



A Study Commissioned by the Control Yuan to the National Human Rights Commission of Taiwan

The Effects of Family Care Responsibilities and Marital Crises on Women's Employment and Economic Security

Final Report (Synopsis)

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Executive Summary

This study uses five research methods – the compilation and analysis of documents related to gender-based human rights, an analysis of secondary data, qualitative interviews, focus group interviews, and cross-national comparisons – to analyze the effects of family care responsibilities and marital crises on women’s economic security and employment.

I. Research Findings

1. The adverse effects of childcare on women’s employment and economic security

An analysis of secondary data revealed that childcare responsibilities significantly influence the average monthly salary of young women, and that the educational level of adult women correlates positively with their average monthly salary. The salaries of adult women with children age 3 and younger are most impacted, by an average of NT\$12,416 per month; however, this influence decreases by NT\$2,049.60 for every level of education added.

According to the qualitative interviews, the above “motherhood penalty” reflects the following phenomenon: The obligations associated with intensive mothering while engaged in high-intensity paid work can compel women with children to interrupt their employment, exposing themselves to economic risks that have varying consequences depending on the social class in which women are positioned. Compared with women with high human capital, economically vulnerable single mothers have greater need for a support system backed by a national policy to help them achieve economic independence. This result echoes the findings of a cross-national comparison: Single mothers in Sweden are exposed to a higher number of poverty factors, but the poverty rate in the Swedish population is far lower than that among single mothers in the United States and Japan. This is because Sweden has family policies in place to support single mothers in typical full-time jobs and also a universal income policy to alleviate the financial burden of single mothers.

2. The adverse effects of providing family care for a prolonged period on women's employment and economic security

Women, most often daughters and daughters-in-law, are still the main family caregivers of elderly parents. While the phenomenon of daughters-in-law taking on the caregiving role is in decline, those most affected by this change are not sons but daughters, particularly daughters who are unmarried or divorced – these women are more likely to be assigned a caregiving role in the family.

Female siblings who have relatively low human capital and are marginalized in the labor market tend to assume sole responsibility for family care – a tendency driven by the expectations or demands of their more highly educated or higher income earner brothers. Most solo family caregivers are compensated monetarily by their other siblings; however, according to the focus group interviews, the amount of compensation often falls considerably short of the market rate, with some not even receiving enough to cover the basic caregiving costs. Unreasonable monetary compensation in addition to the preference for male heirs in the system of primogeniture is commonly the cause of extreme poverty and economic risks to solo family caregivers after the care duties end.

The qualitative and focus group interviews revealed that while family support networks are available for the care of elderly parents, the care of children with disabilities almost always falls upon mothers, reflecting a vicious cycle of a whole-of-society callousness towards people with disabilities. Parents of children with disabilities typically struggle to outsource care for their children, given the lack of understanding among many professional care workers and educators in society regarding people with disabilities. Consequently, mothers tend to experience isolation, prolonged career interruption, and increased dependency on fathers for economic resources. In this context, fathers as the sole breadwinner must work even more industriously, leaving mothers no room for respite. The extreme gendered differentiation and division of labor regarding the care of children with disabilities culminates in serious conflicts between parents, leading to increased risk of marital crisis.

3. The adverse effects of marital crises on women's employment and economic security

When a marriage breaks down, the greatest challenge that women face is balancing work and solo parenting. A focus group interview with a lawyer revealed that support from families of origin is imperative for women making the post-divorce transition to independence; however, this resource is not available to all divorced women and involves class differences in the family of origin. Furthermore, societal preference for sons over daughters makes familial support even more inaccessible for divorced women than for divorced men. These findings closely corroborate the results of the textual analysis of the qualitative interviews.

4. Support for women's employment is non-existent without any effective public care services as an alternative

A tabulation of the qualitative and focus group interviews revealed that (1) accessible and flexible public daycare services, especially for toddlers under 2, are key to supporting work in typical full-time jobs and (2) working while caregiving relies on the goodwill of employers and accessible public care services as an alternative to at-home care.

5. Current divorce laws assign to men and women an unequal share of the economic consequences of divorce

Family lawyers in the focus group interview described similar observations:

- 1) Current criteria for alimony are too strict and should be revised.
- 2) Current laws are limited in respect of post-divorce financial security.
- 3) Visitation rights for noncustodial parents should be protected to ensure effective co-parenting after divorce.
- 4) Divorce by mutual agreement should be retained but the legal rights involved should be more comprehensively protected using a registration system.

II. Policy Recommendations

The research team offers policy recommendations in the following three areas based on the foregoing findings: Policies for supporting families with children; policies for supporting family caregivers; and divorce laws that provide financial security after a divorce. Each recommendation is detailed as follows.

1. Policies for supporting families with children

Taiwan's government should emulate Northern Europe's comprehensive policy for supporting families with children. Such a policy supports not only married working mothers but also single parents, enabling them to manage both work and childcare even without support from their families of origin. The research team recommends the following four strategies to achieve a policy of this nature:

Strategy 1: Public childcare services are fundamental to the stable employment of single mothers of young children. Public childcare services should be continuously expanded to include overnight, temporary, and weekend care options and care services for remote areas.

- 1) This study determined that a “quasi-public policy” is not the most effective approach to utilizing childcare resources. More government resources should be directed to establishing public childcare services and early childhood education programs.
- 2) Public childcare services should be increasingly diversified to include the options of overnight care, temporary care, and weekend care.
- 3) Public preschools should offer more flexible service hours and provide childcare services during school holidays.
- 4) Given the shortage of childcare resources in remote areas, which is exacerbated further by population decline, single-expertise services should be transformed into multi-expertise services that give rise to symbiotic care, which may be a service option offered in the future in Taiwan.

Strategy 2: The government should introduce an adjustable parental leave system to help employers provide flexible work arrangements for parents.

A motherhood-friendly policy in the workplace is necessary for the uninterrupted employment of single working mothers. Taiwan's parental leave system should be remodeled after Sweden's parental leave system as follows:

- 1) Existing leave policies mandating "six months" of paid parental leave per application should be revised to afford greater flexibility, such as allowing days or even hours of leave upon application.
- 2) The applicable period for parental leave should be extended, from until the child turns three years-old to when the child begins elementary school.
- 3) For parents of children with disabilities or special needs, the applicable period for parental leave should be extended to the date the child begins junior high school.
- 4) Although the Ministry of Labor's Flexible Parental Leave Trial Program allows workers to divide their six months of paid parental leave into shorter periods, the shortest being periods of five to seven days, it is still miles away from Sweden's flexible parental leave system. More extensive revision is required.

Strategy 3: Single parents are in need of a universal basic income policy that will alleviate their financial strain and help their child secure access to important opportunities in life.

This study determined that the costs of housing and education exert a tremendous economic pressure on single parents. The government should take the following actions:

- 1) Attempt to increase coverage of public housing and to lower housing costs for families with children;
- 2) Completely redesign after-school care programs for elementary schools by integrating tutoring services to replace private tutoring options; and

- 3) As the understanding of children as public goods becomes more widely accepted, the government should make child-related benefits universal to secure welfare benefits for children from single parent families and shield them from economic predicaments.

Strategy 4: The lack of outsourced care for children with disabilities is the main cause of employment interruption and poverty among mothers of children with disabilities.

The lack of disability awareness among staff members, professional or otherwise, of childcare institutions and schools poses the greatest challenge for parents of children with disabilities. The Ministry of Health and Welfare and the Ministry of Education should promptly increase the disability awareness of early childhood educators and school teachers.

2. Policies for supporting family caregivers

Public long-term care services should be integrated with work–life balance programs to support the continuous employment of all family caregivers. The research team suggests the following three strategies.

Strategy 1: The *Gender Equality in Employment Act* and care-related leave benefits, which are mainly focused on childcare, should be expanded in scope to include long-term care.

The government should establish a system that offers paid and flexible leave for employees who have family caregiving responsibilities.

Strategy 2: Employees with family caregiving responsibilities need the support of their employer in the form of work–life balance programs pursuant to law and the support of the public sector in the form of public long-term care services as an alternative to at-home care.

- 1) Home care services, the fastest-growing segment of the Long-Term Care Plan 2.0, provide one-on-one care with the support of care service providers. However, this care model is not a sustainable alternative given the shortage of caregivers, and changes should be made to increase the availability of daytime

care services, the coverage of family care, and the deployment of community care services.

- 2) If working while caregiving is a primary objective of the future under Long-Term Care Plan 3.0, the research team advises the Ministry of Health and Welfare to forego its service coverage metric and instead develop new indicators that more effectively measure the effectiveness of alternative services.
- 3) The current objective of establishing at least one daycare center in the vicinity of a junior high school should not be measured by the number of centers established. Consideration should be given to the capacity of a daycare center in respect to its staff-to-child ratio and the ratio of its staff to the number of community members with care needs.

Strategy 3: Family caregivers may return to work but existing employment services are inadequate.

Despite the inclusion in Phase 2 of the social safety net program of an employment service that facilitates the transition from welfare to work, closer coordination between social assistance and employment services is necessary to facilitate the re-employment of family caregivers, and principles and standard operating procedures for case co-management should be established.

3. Divorce laws that provide financial security after a divorce

Following Judgment No. Hsien-Pan-4, the government should revise current divorce laws to provide financial security for economically vulnerable women after a divorce and to stipulate that both parents should share childcare costs equally after divorce. The research team proposes the following four strategies:

Strategy 1: Women's economic risks post-divorce are closely related to the poverty risks they face as caregivers.

- 1) The current alimony system is based on the traditional gendered logic that men are breadwinners, and is considered an extension of the obligation to maintain

the wife. The system awards alimony to the party that cannot support themselves due to an inability to earn a living. It should be adjusted as it is no longer aligned with the current social norm of dual-income families.

- 2) Women struggle financially after a divorce mainly because the childcare responsibilities they assumed during marriage have reduced their employability.
- 3) The Ministry of Justice is urged to acknowledge the changing gender culture and remodel the alimony system accordingly to one that takes into account the extent to which women's employability is reduced as a result of childcare responsibilities during marriage. This revision ensures that the former spouse compensates for the unequal division of childcare responsibilities during the marriage.

Strategy 2: The financial and caregiving division of childcare in a dual-parenting family is critical to alleviating the childcare pressure of single parents.

- 1) In court rulings regarding child custody, decisions about who is granted custody and the non-custodial parent's access to child should be given equal weight.
- 2) When making rulings regarding custody and visitation rights, a judge should consolidate all available social services and, together with the support and assistance of a social worker, guide the parents in reaching and making co-parenting arrangements after divorce.

Strategy 3: While court-ordered divorce offers ample protection for the parties concerned, such protection may be obstructed by the effectiveness of judges' rulings and high legal costs.

- 1) The Judicial Yuan should urge judges to address issues of visitation and child support simultaneously in their rulings.
- 2) The government should consolidate social welfare resources as financial reinforcements to divorce proceedings so that economically vulnerable women are ensured the full protection of divorce laws.

Strategy 4: Divorce by mutual agreement should be retained, but the vulnerable party without access to professional legal intervention is at risk of having their legal rights infringed.

- 1) The Ministry of Interior should integrate the system for divorce by mutual agreement into the household registration system, with consideration of regulatory amendments, that will work as follows: When a divorce is filed, legal consultation will be provided, and all parties to the divorce will be required to reach, and thereafter register, an agreement on the terms of divorce, including arrangements for property and finances, child custody, visitation rights, and child support. This agreement will serve as the basis for enforcement by the court.
- 2) Future revisions to the alimony system, should they occur, should include agreements regarding alimony.