Fathers and work-life balance in France
Notes for FAWN seminar 2
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Work-life balance legislation

France has introduced legislation in all the areas conventionally classed as comprising work-life balance measures, that is, parental leave arrangements, working time reduction and modulation (including some flexibility measures, although these are more restricted than in the UK for example), and public provision of childcare which is relatively high by EU comparative standards. We focus here on leave arrangements and working time, as both areas continue to be the focus of policy interventions and debates.

France was an early policy adopter on parental leave and shared parenting, and also in introducing and promoting the idea of work-family “reconciliation”. However in many ways the current situation shows a stalled process of policy change. This reflects a central tension between on the one hand a trend towards autonomy and gender emancipation, in a country with high female full-time labour market participation, and on the other entrenched traditional attitudes which mean that caring continues to be framed in gendered terms.

Leave arrangements

Parental leave was introduced as early as the 1970s in France (law of 12.07.1977) but had little impact until its combination with an Allocation Parentale d’Education in 1984 (fixed rate payments for the parent taking the parental leave). At the same time a paternity leave of 3 days was introduced, extended by another 11 days in 2002 (L122-25-4 of the Code du Travail). Parental leave has been increasingly incentivised, initially linked to an allocation attributed to families with three or more children (from 1992-4) thereby addressing the French preoccupation with birth rates, and subsequently extended from 1994 to families with two or more children and then in January 2004 to all families taking the leave (via the new allocation called the Prestation d’Accueil du Jeune Enfant). In 2006 the right was introduced for a more highly paid leave (750 euros/month) over one year for parents of three children or more. The incentivisation of parental leave in the 1990s was above all driven by the issue of unemployment and was associated with a range of other measures to create employment (benefits to working parents hiring a domestic worker to care for children at home, along with incentives for employers for the creation of part-time work). By contrast the developments in paternity and parental leave at the end of the 1990s reflected a major shift the political discourse of the family from France’s traditional focus on the working mother to the rights and responsibilities of parents. Equality between men and women was taken up by the French government as a major strand of its family policy under the influence of EU policy and objectives (see the Treaty of Amsterdam setting targets for women’s activity rates across the EU of 60% and the resolution of the Council of Ministers for employment and Social Policy of 29 June 2000 calling for a more modern division between men and women and the development of measures to improve work/family balance for men and women). At the same time the French government introduced a new “Father’s Record Book” which set out fathers’ rights and obligations in relation to their role and offers sources of advice and information to fathers. It also formalised rights, previously under the heading of “force majeure” in French labour law, to time off by either parent for “Family leave, “Leave to look after a sick child” and Leave for parental presence”.

This growing focus on the availability of leaves to which fathers could have access has been matched by a growing acknowledgment in the law, notably after separation, of fathers’ parenting rights. Legislation from the 1960s to the mid-1980s had sought to enhance women’s independence and reinforce the ideology of maternal competence (e.g. the law of 2 June 1970 which gave mothers sole parenting rights when they gave birth outside marriage. The turning point for fathers was the Malhuret law in 1987 which undid this law, giving fathers who recognised their child the opportunity to have joint parenting rights. Subsequent laws gave supported greater equality between mothers and fathers, with moves to democratise the institution of marriage more widely from 2001. A law of 4 March 2002 authorised judges to award joint custody for the first time.

According to the Fatherhood Institute’s index of supportive measures, published in 2010, France provides a more supportive WLB regime for fathers compared with the UK. By comparison with the UK, it has introduced its leaves earlier and offers more advantageous financial conditions for them (two weeks paternity leave on full pay up to a certain ceiling); entitlement to leave or part-time work until a child is three years old with varying flat-rate payments). Nevertheless, the measures have been criticised in a number of ways in particular the fact that, although paternity leave has been successful (69% of eligible fathers took the leave by 2007), compensation is not adequate for more highly paid fathers, hence discouraging its take-up in this group. In addition parental leave is taken up nearly exclusively by women (c4% of parental leaves are taken by men), and particularly by lower income, less qualified women who subsequently have difficulties re-entering the labour force. France has found, like other European countries, that long leave with a relatively low replacement rate tends to be taken up by women and therefore reinforces gendered care. It has led to accusations that, in the context of married women’s financial dependence on their husbands (reinforced by the family-based tax system), and the growth in (female) part-time work over the 1990s, that the two have promoted a more traditional division of labour in the couple and reinforcement of the female carer model.

