

Pregnancy and Maternity at the Workplace

Survey Report 2023

The survey is carried out as part of the project “Reinforcing the activities of the Public Defender of Rights in the protection of human rights (with the aim of establishing a National Human Rights Institution in the Czech Republic)”, No. LPLPDP3-001. This project is financed from the EEA and Norway Grants 2014–2021 and the State budget of the Czech Republic.

The Office of the Public Defender of Rights is the sponsor of the survey and the author of the methodology, including the questionnaire and the outline of the research interviews. Data Collect, s. r. o. has collected the research data and drawn up the final report (sections marked as Quantitative Part and Qualitative Part).

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Mission of the Defender

Since 2001, the Defender has been defending individuals against unlawful or otherwise incorrect procedure of administrative authorities and other institutions, as well as against their inactivity. The Defender may peruse administrative and court files, request explanations from the authorities and carry out unannounced inquiries on site. If the Defender finds errors in the activities of an authority and fails to achieve a remedy, the Defender may inform the superior authority or the public.

Since 2006, the Defender has acted in the capacity of the national preventive mechanism pursuant to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Defender systematically visits facilities where persons are restricted in their freedom, either *ex officio* or as a result of dependence on the care provided. The purpose of the visits is to strengthen protection against ill-treatment. The Defender generalises his or her findings and recommendations in summary reports on visits and formulates standards of treatment on their basis. Recommendations of the Defender concerning improvement of the conditions ascertained and elimination of ill-treatment, if applicable, are directed both to the facilities themselves and their operators as well as to central governmental authorities.

In 2009, the Defender assumed the role of the national equality body. The Defender thus contributes to the enforcement of the right to equal treatment of all persons regardless of their race or ethnicity, nationality, sex, sexual orientation, age, disability, religion, belief or worldview. For that purpose, the Defender provides assistance to victims of discrimination, carries out surveys, publishes reports and issues recommendations with respect to matters of discrimination, and ensures exchange of the available information with the relevant European bodies.

Since 2011, the Defender has also been monitoring the detention of foreign nationals and the performance of administrative expulsion.

In January 2018, the Defender became a monitoring body for the implementation of rights recognised in the Convention on the Rights of Persons with Disabilities, also helping European Union citizens who live and work in the Czech Republic. The Defender provides them with information on their rights and helps them in cases of suspected discrimination on grounds of their citizenship.

The special powers of the Defender include the right to file a petition with the Constitutional Court, seeking the annulment of a secondary legal regulation, the right to become an enjoined party in Constitutional Court

proceedings on the annulment of a law or its part, the right to lodge an administrative action to protect a general interest or to file an application to initiate disciplinary proceedings with the president or vice-president of a court. The Defender may also recommend that a relevant public authority issue, amend or cancel a legal or internal regulation. The Defender advises the Government to amend laws.

The Defender is independent and impartial, and accountable for the performance of his or her office to the Chamber of Deputies, which elected the Defender. The Defender has one elected deputy, who can be authorised to assume some of the Defender's competences. The Defender regularly informs the public of his or her findings through the media, web, social networks, professional workshops, roundtables and conferences. The most important findings and recommendations are summarised in the Annual Report on the Activities of the Public Defender of Rights, submitted to the Chamber of Deputies.

Glossary of terms: discrimination

Discrimination (“unequal treatment”) is different treatment of people in comparable situations

- a) in one of the areas defined by the law; and
- b) on the basis of one of the grounds (“protected characteristics”) specified by the law.

Discrimination is assessed primarily under the Anti-Discrimination Act. In labour-law relationships, it is also covered by the Labour Code, which contains many references to the Anti-Discrimination Act, and expands on some of its provisions. Discrimination need not be intentional. What is important is the result, not the intent.

Protected characteristic is a characteristic based on which a person may not be placed at a disadvantage. According to the Anti-Discrimination Act, these characteristics include the following: race, ethnicity, nationality, sex/gender, sexual orientation, age, disability, religion, belief or worldview, and in some cases citizenship (in Czech: státní příslušnost). Some legal regulations (e.g. the Labour Code) may also contain other grounds (e.g. political convictions and trade union membership).

Sex/gender is one of the protected characteristics listed in the Anti-Discrimination Act. While the Act itself uses the term “sex”, the recommendation uses the term “gender” where more suitable. The Act states that discrimination on the grounds of sex also includes discrimination on the grounds of pregnancy, parenthood (motherhood or fatherhood) and/or gender identity. Manifestations of motherhood may include not only the actual fact that a woman has given birth to a child, but above all the resulting consequences, including the duty to care for the child.

Direct discrimination is the basic type of discrimination. This is an act or omission where someone is treated differently than another person in a comparable situation, based on one of the protected characteristics specified by the law. Discrimination in the area of work and employment does not occur in cases where different treatment is based on an objective ground consisting in the nature of the work performed and the requirements on the given employee are proportionate to this nature.

An example of direct discrimination could be the case of an employer who seeks only women for the position of assistant.

Indirect discrimination is an act or omission where a group of individuals protected by the law (a group defined by a protected characteristic, e.g. people with disabilities) is put at a disadvantage based on an apparently neutral provision or practice. This provision or practice cannot be reasonably justified. Where indirect discrimination is suspected, it is always necessary to examine whether the contested practice is justified by a legitimate objective and, if so, whether the means of achieving this objective are proportionate and necessary.

Example: The employer provides language training only to full-time employees. This may, on the face of it, be a measure that is not related to any protected characteristic. However, if part-time jobs at the employer are occupied predominantly by parents balancing work and childcare, such a rule may constitute indirect discrimination on the grounds of parenthood.

Harassment is improper conduct that is aimed at or results in diminishing the dignity of a person and creating a hostile, humiliating or offensive environment. If it relates to one of the protected characteristic, this may constitute discrimination.

Example: A senior employee assigns demanding tasks with impossible deadlines to an employee because he, in fact, wants her to quit – the senior employee does not want to have parents of small children on his team.

Sexual harassment is based on the definition of harassment, but is specific in its sexual nature.

Examples include any unsolicited touches, as well as “sexual innuendo” that is uncomfortable and inappropriate in a work environment.

Discrimination by association may arise if a person who is being treated unfavourably has a close relationship to a person identified by a protected characteristic.

An example would be a parent of a disabled child who is being penalised by their employer for absences related to the care for that child, although the employer tolerates the same behaviour by other employees-parents.

Victimisation is unfavourable treatment, punishment or disadvantage occurring after the victim of discrimination has decided to defend themselves against such conduct – e.g. by means of a complaint to their superior or by taking the case to court.

In employment relationships, victimisation can take the form of bullying or termination of employment.

Glossary of other terms

Labour inspectorate (State Labour Inspectorate) is a governmental authority tasked with checking compliance with labour-law regulations by employers, especially with the Labour Code. If it finds that the relevant duties have been breached, it can impose fines and require that the shortcomings identified be remedied.

Maternity leave is leave that the employer must give to an employee after she gives birth to a child. It lasts for 28 weeks for one child, and 37 weeks for two or more children. Of this period, six to eight weeks are already due to the employee before giving birth.

Maternity benefits are sickness insurance benefits related to care for a new-born child, typically paid during maternity leave. These benefits are subject to a condition of prior employment or voluntary sickness insurance payments. Except for the first six weeks after birth, these benefits may also be received by fathers who take care of their child.

Parental leave is leave granted to any of the parents. In the case of the mother, it follows maternity leave; the child's father may apply for this kind of leave at any time until the child reaches three years of age. Parental leave may be taken even if the parental allowance has already been fully utilised.

Parental allowance is an allowance for a parent who cares for a child under 4 years of age, and is paid typically during parental leave. Its total amount is fixed, and equalled CZK 300,000 for the year 2023.

Protection period is a period during which an employer may not give notice to an employee, save for certain exceptions. This includes, in particular, a time when an employee is found temporarily unfit to work, or when an employee is pregnant, on maternity leave or on parental leave.

In this Report, **remuneration** refers, in general, both to pay (remuneration for civil servants and employees of regional and local governments) and salary (remuneration for work in the private sector) and to remuneration under agreements outside employment. In addition to the basic component, it also includes any extra pay, personal bonuses, extraordinary bonuses and also benefits provided by the employer (meal vouchers, culture allowance, etc.).

Pay is remuneration for work paid by public employers. This survey focuses on "salaries", but most of its conclusions are also applicable to "pay".

Salary is remuneration for work in an employment relationship provided by a private sector employer. In addition to the basic salary, it also includes extra pay and often also motivational components (e.g. bonuses).

The concept “**Švarc system**” denotes a scheme where people working for an employer are formally self-employed, although their work in fact meets the criteria of an employer–employee relationship. Although such a scheme can be financially more advantageous for the “employer” and sometimes even for the “employee”, it evades the law.

Trial period is a contractually pre-determined period during which it is easy for the employer and the employee to terminate the employment. It is usually agreed from the date of commencement of work and may not exceed 3 months, or 6 months for senior staff. It cannot be subsequently extended, but is interrupted in case of impediments to work (e.g. in case of unfitness to work or parental leave).

Foreword

The issue of inequality in the labour market related to parenthood and maternity has been addressed in a number of documents. This includes, in particular, the Gender Equality Strategy 2021–2030 issued by the Office of the Government of the Czech Republic and the Action Plan for Equal Pay for Women and Men 2023–2026 of the Ministry of Labour and Social Affairs. Both of these documents were drafted by experts in the field and were approved by the Government through its resolutions.¹

For this reason, the survey focuses on the practical experience of women² who care for at least one child under the age of six.³ The aim of the survey is to verify which of the situations that I deal with in my work in the context of providing methodological assistance to victims of discrimination are, in fact, encountered by women in the labour market and to what extent. I also found out how many women remained excluded from the labour market due to their care for children, often under the weight of circumstances rather than by free choice.

The total of 1,300 women (mothers) participated in the online survey, and the results show that various barriers hinder their employment opportunities. They also confirm that women are significantly more often the ones who give up their professional goals in favour of childcare. The data obtained show that the topic of work-life balance is still relevant for parents, and especially mothers of small children,⁴ and provide valuable information for further research in this area.

- 1 Resolution of the Government of the Czech Republic of 8 March 2021 No. 269 on the Gender Equality Strategy 2021–2030 and Resolution of the Government of the Czech Republic of 21 December 2022 No. 1097 on the Action Plan for Equal Pay for Women and Men 2023–2026.
- 2 I did not focus in my research on men caring for children for practical reasons – the respondents confirmed that in 96% of cases, they were the only ones who took parental leave in their families. For this reason, and with the contribution of social stereotypes, childcare impacts primarily the careers of women. However, I would be pleased if other research also looked into the situation of male carers and the effects that caring for children has on their work life.
- 3 The Office of the Public Defender of Rights is the sponsor of the survey and the author of the methodology, including the questionnaire and the outline of the research interviews. Data Collect, s. r. o. has collected the research data and drawn up the final report (sections marked as Quantitative Part and Qualitative Part).
- 4 In addition to this Report, I recommend that parents who want to familiarise themselves with their rights at work refer to the document **Parenthood and discrimination at work: practical guide for parents regarding their right to equal treatment in the labour market**, available at: https://www.ochrance.cz/aktualne/ombudsman_vydal_praktickou_prirucku_pro_rodice_na_pracovnim_trhu/, which I published in 2022. It covers employment issues chronologically from the commencement of employment to its termination, and is supplemented by illustrative examples to help better understand the basic principles and legal rules, as well as cases from my practice collected over the years.

The survey is followed by a series of recommendations for the Ministry of Education, Youth and Sports and the Ministry of Labour and Social Affairs as key actors in the field of equal treatment of parents in the labour market. In these recommendations, I have chosen to refer specifically to the Gender Equality Strategy and the Action Plan for Equal Pay for Women and Men and the measures they propose.

I wish you a pleasant reading.

JUDr. Stanislav Křeček
Public Defender of Rights

Summary of the survey findings

THE MAIN FINDINGS CAN BE SUMMARISED AS FOLLOWS:

1. A quarter of the women surveyed have come across a job advertisement whose wording, directly or indirectly, either discouraged or excluded pregnant women or parents of small children. Almost two-thirds of the women (61%) have been asked questions about their family life in a job interview, even though employers are not allowed to ask them about this.
2. Only one third of the women plan to return to their original employer after their maternity or parental leave. As for the respondents who have already returned to work after the birth of their child, only about one third of them (30%) returned to their original employer; this is mainly due to the inability to balance their original job with the care for the child (42% of the respondents).
3. If the women are currently not engaged in any paid work, this is most often because they are caring for a small child and want to devote their full attention to that care (67%). Almost one fifth cites that it is impossible for them to find work with appropriate working hours (19%) or to secure care by another person (17%).
4. Most women did not experience any deterioration in their employer's treatment of them when they returned to work after their maternity or parental leave. However, the majority also said that they had not been offered any support to facilitate the return to work. In general, there are significant gaps in the employers' offer of work-life balance measures. Up to a third of the women who did not use any of these measures would have been willing to do so if their employer had given them the opportunity. The greatest demand was for a compressed work week (45% of women would be interested in this) and fully flexible working hours (41%).
5. Working mothers of small children face various forms of less favourable treatment at the workplace. The most common negative experience during pregnancy or at the time when women cared for at least one child under the age of six was related to the workplace environment; almost a quarter of the respondents (24%) experienced negative attitudes from their colleagues or superiors because of their motherhood; one fifth (21%) experienced unpleasant comments from their colleagues or superiors about their pregnancy or motherhood and care for children; and a similar proportion (18%) felt that the views of women caring for children were less respected and that they were less valued as employees.

6. The second area of concern is remuneration. As many as 19% of the respondents said that, compared to their colleagues, their salary increase (including bonuses) was undeservedly lower or even non-existent; 17% of the respondents believed that they did not receive bonuses (or these were lower) because they took time off work to care for their child (e.g. when the child was sick or needed to go to the doctor).
7. The third area of concern are employment contracts and termination of employment. Approximately one in six women (16%) has personal experience with not having her fixed-term contract extended by her employer, even though she would be interested in extension, and believes that this was because of her motherhood; approximately one in seven women (14%) has been pressured by her employer to conclude an employment termination agreement, and one in eight has actually received a termination notice or has terminated her employment by agreement after being pressured by the employer to do so (13%). Overall, up to a third of women caring for children under six years of age fear losing their jobs due to motherhood.
8. The fourth area of concern is the organisation of work. Fourteen per cent of respondents said that the work assigned to them by their employer was not suitable because of their pregnancy or maternity, and 13% experienced a situation where their employer did not allow them to take the leave they needed to care for their child.
9. Only about one third of the respondents who experienced less favourable treatment at work tried to resolve the situation, either formally or informally. This was so primarily in the most serious cases where they were threatened by termination of employment. Respondents most often discussed the problems with family and friends (69%), with colleagues at work (41%) or with their superior (40%). Only a fraction of the respondents (less than 5% in each case) sought external forms of assistance, such as hiring a lawyer, contacting a non-profit organisation, the State Labour Inspectorate, the Public Defender of Rights or the court. This was most often because they did not consider the problem to be that serious (32%), but also because they did not believe that reporting the problem would help (21%) or they simply did not have the capacity to deal with the problem as they needed to care for the child (19%).
10. In the Czech Republic, parental leave is mostly taken by women (96%) and usually lasts until the child is three years old (only about one-fifth of women reported that they had terminated parental leave earlier). Although, on average, women start paid work when their child is 15 months old, they tend to remain on parental leave while they work. The main reasons why women limit their career development in favour of caring for children include the belief that it is better for the child if it is taken care of mainly by the mother (53%), and the financial aspect, i.e. the father earns more and it is therefore more beneficial for the family if he devotes more time to his career than if this were done by the mother (50%). In general, the majority of the respondents (88%) believe that parenthood has a negative impact on women's employment, with the most common obstacles being frequent absences from work due to care for sick children, high financial costs of ensuring private childcare for pre-school children, and lacking capacity of public pre-school childcare facilities.

IN ADDITION, INTERVIEWS WITH EMPLOYER REPRESENTATIVES HAVE SHOWN THAT:

1. The HR specialists interviewed perceive maternity and pregnancy at the workplace as a routine topic that does not cause them significant difficulties. They do not see a woman's family status or pregnancy as a barrier to her employment in their respective organisations. Their responses indicate that returning to work after maternity or parental leave is not associated with major complications either. They state that, in general, their experience with the work results of employees returning to work after maternity and parental leave has been very positive. In their practice, the HR specialists encounter prejudices related to the employment of women less frequently and, if so, then mainly among the older generation of men. These men may see young women or mothers of small children as unreliable and inflexible employees.
2. The HR specialists say that they do not take the family situation of applicants into consideration when recruiting new employees; they declare that they are aware of the legal boundaries and strictly avoid any questions about the family status. This finding is contrary to the results of the quantitative part of the research, where 61% of the women surveyed said they had been asked questions about their family situation at job interviews.

3. According to the HR specialists, companies have recently been accommodating to various forms of work-life balance measures with a positive shift brought in this respect by the Covid-19 pandemic, during which they were forced to try various flexible forms of work; many companies have had good experience with these options and still use them. The current situation on the labour market and the lack of qualified applicants also motivate employers to be more forthcoming. The most frequently offered options include semi-flexible working hours, the possibility of combining work from home and office, and part-time work. According to the HR specialists, these three types of co-operation are also the most sought-after among employees returning to work after parental leave.
4. Despite the fact that the HR specialists interviewed perceive the approach of their companies as friendly and open, they consider the position of women in the Czech labour market to be difficult. They are aware of the imbalance between the position and the opportunities of women and men. They stated that the barriers that women faced in the Czech labour market included the need to cope with a several-year pause in professional growth, the constant challenge of balancing work and family life, the fight against the prejudice in Czech society that a woman should devote all her attention to caring for children until they are at least three years old, the gender pay gap for the same jobs, and insufficient childcare infrastructure.
5. Czech legislation is seen by the HR specialists as a given reality that they do not need to criticise. They appreciate the freedom it gives women to decide whether they wish to fully pursue their maternal responsibility or prefer an earlier return to work. The HR specialists would welcome a change in the length of parental leave under Czech legislation. They believe it would make it easier for companies if they did not have to guarantee a job position to an employee on parental leave for so long; a shorter parental leave (along with significant strengthening of childcare infrastructure) would also contribute to women's smoother return to the labour market.

Recommendations

The issue of inequality in the labour market related to parenthood and maternity has been recently addressed by a number of documents. These include, in particular, the Gender Equality Strategy 2021–2030, issued by the Office of the Government of the Czech Republic, and the Action Plan for Equal Pay for Women and Men 2023–2026 of the Ministry of Labour and Social Affairs. As both of these documents deal in detail with the same topic as this research and are compiled by experts on the given subject, I refer to them in my recommendations. Both documents were approved by the Government in its resolutions.⁵

Further to the survey findings, I recommend adopting the measures proposed in the Gender Equality Strategy 2021–2030 and the Action Plan for Equal Pay for Women and Men 2023–2026, in particular the following:

- 1. Promote activities to encourage men to become involved in the care for their children and take up parental leave.⁶**

Addressed to: Ministry of Labour and Social Affairs

Achieving this objective will help disperse the career burden following from childcare more equally between men and women and will lead to the elimination of stereotypes associated with motherhood.

5 Resolution of the Government of the Czech Republic of 8 March 2021 No. 269 on the Gender Equality Strategy 2021–2030 and Resolution of the Government of the Czech Republic of 21 December 2022 No. 1097 on the Action Plan for Equal Pay for Women and Men 2023–2026.

6 Measure 1.1.4 of the task part of the Gender Equality Strategy 2021–2030, available at: <https://www.mzcr.cz/wp-content/uploads/2021/06/Strategie-rovnosti-zen-a-muzu-na-leta-2021-2030.pdf>.

2. Promote investments to ensure the creation of new kindergartens and expansion of the existing ones.⁷

Addressed to: Ministry of Education, Youth and Sports

Achieving this goal will eliminate the factual obstacles to a faster return to the labour market by parents (especially mothers) of small children.

3. Introduce an entitlement to the placement of a 12- to 36-month-old children in a childcare facility – a children’s group / nursery.⁸

Addressed to: Ministry of Labour and Social Affairs

Achieving this goal will eliminate the factual obstacles to a faster return to the labour market by parents (especially mothers) of small children.

4. Extend the employers’ obligation to maintain the same job position and workplace for parents on parental leave until the child is two years old.⁹

Addressed to: Ministry of Labour and Social Affairs

Achieving this goal will eliminate the legal obstacles to a faster return to the labour market by parents (especially mothers) of small children.

5. Change the rules for the entitlement to parental allowance and abolish the maximum limit of 92 hours per month for the concurrence of parental allowance and placement of a child under two years of age in a kindergarten, nursery or similar childcare facility.¹⁰

Addressed to: Ministry of Labour and Social Affairs

Achieving this goal will eliminate the legal obstacles to a faster return to the labour market by parents (especially mothers) of small children.

7 Measure 1.2.1 of the task part of the Gender Equality Strategy 2021–2030, available at: <https://www.mzcr.cz/wp-content/uploads/2021/06/Strategie-rovnosti-zen-a-muzu-na-leta-2021-2030.pdf>.

8 Measure 1.3.2 of the task part of the Gender Equality Strategy 2021–2030, available at: <https://www.mzcr.cz/wp-content/uploads/2021/06/Strategie-rovnosti-zen-a-muzu-na-leta-2021-2030.pdf>.

9 Measure 5.1.1. of the Action Plan for Equal Pay for Women and Men 2023–2026, available at: vlada.cz/assets/ppov/rovne-prilezitosti-zen-a-muzu/Aktuality/Akcni-plan-rovneho-odmenovani-zen-a-muzu20232026.pdf.

10 Measure 1.7.1 of the task part of the Gender Equality Strategy 2021–2030, available at: <https://www.mzcr.cz/wp-content/uploads/2021/06/Strategie-rovnosti-zen-a-muzu-na-leta-2021-2030.pdf>.

Applicable legislation

Pregnant women and parents of small children are among employees with a difficult position in the labour market (vulnerable workers). These employees are therefore entitled to special protection under the law, especially the Labour Code, in situations which are commonly encountered by them. Some of these situations are described below.¹¹

The legislation is complemented by some of the findings from a questionnaire survey among 1,300 respondents. The respondents are women over 18 years of age caring for at least one child under six years of age.¹²

Employees-parents are protected, among other things, through the prohibition of discrimination. The Anti-Discrimination Act requires equal treatment in access to employment and prohibits discrimination, i.e. treating someone less favourably on certain grounds. The grounds on which discrimination is prohibited (i.e. protected characteristics) include sex.¹³

Discrimination on the grounds of sex also includes discrimination on the grounds of pregnancy, motherhood or fatherhood and/or gender identity.¹⁴

11 Further situations, including legislation and the Defender's cases, are contained in the Defender's guide titled Parenthood and discrimination at work: practical guide for parents regarding their right to equal treatment in the labour market, available at: https://www.ochrance.cz/aktualne/ombudsman_vydal_praktickou_prirucku_pro_rodice_na_pracovnim_trhu/.

12 For a detailed description of the respondents and the research methods selected, see the **Quantitative part** on page 32.

13 According to the Anti-Discrimination Act, further protected characteristics include the race, ethnicity, nationality, sex, sexual orientation, age, disability, religion, belief or worldview, and in some cases citizenship (in Czech: státní příslušnost). Some legal regulations (e.g. the Labour Code) may also contain other grounds (e.g. political convictions or trade union membership). While the Act itself uses the term "sex", the recommendation uses the term "gender" where more suitable.

14 Section 2 (4) of the Anti-Discrimination Act.

1. Job search and recruitment

The Labour Code states that when selecting job seekers, an employer shall assess the individual candidates in terms of qualifications, necessary requirements and/or special abilities.¹⁵ Differences in treatment on the grounds of gender may constitute discrimination on the part of the employer.

1.1 ADVERTISING

A quarter of the women have come across a job advertisement whose wording, directly or indirectly, either discouraged or excluded pregnant women or parents of small children.¹⁶

The employers **must not** base their search for and selection of employees **on stereotypes**, for example, that women are more suited to childcare or cleaning, while managerial positions require men. They may take the applicants' gender into account when selecting new employees only in narrowly defined cases. This includes situations where there is an objective reason for doing so, such as the nature of the work performed,¹⁷ or if the purpose is to protect women on account of pregnancy and maternity.¹⁸

1.2 INTERVIEW QUESTIONS

The survey shows that almost two-thirds of the women (61%) have been asked questions about their family life in a job interview, even though employers are not allowed to ask them about this. Of these women, 76% have always answered similar questions, while only 3% say they never answer such questions in job interviews.¹⁹

There was a common feeling among the respondents that they were not hired for the job because of their answers to questions about family. This opinion was shared by 41% of those who gave their answer at least in some cases and by 45% of those who refused to answer the questions.²⁰

Under the Labour Code, an employer may only ask the candidates or other persons (for example, a former employer when requesting a reference) to provide **information that is directly relevant to the conclusion of the employment contract.**²¹

15 Section 30 (1) of the Labour Code.

16 See Experience with job search and job interviews for details on this research question.

17 Section 6 (3) of the Anti-Discrimination Act. The requirement for a specific gender for a theatre role can be mentioned as an example. Religious reasons may also justify an exception, e.g. in the case of clergy. Such exemptions must be applied as narrowly as possible, have to be proportionate and must be assessed in the light of social developments. For more details, see **Parenthood and discrimination at work: practical guide for parents regarding their right to equal treatment in the labour market**, available at: https://www.ochrance.cz/aktualne/ombudsman_vydal_praktickou_prirucku_pro_rodice_na_pracovnim_trhu/.

18 Section 6 (4) of the Anti-Discrimination Act. This exemption was reflected directly in the Labour Code, which prohibits the employment of women in jobs that endanger their maternity. This applies to employees who are pregnant, breastfeeding and mothers up to the end of the ninth month after childbirth. A list of these types of work is published by the Ministry of Health in the form of a decree. Protection of women on the grounds of potential, rather than actual, maternity, could again constitute discrimination on the grounds of sex.

19 See Experience with job search and job interviews for details on this research question.

20 See Experience with job search and job interviews for details on this research question.

21 Section 30 (2) of the Labour Code. The Employment Act also explicitly states that employers may not request information on the job seeker's ethnicity, religious beliefs or, for example, sexual orientation, and other information that is unrelated to the performance of the employer's statutory duties; see Section 12 (2) of the Employment Act.

In some cases, **questions concerning parenthood** that are unrelated to potential employment can be classified as harassment, which is a form of discrimination.²²

1.3 DIFFERENCES IN EMPLOYMENT CONTRACTS

In certain cases, discrimination can consist not only in the employer's preference of persons of one gender, or the fact that men and women do not hold equally important positions at the employer. The employment period offered by the employer to its employees may also play a role in this regard – e.g. that women work for the employer on the basis of fixed-term employment contracts, while men are employed for an indefinite term. If employees of one gender usually work for the employer within the "švarc system" scheme, this may also constitute discrimination.

1.4 CONFIRMATION OF NOT BEING PREGNANT

In the last 10 years, only 5% of the respondents have been asked to provide confirmation that they were not pregnant.²³

Requiring confirmation that a job applicant is not pregnant is problematic. If an employer requires job seekers to certify that they are not pregnant prior to the inception of employment, the employer is unlawfully collecting sensitive data. If the employer then decides not to hire a job seeker because she has not provided such a certificate, this constitutes discrimination based on sex.²⁴

2. Concurrence of maternity and parental leave and employment

The survey confirmed that the majority of care for the youngest children was provided by women, while the same was only rarely done by men. Ninety-six per cent of the women interviewed said that only they had taken parental leave. The same percentage of respondents also indicated that they would be the only ones in their families to take parental leave in the future. The most frequently stated argument for this distribution were financial reasons, indicated by 69% of respondents.²⁵

After childbirth, parents are entitled to **leave for childcare**. In the mother's case, this is first maternity leave, followed by parental leave, while the father takes parental leave immediately after the childbirth. While the phrase "three-year maternity leave" is not uncommon, correct distinction between these concepts is crucial.

Only the mother is entitled to **maternity leave**. It lasts for 28 weeks for one child and 37 weeks for twins or

22 Report of the Public Defender of Rights of 25 February 2013, File No. 146/2012/DIS/JKV, available at: <http://eso.ochrance.cz/Nalezene/Edit/1700>.

23 See Section Experience with job search and job interviews for details on this research question.

24 Report of the Public Defender of Rights of 25 January 2013, File No. 167/2012/DIS/JKV, available at: <http://eso.ochrance.cz/Nalezene/Edit/1460>. The Court of Justice of the European Union already ruled in its judgment of 8 November 1990, E.J. P. Dekker v. Stichting Vormingscentrum voor Jong Volwassen (VJV-Centrum) Plus, C-177/88, that pregnancy could not be a ground for not hiring a job seeker. In the case, the job seeker herself had advised the employer during a job interview that she was pregnant.

25 See Taking maternity and parental leave, and contact with the employer during this period for details on this research question.

multiple births. It must never be shorter than 14 weeks and end sooner than 6 weeks after birth.²⁶ This leave, provided by the employer, is not dependent on drawing maternity benefits. Even a mother who is not entitled to maternity benefits or has already stopped drawing such benefits thus remains entitled to such leave.

Maternity leave is linked to **“maternity benefits”**. After the end of the puerperium, these benefits may also be drawn by the father if he is the one caring for the child. In order to receive these benefits, the person in question must have been covered by sickness insurance for 270 days during the two years before the maternity benefits are to be drawn. Employees participate in the insurance by operation of law provided that they earn at least CZK 3,500. For persons working based on an agreement to complete a job, the threshold is CZK 10,000. Self-employed persons participate in sickness insurance voluntarily, which is why they must register and pay premiums for at least the required period of time. The amount of maternity benefits depends on previous earnings.²⁷

On the other hand, **the paternity postnatal benefit** (“paternity benefit”) is a sickness insurance benefit payable to the father. Eligible for this benefit is the child’s father registered in the child’s birth certificate and it may be drawn for a period of 14 days²⁸ if, as of that day, the father pays sickness insurance premiums²⁹ either himself or through his employer, and starts drawing the benefit during the mother’s puerperium. In connection with caring for the new-born child and the mother, the employer must grant the father time off during the period when this benefit is provided, i.e. paternity leave.³⁰

Parental leave is leave granted to any of the parents or both of them. In the mother’s case, it follows maternity leave; the child’s father may apply for this kind of leave until the child reaches three years of age.³¹ The duration of parental leave can be chosen and changed during the leave. Colloquially, it is often confused with maternity leave, which however is only granted to the mother for a short period before and after childbirth.

The period during which an employee takes parental leave need not fully coincide with the period during which the **parental allowance** is received. Its total amount is fixed – since January 2020, it has equalled CZK 300,000, and for two or more children born at the same time, CZK 450,000. It is not based on the parent’s earnings, but these do affect the maximum monthly allowance.³² The amount of the monthly allowance will also depend on the rate of its drawing – the allowance can be drawn for a longer period of time in lower monthly amounts or faster, with higher monthly amounts. At the same time, parental allowance can only be received for the youngest child. Parents who are unable to draw the whole allowance for the first child before the date of birth of their second child may thus, in some cases, lose their entitlement to the remaining part of the allowance.

26 Section 195 of the Labour Code.

27 For a calculation of maternity benefits, see: Czech Social Security Administration. Detailed information on maternity benefits. Available at: <https://www.cssz.cz/podrobne-informace-o-penezite-pomoci-v-materstvi>.

28 Section 38a of Act No. 187/2006 Coll., on sickness insurance.

29 Employees participate in the insurance by operation of law provided that their income exceeds a certain threshold. Self-employed persons participate in sickness insurance voluntarily, which is why they must register and pay premiums for at least the required period of time, as is the case with maternity benefits.

30 Section 195a of the Labour Code. The provisions on paternity leave under the Labour Code became effective at the end of 2022. Before that, fathers had to ask their employer for parental leave for the term when the paternity postnatal benefits were drawn.

31 Section 197 (3) of the Labour Code.

32 The amount of the parental allowance is determined according to the daily assessment base for determining maternity benefits.

2.1 WORKING WHILE RECEIVING MATERNITY BENEFITS AND PARENTAL ALLOWANCE

Fifteen per cent of the respondents reported that they worked or had worked while on parental leave. A total of 9% of respondents said the same in the case of maternity leave.³³

On average, these women return to paid work when their child is 15 months old and most often work for 20 hours per week.

Receiving **maternity benefits** does not prevent the employee from working part-time along with caring for the child. Such work can be based on an agreement to perform work or an agreement to complete a job. Work may also be performed for the former employer, but this must be **different work** than the one under the original employment contract.³⁴

While receiving **parental allowance**, a parent can work almost **without limitation**, either based on an agreement other than employment contract or in a standard employment relationship. This is conditional on proper personal care for the child throughout the day. Such care can be arranged through another adult (e.g. a family member or another caregiver). A child under two years of age may also attend a nursery or children's group, but not more than 4 hours a day. Parental allowance can be received simultaneously with work under a new or the original employment contract.³⁵

3. Returning to work after maternity or parental leave

Only 22% of the respondents returned to work before their child was three years old. In 44% of cases, this was due to a poor financial situation; the fact that the respondents managed to place their child in a nursery or kindergarten contributed to the decision to the same extent.³⁶

It is generally believed that employers must allow employees returning from maternity or parental leave to return to their work. However, the employer's specific obligations depend on whether the employees return immediately after their maternity or parental leave. Moreover, it often happens that the period for which the employment relationship was agreed expires during the maternity or parental leave and the employment thus terminates (this applies only to employment relationships for a "fixed term"). In such a case, the employer is not obliged to offer the employee a new employment contract.

33 See Taking maternity and parental leave, and contact with the employer during this period for details on this research question.

34 Section 16 (a) of the Sickness Insurance Act.

35 The situation is described in detail, for example, in the Aperio handbook, available at: <https://aperio.cz/vydelecna-cinnost-behem-materske-rodicovske-dovolene/>.

36 See Returning to work after maternity and/or parental leave for details on this research question.

3.1 RETURNING TO WORK AFTER MATERNITY OR PARENTAL LEAVE

In the case of respondents who have already returned to work, only 30% returned to their original employer. The most frequently mentioned reason for a change was the inability to reconcile the original job with care for the child (reported by 42% of the respondents).³⁷

The employer must allow women who return to work immediately after their maternity leave **to return to the same position** as the one they held before taking the maternity leave.³⁸ Where this is not possible, because the job has ceased to exist or the workplace has been abolished, the employer must assign them to some other job corresponding **to the employment contract**.³⁹

When employees return after parental leave lasting no more than three years, they are not legally entitled to return to their original position, but have the right to be assigned work of the **type and job description** set out in the employment contract.

By way of exception, this does not apply to situations where the employer has been dissolved or has made an organisational change during the employee's absence; see section **Dismissal for redundancy**, page 28.

If an employee wants or needs to stay at home with the child longer than until the child's third birthday, the employee can agree with the employer on the provision of compensatory time-off without compensation for salary. However, the employer is not obliged to accept such an arrangement.⁴⁰ During the time-off, employees are no longer covered by protection granted to parents on parental leave.

3.2 BALANCING WORK AND CHILDCARE

In the survey, work-life balance measures have generally proven essential for the women's ability to return to employment. Up to 22% of the women interviewed currently do not have paid work mainly due to the lack of available childcare options and the fact that they are unable to find a job that would make appropriate work-life balance possible.

In many situations, the Labour Code requires employers to give special consideration to employees providing care for children and other family members, and thus contribute to work-life balance of their employees. The Labour Code imposes the following obligations on employers:

- a) In the case of pregnant employees and employees who are mothers up to nine months after giving birth or employees who are breastfeeding, the employer must temporarily reassign the employee to work that will not endanger her pregnancy or maternity.⁴¹
- b) If these women work at night, the employer must reassign them to day work at their request.⁴²

37 See **Returning to work after maternity and/or parental leave** for details on this research question.

38 Section 47 of the Labour Code.

39 Section 38 (1)(a) of the Labour Code.

40 However, where an employee had no other option than to stay at home because of a lacking capacity of kindergartens, this, according to the Supreme Court, should not be a reason for their dismissal. See the judgment of the Supreme Court of 10 October 2008, File No. 21 Cdo 4411/2007.

41 If the employee receives a lower salary as a result of the reassignment, she is entitled to a "compensation allowance".

42 In this case, too, the employee is eligible for a compensation allowance.

- c) Breastfeeding women must be provided with breaks for breastfeeding.⁴³
- d) Shift assignments should reflect the needs of workers who care for children.⁴⁴
- e) The employer should allow employees caring for children or family members to adjust their working time provided that this is possible in the employer's operation.
- f) Pregnant employees and employees caring for children up to 8 years of age may be sent on a business trip outside the municipality of their workplace or place of residence only with their consent; the same applies to single parents of children up to 15 years of age.

The employers may adopt a number of other measures beyond the scope of law to help employees achieve work-life balance.

3.2.1 ADJUSTMENT OF WORKING TIME

The research shows that there are significant gaps in the employers' offer of work-life balance measures. Up to a third of the women who did not use any of these measures would have been willing to do so if their employer had given them the opportunity. The greatest demand was for a compressed work week (45% of women would be interested in this) and fully flexible working hours (41%).⁴⁵

On the other hand, of the women who benefit from some of the work-life balance measures (41% of respondents), 40% have reduced their working hours and 36% have a fully flexible work schedule.⁴⁶

The Labour Code expressly provides that if employees caring for a child under 15 years⁴⁷ of age request shorter working time or some other appropriate **adjustment of the fixed weekly working time**, the employer must grant the request unless this is prevented by serious operational reasons.⁴⁸

Working time arrangement options:

- a) part-time employment contracts;
- b) flexible or semi-flexible working time, where employees work the same number of hours but at a time of their own choosing (in the case of the semi-flexible arrangement, a part of the working hours is fixed);
- c) "compressed work week", where employees work longer shifts on fewer days.

3.2.2 WORKING FROM HOME

From among the women interviewed who have experience with work-life balance measures (41% of the respondents), 23% work or have worked entirely from home and 31% in combination with work in the office.⁴⁹

43 Section 242 of the Labour Code.

44 Section 241 (1) of the Labour Code.

45 See *Work-life balance measures and support for women by employers* for details on this research question.

46 See *Work-life balance measures and support for women by employers* for details on this research question.

47 The same applies to a pregnant employee or an employee who proves that they are predominantly caring themselves for a dependent person in the long term. This may include not only childcare, but also care for other family members.

48 Section 191a of the Labour Code.

49 See *Work-life balance measures and support for women by employers* for details on this research question.

While the Labour Code requires employers to allow employees to adjust their working time, there is no such duty as regards **homeworking**.⁵⁰ This, of course, does not preclude the employer from allowing homeworking on a voluntary basis.

3.3 CARING FOR A SICK CHILD

In the survey, 9% of women stated that their employer had not allowed them to take time off work to tend to their child's health or other problems.⁵¹

The Labour Code envisages that employees-parents must sometimes stay at home with their children during working hours. Therefore, employers must **excuse the absence** of such employees **while the child is being treated**.⁵² They must allow employees to accompany their children to a doctor and the Labour Code also foresees the possibility of hospitalisation. While the absence of employees may place a certain burden on the employer, this does not mean that the employer could penalise employees for childcare-related absences.

Employees are entitled to a **carer's allowance** from the State as a sickness insurance benefit, for a maximum of nine days. In the case of single parents, this period is extended to 16 calendar days.⁵³ Parents (or other caregivers) may alternate once during this time. The amount of the allowance equals 60% of the reduced daily assessment base.⁵⁴

50 Information valid as of 18 April 2023. At the time of publication of this Report, a draft amendment to the Labour Code was undergoing the legislative procedure that would amend the regulation of remote work.

51 See *Work-life balance measures and support for women by employers* for details on this research question.

52 Section 191 of the Labour Code. The same option is also available to the employee when caring for another member of the household whose health condition, by reason of illness or injury, necessitates treatment by another person (Section 39 of the Sickness Insurance Act).

53 Details on the utilisation of the carer's allowance can be found on the website of the Czech Social Security Administration, available at: <https://www.cssz.cz/osetrovne>.

54 The Ministry of Labour and Social Affairs offers a calculator for the individual types of benefits. Available at: <https://www.mpsv.cz/web/cz/kalkulacka-pro-vypocet-davek-v-roce-2023>.

4. Unequal treatment at the workplace

The law requires employers to **treat** all employees **equally**.⁵⁵ Where unequal treatment of an employee is motivated by one of the protected characteristics, the employer may be committing discrimination. Protected characteristics include sex, including pregnancy and parenthood.⁵⁶

4.1 CALCULATION OF SALARY AFTER RETURN FROM PARENTAL LEAVE

The survey found that 13% of employees were not given a pay raise when they returned to work, even though their colleagues in the same position had got a raise in the meantime. The salaries of 7% of respondents even decreased after they had returned to work.⁵⁷

Employees are legally entitled to **equal pay** for equal work or work of equal value.⁵⁸ In the Defender's opinion, employers should take the **salary development** that has occurred in the employee's absence into account in order to avoid a disadvantage for employees who have cared for children.⁵⁹ In accordance with European law⁶⁰, these employees have the right to improved working (including pay) conditions. The **current salaries paid to employees doing similar work** as that which the employee will be doing once they return should therefore be used to calculate their salary.⁶¹

4.2 CAREER ADVANCEMENT

In the case of women who worked while pregnant or caring for a small child, 10% said they had not been promoted at work even though they felt they had deserved it. A further 7% said they had been transferred to a lower position and 6% had been removed from a management position. In all of these cases, the respondents believed that this was probably or certainly related to their pregnancy or motherhood.⁶²

Not only in the recruitment process, but also during an employment relationship, any distinction possibly made by an employer between employees has to be based on criteria that are not discriminatory. Even in the case of career advancement, the employer must therefore make decisions on the basis of **non-discriminatory criteria**. The decision should always be made based on the personal qualities and aptitudes of individual candidates, rather than according to gender or parental status.⁶³

55 Section 110 of the Labour Code.

56 See **Glossary of terms: discrimination** on page 6 for an overview of the types of discrimination that can be encountered in the context of parenthood.

57 See **Returning to work after maternity and/or parental leave** for details on this research question.

58 Section 110 (1) of the Labour Code. The term remuneration includes both salary and pay, as well as additional benefits. The prohibition of discrimination must also be observed in the provision of benefits. See **Glossary of other terms** on page 8 for details on remuneration.

59 Defender's Report of 19 August 2013, File No. 75/2012/DIS/JKV, available at: <https://eso.ochrance.cz/Nalezene/Edit/1600>.

60 Article 15 of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).

61 This also follows from the Labour Code, which provides that "[all] employees employed by the same employer are entitled to the same salary or pay, or remuneration under an agreement, for the same work or work of the same value"; see Section 110 (1) of the Labour Code.

62 See **Experience with unequal treatment at the workplace** for details on this research question.

63 This conclusion was reached by a Czech court in a highly-publicised discrimination case. In 2006, Pražská teplárenská (the Prague heating company) did not hire an employee for a management position because she was a woman. In 2019, the court concluded that this had indeed constituted discrimination and granted the woman an apology. However, the claimant has yet to succeed with her other claims. See iRozhlas. Apology for discrimination. Pražská teplárenská rejected a woman for a director position because of her gender. Available at: https://www.irozhlas.cz/zpravy-domov/omluva-diskriminace-kvuli-pohlavi-prazska-plynarenska-marie-causevicova_1903070921_dbr.

4.3 TERMINATION OF EMPLOYMENT DUE TO PREGNANCY OR PARENTHOOD

In the survey, 31% of respondents stated that they had felt worried about losing their job during pregnancy or while caring for a child under six years of age.⁶⁴

Employees are entitled to a **protection period** shortly before and after the child's birth; during this period, the employer may not give notice to the employee, save for certain exceptions. This includes, in particular, a time when an employee is found temporarily unfit to work, or when an employee is pregnant, on maternity leave or parental leave or when an employee is drawing carer's allowance. The protection period does not apply to termination of employment by expiry of the agreed term, typically in the case of a fixed-term contract. In that case, the employment relationship terminates on the previously agreed date.

In other cases, the employer may terminate the employment relationship with the employees-parents under the same conditions as with other employees. However, the termination must occur **for discriminatory reasons**, i.e. because the employer does not want to employ, for example, parents of small children.⁶⁵

4.3.1 NON-RENEWAL OF EMPLOYMENT CONTRACT

When asked about a situation when they felt disadvantaged compared to their colleagues on the grounds of maternity, 16% of the respondents described a situation where the employer had not renewed their fixed-term employment contract, even though they themselves had been interested in the renewal.

There is no legal entitlement to renewal (extension) of an employment contract, just like there is no entitlement to be hired. However, even here the employer must comply with the **principle of equal treatment** and must not disadvantage the employee or job seeker on the basis of one of the prohibited grounds. If the employer did not renew an employment relationship on the grounds of the employee's pregnancy or parenthood, this could constitute discrimination on the grounds of sex or parenthood.

4.3.2 PRESSURE TO TERMINATE EMPLOYMENT BY AGREEMENT

According to the survey, 14% of the women surveyed have been in a situation where their employer encouraged or forced them to quit or terminate their employment by agreement while they were pregnant or caring for a small child. Another 13% said that their employer had actually given them notice or forced them to terminate their employment by agreement.⁶⁶

Terminating employment by agreement should be an option only in cases where the employee and the employer **actually agree** on the termination of the employment relationship. If an employer **pressures** employees returning from maternity or parental leave to terminate their employment, this constitutes at least harassment. Depending on the intensity of this pressure, this could also constitute direct discrimination based on sex.⁶⁷

⁶⁴ See Experience with unequal treatment at the workplace for details on this research question.

⁶⁵ For more details on how employers may terminate employment relationships, see Parenthood and discrimination at work: practical guide for parents regarding their right to equal treatment in the labour market, available at: https://www.ochrance.cz/dokument/rodicovstvi_a_diskriminace_v_praci/rodicovstvi-a-diskriminace-doporuceni.pdf, Chapter 8. Termination of employment.

⁶⁶ See Experience with unequal treatment at the workplace for details on this research question.

⁶⁷ Report of the Public Defender of Rights of 25 January 2013, File No. 167/2012/DIS, available at: <https://eso.ochrance.cz/Nalezene/Edit/1460>.

4.3.3 DISMISSAL FOR REDUNDANCY

One of the ways employers try to terminate an employment relationship with employees who want to return to work after parental leave is through dismissal for redundancy. However, specific conditions must be met for such termination to be lawful. The Labour Code states that an employer may give notice to an employee if the employee becomes redundant in view of the employer's decision to change their tasks, technical equipment, reduction of the personnel for the purpose of increasing the efficiency of work, or other **organisational changes**.⁶⁸

The employer may not give notice to an employee on the grounds of redundancy if the employee becomes "redundant" for the employer just because someone else has been hired as a replacement for the time of the employee's absence.

4.4 UNEQUAL TREATMENT IN GENERAL; HARASSMENT

More than three-quarters of the women interviewed stated that they had experienced a change in their employer's attitude after announcing their departure for maternity leave; these were most often women with university education (81%). It can be assumed that some of these cases could constitute harassment.⁶⁹

Among the women who had returned to work after maternity or parental leave, but with a different employer, 13% reported that their former employer had made it clear that he was not interested in their work because of their maternity.⁷⁰

Harassment is improper conduct that is aimed at or results in diminishing the dignity of a person and **creating a hostile, humiliating or offensive environment**. If it relates to one of the protected characteristic, this may constitute discrimination.

