

Conditions of Work and Employment Programme

***Reconciling work and family:  
Issues and policies in Brazil***

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With the collaboration of

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## Preface

The ILO's Conditions of Work and Employment Programme seeks to promote decent conditions of employment for all. This work, in part, is done on the basis of international labour standards and the analysis of the policy experience in its member States. In this context, one of the key employment issues is the reconciliation of work and family life. It raises two questions: on the one hand, how working conditions can be adapted to help workers fulfil their family responsibilities; and on the other hand, how can family responsibilities of men and women be made more compatible with employment so that these responsibilities are not the source of discrimination in the labour market.

Based, in part, on the recognition that problems faced by workers with family responsibilities are part of wider issues regarding how family and work are addressed in society, as well as concerns regarding discrimination in employment caused by family responsibilities, the International Labour Conference adopted a Convention on Workers with Family Responsibilities (No. 156) in 1981. The core of the Convention stipulates that the aim of national policies should be to enable persons with family responsibilities, who are engaged or wish to engage in employment, to exercise their right without being subject to discrimination and, to the extent possible, without conflict between their employment and their family responsibilities. The accompanying Recommendation on Workers with Family Responsibilities, 1981 (No. 165), provides guidance on how work-family issues can be addressed. Yet, while this standard outlines many important factors and issues for consideration, it is important to examine how different countries consider and address the reconciliation of work and family life in practice. What are countries doing to reduce conflicts between work and family? How are these measures compatible with increasing productivity in the face of global competition? What are the factors that worsen or reduce this conflict?

Although there is a considerable and growing literature on the reconciliation of work and family life in many western and industrialized countries, little literature is available on how these issues are addressed in developing or middle-income countries. As valuable lessons can be learned by examining these different experiences, this paper presents the example of Brazil. In recent years, Brazil has experienced rapid economic growth, rapid changes in the labour market, and changing family dynamics. This paper provides data tracing recent working trends in the life course of Brazilian families as well as trends related to the economy and work. It reviews recent policies and initiatives regarding the reconciliation of work and family life, and illustrates the problems faced by many as they strive to address these conflicting demands. Based on an analysis of the facts and trends, the paper suggests priorities for the future.

I wish to thank the author of this paper, Dr. Bila Sorj (Universidade Federal do Rio de Janeiro), for all of her efforts in preparing this report. I would also like to thank Mr. José Carlos Ferreira and his colleagues in the ILO Office in Brazil for their support and assistance.

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## Executive summary

In the last few decades, international interest in the theme of finding a balance between work and family responsibilities has grown significantly. It is now recognized that the conflicts between work and family life have negative effects on the quality of life of people (notably on the welfare of women and children), and on working conditions, in particular, worker productivity and health.

In Brazil, the last two decades have been greatly marked by changes in the structure of families and the labour market, which aggravate the problems in the relation between the work and private spheres. These changes have not been accompanied to the same extent by actions on the part of the state and enterprises explicitly aimed at responding to the new challenges families confront. Thus, it would be no exaggeration to state that harmonizing the work sphere and the family sphere still remains, to a great extent, a private family matter.

Brazil is not among the 34 countries that ratified the Work with Family Responsibilities Convention, No. 156, adopted by the ILO in 1981,<sup>1</sup> and unlike many European countries and North America, the explicit recognition that constitutes the articulation between work and family responsibilities is still an incipient social problem.

In the last two decades, the changes in the composition of families have been profound. There has been a sharp reduction in the number of traditional-type families formed of one couple and children. Another decrease has occurred in the proportion of families composed of couples with children and relatives, the so-called extended type. The average number of dependent children also decreased. In compensation, the number single-parent families composed of females and children without the presence of a husband has grown significantly.

From the family point of view, the main change regarding the labour market lies in the massive entry of women into the labour market. The main strategy adopted by families to face this challenge is to allocate their members in different types of employment, in which the working day is an important differentiating factor. For men, regular jobs prevail, i.e. protected by the labour legislation, with various benefits arising from this contractual relationship. In the case of women, irregular employment predominates, which implies shorter working days and lower salaries. Above all, women with children enter the more precarious occupations offered by the labour market.

The growing participation of women in the labour market indicates that the traditional female role has been changing rapidly without any alteration in that of the male. As women are no longer available to take care of their dependents, it is necessary for society to redefine the way in which family responsibilities will be fulfilled.

A positive step in this direction was taken by the 1988 Constitution and by the 2003 Brazilian *Código Civil* (Civil Code), which recognized the total equality of rights and obligations of women, and broadened the concept of family, including single-parent families and stable unions (without matrimony) as family entities recognized by the state. In the same manner, the *Estatuto da Criança e do Adolescente* (Child and Adolescent Statute) of 1990 recognized the rights of children to their filiation, irrespective of the wishes of the parents. This principle is aimed at combating the omission of parents in the

<sup>1</sup> Nine of the 34 countries that have ratified Convention No. 156 are in Central or South America: Argentina, Belize, Bolivia, Chile, El Salvador, Guatemala, Peru, Uruguay and Venezuela.

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recognition of paternity, a quite common occurrence among poor families. This new legal text may have important repercussions on the poverty level of families, for it obliges the parents to assume responsibility, at least in economic terms.

Another important step in the redefinition of family responsibilities between the private and public spheres is promoted by the broadening of access to children up to 6 years of age to infant educational institutions. The efficacy of this mechanism in matching the demands of work and family is noteworthy. The impact of crèches and pre-schools on the increase in the participation of women in the labour market, on their income and working hours occurs across all the social classes. It is the poorest families who benefit most from this mechanism when compared to the families with a higher income. For this reason, we consider that, from the family viewpoint, the extension of public investment in infant education must be considered a priority.

Labour legislation and collective labour agreements present measures that facilitate the equilibrium between work and family, such as the 120 days of maternity leave, job security for the pregnant employee as of confirmation of the pregnancy until five months after birth, plus the right to a crèche for working mothers with a child up to 6 months of age. Nevertheless, the labour legislation applies only to employees with regular work contracts, which excludes the majority of Brazilian workers from their rights. Moreover, the labour legislation concentrates its benefits during maternity, and does not facilitate a balance between work and family throughout life as a whole.

In view of the changes in the labour market, the increase in the effectiveness of protection of workers and their families implies transformation of workers' rights into universal rights. The increase in the deregulation of labour relations indicates that the capacity to reconcile work and family involves the disassociation of access to family benefits from the type of work contract established, and also from the gender of the worker.

The research we conducted about the present state of measures concerning flexible working hours in the country's regulated enterprises revealed that their implementation is very timid and, consequently, has not had repercussions on the problems of harmonization between work and family. Nevertheless, mention is made of some recent initiatives from non-governmental organizations (NGOs) that are promoting the debate on flexitime from the point of view of family needs, of personal life and gender equity. Initiatives aimed at stimulating the debate on flexible hours associated to the problem of reconciliation between work and family must be strengthened and involve entrepreneurs, trade unions, NGOs and public authorities. The adoption of "family-friendly" policies should act as a criterion for determining if an enterprise is socially responsible.

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## Part 1: The socio-economic context and its repercussions on the labour market

The 1990s presented important alterations in the pattern of economic development that had occurred in previous decades. The adoption of an economic policy orientated towards the reinsertion of the Brazilian economy into the international market, which occurred at the end of the 1980s, contributed in a decisive manner towards the creation of a more diversified productive structure and more openness to foreign markets.

Faced with the challenge of foreign competition, Brazilian companies — above all those directly or indirectly engaged in industry — have established measures for productive restructuring, such as new management techniques, automation, concentration on competitive product lines, economies of scope, outsourcing of various activities, labour cost reduction, etc. The objective has been to increase the degree of competitiveness and guarantee national and international market shares.

These modifications, together with the decline in the pace of economic activity — the result of the stabilization programme in effect since the start of the 1990s — have led to a sharp fall in employment in industry. As a consequence, the relative proportion of industrial job positions in total occupations has decreased, accompanied by a growing productivity level and greater entry of labour into the tertiary sector, mostly services.

Unemployment in large companies has accompanied the weakening of industry, and small businesses have begun to absorb major labour contingents. According to the 2001 *Pesquisa Nacional por Amostra de Domicílios* (PNAD),<sup>2</sup> over 40 per cent of workers in Metropolitan Brazil were employed in establishments employing less than ten workers.

In 2001, the services sector had already absorbed around 54 per cent of the total employed workforce, while commerce was responsible for 18 per cent (see Table 1). On the other hand, the decrease in industrial job positions was 4.3 per cent in the 1990s. Whereas around one-quarter of the employed workforce in Brazil was absorbed by the industrial sector in 1980, this percentage had fallen to 14 per cent by 2001.

With regard to insertion into the labour market in the last two decades, reduction occurred in regular employment (a negative variation of 4.6 per cent in the 1980s and 5.1 per cent in the 1990s). In 2001, salaried employment with a signed work card absorbed the major part of employed workers (42.7 per cent), though this proportion is far lower than those registered in 1980 (59.6 per cent). The counterpart of this phenomenon of reduction in regular employment was a rise in the irregular. In 2001, employment without a work card and self-employment were responsible for 22.1 per cent and 20.9 per cent of the total of employed workers, respectively.

<sup>2</sup> The *Pesquisa Nacional por Amostra de Domicílios* (PNAD) is an annual household research survey, interviewing around 100,000 households. This research presents detailed personal and occupational characteristics of all household members, as well as other information. The sample is representative of all Brazilian states and metropolitan areas, but does not include the rural populations in the states of the North Region.

Various authors argue that the growth in irregularity in the 1980s and 1990s heralded a new pattern of labour absorption into the market. While in previous decades, the informality had had its roots in limited capacity for labour absorption in modern segments, the novelty of the last two decades is that it is because the regular segment has become a source of labour expulsion (Dedecca, 1998). Workers made redundant from the regular sector first try to acquire a new regular salaried job, but faced with a reduction in these opportunities, end up entering precarious or irregular occupations (Guimaraes, 2001).

Table 1. Labour market conditions in Metropolitan Brazil

	1980	1990	1992	2001	Percentage of variation in the 1980s	Percentage of variation in the 1990s
Population (millions)	24.2	33.5	30.8	39.6	38	28
Participation rate	59.4	62.7	64.6	65.4	3.3	0.8
PEA (millions)	14.4	21.0	19.9	25.9	46	30
Unemployment rate (percentage)	6.6	5.3	9.3	12.7	-20	37
Average income of the employed *	866	783	645	746	-10	16
Total employed (millions)	13.4	19.9	18.1	22.6	48	25
Distribution of employed						
<i>By sector</i>						
Agriculture	2.1	1.7	3.2	2.3	-0.4	-0.9
Industry	24.0	21.3	18.3	14.0	-2.8	-4.3
Civil construction	9.0	6.9	8.1	7.2	-2.1	-0.9
Services	44.2	47.7	48.7	53.6	3.4	4.9
Commerce	14.2	16.4	16.0	17.6	2.2	1.6
Public administration	6.4	6.0	5.7	5.4	-0.4	-0.4
<i>By position in the occupation</i>						
Employers	3.6	4.6	4.1	4.1	1.0	0.1
Employees with work cards	59.6	55.0	47.8	42.7	-4.6	-5.1
Employees without work cards	12.9	14.5	17.1	22.1	1.5	5.0
Self-employed	17.0	19.1	19.0	20.9	2.1	2.0
Civil servants	5.6	5.7	8.4	7.3	0.1	-1.1
Non-remunerated	1.3	1.2	3.6	2.8	-0.1	-0.8

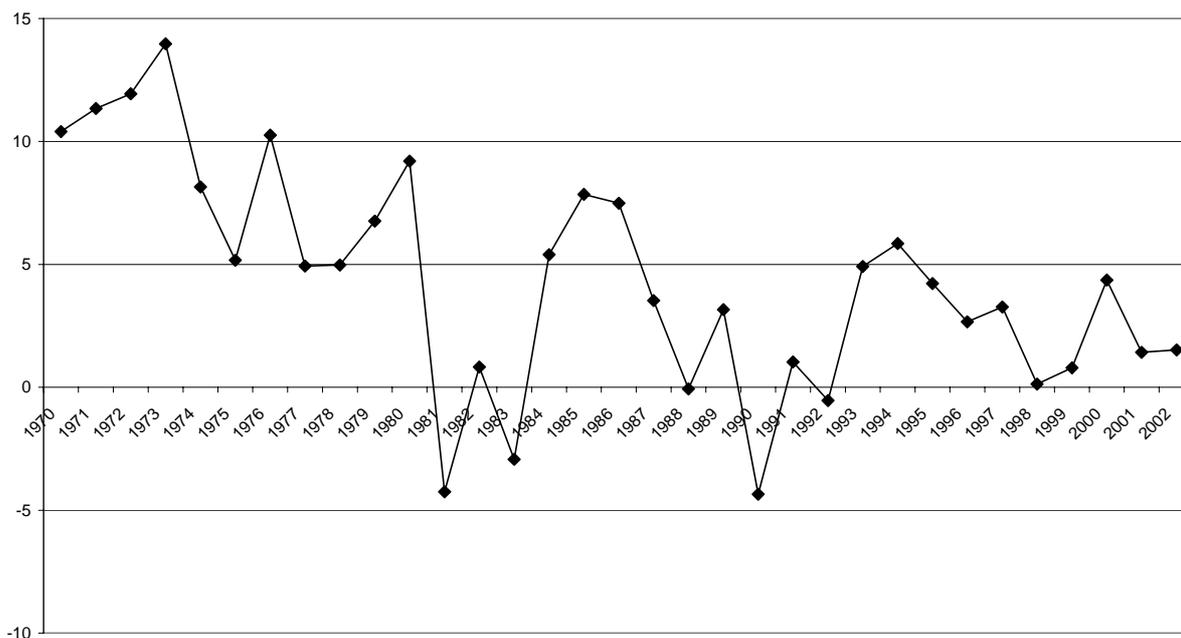
\* In R\$ (as of September 2001, US\$1 = R\$2.67)

Note. Due to changes in the research methodology, the data as of 1992 are not comparable with the previous data.

Source: Instituto Brasileiro de Geografia e Estatística (IBGE): PNAD

With trade liberalization, the import replacement model — the basis of Brazilian industrial development throughout the 1960s and 1970s — started to collapse. The double-digit gross domestic product growth rates observed in the 1970s declined significantly in the 1980s and 1990s, as shown in Figure 1. Whereas, the growth rate reached 14 per cent in 1973, the averages for the 1980s and 1990s were 1.7 per cent and 2.7 per cent, respectively.

Figure 1. Percentage of variation in the real annual gross domestic product



Source: Instituto Brasileira de Geografia e Estatística: *Novo sistema de contas nacionais* (New national accounting system) (IBGE/SCN)

The main impact of the economic recession of the 1980s on the labour market occurred in the reduction of workers' real earnings, severely eroded by high inflation rates. In occupational terms, the main problem of the 1980s was more associated with questions like occupational quality than the quantity of job positions generated, bearing in mind that the greater part of the adjustment was made through salary variation or the expansion of irregular activity.

As can be seen in Table 1, the variation of the unemployment rate in the 1980s was negative (-20 per cent), while in the 1990s, it was positive (37 per cent). In 2001, unemployment reached 12.7 per cent of the economically active population. In terms of occupation, comparing the first and last year of the 1980s, we observe that there was expansion at 48 per cent, well above the variation in the 1990s (25 per cent).

In turn, the real income level throughout the 1980s decreased by 10 per cent, unlike the 1990s, when there was 16 per cent growth. It is also worth highlighting that the growth in worker earnings between 1992 and 2001 was provided by the ascending trend observed until 1996; since 1997, earnings have declined consecutively year after year.<sup>3</sup>

Since the 1997 Asian crisis, Brazil has begun to undergo some economic difficulties that impact negatively on social statistics. Despite the fall in real earnings, the country has nonetheless enjoyed gains in terms of poverty relief and reduction in inequality.

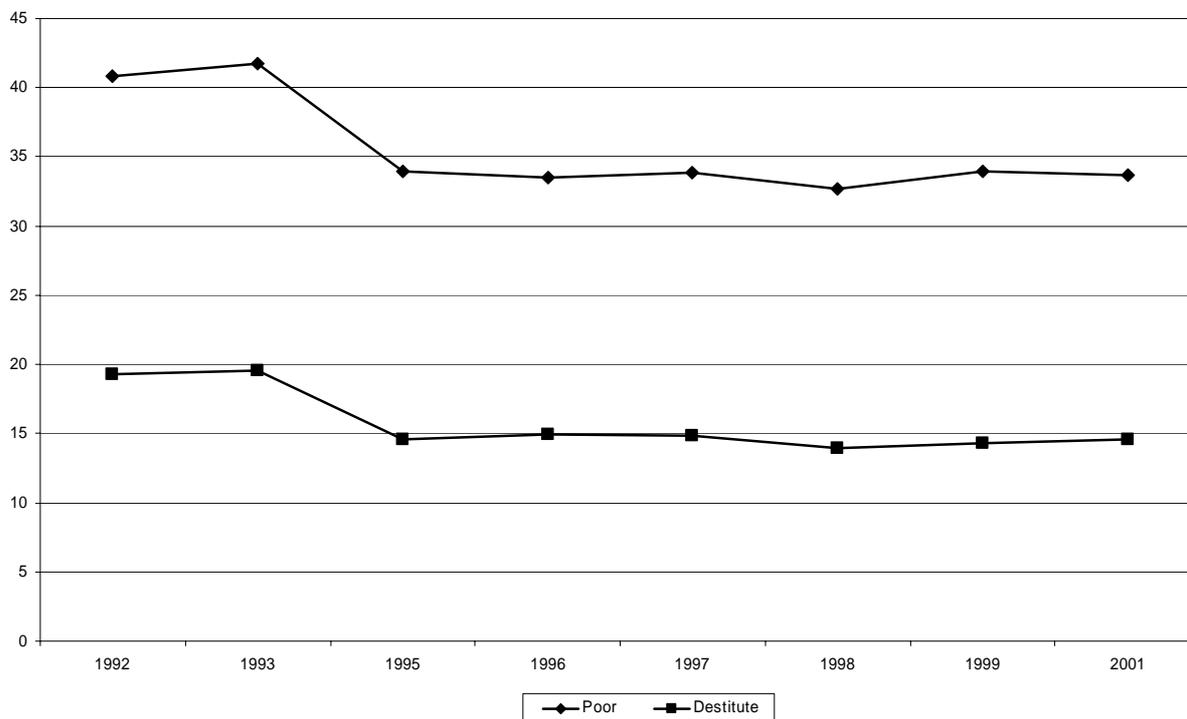
In Brazil in 2001, around 14.6 per cent of the population comprised families with income below the extreme poverty line, and 34 per cent below the poverty line.<sup>4</sup> These percentages at the beginning of the decade were 19 per cent and 41 per cent, respectively.

<sup>3</sup> These data are disaggregated according to gender in Annex III, Tables 1 and 2.

<sup>4</sup> Utilizing the methodology of Ipea, the poverty line is estimated at R\$113 (September 2001).

As may be observed in Figure 2, the great reduction in poverty and destitution occurred from 1994 to 1995; the percentages in later years remained practically constant.

Figure 2. Evolution of the percentage of the poor and destitute in Brazil



Source: PNAD

The high percentage of poverty in Brazil is due to poor income distribution. Throughout the last 20 years, the income inequality has remained practically constant and extremely high, where the richest 10 per cent in the population possess around half of the total family income, while the poorest 50 per cent receive only 10 per cent of total income.