There has been no further significant development with respect to leaves. Discussions in the Conseil national de la famille in 2008 identified recommendations for reforming France’s system of long maternal leave to promote higher paternal take-up of leave via a non-transferable daddy quota. However, this proposal was not followed in the recent elections and policies for fathers were relatively absent from the presidential election debates (the discourse related primarily to gender wage equality and same-sex marriage). Nevertheless, proposals may well come forward in the first new parliament as we argue in our recent paper to the Work and Family Research network. Recent ministerial appointments may be conducive to change in relation to the equality agenda. During the recent dialogue between the social partners over equality, the new French Minister for women’s Rights, Najat Vallaud-Belkacem, has proposed a shorter, better paid parental leave while the Minister for work, Michel Sapin, has threatened to fine companies who do not sign an equality plan in company negotiations.

**Working time legislation**

Reduction in working time, widely called for in the UK by lobby groups including the trades unions to help parents to reconcile their work and family lives, has been a key initiative in France, starting as far back as the Popular Front government’s commitment to a 40 hour week. France introduced a statutory 35 hour week for all workers as a central plank of public
employment policy between 1996 under the right wing government loi Robien, and 2002 under the Socialist government Aubry Laws which progressively extended the implementation of the 35 hour week. This has been shown to have had a positive impact on family organisation for most parents with school-age children and freed up more time for parents to spend with their children. While the use of this time (and indeed the whole experience of working time reduction) varies across socio-economic groups and level of education, fathers have been found to have increased the time spent in childcare (52% stating that they spent more time with their children after the introduction of the reduction in working time cf 63% for mothers), although this role has remained a secondary one to mothers’.

Nevertheless, policy since 2002 has sought to incentivise overtime in attempt to reverse working-time reduction through erosion, whilst France like other continental welfare states has responded to economic crisis by short-time working. The impact of these changes on father involvement therefore remains to be seen and, much like the reduction in working time to 35 hours, is likely to be highly class dependent.

The working time regime and fathers’ role in childcare today

In addition to the reduced working hours brought in by the Socialist government, the overall working time regime in France favours fathers’ involvement at home and a more equal division of labour, i.e. less polarised and shorter working hours: according to the OECD Family database, in 2010 48% of men and 44% of women work between 30 and 35 hours per week in France with 44% of men and 24% of women working over 40 hours per week (cf the UK with respectively 62% of men and 27% of women working over 40 hours per week).

Indeed, there has been a growing contribution of fathers to childcare (as a percentage of all childcare) but not to “core” domestic work. Perversely, while the working mother model is ingrained in French society and has strong historical routes, attitudes towards the care for children remain fairly traditional and have been reinforced over the years by the French maternally-focussed family and employment policy, concerned with protecting the working mother. It has been argued that the role of the state in supporting the working mother (via public childcare provision and support for the employment of childminders/carers in the home) has removed men from the sort of engagement in childcare often seen in countries like the UK where no such support exists. These differences are highlighted in the categorisation of gender and care regimes (see table below, drawn from our earlier work, which sets out key theorists’ classifications of the French and UK systems). Nevertheless, attitude surveys provide evidence of changing behaviours among younger fathers who are better educated and have higher levels of income (c15% of all fathers) and who practice more “egalitarian” childcare by sharing childcare equally with their partners.

Conclusion

In short, “progress” can be seen to have been made in fathers’ formal rights to work-life balance measures and through working time reduction, accompanied by legal changes in their status notably after divorce. Also, against many indicators (working hours, access to relatively well paid statutory WLB measures, attitudes towards women working) French fathers are well positioned to play an active role in the home. However, despite this relatively conducive environment, father’s roles more widely within the family seem to be changing relatively slowly. Another instance of the French “exceptionalism” with which we are so familiar?
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<th>Model</th>
<th>UK</th>
<th>France</th>
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<tr>
<td>Welfare regimes</td>
<td>Liberal/residual</td>
<td>Continental/conservative</td>
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<td>(Esping–Andersen)</td>
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<td>Breadwinner regimes</td>
<td>Strong</td>
<td>Modified</td>
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<td>Care regimes</td>
<td>Mixed</td>
<td>Breadwinner (salaire maternel); slow pace of change [Kerschen, De Singly]</td>
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<td>(Lewis, Sainsbury)</td>
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<td>Gender regimes</td>
<td>Dual earner/female part-time carer</td>
<td>Familialist (female primary carer) modified by collective childcare provision; dual earner/state carer</td>
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For further information please see our recent work:


