian quota regulations with standardized procedures have led to more transparent and professional recruitments. Yet, the concept of "same qualification" is often too vague to be efficiently applied. As observed in Germany, "sameness" in qualification, i.e., in aptitude, capability and technical achievement is evaluated along ever more refined criteria, so "same qualification" is hardly ever stated, depriving quota regulations of any effect (cf. BMFSFJ 2006: 34; Bednarz-Braun 2000: 139–142; Papier and Heidebach 2014). Furthermore, their implementation lacks resources, pre-defined (interim) goals and evaluation procedures. Although gender quota regulations in the Austrian and German federal civil services are developing limited effects in individual recruitment or promotion cases, yet their symbolic value ensures indirect effects in process regulations, support for equality officers and last but not least for the implementation of sustainable measures to promote women's careers. In Switzerland, the target ranges of the federal personnel strategy for the proportion of women in different hierarchical levels serve as incentive for female promotion, especially because they are accompanied by reporting obligations. In Austria regular publications on the participation of women in different departments, functions and salary categories are objective indicators for a success.

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9 Preferential treatment must not be applied if it would lead to unreasonable hardship for the candidate of the over-represented sex (so-called "hardship clause").



As a consequence, training and individual support of women should increase the number of potential applicants for higher positions. In Austria this is promoted through a set of different measures like privileged invitations of women for further education, special courses for women, coaching, mentoring and supervision and also gender-sensitive teaching materials. Similarly, the Swiss administration offers coaching, mentoring and 'potential analysis'. While training is focused on higher qualified women in Austria and Switzerland, the German federal administration offers a broader access to tailor-made training schemes but specific measures for women are rare and often *ad personam*. Whether the increasing qualification levels of women and the shortage of skilled workers will automatically improve the situation of women is a topic of discussion especially in Germany. Undoubtedly, promotion structures, respectively the public employment law with lifelong careers within the organization are an obstacle to gender equality.

To sum up, the implementation of measures for career promotion of women – like gender quotas, principles for recruiting processes, performance assessments, training measures and individual support – is very heterogeneous across departments and also depends on organizational cultures. Austrian and German quota regulations have a higher degree of obligation, but they lack differentiation of goals and clear definitions of 'qualification'. Swiss target ranges are less obligatory, yet profit from differentiated planning and evaluation. Substantial policies in the field of career promotion can have an immediate effect on gender imbalances, particularly in higher positions. Thus they are more likely to produce distribution conflicts than reconciliation measures. Hence, the former are far more contentious than the latter – and have a lesser degree of obligation. However, recruitment and promotion regulations put reconciliation measures back on the agenda. Reconciliation and career promotion are two complementary sets of instruments for a comprehensive and effective gender equality strategy.

## 6 Conclusion

Our analysis shows that none of the three governance regimes has a constant weak or strong combination of criteria for efficient gender equality policies. Rather, our cases have different strong points and gaps. In general, federal administrations design more and more favourable provisions for gender equality, well above the legal standards set for the private economy. As steady modest increases in gender equality show, they set model regulations for reconciliation, recruitment and female career development.

Yet, actual policy measures and the use of institutional means differ strongly between administrative units and ministries in a country. Heterogeneity is especially high in Switzerland and is hardly related to objective reasons like the tasks, structure and duties of the various units. To the contrary, this heterogeneity occurs even when policies are closely regulated, but insufficiently controlled like in Germany and Austria. Ministerial autonomy increases the probability that regulations are adapted according to differing organizational cultures and individual experiences of managers. Diverging implementation appears arbitrary and incidental. Gender equality policies, then, may be seen not as a routinized and legitimate state activity.

At the same time, institutional policies became increasingly differentiated and more and more coordinated with general personnel policies – this concerns the competences of Austrian and German gender equality officers as well as the gender equality plans and reports. But a systematic monitoring and a standardized benchmarking do not exist in any of our cases.

Substantial policies for career promotion exist, but are not always implemented thoroughly, or they produce conflicts with reconciliation policies. The use and non-use of quota regulations show that a re-definition of ‘qualification’ and ‘performance’ is crucial. A broad range of training, coaching and mentoring exists to strengthen the pool of qualified female employees, but units and departments have a wide discretion and these instruments also depend on the organizational culture or the persons in management positions of a given units.

All three governance regimes for corporate gender equality in federal administrations are normatively coherent with the modernized breadwinner model: part-time work and reconciliation measures allow for a continuous female employment in federal service. More precisely, they are also coherent with their different national gender regimes, and differences especially in the degree of legal obligations correspond to the more liberal or more conservative state traditions. The Swiss liberal profile is mirrored in the emerging norm of continuous employment in federal administration. In Austria and Germany the national expanding opportunity profile for women matches the extended parental leave and reinsertion schemes as well as quota provisions. On the other hand, there is no consistent and binding implementation of effective career promotion. Long-standing part-time careers of women and their slow progress in management positions correspond at least partly with the modernized breadwinner models, where women still are the flexible reserve. This will not lead to comprehensive gender equality.

Altogether, gender equality policies are well dovetailed with personnel policies of units and departments, especially in Switzerland, where gender equality is an integral part of the personnel strategy. A high degree of consist-

ency however would also mean to critically examine (and re-design) apparently gender neutral regulations for recruiting, performance evaluation and promotion. This does not take place systematically in any administration, but awareness of this problem is on the rise.

The main reason for insufficient gender equality regulations in all three federal administrations seems to be a lack of specific monitoring and controlling instruments. The traditional implementation autonomy of ministries and administrative units outplays the weak coordination of gender equality policies on the level of the federal administration. Gender controlling, then, is limited either to quantitative features, or reports facts only on an aggregate level (like in German gender equality reports). If indicators are disaggregated, they are mostly limited to the participation of women without contextualized interpretations of the differences (like in Austria). Finally, indicators may be mainstreamed to such a degree that gender equality becomes a rather unimportant feature among others and is hardly visible (like in Switzerland).

Probably the most important result concerns the significance of institutional policies especially in planning and controlling. It is important to develop differentiated monitoring instruments that provide refined indicators, clear objectives, specific measures and procedures that are elaborated enough not to be circumvented. Equally necessary are sufficient human and financial resources. However, a further differentiation of institutions and measures alone will not bring about gender equality in administrations. A public debate about equality issues and objectives could promote gender equality as a legitimate and commonly shared value also in public administrations.

Further research on corporate gender equality policies in civil services should evaluate, firstly, how regulations impact on every-day practices, and secondly, which chances and limitations prevail in these gendered organizations. International comparative research should compare and analyse the effects of the two reconciliation profiles – continuous employment versus re-insertion – on the quality of employment and female career development. Access to more detailed data than those available to us in this study would be necessary, including data on part-time employment models, duration of leaves and individual careers.

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