The socio-economic context described above reveals that Brazil has altered its development pattern significantly, leading to important repercussions for the labour market. The reduction in growth rates, the increase in irregular work, the continuation of high poverty levels and the growth in unemployment have aggravated the tensions between work and family life, as will be shown below. On the other hand, the macro-economic difficulties, above all high unemployment rates, affect the strategies of corporate players who feel little incentive to introduce programmes aimed at relieving tensions to reconcile work and family.

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## Part 2: Changes in families and the labour market and their implications for reconciliation between work and family

In this chapter, we intend to analyse the changes in the structure of Brazilian families and the labour market, seeking to identify how they affect the capacity of families to strike a balance between work and family responsibilities.

### New tendencies in the Brazilian family structure

According to the last demographic census conducted by the IBGE in 2000, Brazil is composed of about 170 million people, resident in 44.7 million households. The majority of the population lives in urban areas (81 per cent), with 19 per cent living in rural zones. According to the 2001 PNAD, there were approximately 50 million families in Brazil, the average size being 3.3 persons.<sup>5</sup>

The average family size in Brazil in 2001 was lower than the average in the early 1990s (3.7). The average number of dependent children also declined: it decreased from 1.2 in 1992 to 0.9 in 2001. The trend towards decreasing fertility rates may, in principle, have positive repercussions on the capacity of families to reconcile work and family responsibilities.

The changes in the composition of families were profound in the last two decades, as shown in Table 2. The traditional nucleus, formed of a couple with children, is no longer the only form of family structure in Brazilian society, though it is still the main one. Although most families still comprise couples with children (53.3 per cent), there has been a sharp major decline in the number of such families (65 per cent in 1981). The proportion of couples with children and with relatives has also fallen.

In compensation, there was significant growth in the number of single-parent families composed of female heads and children without the presence of a husband. This type of family is already the second most common (17.8 per cent). Other less significant transformations are also displayed in Figure 3, such as the increase in the proportion of persons who live alone, which went from 5.9 per cent in 1981 to 9.2 per cent in 2001, as well as a slight growth in the percentage of couples without children. Also, although less significant, there is a higher percentage of families with children headed by a man, but without a wife.

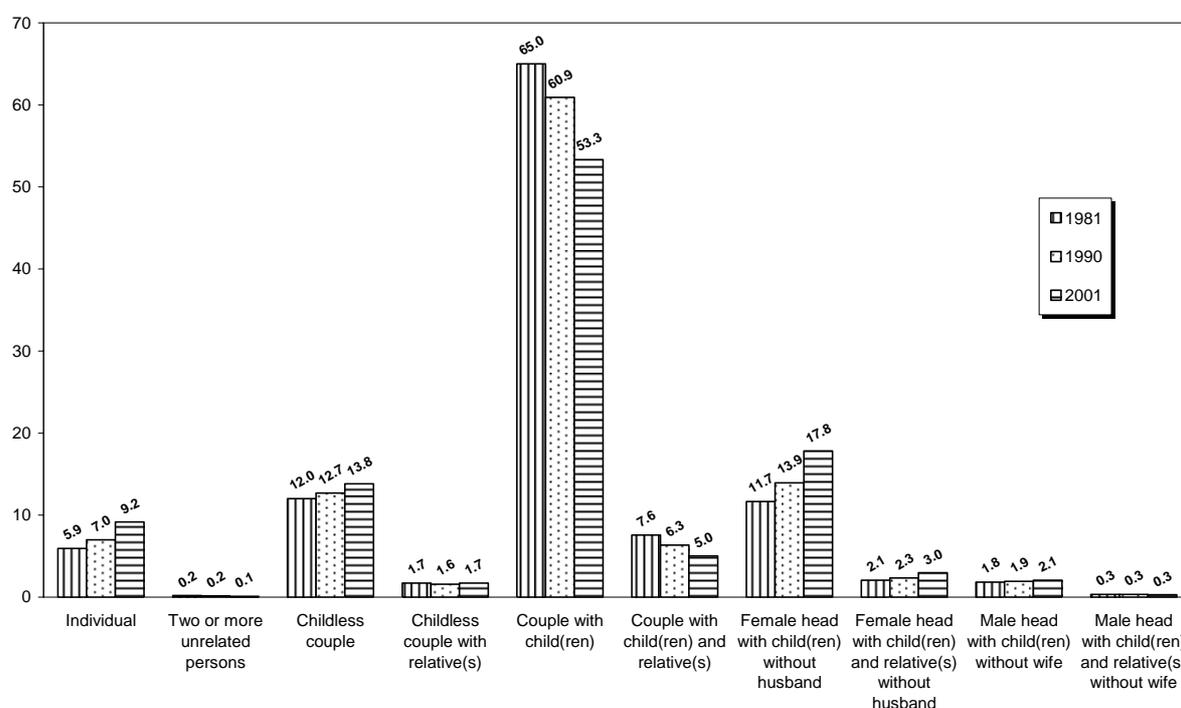
<sup>5</sup> The definition of family we have used is that proposed by IBGE, for we analysed data from the PNADs. A “family” is not a domestic group and, even less, is it the set of relatives without spatial limitation. The classification system of the PNADs is capable of identifying different family nuclei within the same residence. The concept of “family” in PNAD, when applied to relatives, approximates to the idea of a nuclear family or conjugal family. As the majority of domestic arrangements in Brazil are constituted of just one nuclear family, the “families” in the PNADs coincide not only with the “households”, but also with other current definitions of family. A “family” in PNAD is constituted of an adult, who is the reference person for the family (previously, family head), his/her spouse as the case may be, or persons who may be linked to him/her as relatives or non-relatives, provided that the latter do not fulfil the criteria for formation of new “families”, according to Medeiros, Osório and Varella (2002).

Table 2. Evolution of Brazilian households

	1981	1990	2001	Variation in percentage (1990-1989)	Variation in percentage (2001-1990)
Total	27,690,498	38,002,450	50,410,713	37	33
Individual	1,640,088	2,648,810	4,620,602	62	74
Two or more unrelated persons	56,936	60,591	50,965	6	-16
Childless couple	3,323,938	4,822,173	6,962,106	45	44
Childless couple with relative(s)	469,781	599,213	865,652	28	44
Couple with child(ren)	17,996,023	23,153,646	26,877,887	29	16
Couple with child(ren) and relative(s)	2,095,897	2,411,749	2,538,366	15	5
Female head with child(ren), without husband	3,228,417	5,293,622	8,977,637	64	70
Female head with child(ren) and relative(s), without husband	577,824	892,115	1,506,001	54	69
Male head with child(ren), without wife	509,474	728,250	1,040,111	43	43
Male head with child(ren) and relative(s), without wife	94,515	131,228	151,769	39	16

Source: PNAD.

Figure 3. Composition of Brazilian households



Source: PNAD.

These data show that, as occurs in other western countries, the family structures that are growing are the small structures, single parent, and with or without the presence of other relatives.

Several explanations may be found for the diminution in family size. Initially, we may think of the significant reduction in the birth and fertility rates throughout the 1980s and 1990s due to the improvements in contraceptive methods, and also to the fact that women are entering the labour market on a massive scale, giving less priority, initially, to the formation of a family nucleus with children. The decision to have children is often

postponed by a young couple, as they prefer to become financially stable first. The high costs of child education may also, in some way, influence this strategy for the formation of a family.<sup>6</sup>

With regard to single-parent families, besides their rapid growth over the last few decades, the level of poverty to which they are submitted is noteworthy. As may be observed in Table 3, families made up of women with children and without the presence of a husband represent the highest percentage of poor in the country. Around 45.8 per cent of the persons in families of this type in Brazil are poor.<sup>7</sup>

However, when these families count on the presence of other relatives, the poverty level is reduced. Likewise, in families headed by women and which have the presence of other relatives, the percentage of poor falls to 38.6 per cent. This percentage is similar to that for conventional families (i.e. couples with children). We may conclude that the absence of a husband in these families is compensated, in some way, by the presence of other relatives.

The fact that other relatives exist in the household, whether to share domestic tasks or to complement income, also relieves the poverty of the families formed by a couple with children. The types of household with a lower percentage of poor are, besides the individual (9.8 per cent), those composed of couples without children (17 per cent).

**Table 3. Percentage of poor in Brazil per household type (2001)**

Family type	Percentage
Female head with child(ren), without husband	45.80
Couple with child(ren), without relative(s)	38.81
Female head with child(ren) and relative(s), without husband	38.60
Couple with child(ren) and relative(s)	38.01
Male head with child(ren) and relative(s), without wife	37.07
Male head with child(ren), without wife	33.50
Couple with relative(s), without child(ren)	24.85
Two or more unrelated persons	18.50
Childless couple	16.69
Individual	9.85

Source: PNAD.

The characterization of the changes in family structure are not in themselves sufficient for us to understand the needs of families to reconcile work and family responsibilities.<sup>8</sup> It is the interaction between the changes in the structure of families and the labour market that allows identification of the new challenges that the families face in order to achieve a balance between these two spheres.

<sup>6</sup> It is very difficult to estimate the cost of education for the family. This is because there are both public and private institutions, ranging from crèche and pre-school level to that of university. A major part of middle- and upper-class families put their children into private crèches and pre-school institutions to have higher quality education. The children of less-privileged families frequent public and charity institutions, or even private ones of inferior quality. The fees for crèche and pre-school vary significantly, which further hinders estimation of this cost in the family budget.

<sup>7</sup> Poverty was defined as those persons living in families with a per capita income below the poverty line. The poverty line is double the destitution line, which is the cost of the basic basket of foodstuffs that constitutes the minimum calorie consumption for an individual. The poverty line was estimated in September 2001 to be 133 *reais*.

<sup>8</sup> For other demographic data, see Annex II.

## Changes in the labour market and the implications for families

From the point of view of the family, the main change regarding the labour market was the massive entry of women into the labour market, mainly wives. As shown in Table 4, the level of participation of wives increased from 27.4 per cent to 37.7 per cent between 1981 and 1990. In the 1990s, their participation continued to increase and is now quite close to that of female family heads, who normally represent one of the main providers in single-parent families.

By all accounts, the phenomenon of the entry of women into the labour market is irreversible. Irrespective of recessive or expansive economic scenarios, their participation in the labour market has grown. Besides responding to the economic difficulties of the families, which were driving wives to seek employment, cultural changes related to the role of gender – which values independence and autonomy of women – cannot be disregarded (Bruschini and Lombardi, 2003). Thus, more and more families formed of couples will have to deal with the family responsibilities, taking as reference the insertion of both spouses in the labour market.

Table 4. Labour market participation in Brazil

	1981		1990		1992		2001	
	Male	Female	Male	Female	Male	Female	Male	Female
Head	87.8	44.6	87.4	49.1	86.1	52.8	82.4	51.1
Spouse	76.3	27.4	79.2	37.7	75.3	47.0	75.5	49.1
Child	59.7	34.9	60.3	37.9	56.0	36.3	48.5	33.2
Other	66.8	26.3	67.2	30.4	61.0	30.8	53.2	28.6

Source. PNAD.

The participation of young persons in the labour market is decreasing markedly, a phenomenon that may be associated with dejection and the increase in time dedicated to schooling.<sup>9</sup>

Some hypotheses may be drawn from these data, such as the entry of wives into economic activity is encouraging the young to remain in school longer. Instead of children entering the labour market to complement family income due to a critical economic situation (for example, unemployment of the family head), what is occurring is an increase in the importance of employment of the spouse in supporting the family.

Another possible explanation for the increase in the participation of women in the labour market is that they are occupying job positions previously held by male family heads, accepting lower salaries and inferior conditions. This scenario shows that salary discrimination by sex, despite having decreased, still persists. In the same job position and equally productive, the salary difference remains at around 37 per cent (PNAD, 2001).

From the labour market point of view, the most important change is the increase in irregular occupations without the protection of labour legislation. As shown in Table 5, employment without signed work cards has grown for all positions in the family.

<sup>9</sup> When the economic situation is unfavourable, many unemployed give up seeking an occupation due to the difficulty in finding a vacancy. The lack of attraction in the labour market may induce temporary suspension of the search for a job. This is called the phenomenon of dejection.

Table 5. Profile of the Brazilian population according to family position

	1992			2001		
	Family head	Spouse	Children aged over 15 years	Family head	Spouse	Children aged over 15 years
<b>Gender</b>						
Male	78.1	1.2	57.6	72.7	3.6	57.6
Female	21.9	98.8	42.4	27.3	96.4	42.4
<b>Age range</b>						
10-14 years	0.0	0.1	0.0	0.0	0.2	0.0
15-24 years	8.0	14.5	76.0	8.0	13.4	73.7
25-49 years	58.3	64.3	23.0	56.4	62.9	25.0
50 years and older	33.6	21.1	1.0	35.6	23.5	1.4
<b>Educational level</b>						
Primary education incomplete	72.8	72.2	61.9	63.6	61.4	41.7
Basic education complete	7.6	8.1	11.0	9.3	10.3	13.0
Secondary education incomplete	2.9	2.9	9.9	4.0	4.5	15.8
Secondary education complete	9.6	10.7	11.1	14.3	15.9	20.1
Entry to further education	7.2	6.1	6.1	8.8	8.0	9.4
<b>Activity status</b>						
Unemployed	2.9	2.8	8.5	4.3	5.0	10.9
Inactive	18.1	50.1	29.0	21.8	45.4	34.9
Employed	79.0	47.1	62.5	73.9	49.6	54.1
<b>Workplace</b>						
Shop, workshop, factory, office, etc.	56.3	44.3	56.0	57.6	50.6	63.4
Farm, smallholding, ranch, grange, etc.	22.4	15.4	24.8	17.2	11.3	17.2
Own home	3.7	11.7	2.7	3.6	9.0	2.5
Home of employer, colleague, partner, client, customer	3.9	11.4	6.8	5.4	15.3	5.8
Place designated by employer, client, customer	6.3	0.8	4.8	8.3	2.0	5.6
Motirized vehicle	1.9	0.1	0.6	2.3	0.3	1.3
Public space	2.3	1.7	1.8	2.6	2.5	1.8
Other (including for own consumption)	3.3	14.5	2.5	2.9	9.0	2.3
<b>Status/position in employment</b>						
Regulated employee (general)	34.9	21.0	32.8	31.9	22.0	34.5
Domestic employee (regulated)	0.8	1.8	0.8	1.4	3.8	0.9
Self-employed	31.0	18.9	10.8	30.2	19.0	11.2
Employer	6.3	2.1	1.1	6.4	3.2	1.3
Civil servant	6.2	9.6	4.4	6.7	9.4	4.2
Irregular employee (general)	15.1	8.4	25.5	16.9	11.1	28.4
Domestic employee (irregular)	2.5	8.5	5.6	3.4	10.6	4.4
Without remuneration or for own consumption	3.1	29.8	18.9	3.1	20.9	15.0
<b>Average earnings from main occupation</b>	602.3	272.4	253.8	675.7	390.3	321.1
<b>Average hourly rate in main occupation</b>	3.3	1.9	1.5	3.9	2.8	2.0
<b>Average number of hours worked per week</b>	45.3	32.6	42.0	44.7	34.8	40.0

Source: PNAD.

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The increase in this type of occupation has been significant for wives. In fact, wives — compared to family heads of either sex — present a more precarious occupational insertion. Employment with a work card is less significant for their insertion into the labour market (22 per cent in 2001 against 31.9 per cent of the female heads). Around 21 per cent of wives still work without remuneration or for their own consumption, despite the significant reduction in this percentage over the last few years. As Table 5 shows, this percentage reached almost 30 per cent in 1992. This signifies that the increase in the participation of wives in the labour market has taken place in occupations, which, by their irregular nature, do not ensure the benefits due to the family established by the labour legislation.

Public employment is more significant for spouses (9.6 per cent) than for family heads (6.7 per cent). Some hypotheses may explain the greater participation of wives in public employment. First, entry to these occupations is through public examinations and sex discrimination is difficult. Second, observance of the regulated working day is not so strictly controlled by management, as occurs in the private sector, which facilitates balancing work and family needs.

Regarding employment of young persons aged 15 years or over,<sup>10</sup> salaried work with a work card (34.5 per cent) and irregular (28.4 per cent) are quite significant. Many young persons also work without remuneration and for their own consumption only (15 per cent).

Analysis of the duration of the working day provides a good indicator of the weight that family responsibilities have for wives. The average working day is shorter for wives than for female family heads. Nevertheless, between 1992 and 2001, the average number of hours worked per week by wives increased by around two hours, while female heads and children decreased by about two hours per week. This increasing trend in the average hours worked by wives aggravates the work overload, as they are mainly responsible for the domestic work, as we shall see below.

The level of earnings in the main employment grew 16 per cent from 1992 to 2001. This increase was sustained principally by the success of the *Plano Real* (economic plan) in 1994. Practically all groups benefited from this growth in income, but as of 1997, there were consecutive decreases in earning levels.

For women, for example, the growth in income was 41 per cent; while for men, it was 18.7 per cent, a phenomenon that contributes to the reduction in the income differential between the sexes. In 1992, male workers earned 1.9 times more than their female counterparts. However, in 2001, this number decreased to 1.6. Despite this, it is worth stressing that women are still discriminated against in the labour market. For workers in identical job positions, who are equally productive and have the same educational level, women continue to earn less than men (Lavinás, 1997).

In terms of position in the family, all the groups presented a positive variation in level of earnings, this being more intense in the case of wives (43.3 per cent), as may be seen in Table 5. Despite this increase, female family heads are the ones who earn the highest incomes. In most cases, they are the main financial supporters of the family and work more hours than other family members, for they normally do not accumulate other domestic activities. The data on individual hourly rates of pay demonstrate that the differences in earnings between female family heads and wives are reducing, but still persist. The

<sup>10</sup> As we are analysing according to the position in the family, there is no upper age limit for the category of young persons (children and non-children) aged 15 years and over.

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evolution of wives' earnings suggests that entry into the labour market has become more and more important to maintain family welfare.

There was growth in unemployment for all three main positions in the family between 1992 and 2001 (Table 5). The unemployment rate of young persons is, however, double the two rates recorded for female family heads and wives, which are quite close. These data confirm the hypothesis that the lower attractiveness of the labour market throughout the 1990s, due to the low earnings and poor quality of the job positions, may be discouraging earlier entry of young persons into economic activity. It is also outstandingly clear that many of these youths take longer to seek work, given that in most cases they are not responsible for the entire family budget.

The inactivity rate of family heads and young persons grew in the 1990s.<sup>11</sup> However, the percentage of inactive wives decreased from 50.1 per cent to 45.4 per cent. Around half of the wives are employed, given that the percentage of young persons working is 54.1 per cent, and that of female family heads, 73.9 per cent.

The data above show that the labour market has offered diverse opportunities to different members of the family. In terms of unemployment, those who most suffer are younger adults and youths, principally due to their lack of experience and high turnover rate: they are at the age of job experimentation. The labour market, in turn, has expelled a significant portion into inactivity, above all, the oldest family heads and the young. The root of this phenomenon is explained by a feeling of dejection and also the increase in time dedicated to school by young persons.

Regarding occupation, we observe that wives are mostly in irregular job positions, without signed work cards,<sup>12</sup> or in employment without remuneration, or working for their own consumption only. A large number of wives are also occupied in domestic employment. In other words, all the indications are that female workers are destined for the worst forms of labour insertion. The earnings are lower than those of men, and the quality of the occupation, normally a regulated position, is lower.

## **Work and family responsibilities**

A way of better identifying the weight of family responsibilities on insertion in economic activity is to disaggregate the main labour market indicators, according to the different family types and gender, as may be seen in Table 6.<sup>13</sup>

<sup>11</sup> Inactivity or idleness refers to those who do not participate in the labour market, or those who do not work and are not seeking a job. On the other hand, the employed are those with work (whether regular, irregular, self-employed or non-remunerated).

<sup>12</sup> The term "employed with a signed work/employment care" is an expression that refers to regular employees, those entitled to all rights enshrined in the labour legislation. Conversely, "without a care" or "without a signed work care" designates those employed irregularly and generally in a precarious position, earning low salaries and bereft of social benefits. Rights regarding the family provided under labour legislation will be discussed below.

<sup>13</sup> The same data for 1992 are in Annex III, Table 3.

Table 6. Working conditions for men and women aged 25-50 years per family type in Brazil

	Participation rate	Unemployment rate	Percentage of employees with work card, civil servants or employer	Percentage of employees without work card	Percentage of self-employed	Salary in main job	Average number of hours worked per week
<b>Men</b>							
Individual	93.1	5.5	47	23	29	884.2	45.4
Two or more unrelated persons	97.9	0.0	63	20	15	656.8	45.3
Family head of childless couple	95.8	4.5	56	18	26	791.6	46.6
Spouse of childless couple	94.6	9.4	55	17	25	778.3	46.1
Family head of childless couple with relative(s)	95.3	3.0	53	20	26	568.2	46.5
Spouse of childless couple with relative(s)	94.0	8.3	39	24	32	472.2	43.9
Family head of couple with dependent child(ren), without relative(s)	97.0	3.9	51	18	29	732.9	47.3
Spouse with dependent child(ren), without relative(s)	93.3	6.8	55	19	24	783.6	47.1
Family head of couple with independent child(ren), without relative(s)	93.2	4.1	54	13	33	1003.7	47.3
Spouse of couple with independent child(ren), without relative(s)	88.2	7.3	50	19	27	922.4	46.3
Family head of couple with one dependent child and relative(s)	97.0	3.8	51	18	30	649.5	47.3
Spouse with one dependent child with relative(s)	96.6	11.2	54	25	17	585.2	45.1
Family head of couple with independent child(ren) and relative(s)	92.0	2.4	49	15	35	824.0	46.6
Spouse of couple with independent child(ren) and relative(s)	93.1	13.1	36	29	35	489.1	48.9
Family head without spouse with at least one dependent child (up to 14 years), without relative(s)	93.3	8.0	42	23	34	599.2	45.9
Family head without spouse with all children over 14 years, without relative(s)	89.5	4.4	51	17	31	806.8	45.4
Family head without spouse with at least one dependent child (up to 14 years) with relative(s)	84.7	8.7	41	20	34	585.3	46.1
Family head without spouse with all children over 14 years with relative(s)	91.0	3.7	51	15	30	934.4	47.6

	Participation rate	Unemployment rate	Percentage of employees with work card, civil servants or employer	Percentage of employees without work card	Percentage of self-employed	Salary in main job	Average number of hours worked per week
<b>Women</b>							
Individual	86.9	6.9	59	24	17	823.5	41.6
Two or more unrelated persons	86.4	10.6	58	20	22	418.8	37.5
Family head of childless couple	82.7	7.7	55	19	24	776.3	44.2
Spouse of childless couple	69.9	9.4	51	21	15	542.9	38.4
Family head of childless couple with relative(s)	86.3	5.4	44	15	30	549.5	42.5
Spouse of childless couple with relative(s)	63.2	7.9	41	24	18	331.6	37.5
Family head of couple with dependent child(ren), without relative(s)	70.7	10.8	54	22	21	591.6	39.1
Spouse with dependent child(ren), without relative(s)	60.0	9.1	39	23	19	381.5	34.4
Family head of couple with independent child(ren), without relative(s)	76.5	5.8	48	22	28	771.4	40.0
Spouse of couple with independent child(ren), without relative(s)	59.2	6.5	44	19	22	466.0	36.2
Family head of couple with one dependent child and relative(s)	78.1	9.2	61	14	25	587.3	41.7
Spouse with one dependent child with relative(s)	61.4	8.4	40	21	18	334.7	35.8
Family head of couple with independent child(ren) and relative(s)	73.0	14.0	54	25	17	491.0	41.8
Spouse of couple with independent child(ren) and relative(s)	55.3	3.4	36	24	21	365.0	34.8
Family head without spouse with at least one dependent child (up to 14 years), without relative(s)	79.6	12.5	45	35	17	396.1	39.4
Family head without spouse with all children over 14 years, without relative(s)	75.7	6.4	52	25	20	548.4	39.7
Family head without spouse with at least one dependent child (up to 14 years) with relative(s)	79.1	11.5	50	29	18	440.6	39.6
Family head without spouse with all children over 14 years with relative(s)	72.1	5.5	48	25	25	470.0	41.2

Source: PNAD (2001).

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The first fact that draws attention in Table 6 is that the indicators referring to women vary much more than those for men, suggesting that the insertion of women is much more sensitive to family type than in the case of men. Irrespective of the family structure, the rate of participation of men is never less than 84.7 per cent. For women, depending on the family structure, the participation rate may vary between the extremes of 86.9 per cent and 55.3 per cent.

As expected, the participation rate of male family heads in couples with at least one dependent child, with or without relatives, is very high (97 per cent). The lowest participation rate in the labour market on the part of family heads occurs when they do not count on the presence of a wife, and have dependent children and relatives living in the household. As may be observed, the participation rate, even though lower than in other family structures, is still high, above 80 per cent.

The presence of children does not significantly modify the participation of men in the labour market. For example, for the male head of a family composed of a wife and children over 14 years of age and without relatives, the participation rate in 2001 was 93.2 per cent, below the figure for couples with dependent children (97 per cent).

When we focus on the situation of women per position in the family, some points are modified. First, in the different types of family structures, the participation of women in the labour market is lower than that of men. Second, the highest participation rates among women are for those who live alone and do not form families (the participation rate in 2001 of women belonging to individual households was 86.9 per cent; for men, 93.1 per cent), while the men who most participate in the labour market are those who form a family or live with one or more unrelated persons. These data suggest that the absence of family pressures facilitates the participation of women in the labour market. However, it is necessary to stress the high degree of participation of wives with dependent children and without relatives in the labour market (60 per cent). Third, the position of wife, regardless of the presence of children, is the least favourable for women's insertion into the labour market, which is under 70 per cent. As expected, the participation of family heads without spouses, and irrespective of the presence of children, is higher than that of the spouses, and the difference can reach up to 10 per cent.

The presence of children affects the work opportunities for spouses: while 69.9 per cent of spouses without children participate in the labour market, this percentage falls 10 per cent for those who have dependent children without the presence of relatives (60 per cent).

Female single-parent family heads with at least one dependent child, with or without relatives, present higher participation rates in the labour market (around 79 per cent) than that of spouses with children, with or without relatives. These data show that the presence of children, above all those of women on their own, does not reduce their insertion into the labour market. Despite the likelihood of there existing a serious problem of reconciliation between work and care of the children, these women are the only ones responsible for their family support, as they do not have to share expenses.

We shall now view the occupations that the labour market reserves for different families and sexes.

According to the data on position in occupation, 35 per cent of female family heads without a spouse with at least one dependent child and without relatives had jobs without signed work cards. These jobs are considered to be of the lowest quality the labour market offers. These occupations are not regulated by labour legislation and social security benefits are not guaranteed, but in many cases the hours may be more flexible due to the greater informality, permitting reconciliation between work and domestic life. For the

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same family structure, but with the presence of relatives, this percentage falls to 29 per cent, which leads us to suppose that the presence of relatives allows a higher level of occupational insertion.

It is noteworthy that most men are employed with signed work cards, and for them the second most important form of insertion into the labour market is self-employment.

Examination of the working day is fundamental for us to identify the weight that family responsibilities have for women (see Table 6). For men, the working day is much longer than for women for all family types. Women, depending on family type, work 34.4 hours per week (spouses with a dependent child, without a relative) to 44.2 hours, the official working week, in the case of family heads of childless couples. These data reveal that care of children, which is the task reserved for women, reduces the availability of integration into full-time jobs.

Wives with dependent children and relatives may work one more hour per week than those where other relatives do not live in the household. Here again we can assess the positive effect of the existence of other relatives in the household, allowing women to have a longer working day for practically all family types.

Regarding the level of earnings shown in Table 6, we observe that males in any position in the family and in any family structure earn more than women. Male spouses of couples with at least one dependent child and without relatives earn as much as 105.4 per cent more than women in the same position.

Women's average monthly salaries may be 60 per cent higher depending on family type, whereas those of men increase 51 per cent. For persons who live alone (individual households), the differential in earnings between the sexes is 7.4 per cent. However, women who live alone earn the highest remuneration (823.5 *reais*). For men, the highest salaries are earned by those who belong to the family structure comprising a couple with independent children and without relatives (1,003.7 *reais*).

The data in Table 6 suggest that women who live alone excel in the labour market, obtaining a higher income level and better quality employment (almost 60 per cent have signed work cards, such as civil servants or employers). They have not yet formed a family, or have already done so and are currently alone, separated and with children who are already grown-up and live in other households, possibly constituting other families.

The analysis applied up to this point shows that, in general, wives or female single-parent family heads with children are integrated into the labour market through participation in low-quality occupations, when compared to the working conditions of men in any position in the family and, also, of women who have no children. As we have seen, a significant percentage of these women are in irregular occupations without protection of their labour rights, earn low monthly wages and work part time. Part-time work certainly allows reconciliation of participation in the labour market and family responsibilities. Nevertheless, a lower income has consequences for family welfare. In Brazil, the presence of relatives is still quite an effective mechanism in facilitating employment of wives and family heads with children.

## **Family structures and child labour**

Despite the difficulties faced by female family heads without the presence of a spouse, child labour is lower in these families than in the standard type. As may be observed in Table 7, around 1.6 per cent of children aged 5 to 10 years who only live with their mother participate in the labour market. Among the children who also live in the presence of the father, this percentage is greater (2.9 per cent). In other words, although

families headed by women have high representation in the poverty ratings, this does not make the participation of their children in the labour market any greater.

**Table 7. Participation of children in the labour market**

	5 to 10 years		11 to 14 years	
	Number	Percentage	Number	Percentage
<b>Couple with child(ren)</b>				
Unemployed	15,528	0.10	125,206	1.26
Inactive	14,405,728	97.10	8,499,722	85.21
Employed	410,346	2.77	1,345,362	13.49
No response	4,668	0.03	4,488	0.05
Participation rate	425,874	2.87	1,470,568	14.75
<b>Couple with child(ren) and relative(s)</b>				
Unemployed	1,177	0.10	11,722	1.30
Inactive	1,158,796	97.04	760,050	84.37
Employed	34,173	2.86	128,326	14.24
No response	---	---	772	0.09
Participation rate	35,350	2.96	140,048	15.56
<b>Female head with husband, with child(ren)</b>				
Unemployed	3,530	0.12	52,397	2.45
Inactive	2,810,918	98.31	1,876,461	87.78
Employed	43,141	1.51	208,230	9.74
No response	1,621	0.06	599	0.03
Participation rate	46,671	1.63	260,627	12.20

Source: PNAD (2001).

In the case of children aged 11 to 14 years who live in families headed by women without the presence of a husband, around 12.2 per cent work or are seeking employment. On the other hand, almost 15 per cent of children who live with couples are in the labour market. The presence of other relatives in the household with couples does not much change the situation of the children in terms of insertion in the labour market. Although the percentages are low, it is noticeable that the presence of child labour in the standard family is greater than in families headed by women, despite all the difficulties faced by the latter.

Child labour in Brazil is a phenomenon of an eminently rural nature (see Annex III, Table 7), confirmed by the findings of Schwartzman (2001). We can observe in this table that the participation rate of children living in rural areas in the labour market is significantly greater in families constituted of couples than female single-parent families. These data are highly relevant in showing the relativity of the widespread notion that it is female single-parent families that are mainly responsible for the premature entry of children into the labour market, and, consequently, for the transmission of poverty to succeeding generations.

### **Analysis of the opportunity cost of dedication to the family**

In order to analyse how much dedication to the family prejudices the opportunities in the labour market for individuals, we performed a regression whose methodological detailing can be found in Annex I.<sup>14</sup>

As we can see in Table 8, men's salaries are always higher than those of women with the same profile and occupation. In other words, there is a part of the earnings differential

<sup>14</sup> The same regression for 1992 is found in Annex I, Table 1.

between the sexes that is not explained by any of the variables that we included in our regression. This unexplained portion is what we denominate discrimination, for it does not depend on any implicit characteristic of the worker or his/her productivity.

**Table 8. Earnings by family type**

	Couple only with independent children (A)	Couple with dependent children (B)	Couple without children (C)	Differential (independent children) (C)(A)	Differential (dependent children) (C)(B)
Men	323.31	321.88	527.79	63.2%	64.0%
Women	236.62	225.99	377.09	59.4%	66.9%

Source: PNAD (2001).

The same table also shows that the income from work varies significantly according to family structure as much for men as for women with the following profile: employed, aged 30 years, eight years of study, white-skinned, spouse residing in an urban area in the Southeast, employed irregularly, working a 40-hour week. Not having children always makes men's salaries 63 per cent higher than those of men who belong to conventional families with children, irrespective of the age of the latter. It is worth stressing that having young or older children is not a differential factor in men's incomes.

In the case of women, having children also reduces the level of earnings from work. It is most interesting to note that, when women have dependent children, the reduction in salary in relation to a woman who is a partner in a couple without children is much more significant. Women without children earn 67 per cent more than women with young children. If the children are not dependent, this difference is 59.4 per cent. In other words, the great disadvantage in terms of a woman's income is in the phase when the children are young and dependent on the mother's care and attention. This may be related to the phase in which women are dedicating themselves more to the family than to work, since there are probably no efficient mechanisms that allow them to reconcile the different tasks in a more balanced manner.

These data show that the main disadvantage for women occurs at the moment in the life cycle when family demands are more accentuated, incurring suppression of salary. The lack of adequate public support to facilitate the care of children has a high cost for mothers.

## **Families and the elderly**

In Brazil, the family is the main source of assistance for the elderly, due to the fragility of public support, notably in the public health and social security areas (Saad, 1999).

The engagement of families in the care of the elderly tends to become more pronounced, as this segment of the Brazilian population is the one that is growing fastest as a consequence of the increase in longevity, plus the fall in fertility rates (Camarano, 2002).<sup>15</sup> However, research has shown that inter-generation transfers have assumed a more two-dimensional character (Camarano and Medeiros, 1999; Debert, 1999).

<sup>15</sup> For a projection of the dependency rate of the population according to age group in 2010, see Annex II, Table 4.

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Thus, if on the one hand, the elderly need the care of their families (provided mainly by women who are daughters or granddaughters), on the other, the income of the former represents a vital component of economic resources for families in which they are inserted.

The successive economic crises that have been mainly affecting the young population have conferred great importance on the income of the elderly – guaranteed by the *Previdência Social* (social security) – for their descendents.<sup>16</sup>

Around 3.8 of the households (with family heads and spouses with ages ranging from 25 to 50 years) have at least one elderly member over 65 years (see Table 9).<sup>17</sup> In these households, the family per capita income is 332 *reais*, higher than that of households without the elderly (305 *reais*), which confirms the importance of an elderly person's income in the family budget.

Table 9 provides elements for us to understand if the presence of the elderly in families increases the opportunities for participation of family heads and wives in the labour market. The participation rate of men, whether they are family heads or spouses, is lower in households with the elderly. In the case of female family heads, the presence of the elderly in the household allows these women a greater, albeit very tenuous, participation in the labour market. The participation rate of female family heads with the elderly in the household is 79.3 per cent, slightly higher than those who do not reside with persons 65 years old or more. Moreover, when they work they manage to earn an income that is greater than for those without the presence of the elderly.

<sup>16</sup> *Previdência Social* (Social Security) is a public institution that transfers income to the worker-contributor who becomes incapable of maintaining an active working life due to age, accidents, ill health, etc. Urban workers have the right to retirement benefits at 65 years of age for men and 60 for women. Rural workers may apply for retirement at 60 in the case of men, 55 in that of women. In order to qualify for a full retirement pension, a man must prove at least 35 years' service (30 for a woman). Any person who cannot afford to contribute to social security has the right to the benefit for assistance to the elderly, provided that he/she does not exercise any remunerated activity and can prove a monthly per capita family income of less than a quarter of the minimum wage (R\$60), which is equivalent to approximately US\$ 20.

<sup>17</sup> The selection of this age bracket was made so that the characteristics of family heads and spouses over 50 years of age do not cause bias in the data, as the participation rate in the labour market of persons above this age tends to decline.

Table 9. Characteristics of family heads and spouses according to the presence of the elderly (65 years and older) in the household \*

	Households without the presence of the elderly	Households with the presence of the elderly
Percentage of households	96.2	3.8
Family per capita income	305.7	332.0
Participation rate		
<i>Family head</i>		
Man	96.2	92.5
Woman	78.8	79.3
<i>Spouse</i>		
Man	93.1	91.5
Woman	61.1	56.9
Salary		
<i>Family head</i>		
Man	766.6	768.7
Woman	511.3	660.7
<i>Spouse</i>		
Man	783.9	692.9
Woman	412.9	342.0
Working week		
<i>Family head</i>		
Man	47.1	46.9
Woman	40.0	39.1
<i>Spouse</i>		
Man	46.7	48.1
Woman	35.3	34.1

\* Households with family head or spouse in the age range of 25 to 50 years.

Source: PNAD (2001).

In the case of female spouses, we would expect the presence of the elderly in the household to facilitate their insertion into the labour market, but the opposite occurs. Wives in households with the elderly participate less in the labour market (activity rate of 56.9 per cent) than wives of households that do not have the elderly (61.1 per cent). Two hypotheses may be drawn from these data. The first is that the elderly who reside with families are those who need greater care. The second is that female spouses are the greatest source of help for their elderly relatives, with important implications for their participation in the labour market.

Despite the existence of a relation of dependence of the elderly in relation to the family, there is an equally important reverse flow of adult children depending on elderly parents. The economic contribution of the elderly to the composition of the family income is significant and very marked in poorer families, as shown in Table 10.

The participation rate of the elderly (65 years or over) in the labour market, who reside in families headed by persons aged 25 to 50 years, is 18.9 per cent. The average contribution of the elderly is 40 per cent of the family per capita income, but they represent up to two-thirds of the income of the families that comprise the poorest 25 per cent of the population. In other words, the elderly who live with children participate little in the labour market, but make a significant contribution to the family income, probably associated with the income from retirement.

Table 10. Working conditions and income of the elderly (65 years and older) in families headed by persons aged 25 to 50

	Participation rate	Average participation in the family per capita income
Total	18.9	40.6
By quartile of family per capita income		
First quartile	22.4	66.3
Second quartile	24.1	48.3
Third quartile	16.1	36.0
Fourth quartile	14.9	27.8

Source: PNAD (2001).

In Brazil, the relations between elderly parents and adult children take place through the exchange of income for care. On the one hand, the income of the elderly promotes a rise in income levels for families, principally the poorest. On the other, the care the children provide ensures the survival of the elderly into advanced age. This exchange has been ensured, above all, by women (whether forfeiting participation in the labour market or employed) having to face competitive demands on their time.

