

Employment opinion piece – June 2009

Equality for women in the workplace: reality or myth?

Briefing note

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Gordon Brown has recently suffered what can be best described as some interesting publicity. The last Cabinet reshuffle led to many senior female ministers either resigning before they were pushed or simply resigning. The message they all gave was that women in the Cabinet were there as a token gesture to equality in the workplace. The reality was, they claimed, that the Government was run by an inner circle of men. At the same time that Gordon Brown was receiving this publicity, Stuart Rose, the well-known boss of Marks & Spencers, was giving an interview that stated that there were no longer glass ceilings in the workplace for women. So what is the reality? Are women now equal in the workplace or are many “employers” simply playing lip service to the legislation.

There is, of course, no right answer. Many employers seek to be flexible to women in the workplace and indeed, many large companies when seeking advisers, wish to guarantee that those advisers are, themselves, active participators in giving women flexibility in the workplace. However, if an urgent legal query arises on a day when the female adviser is at home with her children, does that client understand? Some do, some do not. The unfair reality is that many women who have childcare responsibilities have to make unfortunate choices between career and family. Is it fair? No. But is it reality? Yes.

The myriad of legislation that has been introduced since the 1970's has put in place protection for women who are seeking to juggle a career and family life, but is it the answer? It may obtain a woman compensation for the way she has been treated, but a short-term fix of compensation is not the answer for a woman who wants a career and does not wish to be held back by family commitments. There are many prospective new employers who will think twice about employing a female who has pursued a sex discrimination claim against a previous employer.

For there to be a balance going forward, there has to be honesty between the employer and the employee. However, that honesty can itself create the basis of a legal claim against an employer, and therefore, many employers will shy away from giving their honest opinion which would allow solutions in the workplace that suit all parties.

Many employers reading this opinion page may strongly disagree with these views, and I would be interested to know this. I set out below a series of what I hope are interesting questions as to how this debate could be moved forward. It maybe that you feel that legislation is the only answer, but would it not be better for everyone (perhaps not employment lawyers!) if that legislation could allow for a healthy dose of honesty and reality.

More information

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