Some social changes suggest that the informal care model for the elderly could be weakening. First, in the face of the drastic decrease in the number of children due to the accelerated fall in fertility levels, we can suppose that it will be more and more difficult for the elderly to live with their children. Second, as women become increasingly engaged in the labour market, a decrease is to be expected in their available time for basic care of the elderly, even though, in principle, they have better conditions to provide financial help. Third, the availability of grandparents (co-resident or not) to allocate a good part of their time to helping adult daughters in housework and care of children may be altering. The new generation of Brazilian women who are now ageing are very different from their mothers and grandmothers. They are women who are better educated, more socialized in the world of work and more active in terms of social life. Everything leads one to believe that they will continue to be engaged in the public world, even in later stages of life (Goldani, 1999).

## Changes in family legislation <sup>18</sup>

From the point of view of family legislation, important innovations were introduced by the 1988 Brazilian Federal Constitution. In alignment with United Nations treaties, conventions and declarations, the Constitution recognized the equality of men and women in public and private life. This recognition had profound repercussions in all articles referring to the family as regulated by the new *Código Civil* (Civil Code), which came into force in January 2003. The main characteristic of the new definition of the family is the adoption of a more egalitarian and plural perspective. In this direction, three alterations warrant emphasis.

The first refers to the total equality of rights and obligations of spouses. The expression *pátrio poder* (power of the father) that used to mark the superiority of men over women in the previous legal code is replaced by the expression *poder familia* (family power), to be exercised equally by either spouse. In fact, in the old code, the man was viewed as the head of the family, responsible to represent it, administrate the property and establish the household of the family entity. With the new codification, “the administration

<sup>18</sup> For excerpts of this legislation, see Annex IV.

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of the conjugal partnership shall be exercised in collaboration by both husband and wife, always in the interests of the couple and the children” and “the spouses are obliged to contribute, in proportion to their property and earnings through work, to the support of the family and the education of the children, whatever their assets regime may be”. The equality of rights has also been extended to the rural areas. The 1988 Constitution recognized the equality of rights between men and women in the acquisition of deeds or concessions for the use of land, e.g. for the purposes of agrarian reform (Barsted, 2002).

The second concerns the parental relationship. Inspired by the principle of equality and by the recognition of the rights of children and adolescents, many innovations have been incorporated into the *Código Civil*. The former law used to give preference in child custody to the mother, as set forth at the beginning of the last century when it used to be considered that the woman did not go out to work and dedicated herself exclusively to the children, thus having a stronger bond of affection than the father. In the new *Código Civil*, the child shall be in the custody of the parent who presents better moral, educational or financial conditions to bring up and educate him or her, thereby prioritizing his or her welfare. In this same spirit, adopted children are provided the same rights as natural children. Moreover, the age of majority was set at 18, instead of 21 under the former Civil Code.

Another legal innovation concerning the parental relationship deserves mention. The *Estatuto da Criança e do Adolescente* (Child and Adolescent Statute) of 1990 established the right of filiation to be exercised without any restriction, including, as required, against the parents’ wishes (Article 27). This right obliges the parents to recognize their children and assume responsibilities (i.e. payment of alimony). The law also considers that this right surpasses individual interests and must be defended by means of public instruments of social control. Thus, in many Brazilian states, DNA tests to prove paternity are already provided free by public services (Fonseca, 2002). The increase in public control in the recognition of paternity and DNA test facilities for respective proof has reduced the number of children registered with “unknown parents”.<sup>19</sup> This new law contributes to ensuring greater commitment in the participation of parents in families, above all in terms of economic obligations.

The third concerns the broadening of the definition of family. The new *Código* and the 1988 Constitution recognize the *união estável* (stable union) and *entidade mono-parental* (single-parent entity consisting one male or female ascendant and his or her descendents) as family entities under state protection. The previous *Código Civil* only conceived of the family entity as a matrimonial union arising from civil marriage. The stable union has become recognized as a family entity for persons of different sexes who are united for at least five years and who are not legally prevented from getting married (a union with children shall be deemed “stable” after three years).

It is undeniable that the 1988 Constitution and its recent codification as the *Código Civil* legitimized a more plural concept of family. The legal model is still far from the profile of family relations or living units encountered in Brazil's social reality. As pointed out by Lobo (2002), the new Civil Code leaves out other arrangements that are very common in Brazilian society, for example:

- (a) union of relatives and persons who live together in affective interdependence without a father or mother as head, as in the case of groups of siblings, after the death or abandonment of parents;

<sup>19</sup> Interview held with Ms. Bianca Mota Moraes, Chief Prosecutor for family, child and adolescent matters in the jurisdiction of Rio Bonito (State of Rio de Janeiro).

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- (b) unrelated persons who live together on a permanent basis, with mutual help links, but without sexual or economic ties;
  - (c) homosexual unions of an affective and sexual character;
  - (d) concubine unions, when there exists impediments to marriage, and with or without children;
  - (e) affective community formed of unofficially adopted children (*filhos de criação*), without natural filiation or regular adoption.

Thus, many family arrangements lie outside the regulations and consequently the protection of the State, with effects on families that can be attended by the respective public programmes designed to focus on them. Furthermore, some legal specialists consider that the *Código*, only recently regulated, is already out-of-date, given that it is insufficient to regulate, for example, test-tube procreation, transsexualism, genetic engineering and human cloning.

### **Sexual division of housework**

The legal recognition of equality of rights and duties established by the new *Código Civil* still has not had repercussions on the division of family responsibilities between the sexes.

Unfortunately, in Brazil there are no official sources of information about the division of household tasks among family members and the time each person allocates to these tasks (time-use data). Nevertheless, we can find such information through a nation-wide survey on women, conducted in 2001 by the Fundação Perseu Abramo [Perseu Abramo Foundation]. This survey provides information on the perceptions of women regarding the relationship between remunerated work and housework as well as the use of time in housework and their husbands' participation in this.<sup>20</sup>

The responses obtained in the survey concerning perceptions show that a significant number of women value their professional activities and, because of this, they are willing to adjust the intensity of their dedication in the domestic sphere. Thus, when asked about their preferences, 55 per cent of the women would opt to have a profession, go out to work and devote themselves less to housework and the family, while 38 per cent would prefer to dedicate themselves more to housework and the family, leaving their profession and going out to work on a secondary plane. When we compare the percentage of women who would like to go out to work (55 per cent) with the proportion of women who effectively are working (40 per cent), it becomes evident, according to the research, that the Brazilian labour market does not meet female labour expectations.

The perception of women about the sexual division of housework does not follow a single pattern. On some items researched there is more consensus; others divide female opinion. When pressed to state their position (according to a scale of agreement) regarding the statement "men and women should share housework equally", the level of agreement<sup>21</sup>

<sup>20</sup> For a more detailed analysis of the survey results, see Sorj (2003).

<sup>21</sup> The author has added the two extremes of the variation "totally agree" and "agree in part" and "totally disagree" and "disagree in part".

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is high (87 per cent), against 11 per cent who disagreed and 1 per cent who had no opinion. It is precisely this response that bears the greatest consensus among the interviewees. It can be stated, therefore, that egalitarian values orientate the perception of women about the division of domestic tasks. However, when confronted by the statement “when you have young children, it is better for the man to go out to work and the woman to stay at home”, 85 per cent agreed against 13 per cent who disagreed, while 2 per cent did not know or did not respond. The strong preference of women for the traditional role model of the sexes at this specific moment in the family life cycle may reflect as much the strength of the traditional cultural value, which associates maternity with women, as the presence of a realistic judgment that incorporates egalitarian expectations into real possibilities of fulfilling them. At least two limitations are imposed on the redistributive project to which the interviewees aspire. The first concerns the inequality of income between men and women. As shown, women who participate in the labour market earn, on average, a lower salary than their male counterparts. When the living conditions of families are not significantly improved by the income women earn, these women feel encouraged to forfeit remunerated work to dedicate themselves to caring for the children. The second refers to the limited supply of public services aimed at caring for the children in the country, as we shall see below.

Notwithstanding, when other domestic burdens are considered by the same survey, the split between women is greater, suggesting that the adhesion to the dichotomous model of sexual roles does not present the same unanimity.

The responses to the statements “men, even if they wanted, do not know how to do housework”, “care for sick or elderly persons at home must be provided by the woman”, and “it is principally the man who must support the family” divide the interviewees, although the greatest proportion agree with these affirmations (55 per cent, 54 per cent and 65 per cent, respectively). Despite the fact that the majority of the interviewees value the competences traditionally attributed to women, it would be very hasty to conclude from the available data that those who agree with such statements submit to the patriarchal norm. Perhaps what is at stake here is more of a sentiment of personal valorization, which is expressed through the affirmation of their own competences acquired in housework experience, than a simple acceptance of a discourse that naturalizes the sexual roles.

With regard to the sharing of housework, it is evident that this is a task that is almost exclusively female. In 96 per cent of the households researched, the person mainly responsible for domestic tasks was a woman. Moreover, in 49 per cent of cases, it is also a woman when another person participates in the housework.

There is, therefore, a profound distance between the egalitarian criterion that is fundamental to the aspiration of women and the pronounced inequality that characterizes these social practices in the domestic context.

No less than 57 per cent of the women interviewed (married or with partners) declared that their husbands had not performed any housework in the week prior to the interview. For us to go beyond a dichotomous analysis (participate or not), we observed more closely the nature of the tasks assumed by the minority of the partners that carried out some domestic activity.<sup>22</sup> The wives declared that in the week before the interview their partners had spent, on average, 5.6 hours on household chores, while they themselves had committed around 48 hours. We shall see on which housework activities the wives spend their limited time.

<sup>22</sup> See Annex III, Table 8.

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Women spend almost 28 hours on cleaning the home, cooking, washing and ironing clothes, and other domestic tasks, while husbands dedicate, on average, less than 2.5 hours per week. Husbands spend almost three hours on child care, while their partners commit more than 18 hours. Husbands spend less than 30 minutes on caring for the elderly against almost two hours on the part of women. These data verify to what extent the participation of men in housework is limited to occasional help given to women, who remain mainly responsible for domestic management of the home.

Men spend the greatest part of their time dedicated to domestic life in caring for children. This result confirms qualitative research (Abreu and Sorj, 1993) that found a type of male participation in domestic life in which the presence of husbands is more marked in activities that involve interaction, such as caring for the children and helping with school homework, or representing mediation between the family and the public world, such as doing shopping for the home. Their involvement tends to decrease as the activities imply manual, routine work, to be performed alone. Male participation in the private domain is, therefore, not only limited but selective, and corresponds to the tasks that are more valued socially.

In short, the analysis of family work shows that there exists an accentuated gap between the egalitarian ideal that women project on to the division of housework, which they predominate at 87 per cent, and the reality of family practices that are decisively unequal.

The weight that family responsibilities represent for the insertion of women in the labour market may be assessed when we examine the reasons alleged by the interviewees for never having participated in the labour market and for having withdrawn from it.

According to Table 11, the majority of the replies are associated with domestic responsibilities: marriage/husband (34 per cent), children and pregnancy (24 per cent) and housework (15 per cent). The lack of opportunities in the labour market and the insufficiency of education bear significantly less weight.

Table 11. Why have you never gone out to work?<sup>23</sup>

Categories	Percentage
<b>Marriage/husband</b>	<b>31</b>
Husband does not allow/he prefers she stays at home/he removed her from work to take care of the children	23
Got married/because of the marriage	10
<b>Children/pregnancy</b>	<b>24</b>
To take care of the children/dedicate herself to the children/had children	20
Had nowhere to leave the children/because of young children/on the farm/had nobody with whom to leave the children/no school for the children	2
Became pregnant to have a baby	2
<b>Does not have/did not have any need</b>	<b>20</b>
Never needed to go out to work/does not need to work/does not want to	14
Husband used to support the home/always supported the home alone	8
Retired/receives husband's retirement pension	2
<b>Housework</b>	<b>15</b>
To take care of the home/wants to take care of the home/prefers to be a housewife	12
To take care of the family/husband	4
To take care of sick family member(s) and/or relative(s)	1
<b>Labour market</b>	<b>14</b>
No opportunity/lack of employment	14
<b>Lack of qualifications</b>	<b>6</b>
Never studied/studied little/cannot read	4
Has only worked on the land/does not know how to do any other work	1
Other replies	2
<b>Study</b>	<b>4</b>
Because of studies/school/did not conclude studies	3
Other replies	1
<b>Health</b>	<b>3</b>
To care for her health/has health problems	3
<b>Years of service</b>	<b>2</b>
Retired	1
Due to age/became old and does not have any more energy/has already worked a lot	1
<b>Age</b>	<b>1</b>
Not old enough/still under 18 years of age	1
<b>Other general replies</b>	<b>4</b>
Cannot remember	1
<b>Does not know/did not reply</b>	<b>5</b>

Source: Fundação Perseu Abramo: *A mulher brasileira nos espaços público e privado* [The Brazilian woman in public and private space], a public opinion research survey (October 2001).

Table 12 indicates the reasons declared by women for stopping work. Adding up the categories for children/pregnancy (27 per cent), marriage and husband (19 per cent) and housework (13 per cent), 59 per cent of the replies mention family responsibilities as reasons for interruption of work. Other reasons of a professional nature are lower in percentage, such as dissatisfaction with their old job or lack of opportunities in the labour market.

This information allows one to conclude that family responsibilities are an important factor in the exclusion of women from the labour market, preventing society from counting on their full productive capacity.

<sup>23</sup> Interviewees are housewives who have never gone out to work (percentage of spontaneous and multiple replies).

Table 12. Why did you stop working?<sup>24</sup>

Categories	Percentage
<b>Children/pregnancy</b>	<b>27</b>
To care for the children/to dedicate herself to the children/had children	22
Had nowhere to leave the children/because of young children/on a farm/had nobody with whom to leave the children/had no school for the children	3
Became pregnant/to have a baby	3
<b>Marriage/husband</b>	<b>19</b>
Got married/because of the marriage	13
Husband does not allow/he prefers her to stay at home/he removed her from work to care for the children	6
Other replies	1
<b>Years of service</b>	<b>16</b>
Due to age/became old and does not have any more energy/has already worked a lot	9
Retired	8
<b>Health</b>	<b>14</b>
To care for her health/has health problems	13
Problematic pregnancy/treatment for pregnancy	1
Doctor's orders to stop	---
Recovery from trauma/loss of loved one	---
<b>Housework</b>	<b>13</b>
To take care of the home/wants to do so/prefers being a housewife	8
To take care of sick family member(s) and/or relative(s)	4
To take care of the family/husband	1
Other replies	1
<b>Labour market</b>	<b>11</b>
No opportunity/lack of employment	5
Made redundant/dismissed	4
Terminated contract/workplace closed down	2
Other replies	---
<b>Move</b>	<b>7</b>
Moved town/city/state/country	6
Moved to smallholding/farm	1
Other replies	---
<b>Does not have/did not have any need</b>	<b>4</b>
Husband used to support the home/always supported the home alone	1
Retired/receives husband's retirement pension	1
Has never needed to work/does not need to work/does not want to do so	1
Other replies	1
<b>Dissatisfaction with old job/conditions offered</b>	<b>4</b>
Did not like the work/worked too much	2
Salary very small/did not pay her well	2
<b>Studies</b>	<b>3</b>
Because of studies/school/did not conclude studies	3
<b>Lack of qualifications</b>	<b>2</b>
Has only worked on the land/knows no other job	1
Other replies	---
<b>Other general replies</b>	<b>1</b>
<b>Did not know/did not reply</b>	<b>3</b>

Source: Fundação Perseu Abramo: *A mulher brasileira nos espaços público e privado* [The Brazilian woman in public and private space], a public opinion research survey (October 2001).

<sup>24</sup> Interviewees who have already gone out to work but stopped (percentage of spontaneous and multiple replies).

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## Part 3: Conditions of work and support measures for families: Impacts on the family

In this chapter, we sought to identify the main mechanisms available in Brazilian society that facilitate the reconciliation between work and family responsibilities. The first mechanism we shall deal with refers to domestic service, which is a resource traditionally utilized by the more privileged Brazilian families. The second that helps work-family reconciliation is access for children to crèches and pre-school institutions. The third is provided by labour legislation and by collective work contracts and agreements signed between employees and employers.<sup>25</sup> The latter guarantees various benefits to families, but only for some those workers who are employed in the regular segment of the economy. The fourth mechanism refers to flexibility of working hours in the regulated segment of the labour market, which has spread very little to Brazilian companies. The fifth mechanism refers to the transfer of income to families through government social assistance programmes focused on the most vulnerable section of the population.

### Domestic service and the family

The employment of servants in the provision of services is widespread in Brazilian middle-class families. This practice originated from the slavery period and lasted after abolition, whereupon it assumed a profile of remunerated activity (Melo, 1998). The activities implied in this work relationship — in most cases irregular — involve cooking, cleaning, laundry and child care.

Brazilian society views this occupation in a special light, by enacting specific legislation that does not extend to domestic workers all the rights guaranteed to regular salaried workers in the country.

This remunerated housework covers different situations. The two most common are resident female servants (*mensalistas*) living at their place of work, and those who render services in different households (*diaristas*), who do not live at their workplaces and earn daily or weekly wages or a salary. It is possible for either category to have a regular work contract.

Domestic employment is a very important occupation for women, especially those with low educational and work experience levels. In Brazil, there are around 5.5 million domestic employees, according to the 2001 PNAD, a number that has grown significantly over the last decade (a positive variation of 47 per cent between 1992 and 2001).<sup>26</sup> These jobs are filled almost exclusively by women (95 per cent).

Another fact that attracts attention in the evolution of domestic employment over the last few decades is the decline in the percentage of such employees who reside at the

<sup>25</sup> Collective work contracts are contracts signed by unions representing workers and enterprises or business groups. Collective agreements are contracts signed by unions representing economic categories and workers. Through these, there is fixing of entry conditions, remuneration and conditions of work that will be applied to the category or sector for a specified period.

<sup>26</sup> This occupation represents around 7.4 per cent of all workers, according to the 2001 PNAD. In 1992, this percentage was 5.8.

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workplace. While, in 1981, 27.9 per cent resided at the workplace, this figure fell to 6.2 per cent in 2001 (PNAD, 1981 and 2001).<sup>27</sup>

In Table 13, it is noticeable that the great majority of domestic workers do not have signed work cards (75 per cent). However, this percentage has decreased in the last few years, reflecting the regulatory trend in domestic employment. At the beginning of the 1990s, the percentage of domestic employees with signed work cards was 17 per cent, but this figure has now reached 25 per cent.

The regularization process in domestic service commenced in 1972 with the enactment of the *Lei do Emprego Doméstico* [Domestic Employment Law] 5859/72. The 1988 Federal Constitution – due to a strong movement in support of extending labour rights to domestics led by the *Sindicato das Empregadas Domésticas* [Domestic Employees Union], the feminist movement and the *Conselho Nacional dos Direitos da Mulher* [National Women's Rights Council] – made provision for many rights that were well-established for other categories of workers, such as maternity leave (Article 10.II.b). Even Notwithstanding this law, some benefits are still lacking: legally regulated working hours (at present the hours are negotiated by the parties), job security during pregnancy, redundancy according to length of service, to name a few.

Allied to this advancing regulation, there has been a growth trend in the income of domestic employees. In 1992, around 63 per cent earned a maximum of one minimum wage, but this percentage fell to 42 per cent by the end of the decade. Domestic employees are concentrated (59 per cent) in the income range one to 1.5 minimum wages. In terms of average income, domestic employees with a signed work card earned around 266 *reais*, while those without cards earned only 60 per cent of this amount, but this difference has decreased over the years.

<sup>27</sup> See Annex III, Table 6.

Table 13. Characteristics of domestic work in Brazil

	1992			2001		
	Total	With work card	Without work card	Total	With work card	Without work card
Total (thousands)	3,757	624	3,133	5,513	1,394	4,119
Percentage	100.0	16.6	83.6	100.0	25.3	74.7
Gender						
Male	6.5	13.8	5.0	6.5	10.8	5.0
Female	93.5	86.2	95.0	93.5	89.2	95.0
Salary range	63.2			41.8		
Up to 0.5 of the minimum wage	41.3	4.7	48.6	20.3	0.3	27.1
0.5-1 of the minimum wage	21.9	8.2	24.6	21.6	2.9	27.9
1-1.5 of the minimum wage	28.9	67.3	21.2	39.1	58.9	32.4
1.5-2 of the minimum wage	4.4	9.5	3.4	9.3	18.3	6.2
2-3 of the minimum wage	2.7	8.7	1.5	7.7	15.8	4.9
3-4 of the minimum wage	0.5	1.2	0.4	1.4	2.8	1.0
4-5 of the minimum wage	0.1	0.0	0.1	0.3	0.5	0.3
5 minimum wages or more	0.1	0.4	0.1	0.3	0.4	0.3
Average wage	135	223	118	189	266	162
Median wage	107	186	92	180	220	150
Average number of hours per week	42	47	41	39	45	37
Median number of hours per week	44	48	42	40	45	40
Average hourly wage	0.88	1.20	0.82	1.37	1.56	1.31
Median hourly wage	0.74	1.00	0.64	1.05	1.24	0.95

Note: The minimum wage in September 2001 was R\$ 180.

Source: Elaborated by IETS based on information from PNAD.

In terms of the working week, domestic employees work 39 hours on average. Those without a signed card work less (37 hours per week), while registered domestics work 45 hours per week on average, which represents one hour more than the official 44-hour week.

If we consider that each domestic employee works in only one home, around 10 per cent of Brazilian homes make use of this service to relieve their domestic responsibilities.<sup>28</sup>

The trend towards formalization of this occupation and the rise in respective earnings suggest that access to this service will become more and more restricted to higher income social groups.

Unfortunately, the data available about domestic employees do not allow one to grasp the impact on insertion of families into the labour markets. The PNAD only covers the presence of domestic workers who live in the employer's house. This situation represents only 0.79 per cent of the total households, a tiny percentage that prevents any type of analysis about possible differences in labour market insertion between family heads and spouses due to the presence of domestic employees.

<sup>28</sup> We reached this estimate by selecting the households that had resident domestic employees.

## Child education and its implication for the reconciliation of work and family responsibilities

A more modern assistance mechanism for the reconciliation of work and family responsibilities is the provision of crèches and pre-school institutions (Sorj, 2001). In order to evaluate the performance of this mechanism on the insertion of women into the labour market, Table 14 shows figures about households with children up to 6 years of age frequenting crèches or pre-school institutions, and about those whose children have no access to such a service.

Table 14. Characteristics of the insertion of women according to attendance of children up to 6 years at crèches or pre-school institutions<sup>29</sup>

	Children not attending a crèche or pre-school institution	Children attending a crèche or pre-school institution
Percentage of households	61.0	39.0
Family per capita income	167.9	249.0
Participation rate	52.0	64.3
Salary	273.0	422.6
Working week	34.2	35.8

Source: PNAD (2001).

In around 39 per cent of Brazilian households, children up to 6 years frequent crèches or pre-school institutions. The family per capita income in these households is around 50 per cent higher than in households where children do not go to a crèche. The mothers of children who go to a crèche or pre-school institution have a greater participation rate in the labour market than women whose children do not. These mothers manage to work 1.5 hours more than those with children at home. They also earn salaries up to 55 per cent higher. This is evidence that the crèche is an efficient mechanism in the reconciliation of family and work, bearing in mind that, besides enabling mothers to work, it allows a better quality of insertion for women in the labour market.

This occurs as much for mothers that have very young children (up to 3 years) as for those with slightly older children (see Tables 15 and 16). Nevertheless, the role of child education in the allocation of time spent at work and on the family seems even more efficacious for women with older children, probably because those who have very young infants are still breastfeeding and have to dedicate a considerably larger amount of time to them. The mothers who have children 4 to 6 years of age in crèches or pre-school institutions manage to work three hours more per week than those who do not, while this increase in the case of women with children up to 3 years is only one hour.

Table 15. Characteristics of the insertion of women according to attendance of children up to 3 years at crèches or pre-school institutions

	Children not attending a crèche or pre-school institution	Children attending a crèche or pre-school institution
Percentage of households	74.1	25.9
Family per capita income	171.4	226.3
Participation rate	50.0	60.2
Salary	283.2	426.2
Working week	34.1	35.1

Source: PNAD (2001).

<sup>29</sup> School attendance is not being considered, only the attendance at crèches and pre-school institutions.

**Table 16. Characteristics of the insertion of women according to attendance of children 4 to 6 years at crèches or pre-school institutions**

	Children not attending a crèche or pre-school institution	Children attending a crèche or pre-school institution
Percentage of households	38.5	61.5
Family per capita income	125.5	227.4
Participation rate	55.0	63.0
Salary	208.0	384.9
Working week	32.6	35.4

Source: PNAD (2001).

The impact of child education on the increase in participation in the labour market of mothers, as well as on their income and working hours, occurs at all social levels of the population. Table 17 shows the division of households with children up to 3 years into four groups according to family per capita income. For the poorest 75 per cent, the family per capita income of households with women who have children in a crèche is practically the same as households where children do not go to a crèche. However, the salary of mothers who leave children in a crèche is much higher than that of women with no access to this mechanism. The difference reaches 38 per cent in the first quartile; in other words, for the poorest 25 per cent. Access to a crèche or pre-school institution creates a cascade effect in which the women who obtain a little more income from work put their children in a crèche, and the possibility of leaving them there allows them to earn more.

**Table 17. Characteristics of the insertion of women according to attendance of children up to 3 years at crèches or pre-school institutions per quartile of income**

	Children not attending a crèche or pre-school institution	Children attending a crèche or pre-school institution
<b>First quartile of income distribution</b>		
Percentage of households	74.0	26.0
Family per capita income	34.2	35.6
Participation rate	43.0	49.1
Salary	54.3	75.1
Working week	27.5	29.1
<b>Second quartile of income distribution</b>		
Percentage of households	77.4	22.6
Family per capita income	111.6	111.4
Participation rate	47.6	60.0
Salary	158.2	189.1
Working week	35.0	37.1
<b>Third quartile of income distribution</b>		
Percentage of households	76.5	23.5
Family per capita income	224.8	222.6
Participation rate	56.2	69.4
Salary	275.0	317.5
Working week	37.7	38.1
<b>Fourth quartile of income distribution</b>		
Percentage of households	64.9	35.1
Family per capita income	733.7	948.5
Participation rate	66.8	74.9
Salary	821.8	1,111.7
Working week	38.3	37.3

Source: PNAD (2001).

The same may be seen in Table 18 for households with children 4 to 6 years of age. In families with a very close per capita income, the fact that children are in a crèche or pre-school institution allows the mothers to participate more in the labour market, earn more and have a longer working day.

**Table 18. Characteristics of the insertion of women according to attendance of children 4 to 6 years at crèches or pre-school institutions per income quartile**

	Children not attending a crèche or pre-school institution	Children attending a crèche or pre-school institution
<b>First quartile of income distribution</b>		
Percentage of households	46.0	54.0
Family per capita income	36.5	37.0
Participation rate	51.4	54.1
Salary	55.7	75.4
Working week	27.5	29.6
<b>Second quartile of income distribution</b>		
Percentage of households	41.7	58.3
Family per capita income	109.7	112.9
Participation rate	54.7	61.0
Salary	161.6	180.0
Working week	34.6	37.0
<b>Third quartile of income distribution</b>		
Percentage of households	35.1	64.9
Family per capita income	222.4	225.6
Participation rate	59.4	67.5
Salary	263.9	295.8
Working week	37.7	37.7
<b>Fourth quartile of income distribution</b>		
Percentage of households	18.5	81.5
Family per capita income	663.3	815.7
Participation rate	66.4	75.8
Salary	832.6	945.7
Working week	37.3	37.6

Source: PNAD (2001).

The impact of access to child education on work opportunities for women reveals that this service is highly efficacious in promoting a balance between work needs and family responsibilities.

Table 18 shows another piece of relevant data that deserves highlighting. The impact of the attendance of children 4 to 6 years of age at a crèche or pre-school institution on the salaries and working day for mothers from the poorest families is higher than for mothers in richer families. While the salary of mothers in poor families who have children frequenting pre-school institutions is about 35 per cent greater, this percentage falls to around 14 per cent in the richest families. Regarding the duration of the working day, the same pattern is repeated: poor mothers having children attend pre-school institutions enables their working day to be lengthened by approximately two hours (from 27.5 to 29.6), while for richer mothers with children in pre-school institutions, the working day remains the same, around 37 hours per week. Thus, we may conclude that the income group that most benefits from access to child education is the poor.

## **Labour legislation and family responsibilities**

The *Consolidação das Leis do Trabalho* (CLT) was enacted in 1943 and has governed Brazilian labour-capital relations since then. The legislation has undergone few, yet important, modifications throughout the last 60 years. The two principal changes occurred in 1964, during the military regime, and in 1988, when a new Constitution was adopted. During military rule, the amendments to the legislation were aimed at reducing the right to strike and the power of trade union organizations. The changes introduced in 1988 were inspired by the re-democratization process in the country. Thus, the restrictions on the right of workers to organize were lifted and labour benefits were extended. Among the other more outstanding changes were the reduction in the working week from 48 to 44

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hours; overtime premium payments increased from 20 to 50 per cent; and maternity leave was extended from three to four months.

Brazilian labour legislation makes provision for a set of measures that support the reconciliation between work and family. However, these measures have limited coverage as they only apply to registered workers, who represent less than half of the active workforce in the country. These workers are generally employed in large private and public enterprises.

The legislation in force regarding family responsibilities is presented below (CLT, 1997).

### ***Marriage leave***

Employees have the right to three days' leave upon getting married (CLT, Article 473).

### ***Job security for pregnant employees***

“It is forbidden to dismiss a pregnant employee as of confirmation of pregnancy until five months after giving birth” [CF, Disposições Transitórias, Article 10(II)(b)]. After this period, the employee may be dismissed in accordance with the law governing redundancy, which provides one month's salary for every year of service (CLT, Article 478).

### ***Work compatible with pregnancy***

During pregnancy, the employee's salary and rights are guaranteed. The employee can be transferred to another job, when dictated by health conditions, with assured reinstatement upon post-natal return to normal work [CLT, Article 392(4) and Law No. 9,799 of 26 May 1999).

Upon presentation of a doctor's note, the expectant mother enjoys the right to break any commitment contained in a work contract, provided that this is harmful to the pregnancy (CLT, Article 394).

The most common situations in which transfers to other work occur are an unhealthy workplace or one that is harmful to the pregnancy; an activity that entails risk; working conditions that are incompatible with pregnancy; limitation of a physical nature impairing performance of the job.

### ***Maternity leave***

This consists of 120 days of consecutive leave for the mother (28 days before and 92 days after confinement), without detriment to her employment and paid at her last salary level. This period places the Brazilian woman in a good position on the international scale, which is even more than the 14 weeks of leave provided for in the ILO Maternity Protection Convention, 2000 (No. 183). Maternity leave is paid by social security. Provisions are found in the Federal Constitution [CF, Article 7(xviii)]; Law No. 8,213 of 24 July 1991 (Articles 71-72); and the CLT [Articles 392(2) and 393].

Pre- and post-natal leave periods can be increased up to 14 days upon presentation of a medical certificate issued by the National Health Service [CLT, Article 392(2)].

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## **Leave for adoptive mothers**

This leave guarantees benefits to an adoptive mother of an equal amount as the monthly remuneration during leave, which varies according to the age of the child. In the case of adoption or legal custody of children up to 1 year, the leave period is 120 days. The period drops to 60 days for those who adopt children from 1 to 4 years of age, while mothers of children 4 to 8 years have the right to 30 days [Law No. 10,421 of 15 April 2002].

## **Paternity leave**

This leave entitles fathers to five days of leave after the birth or adoption of a child. The 1988 Constitution enacted this leave in order to ensure the sharing of parental responsibilities between the father and mother as of the birth or arrival of the child. This leave is paid by the employer [CF, Disposições Transitórias, Article 10(II)(S1)].

## **Nursing breaks**

The mother has the right to two special 30-minute breaks during the working day to breastfeed her child up to 6 months of age. The breastfeeding period may be more flexible if the health of the child requires it, at the discretion of the respective authority [CF, Article 396].

## **Crèches**

Establishments employing at least 30 women over the age of 16 should allocate an appropriate place where women can leave their children, under vigilance and assistance, during the breastfeeding period [CLT, Article 389(10)]. This requirement may also be fulfilled through agreements between the company and other public or private entities [CLT, Article 389(2)] or through a crèche reimbursement system, granting payment of expenses for a crèche chosen freely by the mother-employee, at least for the first six months of life. The introduction of the crèche reimbursement scheme depends on prior stipulation in a collective agreement [Ministry of Labour: Portaria No. 3,296, of 3 September 1986, Articles 10 and 20].

Due to the low level of public labour inspection and the disregard of employers to adhere to the law, crèche benefits are more common in large enterprises and where the trade union is more active. More and more companies have opted for outsourcing or a system of reimbursement rather than establishing a crèche on the work premises. It is noteworthy too that some more organized categories of worker succeed in extending this right to include fathers as beneficiaries, and in increasing the minimum benefit period from the regulation six months (Dieese, 2003).

Some remarks about these benefits are necessary. First, the benefits are primarily aimed at protecting the woman during her reproductive phase and in the care of children in the first months of life. The legislation does not offer any facility so that workers can reconcile work and the family throughout the family life cycle. Second, the labour legislation considers reproduction and care of children as an almost exclusively female task. With the exception of the recently regulated paternity leave and inspired by the most egalitarian definition of family and children's rights in the 1988 Constitution, it is the mothers who are the holders of rights that facilitate the reconciliation between work and family needs.

The existence of benefits set forth in the labour legislation does not guarantee their automatic application in enterprises. On the one hand, many companies, especially small

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ones, do not grant the benefits guaranteed by law, counting on the lack of public control. Besides this, many women relinquish their rights to benefits (for example, the right to job security for pregnant workers), as they do not have to combine work and care of a newborn, especially when the salary does not compensate for their absence from home (Soares, 1998).

On the other hand, some labour categories establish collective work agreements with new labour clauses not provided by the legislation, or that broaden the coverage of the benefits already guaranteed by the law. Therefore, examination of what has been negotiated in collective work agreements may provide a vision of trends regarding the working conditions practiced in companies.

A recent study by the Departamento Intersindical de Estatística e Estudos Socio-Econômica (Dieese) [Inter-Union Department of Statistics and Socio-Economic Studies] captured the evolution of labour clauses regarding women at work, negotiated in collective work agreements between 1996 and 2000 (Dieese, 2003).<sup>30</sup> The study concluded that the most widespread clauses in collective negotiations are already regulated by law. The reason for repetition of the legal benefits in collective agreements is that it guarantees their more effective fulfilment and, in case of infringement, the trade union may defend the worker. Clauses that lengthen the benefit periods already guaranteed by law are fewer, and there is rarely an addition of new benefits not provided for in the labour legislation. In the two cases of lengthening the period and innovation of benefits, it is verified that the agreed clauses are restricted to a small number of work categories.

An analysis of the evolution of benefits in the 1990s must have as its backdrop the scenario of profound economic recession and high unemployment rates in which the collective negotiations of the period took place. Thus, even maintaining benefits already granted in the past, or their extension and innovation, albeit restricted to few work categories, shows the importance of collective negotiations in the promotion of better working conditions.

Table 19 examines some benefits established in related collective agreements specifically related to family needs. The benefits most negotiated in 2000 were job security for pregnant workers (85 per cent), crèches (62 per cent), and accompanying children in health matters (50 per cent). The latter is not covered by the legislation and it is guaranteed to the category of workers benefited, without sexual discrimination. Paternity leave is guaranteed for 35 per cent of these categories, the adoption leave for mothers for 33 per cent (two benefits recently regulated in laws), and the bonus for days off work to accompany the spouse/family member(s) for health treatment, which is not covered by the law, was guaranteed for 27 per cent of the work categories.

<sup>30</sup> Although this study cannot be generalized for the set of workers, the collective contracts selected for analysis, as they are paradigmatic, indicate the general trends of collective bargaining.

Table 19. Distribution of clauses referring to the family (1996-2000)

Clauses	1996		1997		1998		1999		2000		Total for categories *	
	No.	%	No.	%								
<b>Pregnancy</b>	104	21.0	104	21.0	100	20.2	100	20.5	99	20.3		
Job security for pregnant workers	79	16.0	79	16.0	77	15.6	77	15.8	77	15.7	80	85.1
Job compatible with the pregnancy	12	2.4	12	2.4	11	2.2	11	2.3	11	2.0	12	12.8
Release of the pregnancy worker before the end of working day	3	0.6	3	0.6	3	0.6	3	0.6	3	0.6	3	3.2
Pre-natal exam	4	0.8	4	0.8	4	0.8	4	0.8	4	0.8	4	4.3
Doctor's certificate of pregnancy	4	0.8	4	0.8	4	0.8	4	0.8	4	0.8	4	4.3
Medical attention at birth	1	0.2	1	0.2	1	0.2	1	0.2	1	0.2	1	1.1
Information about pregnancy risks	1	0.2	1	0.2	0	0.0	0	0.0	0	0.0	1	1.1
<b>Maternity/paternity</b>	239	48.3	241	48.7	244	49.3	237	48.7	237	48.2		
Maternity leave	19	3.8	19	3.8	21	4.3	18	3.7	17	3.5	21	22.3
Paternity leave	31	6.3	32	6.5	33	6.7	33	6.8	32	6.5	33	35.1
Father's job security	6	1.2	6	1.2	6	1.2	6	1.2	6	1.2	6	6.4
Guarantees during breastfeeding	18	3.6	18	3.6	18	3.6	17	3.5	17	3.5	17**	18.1
Nursing leave	3	0.6	3	0.6	3	0.6	2	0.4	2	0.4	2	2.1
Nursing breaks	14	2.8	14	2.8	14	2.8	14	2.9	14	2.9	14	14.9
Working day for nursing mother	1	0.2	1	0.2	1	0.2	1	0.2	1	0.2	1	1.1
Crèche	58	11.7	58	11.7	58	11.7	58	1.9	58	11.8	58	61.7
Accompanying children	46	9.3	47	9.5	47	9.5	47	9.7	48	9.8	47	50.0
Dependents with disabilities	9	1.8	9	1.8	9	1.8	9	1.9	9	1.8	9	9.6
Guarantees during adoption	52	10.5	52	10.5	52	10.5	49	10.1	50	10.2	35**	37.2
Adoptive mother leave	30	6.1	30	6.1	30	6.1	27	5.6	28	5.7	31	33.0
Adoptive father leave	4	0.8	4	0.8	4	0.8	4	0.8	4	0.8	4	4.3
Job security for adoptive parents	5	1.0	5	1.0	5	1.0	5	1.0	5	1.0	5	5.3
Crèche for adopted children	12	2.4	12	2.4	12	2.4	12	2.5	13	2.7	13	13.8
Adoption grant	1	0.2	1	0.2	1	0.2	1	0.2	0	0.0	1	1.1
<b>Family responsibilities</b>	74	14.9	73	14.7	72	14.5	71	14.3	73	14.7		
Accompanying spouses or family members	25	5.1	25	5.1	25	5.1	25	5.1	26	5.3	26	27.7
Education allowance	23	4.6	21	4.2	20	4.0	19	3.9	20	4.1	23	24.5
Dependent allowance	1	0.2	1	0.2	1	0.2	1	0.2	1	0.2	1	1.1
Health grant	25	5.1	26	5.3	26	5.3	26	5.3	26	5.3	23	24.5

\* Total for categories that negotiated the clause during the period.

\*\* Total may not correspond to the sum of the clauses, since certain work categories may have acquired more than one clause.

Source: DIEESE: *Sistemas de acompanhamento de contratações coletivas* (Accompanying systems for collective contracts)

Some comments are required concerning the benefits related to the family and agreed through collective negotiation. First, it is important to recognize that the collective work agreements manage, in some cases, to correct the gender bias contained in the labour legislation. In this respect, the negotiation of "crèche reimbursement" is outstanding, and also extended to parents in various categories. It is also noteworthy that, in the negotiation of a new benefit not stipulated in the legislation, as in the case of accompanying spouses and family members for health treatment, it seems there was greater concern in guaranteeing it to all workers irrespective of gender. Nevertheless, the collective agreements maintain, in general terms, the traditional attitude that care of the family is a female concern.

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As shown, the reconciliation between work and the family still has not become a priority in negotiations between trade unions and employers. Various reasons may explain the timidity with which this matter is treated. First, the notion of family responsibility is still seen as a women's concern. As women tend to be under-represented at these forums, recognition of the difficulties of reconciling work and family is not properly dealt with. Second, the economic crisis does not facilitate the innovation of negotiated benefits: on the contrary, both corporate players (companies and unions) adopt defensive practices and prioritize negotiations of an economic nature. Third, the significant number of small firms in Brazil is always mentioned as a factor that hinders the granting of benefits that imply an absence of the employee from work to deal with the elderly or children. It is argued that larger organizations have the greatest potential to adopt such facilities. When some workers are not present in large establishments, others may replace them, at least for a limited period. In 2001, with over 40 per cent of the workers employed in establishments with a maximum of ten workers (PNAD, 2001), the extension of leave was seen as problematic.

Private and public enterprises often use irregular systems of leave for workers who need to be away from work to deal with family matters. Management in these companies shows more tolerance regarding the requirements of their employees, since work can be organized around a worker's eventual absence.<sup>31</sup>

### **Flexibility of the working day in the regular labour market segment: An arrangement that is still incipient**

Flexible working hours in developed countries are considered as one of the main mechanisms that facilitate the balance between work and family responsibilities. The introduction of flexible arrangements in Brazil is still feeble, so it is not yet possible to make an evaluation of its impact on the quality of workers' private lives.

The standard working day was set at 44 hours per week, or 8 hours per day, by the 1988 Constitution [Article 70(xiii)]. Employers must pay a premium for each hour that exceeds this limit, known commonly as overtime. The remuneration of overtime must be at least 50 per cent higher than the normal hourly rate [CF, Article 70(xvi)].

An intense debate took place in Brazil in the 1990s about flexible hours of work that mobilized employers, unions and the government. Employers argued that flexitime would hamper productivity and the reduction of overtime costs. A second argument was that full-time work for an indeterminate period hinders technological and organization change: without the option of hiring or maintaining part-time employees, firms are obliged to make workers redundant.

The justification of an improvement in the quality of family life for employees, commonly cited in European documents about flexitime, is practically absent from the discussion in the Brazilian business community. Nevertheless, it is important to mention two recent flexitime initiatives launched in the business and academic field concerning the problem of the reconciliation between work and family.

The first initiative was taken by the Instituto Ethos de Empresas e Responsabilidade Social [Ethos Enterprises and Social Responsibility Institute], a non-governmental organization founded in 1998, which aims at spreading the concept of social responsibility

<sup>31</sup> Interview with Sérgio da Silva Barros, Sindicato dos Profissionais de Processamento de Dados [Data Processing Professionals Union], Rio de Janeiro.

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in the Brazilian business sector.<sup>32</sup> Instituto Ethos gathers together hundreds of enterprises from all sectors and branches of activity, whose combined revenue is around 28 per cent of the Brazilian gross domestic product and employing approximately 1 million people.

Instituto Ethos recently published a document that aims to encourage and guide its associates in the adoption of flexible management practices explicitly designed for the welfare of workers and their family members.<sup>33</sup> The document suggests that businesses study the possibility of providing their employees various flexible hour schemes that match their personal needs. Among the most outstanding ones is the voluntary reduction of the working day: a compressed workweek, in which the workers work their required weekly hours over four days; work and distance; a “free day account”, i.e. instead of establishing a certain fixed number of days for dealing with personal matters, a personal account is organized for free days to be compensated by employees, mainly those who have a family.<sup>34</sup>

Another recent initiative was promoted by the Centro de Liderança da Mulher (Celim) [Centre for Female Leadership], which organized a seminar for businessmen in the Federação das Indústrias do Rio de Janeiro [Rio de Janeiro Industrial Federation] about the need for the “re-engineering of time”, which would allow a healthier balance between work and personal/family life (Oliveira, 2003).

Both initiatives show that there is already a business audience sensitive to the debate on flexibility from the point of view of quality in the private/family lives of workers. The possibility of instituting proposals of this type in Brazil depends on many factors, among which are the existence of macro-economic conditions that are more favourable to business development.

The main resistance to the introduction of flexible hours comes from the trade unions. They have argued that the reduction of working hours is a better alternative than flexibility in combating unemployment, which is a priority at the moment. Reducing unemployment is a priority for the Brazilian trade union movement, uniting the union leaderships regardless of political affiliations.

Despite the opposition to flexible hours presented by the unions, the recessive economic situation of the last few years has forced negotiations between unions and the government. Consequently, the legal regulation of the flexible hours scheme in the 1990s established that its utilization would only be possible through collective bargaining, taking into account the specific characteristics of each sector of activity, and not by changing the legal labour framework.

From the business point of view, the need to negotiate with the unions for the introduction of flexible hours hinders their implementation, which explains the low level among Brazilian enterprises (Pastore, 2001).

It is relevant to the debate to mention the position of feminist movements, for they add a perspective of gender equality that is absent from other debates. For many feminists,

<sup>32</sup> Ethos defines “social responsibility” as management practices “permanently preoccupied with ethical quality in the enterprise’s relations with its collaborators, clients and suppliers, with the community, with the public authorities and with the environment” ([www.ethos.org.br](http://www.ethos.org.br)).

<sup>33</sup> See [www.ethos.org.br/docs/institucional](http://www.ethos.org.br/docs/institucional).

<sup>34</sup> For an enterprise example of work and family policies, see Annex V.

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a reduction in working time is a more attractive measure than flexible hours in balancing work and family, even if the reduction is gradual and the limit is above the 25 hours that define part-time work. First, a reduction in the working day is universal and does not focus only on some specific job categories. Second, it would avoid various problems that part-time or other atypical employment has been presenting in the European context. These jobs, which have grown significantly in the last few decades in Europe, have generally been occupied almost exclusively by women. Finally, jobs that offer flexible hours are the ones that offer fewer opportunities for qualification and training, fewer incentives for a career and social benefits in general. For all these reasons, flexible hours, especially for part-time work, would reinforce the domestic status of women in detriment to their professional identity (Walby, 2003).

The previous government evoked the need for modernization of the economy with a view to competitive insertion into the global market. It promulgated various flexible hour schemes with various degrees of success.

### **Hours banks**

[Law No. 9,601 of 1998; Decree No. 2,490 of 1990; Article 59(2) of the CLT.; Provisional Measure No. 2,164-41 of 24 August 2001; DOU of 27 August 2001.]

The hours bank is a system by which the enterprise may decrease or increase the working day according to the level of production, by means of compensation of hours during another period, without salary reduction and without payment due during the compensation period. This system avoids redundancies in periods of low production and avoids payment of overtime when the opposite occurs. The compensation must take place within the same year. The establishment of the hours bank depends on approval by 50 per cent plus one of the voting employees. The union follows the voting. In case of cancellation of the work contract, a positive balance of hours worked is paid at overtime rates. The introduction of the scheme was supported by the unions and understood as a reasonable alternative on the part of the employer to reduce hours and pay. It allows maintenance of the employment level and salaries through the redistribution of working time on an annual basis.

### **Part-time work**

[Provisional Measure No. 2,076-35; substituted MP No. 1,952-31 of 27 March 2001; DOU of 28 March 2001.]

Part-time work is defined as work not exceeding 25 hours per week. The salary is proportional to the hours worked (that is, at the same rate as full-time work). For new contracts, it is sufficient to simply contract at the proportional salary. For existing employees, changing to part-time work is possible by asking the employer, in the manner set forth in the instrument arising from collective bargaining. The employee contracted on a part-time basis is not subject to the hours bank system and cannot work overtime.

### **Work for a definite period**

[Law No. 9,601 of 21 January 1998, regulated by Decree No. 2,490 of 4 February 1998.]

A contract for a definite period is an agreement signed by the employer and employee, with start and end dates agreed in advance, for the purpose of rendering temporary services. The contract may be extended innumerable times, provided that the sum of the periods does not exceed two years. There are guarantees of common labour rights during the contract period, such as weekly remunerated rest, work breaks, and health

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and safety protection. Provisional job security for pregnant workers shall apply until the end of contract period. The main incentive for the employer to contract for a particular period is the reduction in labour costs.

This Decree-Law was not retained by the current government and was repealed in January 2003. The new government considered that the objectives of the measure were not being fully observed, given that only a small amount of job vacancies was being created.<sup>35</sup>

### **Temporary work**

[Law No. 6,019 of 3 January 1974; Decree No. 73,841 of 13 March 1974.]

This is a form of hiring for enterprises that need workers to replace their regular personnel — for example, during holidays, maternity leave and sick leave — and to cover extraordinary increases in demand for services or goods. The contract may be up to 90 days, and may be extended once for an equal period. There is no job security in case of pregnancy. The temporary worker cannot earn less than the regular worker he or she is replacing. The contracting of temporary labour occurs through temporary work agencies, which must be duly registered by the Ministry of Labour and Employment, and whose main responsibilities are remuneration and assisting the temporary workers concerning their legally established rights.

The dates of the measures that regulated the new working hour schemes show that the changes are recent, from the late 1990s and early 2000. For this reason, information about the implementation by enterprises of these working day alternatives is scarce. Despite this, we have gathered information from different sources that may indicate trends.

Among the flexible hour schemes, the hours bank is the one that most frequently appears in collective work agreements. In 2002, research conducted by the Confederação Nacional da Indústria (CNI) [National Confederation of Industry]<sup>36</sup> on collective work agreements signed in selected industrial sectors (foodstuffs, clothing, chemicals and metallurgy), found the following: in the chemicals sector, the clauses regarding the hours bank system were mentioned in 11 documents out of a total of 17; in foodstuffs, the system was negotiated in ten agreements, which represents 50 per cent of the total; in metallurgy, the adoption of the hours bank appeared in eight agreements out of the 20 documents registered. Other flexitime arrangements, such as contracting for a definite period or part time, are insignificant (RT Cenários, 2002).

Another study, carried out by the Fundação Instituto de Pesquisas Econômicas (FIPE) [Foundation Institute for Economic Research] — consulting 2,000 executives in human resources of medium to large enterprises from all over the country — concluded that flexibility in the laws governing the working day and the contracting of labour had little effect on the country, and confirmed that the hours bank was the favourite mode in the business community (Dimenstein, 2002).

<sup>35</sup> See [www.cnaorg.br/RelaçõesTrabalho/DiarioTrabalho/2003/feb/050203.htm](http://www.cnaorg.br/RelaçõesTrabalho/DiarioTrabalho/2003/feb/050203.htm).

<sup>36</sup> SANC gathers broad data about negotiations and collective labour agreements. As the collection of the information is made through the voluntary sending by companies of the minutes of collective work agreements, the databank does not cover all corporations. It cannot be considered as a representative sample. Even so, it is estimated that 40 per cent of the enterprises send minutes of the negotiations and collective labour agreements. Interview with Maria Cristina Soares Linhares, Study and Development Analyst at CNI, Rio de Janeiro.

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The hours bank contains some risks for the workers, such as work-related diseases like stress, lesions due to repeated effort, and work accidents when high production targets are set.

The hours bank, despite being a flexible hours scheme and enjoying major acceptance among enterprises, is not an arrangement that facilitates workers' reconciliation of work and family. On the contrary, it is solely the needs of the enterprise that define the use of working time.

Part-time work has also not been promulgated as meeting employees' family demands as its explicit aim. Nevertheless, due to its very nature, it is supposed that it could fulfil this purpose. For this reason we sought to identify the evolution of part-time jobs in the regulated segment, our source data being taken from the annual list of social information provided by the Ministry of Labour and Employment between 1997 and 2001.

Employment with a working week up of to 25 hours grew 13.4 per cent between 1997 and 2001. However, the contribution of job positions with this type of work arrangement really was not very significant in the total jobs generated in the period, representing only 6 per cent. Part-time jobs represent just 5.7 per cent of total regular employment. These job positions are occupied basically by women (70 per cent) and are found in the services sector: in direct public and autarkic administration (62 per cent), and education (17 per cent). Industry was responsible for only 2 per cent of the part-time job positions in 2001. (RAIS/MTE, 1997, 2001).<sup>37</sup>

Thus, part-time work is hardly significant in the regular sector of the economy and the trend follows the European pattern, where female labour is predominant.

To conclude, we can stress the following elements: (1) flexible hours is a recent event in the country's industrial relations; (2) its implementation does not explicitly aim to facilitate reconciliation between work and the family; (3) the flexible hours scheme that is most successful is the hours bank, which, in turn, does not contribute directly to the balance between work and family matters; (4) part-time work is growing, though still scarcely significant in the regular sector, and already presents a trend towards female predominance; (5) some business sectors have already demonstrated interest in discussing flexible hours from the perspective of their employees' personal and family welfare.

## Monetary transfers to families

Monetary transfers to low-income families are guaranteed by three main programmes. The first is the "family salary", which is provided to those insured under the social security scheme, to help with child maintenance. It is restricted to workers employed in the regulated sectors of the economy. All insured are entitled (for each child up to 14 years or disabled children of any age), except domestic employees and temporary workers contracted by unions (*avulsos*).<sup>38</sup> Only those insured who earn a contribution salary of R\$ 468.47 or lower are eligible to receive the benefit. It is a token amount per month, R\$13.48 per child, which corresponds to around 5 per cent of the minimum wage. Employees or temporary workers hired by unions, who are parents, each have a right to the benefit, and the granting is conditional upon annual presentation of the compulsory vaccination

<sup>37</sup> See Annex III, Tables 4 and 5.

<sup>38</sup> *Avulsos* are workers who render services to enterprises, with an employment link, though with the obligatory mediation of the union in their category.

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certificate of the child up to 6 years and proof each semester of school attendance as of 7 years of age.

The family salary has limited coverage, and the amount is extremely low, certainly much less than the expenses incurred by families in fulfilling the requirements imposed by social security.

The second type is aimed at persons who are not insured by social security and are in a situation of social vulnerability and poverty. Two benefits were recently granted to help families support dependents: the *Benefícios de prestação continuada* (BPC), that guarantees a minimum monthly salary for a person with a disability without any age limit and for any elderly person over 67 years. Both groups must prove that they cannot afford to maintain themselves and subsist with family support. Provided by the 1988 Constitution and regulated by law,<sup>39</sup> this benefit stated in 1996. In order to receive the BPC, the disabled person must prove his or her incapacity to work and to have an independent life; that he or she cannot practice any remunerated activity or receives any type of benefit (allowance or retirement pension) from social security or any private scheme; and must possess a monthly family per capita income of less than a one-quarter of the minimum wage. In 2001, benefits were granted to 1,339,119 persons with disabilities and the elderly, amounting to R\$ 2,694 billion.

The groups with disabilities who benefited from the BPC present the following profile: 31 per cent are children or adolescents (0 to 18 years); 71 per cent are illiterate; 86 per cent live with a family group (Relatório de Gestão 2001, Ministério da Assistance Social). The monthly allowance seems to be used by the families more to compensate income insufficiency than to facilitate the balance between work and family. This was inferred in an interview in which a mother with a disability declared that she bought “gloves, a catheter, antibiotics and special milk” with the money of the minimum wage.<sup>40</sup>

The elderly benefiting from the BPC present the following profile: 68 per cent are 70 to 75 years old; 59 per cent are illiterate; 36 per cent have only primary school education; and 59 per cent live with the family group.

It is important to note that, in the case of the elderly and the disabled, the right to the income does not belong to the rights of the individual, as access to the income depends on the earnings of the family group. This benefit is aimed at those who cannot afford the maintenance of their elderly or disabled family members. This rule of access contradicts the legislation that establishes that social assistance is a right of all citizens and a duty of the state to provide the minimum to guarantee basic needs. Assessing this policy, Fonseca (2001, p.108) concludes that in these cases “the right to income is determined, obligatorily, by the earnings of other family members, and when autonomy and dignity are limited by dependence”.

Scholarships are a third type of monetary benefit that aims to guarantee a minimum income to families as a way of eradicating poverty. This programme was created at federal level in 2001, based on previous experience in some Brazilian municipalities (Fonseca, 2001), and has been adopted in many developing countries. The criteria for selection of families includes (a) that family per capita income is less than half the minimum wage; (b) that there are children or dependents aged 6 to 15 years; (c) supplying proof of registration and attendance of the children at school. The benefits are generally made to the mothers.

<sup>39</sup> Lei Orgânica da Assistência Social (LOAS).

<sup>40</sup> See [www.estadao.com.br/educando/noticias/2003/jul/24/41.htm](http://www.estadao.com.br/educando/noticias/2003/jul/24/41.htm).

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The justification for this programme is that family poverty exerts a great influence on premature entry into the labour market, and the cost of maintaining the children in school is very high for the poor. In this case as well, the reference unit is not the poor individual, but a quite specific group: families with children.

It is not the objective of this paper to assess the impact of these programmes on the capacity for reconciliation between work and family. Nevertheless, we can suggest that, as these programmes impose requirements on the families who benefit, one of the consequences may be increased dedication of mothers to the family in detriment to dedication to work. A series of functions and responsibilities that should be the duties of the school institution, such as keeping a record of the student's performance, is transferred to the families. In other words, it is the family that is assessed when a child presents low school performance. Besides demanding that mothers make available a lot of time for the follow-up, they may feel responsible for the eventual failure of their children in school, thereby increasing the intra-family tensions and conflicts.



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## **Part 4: Gap between needs for work-family reconciliation and the existing support measures**

The aim of this part of the report is to confront the family needs arising from changes in the family structure and in the labour market with the existing shortfalls in support to reconcile working life and family responsibilities.

The main change regarding the labour market, from the point of view of family life, corresponds to the massive entry of wives into the labour market. More and more families constituted of couples have to deal with family responsibilities since both spouses work. The traditional model of the sexual division of work, in which the male family head went out to work and the wife dedicated herself to household tasks, has been altering rapidly.

Everything indicates that the phenomenon of female entry into the labour market is irreversible. Regardless of the recessive or expansive economic situations, the participation of women in the job market is growing. Besides responding to the economic difficulties of families, which is forcing wives to seek employment, changes related to the gender role — which value the independence and autonomy of women — represents a considerable cultural change in the self-image of women in society and the emergence of new expectations regarding the labour market and dedication to the family.

From the labour market aspect, the main change has been the growth in irregularity, i.e. unprotected employment without the benefits provided by labour legislation. Unlike previous decades, in which irregularity was the result of the limited capacity of the modern segments to grow at the same pace as the demand for new job positions, the novelty of the 1990s is that the irregularity is fed by a reduction in the occupational dimension of the regular segment of the economy. Restructuring and the opening up of the economy to international competition have reduced the supply of jobs with regulated labour relations.

All family members have been affected by the growth in unprotected employment; however, this growth has been more significant for wives. This signifies that the increase in their participation in the world of work has occurred in occupations that, by their irregular nature, do not guarantee the basic benefits due to the family, established by legislation.

Nevertheless, irregular occupations offer women, especially wives, the possibility of working part time. We would suggest that this is the main form of reconciliation between the conflicting demands of work and family. The weak public mechanisms to facilitate the integration of women leads female labour into lower-quality occupations.

The great disadvantage for women in the labour market occurs when their children are young. Their participation rate is much more sensitive to family type than for that of men. Irrespective of family structure, men's participation rate in the labour market is never less than 84.7 per cent. For women, depending on their family structure, the participation rate may vary between 86.9 per cent and 55.3 per cent. Employment of mothers is reduced by 10 per cent when there are dependent children. However, female family heads, even when they have dependent children, continue to maintain a high level of participation in the labour market (79 per cent). Thus, we may conclude that the absence of adequate support measures for child care decreases the participation of wives in the labour market, while the family heads of single-parent families, faced with the impossibility of sharing family expenses with another person, maintain a high level of participation in work and experience great pressure to reconcile work and child care.

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The difficulties that the presence of children represent for women, spouses and family heads in reconciling the demands of work and the family may also be identified by the type of occupation to which they are oriented.

In general terms, wives and female family heads of single-parent families with children are integrated into the labour market in occupations of inferior quality when compared with the working conditions of men in any position in the family and of women who have no children. A significant percentage of these women are in irregular occupations without protection of labour rights, have low earnings and work fewer hours. Part-time work certainly permits reconciliation of participation in the labour market and family responsibilities. However, part-time work does imply a lower salary with consequences for family welfare. Thus, the dedication to family has a high opportunity cost for mothers in the labour market.

The engagement of workers with family responsibilities tends to increase, given that the segment of the elderly in Brazil is growing fastest. In Brazil, the relations between elderly parents and adult children take place through a two-way inter-generational transfer. In other words, there exists a relation of reciprocity in which the elderly collaborate with their income to raise the standard of living of the whole family unit; and adult children, in turn, take care of their parents in the more advanced phases of life. This exchange has been guaranteed above all by women, either by giving up their participation in the labour market or by having to contend with the competitive demand on their time when they are employed.

Some social changes suggest that the irregular model of care for the elderly could be weakening. First, in view of the drastic decrease in the number of children due to a decline in the fertility rate, it has become progressively difficult for the elderly to live with their children. Secondly, as women engage themselves more and more in the labour market, a decrease is to be expected in the time available for basic care of the elderly, even though they have better financial conditions to provide help.

Thirdly, the availability of grandparents (co-resident or not) to help their adult children in caring for the house and grandchildren may be altering. The new generation of Brazilian women are very different from their mothers and grandmothers. They are more educated, socialized in the world of work and more active in social life. Everything points to their continuing engagement in life outside the home, even very late in life.

In the light of this new situation that affects the traditional system of inter-generational reciprocity, it is urgent to provide public support measures to deal with the growing elderly population in the country.

Changes in the family and the labour market have aggravated the capacity of families to cope with the requirements of work and family. Solutions tend to be private, through differential allocation of their members in the labour market. There are occupations reserved for women that facilitate dedication to the family, while men continue to be fully available for productive activities.

With regard to the public sphere, two measures of support for families may be identified as efficient in balancing work and family: labour legislation, and the access to crèches and pre-school institutions.

Labour legislation provides a set of measures that facilitate the capacity of workers to balance work and family responsibilities. However, there are two serious gaps in this provision.

The first is limited coverage that benefits only the regulated segment of the labour market, which corresponds to a minority. The significant growth in irregular work in the

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last decade indicates that an even larger contingent of workers find themselves unprotected, without basic labour rights, notably the wives and family heads of single-parent families who most need support to reconcile work and family responsibilities.

The second is the gender bias built into the labour legislation. The benefits provided by the labour legislation focus primarily on the reproductive rights of women, guaranteeing, *inter alia*, job security for pregnant workers, maternity leave and crèches for infants. The 120-day maternity leave, granted to the mother without detriment to her employment and paid at the level of her last salary, is 33 per cent longer than the 12 weeks prescribed in ILO Convention No. 103. This benefit is highly valued by workers, who have been defending it against various attempts on the part of employers to reduce its length.

Nevertheless, the labour legislation is barely effective in guaranteeing a balance between work and family needs throughout all stages of workers' family lives. By concentrating the benefits around pregnancy and childbirth, the legislation does not enable a worker to deal with family demands as a normal regular event in his/her personal life. The labour legislation does not effectively promote egalitarian family principles enshrined in the Brazilian Civil Code. The benefits associated with the family are focused on the workers: for example, the right to job security is only guaranteed to the pregnant worker, whereas the future father does not enjoy this protection.

Brazil, as signatory to two important international Conventions (the ILO Maternity Protection Convention, 1952 (No. 103), and the UN Convention on the Elimination of All Forms of Discrimination Against Women, 1979), could easily reform its labour legislation by correcting gender inequality. The preamble of the UN Convention contains principles that could help in amending the labour legislation: "Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination, but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole".

Collective agreements, which provide additional family benefits to regulated workers, present serious difficulties in expanding and innovating the benefits already established by the law. Economic recession and unemployment produce defensive strategies on the part of corporate players, who tend to view job security and wages as priorities.

Flexible hours in the regulated segment are not implemented enough. Flexible hours is one of the mechanisms that could promote a better balance between work and the family, as has occurred in many developed countries. The flexitime measures promulgated in the late 1990s were adopted by very few enterprises and they are not explicitly aimed at balancing work and family. In fact, arguments in favour of flexible hours was aimed solely at enhancing productivity.

In view of the labour market changes, the increased efficiency of worker and family protection implies transformation of labour rights into universal rights. The increase in more precarious forms of employment suggests that one way to improve the reconciliation of work and family is to disassociate access to family benefits from the type of work contract and gender of the worker.

Without doubt, the main instrument supporting the reconciliation of work and family is provided by educational institutions for children 0 to 6 years. This system is highly efficient and contributes to equality of opportunities for women in the labour market. Mothers of children in crèches and pre-school institutions have a participation rate in the labour market that is greater than that of women whose children do not frequent such institutions, besides earning higher salaries and working more hours.

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Access to crèches and pre-school institutions benefits the insertion of women from all social classes into the labour market, particularly for the poorer strata in the population. When we compare groups of households according to per capita income, for the poorest 25 per cent who have children 4 to 6 years old frequenting pre-school institutions, the mother's salary is 35 per cent higher, while for the richest 25 per cent, this increase is only 14 per cent.

The importance of child educational institutions was consolidated by the 1988 Federal Constitution, attributing to the state the duty of providing this type of education. Nevertheless, the provision is still limited. Only 39 per cent of households with children 0 to 6 years of age have access to these institutions and the demand appears to be growing. The waiting list to enroll children in public schools in the municipalities is a major indicator of the importance of this institution to families, and to the limited supply of institutions.

It is important to stress that the crèches and pre-school institutions, as well as the educational institutions at higher levels, are run predominantly on a part-time basis. This means that families who do have access to this service still rely on private resources to maintain full participation in the labour market. The hiring of domestic employees for the most privileged groups helps fill the gap between when the children return from school and the mother returns from work. In poorer families, whose income does not allow them to hire domestic servants, the children are placed in the care of relatives, neighbours, older siblings, or stay at home on their own.

However, these traditional arrangements are becoming less and less efficient in supporting families:

1. the growth of urban violence, which affects poor districts as much as others, causes enormous tension in parents who are at work and need to rely on irregular support. These families experience daily stress with severe implications for job performance;
2. the decline in the fertility rate implies ever-smaller families, with less possibility of older children caring for younger siblings while the parents are at work. This demographic trend seems irreversible;
3. the excessive time spent in urban traffic congestion, which characterizes life in Brazilian metropolises, limits the time workers can spend on private or family life.

From the point of view of the sexual division of housework, domestic activities and care of children and other dependents still remains an almost exclusively female duty, implying a heavy burden of work for women.

The increase in the participation of wives in the labour market has not been accompanied by a more equitable distribution of domestic affairs between the sexes. Despite the recently promulgated family legislation to establish equality in family relations, the repercussions for daily activities in private life are still not felt. Men continue to be inactive in domestic affairs, overloading the working wife with a double working day.

Certainly female family heads with dependent children are the most affected by the fragility of public support for the family. It is noteworthy that there is a growth in the number of single-parent families in the country, which is already the second most-common family type, surpassed only by the traditional family unit. Women in this position maintain a high level of participation in the labour market, as they are the sole "breadwinners" and they work longer hours. It is also in single-parent families that we find the greatest

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percentage of poor, around 46 per cent. However, when female family heads with children count on the presence of other relatives, the poverty level undergoes a significant reduction, falling to around 39 per cent. This percentage is similar to that of conventional families. The traditional mechanisms of family solidarity are shown to be quite efficient in reducing poverty, compensating for the absence of the economic contribution of a male provider. Despite the difficulties faced by heads of single-parent families, child labour is less than in conventional families.

For poor families, access to crèches and pre-school institutions has a relatively more positive impact in terms of female participation in the labour market, as well as on the salaries earned, than for the higher income groups. Thus, we suggest that one of the most important measures for family poverty relief is access to education for their children.



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## Part 5: Conclusions and recommendations

In the last few decades, interest in the balance between work and family responsibilities has grown significantly in various countries. It is more and more recognized that conflicts between working life and family life have negative effects on people's quality of life — notably on the welfare of women and children — and on working conditions — particularly productivity at work and workers' health.

Brazil is not among the 34 countries that ratified the Work with Family Responsibilities Convention (No. 156) adopted by the ILO in 1981. Countries ratifying this Convention agree “to make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination, and, to the extent possible, without conflict between their employment and family responsibilities”.

Unlike many European countries and North America, the recognition that a balance between work and family responsibilities constitutes a social problem is still incipient in Brazil. Consequently, there are few initiatives and measures focused on balancing work and family demands. Even the terms “work and family responsibilities”, “work-life balance”, “family-friendly policies”, “work and family balance” or “family-friendly working conditions”, which have been coined and incorporated into the vocabulary of other countries, are not easily recognized here or their content clearly understood.

Notwithstanding, the last two decades have been strikingly marked by structural changes in families and the labour market, which have aggravated the problems in the relation between the work and private spheres. These changes have not been accompanied at the same pace by actions on the part of the state and enterprises that respond to the new challenges families face. To a great extent, the balance between work and family spheres remains a private matter of the families concerned.

In the last two decades, Brazil has significantly altered its pattern of development with important repercussions for the labour market. The reduction in growth rates, the increasing irregularity, the continuation of high poverty levels and the growth of unemployment mark the economic scene and the relation between families and the labour market.

The changes in the composition of families have been profound. There has been a marked reduction in the traditional type of family formed of a couple with children. There has also been a reduction in the proportion of families comprising couples with children plus a relative(s), the so-called extended family. The average number of dependent children has also declined.

In contrast, there has been significant growth in the number of families composed of female family heads and children without the presence of a husband, i.e. female single-parent families. These trends show that smaller family units are growing.

From the point of view of the family, the main change regarding the labour market is the massive entry of wives. Their participation rate is already quite close to that of female family heads, who generally represent the main provider in single-parent families.

Everything indicates that the increase in female participation in the labour market is irreversible. More and more families composed of couples and children will have to cope with a situation in which both parents are fully integrated into the world of work. This means that work versus family tension will tend to exacerbate.

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The main strategy adopted by families to take on this challenge is for members to hold different types of jobs, in which the working hours are an important factor. Regulated employment prevails for men, i.e. protected by labour legislation, with various benefits arising from the contractual relationship; for women, unregulated work predominates, which implies shorter hours and lower salaries. Above all, wives with children enter the most precarious occupations.

We also observe that working wives increased their hours by around two hour per week over the last decade, which represents an aggravation of the work burden, as they practically single-handedly do all the housework, plus care for the children and elderly.

The growing participation of women in the workplace indicates that the female role has been changing rapidly, without that of the male altering. As women are less available to care for dependents, it is necessary for society to redefine how family responsibilities should be fulfilled.

A positive step in this direction was taken by the new Brazilian Civil Code promulgated in 2003, which recognized the total equality of rights and obligations of spouses, and broadened the concept of family, including single-parent families and stable, non-marital unions as family entities recognized by the State. The egalitarian perspective of the family has become an important reference for the redefinition of gender roles. In the same manner, the 1990 *Estatuto da Criança e do Adolescente* [Statute of the Child and Adolescent] recognizes the right of children to filiation, irrespective of the parents' wishes. This principle aims to combat lack of recognition of paternity, a quite common occurrence in poor families. This legal text may have important repercussions for the poverty level in families. Recognition of paternity obliges the father to be involved in the family responsibilities, above all, those of an economic nature. Facilitating the process of the recognition of paternity of "absent fathers" may significantly relieve the poverty of female single-parent families.

Another important step in the redefinition of family responsibilities between the private and public spheres is promoted by broadening the access of children aged up to 6 years to child educational institutions. These institutions are pivotal in balancing the competing demands of work and family. The impact of crèches and pre-school institutions on the increase in the number of women going out to work, their income and working hours has permeated all social classes, with poorer families benefiting more compared to groups in a higher income bracket.

For this reason we consider that, from the point of view of families, the extension of public investment into child education must be regarded as a priority.

Study of the labour legislation and collective work agreements indicates the existence of measures that facilitate the achievement of balance between work and the family, such as maternity leave providing job security for the expectant mother as of the confirmation of pregnancy until five months after the birth, and the right of access to a crèche for the infant up to 6 months old. Nevertheless, the labour legislation only applies to workers in regulated employment, which excludes the majority of workers from legally guaranteed benefits, in particular low-income earners. Besides this, the labour legislation concentrates the benefits during the reproductive phase and does not facilitate the balance between work and the family throughout working life.

In view of the evolution of the labour market, the increase in protection for workers and their families implies transformation of labour rights into universal ones. The deregulation of labour relations should ensure that access to family benefits not be tied to the type of work contract or gender in order to better reconcile work and family.

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Research on the current status of flexible hour measures in regulated enterprises revealed that implementation is very low and did not have any repercussions on the subject of balancing work and family. Various reasons may be put forward for the low adoption rate of these measures: their regulation is very recent and, therefore, they are not well-known in the business community; the unions view these measures with great suspicion as an alternative to a reduction of the basic working week; and the corporate players (businessmen and unions) do not show much sensitivity to the issue.

Nevertheless, we would mention some recent initiatives from NGOs that are promoting debate about flexible hours from the point of view of family and personal needs and gender equality. Initiatives aimed at stimulating the debate on flexible hours associated to problems of reconciling work and family must be strengthened and involve businessmen, trade unions, NGOs and public authorities. The adoption of family-friendly policies should act as a criterion to classify an enterprise as socially responsible.

In conclusion, changes in the labour market and family structure over the last few decades in Brazil have worsened the problems raised in our paper. On the one hand, private solutions based on the unremunerated work of women and relatives, though still an important resource in family care, now involve high individual and social costs; on the other, public and business policies still have not understood that the question of family responsibilities is a social matter that should occupy an outstanding position on political agendas and in the programmes of institutional players.



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## Annex 1. Opportunity cost of dedication to the family: Methodology

A good way of analysing the impact of personal and family characteristics on the earnings level is to make a Mincerian regression of income from labour. The idea implicit in this exercise is to attempt to isolate the effect that each one of the characteristics of family structures has on the level of individual earnings. For example, the income of whites in Brazil is higher than that of non-whites because there is discrimination in the labour market. Furthermore, whites also acquire an educational level that is higher than that of blacks. In employing econometric methods, we may separate how much the differential in earnings between whites and blacks arises purely and simply from discrimination from how much it occurs from a differential in education.

For each family structure and for the total, we have made a Mincerian regression of earnings by applying controls for different characteristics, such as race, age, sex, family position, job position and activity sector, as explained below.

$$\begin{aligned} \text{Log}(\text{salary}) = & \alpha + \beta_1 I + \beta_2 I^2 + \beta_3 C + \beta_4 G + \sum_{z=1}^{15} \beta_{z+4} E_z + \sum_{w=1}^4 \beta_{w+19} W_w \\ & + \sum_{p=1}^4 \beta_{p+23} P_p + \sum_{f=1}^3 \beta_{f+27} F_f + \sum_{a=1}^2 \beta_{a+30} A_a + \beta_{33} H + \varepsilon \end{aligned}$$

where

$\alpha$  is the intercept;

$\beta$ s are the coefficients of each characteristic;

$I$  represents the age of the occupied individual in the reference week;

$C$  is a dichotomous variable that represents the race of the individual occupied in the reference week (assigned 1 for the white race and 0 for the non-white race);

$G$  is a dichotomous variable that represents the gender of the occupied individual in the reference week (assigned 1 for a male and 0 for a female);

$E_z$  is a dichotomous variable that represents the educational level of the occupied individual in the reference week (assigned 1 for exactly  $z$  years of study with success and 0 for a different length of study  $z = 1 \dots 15$  number of years. The occupied with zero study were omitted.). Note: The variable educational level, determined as 15, covers the occupied with 15 or more years of study;

$W_w$  is a dichotomous variable that represents a large region of Brazil in which the occupied individual lives in the reference week [assigned 1 for those who live in the large region  $w$ , and 0 for those who reside in a region other than  $w$ ,  $w=1\dots 4$  metropolitan regions (North, Southeast, South and Mid-West). The Northeast region was omitted.];

$P_p$  is a dichotomous variable that represents the type of occupational position in the reference week (determined as 1 for those who are classified in  $p$ , and 0 for those in a different one,  $p=1\dots 4$  occupational positions (self-employed, civil servant and irregular employee. Other regular employees with a work card were omitted);

$F_f$  is a dichotomous variable that represents the individual's family position [determined as 1 for those classified as  $f$ , and 0 for those classified differently,  $f=1\dots 3$  family positions (family head or reference person, spouse and child). Aggregates and other families were omitted];

$A_a$  is a dichotomous variable that represents the Brazilian area where the occupied individual lives in the reference week [determined as 1 for those who live in area  $a$ , and 0 for those who do not,  $a=1$  or 2 (urban and metropolitan). The rural area was omitted];

$H$  represents the hours worked by the occupied individual in the reference week in the main employment, and

$\varepsilon$  represents random error.

The signs of the coefficients are as expected, not only in the total regression (first column) where we do not sort the individuals by family structure, but also in the regression made for each type of family structure. The coefficient of age squared is negative, i.e. earnings increase with age until the peak is reached and then decline. The positive race coefficient shows that whites earn more than non-whites. A person living in the metropolitan area and, in second place, within the urban area guarantees higher earnings than for those who live in the rural zone. Men earn more than women. An increase in educational level leads to an improvement in earnings. Public employers and employees earn more than regulated employees in the private sector, who, in turn, earn more than self-employed workers and irregular employees. In relation to family position, the family heads and, in second place, working wives earn more, followed by others, and then lastly children.

However, the most interesting point in the above regression analysis is to identify how much the differential in earnings may be explained by a certain characteristic. In our case, we are particularly interested in the influence that the family structure has on the insertion of an individual into the labour market. We could thus identify if this structure in some way conditions insertion of the worker into the economy. The presence of children or not, for example, may influence the entry of men and women into the labour market as well as their earnings level. This is an analysis that we have made: we have simulated which level of earnings for a man or woman with a profile  $X$ , belonging to different family types.

Table A1-1: Earnings by family type

	Couple only with independent children	Couple with dependent children	Couple without children	Differential (independent children)	Differential (dependent children)
	(A)	(B)	(C)	(C)(A)	(C)(B)
Men	275.57	275.41	470.28	70.7%	70.8%
Women	196.80	182.72	318.62	61.9%	74.4%

Source: PNAD (1992).

## Annex 2. Demographic statistics

Table A2-1: Indicators of fertility, mortality and longevity in Brazil

	1991	2000
Fertility rate (children per mother)	2.88	2.37
Infant mortality up to 1 year of age (for every 1,000 babies born alive)	44.683	30.572
Infant mortality up to 5 years of age (for every 1,000 babies born alive)	59.476	39.316
Life expectancy upon birth (in years)	64.73	68.61

Source: UNDP, IPEA and Fundação João Pinheiro: *Atlas do desenvolvimento humano no Brasil* [Brazilian human development atlas].

Table A2-2: Marriage and divorce rates in Brazil

	1991		2000	
	Marriage rate	Divorce rate	Marriage rate	Divorce rate
Total	49.6	6.4	37.2	8.1
Men	50.6	4.1	37.8	7.4
Women	48.7	8.3	36.8	8.8

Marriage rate = percentage of persons aged 10 years or older who declare themselves married, whether in a civil and religious regime, only civil, only religious or a consensual union.

Divorce rate = percentage of persons aged 10 years or older who have been married and declare themselves separated, whether legally or not, or divorced.

Source: Brazilian Institute of Geography and Statistics (IBGE): *Censo demográfico* [Demographic census] (1991 and 2000).

Table A2-3: Average dependency rate in Brazil

	1981	1990	1992	2001	Variation (in percentage points)		
					1990/81	2001/1992	2001/1981
Dependence rate (65 years or older)	4.3	5.2	5.4	6.5	0.9	1.1	2.2
Dependency rate (up to 15 years)	37.8	34.2	33.5	27.7	-3.6	-5.8	-10.1
Dependency rate (up to 15 years and 65 years or older)	42.1	39.4	38.9	34.2	-2.8	-4.7	-7.9

Source: PNAD (1981, 1990, 1992 and 2001).

Table A2-4: Dependency rate of the population (percentage) according to age group in Brazil (1940-2010)\*

Age group	1940	1950	1960	1970	1980	1990	2000	2010
Total	81.8	83.2	83.2	78.1	73.2	65.4	51.4	49.0
0-14	77.4	78.6	78.2	72.7	66.2	57.4	42.8	38.3
65 or older	4.3	4.6	5.0	5.4	6.9	7.9	8.6	10.7

\* Only the population of active age is considered.

## Annex 3. Labour market statistics

Table A3-1: Labour market conditions for men in Metropolitan Brazil

	1980	1990	1992	2001	Percentage variation in the 1980s	Percentage variation in the 1990s
Population (in millions)	11.7	15.8	14.6	18.4	34.8	26.7
Participation rate	81.2	82.1	82.1	78.7	0.9	-3.3
Economically active population (in millions)	9.5	13.0	11.9	14.5	36.3	21.5
Unemployment rate (percentage)	6.5	5.4	7.9	10.5	-16.2	32.6
Average income of the employed *	1034	930	764	875	-10.1	14.5
Total employed (in millions)	8.9	12.3	11.0	13.0	37.9	18.1
Distribution of the employed						
<i>By sector</i>						
Agriculture	2.7	2.3	3.1	2.5	-0.4	-0.6
Industry	27.3	24.8	21.5	17.1	-2.5	-4.3
Civil construction	13.2	10.8	12.7	12.1	-2.5	-0.6
Services	35.1	39.1	40.2	44.6	4.0	4.4
Commerce	14.5	16.2	16.1	17.7	1.8	1.6
Public administration	7.2	6.8	6.5	6.0	-0.4	-0.4
<i>By position in the occupation</i>						
Employers	4.8	5.9	5.2	5.1	1.1	-0.1
Regular employees (signed work cards)	62.6	57.4	50.9	44.5	-5.2	-6.4
Irregular employees (without signed work cards)	11.0	13.4	14.2	18.6	2.4	4.4
Self-employed	15.9	17.7	20.2	23.4	1.8	3.2
Civil servant	4.9	4.9	7.2	6.3	0.0	-0.9
Unpaid	0.8	0.7	2.2	2.0	-0.1	-0.3

Table A3-2: Labour market conditions for women in Metropolitan Brazil

	1980	1990	1992	2001	Percentage variation in the 1980s	Percentage variation in the 1990s
Population (in millions)	12.5	17.6	16.3	21.1	41.3	29.9
Participation rate	38.9	45.4	48.9	53.8	6.4	4.9
Economically active population (in millions)	4.9	8.0	8.0	11.4	64.7	42.7
Unemployment rate (percentage)	6.8	5.0	11.3	15.4	-25.5	36.4
Average income of the employed *	536	547	461	573	2.1	24.3
Total employed (in millions)	4.5	7.6	7.1	9.6	67.8	36.1
Distribution of the employed						
<i>By sector</i>						
Agriculture	0.8	0.6	3.4	2.0	-0.2	-1.4
Industry	17.7	15.6	13.5	9.8	-2.0	-3.6
Civil construction	0.8	0.8	0.8	0.6	0.0	-0.2
Services	62.1	61.4	61.8	65.6	-0.7	3.8
Commerce	13.7	16.7	15.9	17.5	3.0	1.7
Public administration	4.9	4.9	4.6	4.4	-0.1	-0.2
<i>By position in the occupation</i>						
Employers	1.3	2.6	2.2	2.8	1.2	0.5
Regular employees (signed work cards)	53.6	51.1	43.0	40.3	-2.5	-2.8
Irregular employees (without signed work cards)	16.7	16.1	21.6	26.8	-0.5	5.1
Self-employed	19.2	21.5	17.0	17.6	2.2	0.5
Civil servant	6.9	6.8	10.3	8.6	0.0	-1.7
Unpaid	2.3	1.9	5.8	4.0	-0.4	-1.8

Note. Due to changes in research methodology, the 1992 data are not comparable with the previous data.

\* In R\$ as at September 2001.

Source: PNAD (2001).

Table A3-3: Working conditions for men and women aged 25-50 years per family type in Brazil (1992)

	Participation rate	Unemployment rate	Percentage of employees with work card, civil servants or employer	Percentage of employees without work card	Percentage of self-employed	Salary in main job	Average number of hours worked per week
<b>Men</b>							
Individual	79.8	3.3	37	26	29	635.3	44.6
Two or more unrelated persons	89.4	0.0	37	14	25	766.4	47.1
Family head of childless couple	77.2	3.2	38	16	33	583.2	45.3
Spouse of childless couple	71.1	5.9	49	17	23	546.4	45.3
Family head of childless couple with relative(s)	74.5	2.9	30	16	42	453.3	44.1
Spouse of childless couple with relative(s)	71.8	2.0	42	23	25	588.9	49.1
Family head of couple with dependent child(ren), without relative(s)	96.3	3.1	45	16	31	657.0	47.4
Spouse with dependent child(ren), without relative(s)	90.5	7.1	53	18	20	731.9	47.7
Family head of couple with independent child(ren), without relative(s)	73.8	2.1	33	11	40	764.7	45.9
Spouse of couple with independent child(ren), without relative(s)	68.9	5.5	50	9	28	642.2	47.0
Family head of couple with one dependent child and relative(s)	95.8	2.6	44	16	32	605.7	47.6
Spouse with one dependent child with relative(s)	89.7	5.1	55	21	22	410.4	47.8
Family head of couple with independent child(ren) and relative(s)	73.0	2.8	31	13	44	613.0	44.9
Spouse of couple with independent child(ren) and relative(s)	75.7	0.0	40	33	18	323.3	42.6
Family head without spouse with at least one dependent child (up to 14 years), without relative(s)	92.0	5.9	41	22	28	513.8	45.7
Family head without spouse with all children over 14 years, without relative(s)	58.2	2.0	29	16	40	512.6	43.4
Family head without spouse with at least one dependent child (up to 14 years) with relative(s)	91.7	6.0	38	22	29	815.9	45.6
Family head without spouse with all children over 14 years with relative(s)	58.9	1.2	24	12	49	453.6	43.1

	Participation rate	Unemployment rate	Percentage of employees with work card, civil servants or employer	Percentage of employees without work card	Percentage of self-employed	Salary in main job	Average number of hours worked per week
<b>Women</b>							
Individual	45.4	4.1	44	19	24	482.8	35.6
Two or more unrelated persons	60.8	1.8	42	25	26	474.7	42.5
Family head of childless couple	55.0	7.1	47	20	27	460.3	38.4
Spouse of childless couple	46.6	6.3	36	16	15	285.9	33.8
Family head of childless couple with relative(s)	75.6	4.5	46	23	27	494.8	34.2
Spouse of childless couple with relative(s)	44.1	4.5	26	15	19	231.5	30.6
Family head of couple with dependent child(ren), without relative(s)	66.7	7.7	57	18	19	497.6	36.6
Spouse with dependent child(ren), without relative(s)	51.9	6.0	32	18	19	264.1	32.1
Family head of couple with independent child(ren), without relative(s)	59.8	2.7	50	15	24	363.9	37.1
Spouse of couple with independent child(ren), without relative(s)	41.1	1.9	26	13	21	247.2	30.8
Family head of couple with one dependent child and relative(s)	68.3	2.8	38	29	32	522.9	41.3
Spouse with one dependent child with relative(s)	54.3	5.3	33	16	22	272.1	33.2
Family head of couple with independent child(ren) and relative(s)	53.8	2.4	11	36	32	841.2	40.8
Spouse of couple with independent child(ren) and relative(s)	41.5	1.6	25	11	23	208.9	31.4
Family head without spouse with at least one dependent child (up to 14 years), without relative(s)	75.2	9.8	40	32	21	299.9	39.8
Family head without spouse with all children over 14 years, without relative(s)	42.9	2.7	26	18	27	317.7	33.9
Family head without spouse with at least one dependent child (up to 14 years) with relative(s)	76.6	9.2	48	24	23	350.1	39.8
Family head without spouse with all children over 14 years with relative(s)	37.5	4.6	30	16	35	269.1	33.8

Source: PNAD (1992).

**Table A3-4: Number of regular job positions according to hours contracted**

	1997	2001	Variation (percentage)
Up to 25 hours	1,375,550	1,559,315	13.4
Total	24,104,428	27,189,614	12.8

Source: Ministry of Labour and Employment: *Anual de informações sociais* (Annual list of social information).

**Table A3-5: Characteristics of part-time work (up to 25 hours) in 2001**

	1997			2001		
	Males	Females	Total	Males	Females	Total
Industry	19,169	10,525	29,694	17,409	11,356	28,765
Civil construction	5,273	1,842	7,115	4,581	1,303	5,884
Commerce	23,523	22,094	45,617	23,430	30,378	53,808
Services	365,940	913,646	1,279,586	418,657	1,044,970	1,463,627
Mixed farming, vegetal extraction, hunting and fishing	5,046	3,074	8,120	4,595	2,636	7,231
Others/Unknown	2,215	3,203	5,418	---	---	---
Total	421,166	954,384	1,375,550	468,672	1,090,643	1,559,315

Source: Ministry of Labour and Employment: *Anual de informações sociais* (Annual list of social information).

**Table A3-6: Evolution of the percentage of resident domestic employees**

	1981	1990	1992	2001
Total of employed domestic employees (in thousands)	2,548	3,563	4,356	5,890
Percentage of domestic employees who reside at the workplace	27.9	18.6	13.6	6.2
Regular (with a signed work card)	7.9	5.3	3.1	2.3
Irregular (without a signed work card)	20.0	13.3	10.5	3.9

Source: PNAD (1981, 1990, 1992 and 2001).

Table A3-7: Participation of children in the labour market (2001)

	Urban				Rural			
	5-10 years		11-14 years		5-10 years		11-14 years	
	Number	%	Number	%	Number	%	Number	%
<b>Couple with child(ren)</b>								
Unemployed	13,321	0.1	113,882	1.4	2,207	0.1	11,324	0.5
Inactive	11,623,509	98.9	7,200,827	91.1	2,782,219	90.1	1,298,895	62.9
Employed	105,931	0.9	589,389	7.5	304,415	9.9	755,973	36.6
No reply	4,668	0.0	4,488	0.1				
Participation rate	119,252	1.0	703,271	8.9	306,622	9.9	767,297	37.1
<b>Couple with child(ren) and relative(s)</b>								
Unemployed	1,177	0.1	9,319	1.3			2,403	1.2
Inactive	937,996	98.7	640,190	91.3	220,800	90.7	119,860	60.0
Employed	11,482	1.2	50,759	7.2	22,691	9.3	77,567	38.8
No reply			772	0.1				
Participation rate	12,659	1.3	60,078	8.6	22,691	9.3	79,970	40.0
<b>Female family head without husband or children</b>								
Unemployed	3,530	0.1	49,798	2.6			2,599	1.2
Inactive	2,542,518	98.8	1,711,668	89.4	268,400	93.8	164,793	73.6
Employed	25,448	1.0	151,576	7.9	17,693	6.2	56,654	25.3
No reply	1,621	0.1	599	0.0				
Participation rate	28,978	1.1	201,374	10.5	17,693	6.2	59,253	26.4

Source: PNAD (2001).

Table A3-8: Sexual division of family responsibilities

Domestic tasks	Hours per week	
	Husbands	Wives
Cleaning the home, cooking, washing, etc.	2.34	27.96
Child care	2.94	18.44
Care of the elderly	0.32	1.96
Total	5.6	48.36

Source: Função Perseu Abramo: *A mulher brasileira nos espaços público e privado* [The Brazilian woman in public and private space], public opinion research survey (October 2001).

## Annex 4. Comparative chart of the Brazilian Civil Codes

Articles	Civil Code 1916	Civil Code 2003
Husband-wife relationship	<p><b>Article 233</b> The husband is the head of the conjugal partnership, a function that he exercises with the collaboration of his wife, in the common interest of the couple and their children.</p> <p><b>Article 240</b> The wife, upon marriage, assumes the position of companion, consort and collaborator of her husband in the family duties, it being incumbent upon her to strive for the family's material and moral fulfillment.</p>	<p><b>Article 1511</b> Marriage establishes full communion of life, on the basis of the equality of rights and duties of the spouses.</p>
Custody of children (personal protection)	<p><b>Law No. 6515 of 26 January 1977</b></p> <p><b>Article 10</b> In legal separation, founded on the caption of Article 5, minor children shall remain with the spouse to who is not guilty of the cause of action.</p> <p><b>Paragraph 1</b> If in legal separation both spouses are responsible, minor children shall remain in the custody of the mother, except when the judge verifies that such a solution may cause adverse effects on them of a moral nature.</p>	<p><b>Article 1584</b> Once legal separation or divorce is decreed, unless there is agreement between the parties concerning the custody of the children, the latter shall be attributed to whichever proves better conditions to exercise such.</p>
Stable union	<p>There are no corresponding provisions in the Civil Code of 1916.</p>	<p><b>Article 1723</b> A stable union between a man and a woman is recognized as a family entity, when configured as living together in a continuous, publicly visible and enduring relationship (minimum 5 years), established with the aim of constituting a family.</p>
Mono-parental entity	<p>Neither the 1916 nor the 2003 Civil Code contemplated the mono-parental family entity. Nevertheless the <b>1988 Federal Constitution, Article 226, paragraph 4</b>, defines: “A communion formed by either parent and his/her descendents is also deemed to be a family entity”.</p> <p>Also, in <b>Federal Law No. 8069/90 of 13 July 1990</b> (Child and Adolescent Statute), Chapter III, Article 25, defines: “A communion formed by the parents, or either one, and their descendents, is regarded as a natural family”.</p>	

Articles	Civil Code 1916	Civil Code 2003
Majority	<p><b>Article 9</b> Upon reaching the age of 21 years of age, classification as a minor ceases, and the individual assumes responsibility for all of his/her own acts.</p>	<p><b>Article 5</b> Classification as a minor ceases at 18 years of age, whereupon the person is vested with the right to practice all acts as an adult citizen.</p>
Father's legal authority vs. family power	<p><b>Article 380</b> During marriage, legal authority shall be held by the father, which he shall exercise with the collaboration of his wife. In the absence of impediment of one of the progenitors, the power is transferred exclusively to the spouse.</p> <p><b>Single Paragraph</b> In case of divergence on the part of the progenitors regarding the exercise of parental authority, the father's decision shall prevail, though the mother shall reserve the right to appeal for settlement of the divergence.</p>	<p><b>Article 1567</b> Authority in the conjugal partnership shall be exercised in collaboration by both the husband and the wife, always aimed at furthering the best interests of the couple and their children.</p> <p><b>Single Paragraph</b> In the event that divergence arises, either spouse may seek legal redress through the courts, and any decision shall take into consideration the aforementioned interests.</p>

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## Annex 5. “Short Friday”: A policy of family responsibility

An example of innovation regarding what Brazilian companies are doing in order to balance the demands of work against those of family responsibilities is the “short Friday” programme implemented by Avon Cosméticos do Brasil.<sup>41</sup>

Avon is regarded as a woman-friendly enterprise, with a large contingent of females in executive positions as compared to other companies. The majority (58 per cent) of their 4,308 workforce consists of women.<sup>42</sup> There is a clear predominance of young employees, 42 per cent of whom are in the 21-to-30-year age group. The majority of the workers (53 per cent) are single, and 58 per cent have children.

Since January 1991, the company has implemented a new management policy in order to facilitate the reconciliation between work and the private lives of their workers. The end of work on Friday has been brought forward to 14:45, the balance of hours being compensated by extending the working day by 30 minutes on the other days.

This proposal met with the approval of the majority of the employees: 83.64 per cent. The company’s evaluation of the results of this measure is highly positive.<sup>43</sup> From the company’s point of view, there has been a reduction in absenteeism; from the employee point of view, there is greater job satisfaction, an extended weekend, and more time to deal with personal matters without conflicting with work commitments. Finally, in the company’s assessment, this system has provided it with an important differential in the labour market, given that it is the sole enterprise to practice the “short Friday” in Brazil.

Avon is one of the companies in Brazil that has adopted a policy of social responsibility founded on the recommendations set forth in the Human Rights Declaration, ILO Conventions and the UN Convention regarding the rights of children, among others. In 2002, in recognition of its social policy, Avon Cosméticos do Brasil was awarded AS 8000 certification.<sup>44</sup>

<sup>41</sup> [www.avon.com.br](http://www.avon.com.br)

<sup>42</sup> In Brazil, Avon is also responsible for 700,000 door-to-door salespersons.

<sup>43</sup> Interview with Ms. Silvia Micelli, Human Resources Department, Avon Cosméticos, Brazil, January 2004.

<sup>44</sup> This involves international certification, a type of quality seal in recognition of firms that are outstanding in their demonstration of commitment to the banning of child labour, forced labour, discrimination and abusive disciplinary practices; the promotion of freedom of association, job security, etc.