Bullying, which can be defined typically as long-term conduct of another person that creates a hostile environment, is a related concept. If a superior treats subordinate employees unfavourably, this is denoted as **bossing**. The opposite (bullying a manager by subordinates) is called **staffing**. **Mobbing** is bullying within a team among similarly situated employees.

These types of bullying may, but need not, simultaneously represent discrimination. This depends on whether the unfavourable treatment is motivated by one of the protected characteristics or by personal animosity.

68 Section 52 (c) of the Labour Code.

69 See *Experience with unequal treatment at the workplace* for details on this research question.

70 See *Returning to work after maternity and/or parental leave* and *Experience with unequal treatment at the workplace* for details on this research question.

5. Defence against unequal treatment

The research showed that 35% of the employees who had experienced unfavourable treatment in relation to childcare had decided to address the situation. Most often, however, informal methods were used, such as talking to a close person, colleagues at work or a direct superior. Only 5 % of these women contacted a trade union, 4 % sought legal advice and 1 % contacted the labour inspectorate.

5.1 TRADE UNION ORGANISATION

Trade union organisations serve for the **protection of employees' rights** and have the right to discuss with the employer not only collective grievances, but also complaints raised by individual employees. If a trade union operates at the employer, it is advisable to contact the union with a request for resolution of the dispute. Thanks to its position, a trade union can be a valuable mediator for an amicable solution or compromise.

5.2 MEDIATION

A mediator can be used to settle a dispute out of court – this is **an impartial intermediary** who will guide the employee in seeking agreement with their employer. The whole mediation process is based on voluntary involvement of both parties and should yield a result acceptable for both of them. This route can be faster and cheaper than litigation, and has the potential to calm the relationships rather than further escalating the conflict.

5.3 LABOUR INSPECTORATE

Compliance with labour-law regulations is supervised by eight **District Labour Inspectorates** (hereinafter the “DLI”). They can address not only discrimination, but also compliance with duties in the area of remuneration, occupational safety, etc.

The inspectorate may decide itself whether to inspect the employer based on a complaint. It should inform the complainant of its decision, and also about the outcome of any potential inspection. In the case of dissatisfaction with the assessment, a complaint can be made to the head inspector of the District Labour Inspectorate. The head inspector may reconsider the conclusions reached by the DLI. The State Labour Inspectorate may then be contacted as the superior authority. If even this does not lead to a remedy, the complainant can ask the Defender to inquire into the inspectorate's procedure.

5.4 OMBUDSMAN

The Public Defender of Rights works to protect people from illegal actions or inaction by the authorities. The Defender also provides **methodological assistance to victims of discrimination**.

In cases where the suspicion of discrimination is strong enough, the Defender can ask the employer to provide a statement. However, employers are generally under no obligation to co-operate with the Defender or to respond to his or her questions. If the Defender's activity does not seem effective, the Defender may suggest a different, more suitable procedure. The Defender's findings may be used to further negotiate with the employer or as a basis for litigation.

The Defender also has the option to **inquire into the procedure of inspection authorities**. In that case, it is first necessary to contact the District Labour Inspectorate and send the documents obtained from that authority to the Defender as an attachment to the complaint.

5.5 COURTS

Courts play an irreplaceable role in assessing discrimination. A final decision to the effect that discrimination has actually occurred can only be obtained through an anti-discrimination action.

An anti-discrimination **action can be filed to claim:**

- a) refrainment from discrimination;
- b) remedy of the consequences of discrimination;
- c) an apology;
- d) financial compensation for intangible damage.⁷¹

All of the above or a combination of some of the claims may be demanded depending on the specific situation. Other types of lawsuits can also be brought, including typically an action for the protection of personal rights or an action for the annulment of a notice of termination.

A lawsuit may be filed even without legal counsel; however, it is always preferable to contact an experienced lawyer.

⁷¹ Section 10 of the Anti-Discrimination Act. The Court of Justice of the European Union has also dealt with possible penalties for the violation of the non-discrimination principle. If a Member State chooses to penalise breach of the prohibition of discrimination by the award of compensation, that compensation must be such as to guarantee real and effective judicial protection and have a real deterrent effect on the employer, and must in any event be adequate in relation to the damage sustained (judgement of the Court of Justice of the EU of 22 April 1997, C-180/95, Draehmpaehl). The Czech Constitutional Court recently noted the same when it stated that the State is obliged to provide victims of discrimination in access to employment with legal remedies that are effective, proportionate and deterrent in their entirety. Resolution of the Constitutional Court of 19 February 2021, File No. II. ÚS 1148/20.

Quantitative part

1. Methodology

As part of the study, a quantitative questionnaire survey was conducted among a target group of mothers aged 18 and over who care for at least one child under the age of six. Its aim was to examine their experience with finding a work-life balance and with less favourable treatment at work due to motherhood. The questionnaire focused on eight main areas: women's experience with job search and job interviews (Chapter 2); taking maternity and parental leave and contact with employer during this period (Chapter 3); returning to work after maternity and/or parental leave (Chapter 4); work-life balance measures and support for women by the employers (Chapter 5); experience with unequal treatment at the workplace (Chapter 6); women's defence against unequal treatment (Chapter 7); future plans for work (Chapter 8); and the perceived impact of motherhood on the career and the division of labour and gender roles (Chapter 9).

Data from the Czech Statistical Office were used to determine the representativeness of the sample (see Table 1). A total of 1,300 women were interviewed in the online questionnaire. This sample of women was representative in terms of age, education, marital status, economic activity, size of place of residence and region. The collection of data took place from 30 May 2022 to 10 June 2022. Respondents were interviewed using a structured questionnaire with 56 questions (see Appendix 2).

Table 1 Sample for the quantitative survey

Age	18–25 years	5.8%
	26–30 years	23.7%
	31–35 years	34.0%
	36–40 years	24.7%
	41–45 years	10.4%
	46 years and older	1.4%
Education	Primary education	6.9%

	Secondary education without a graduation certificate	17.5%
	Secondary education with a graduation certificate	34.2%
	University education	41.5%
Marital status	Single	29.1%
	Married	65.9%
	Divorced	4.8%
	Widowed	0.1%
Economic activity	Economically active – employed	45.0%
	Economically active – not employed	3.0%
	Economically inactive	52.0%
Size of the place of residence	1–499 inhabitants	6.4%
	500–1,999 inhabitants	15.8%
	2,000–4,999 inhabitants	12.9%
	5,000–19,999 inhabitants	20.5%
	20,000–99,999 inhabitants	22.6%
	100,000 and more inhabitants	21.9%
Region	Capital City of Prague	12.1%
	Central Bohemian Region	11.3%
	South Bohemian Region	5.6 %
	Plzeň Region	5.0%
	Karlovy Vary Region	2.9%
	Ústí nad Labem Region	7.8%
	Liberec Region	4.7%
	Hradec Králové Region	4.7%
	Pardubice Region	4.6%
	Vysočina Region	4.5%
	South Moravian Region	13.3%
	Olomouc Region	5.9%
	Zlín Region	6.3%
Moravian-Silesian Region	11.6%	

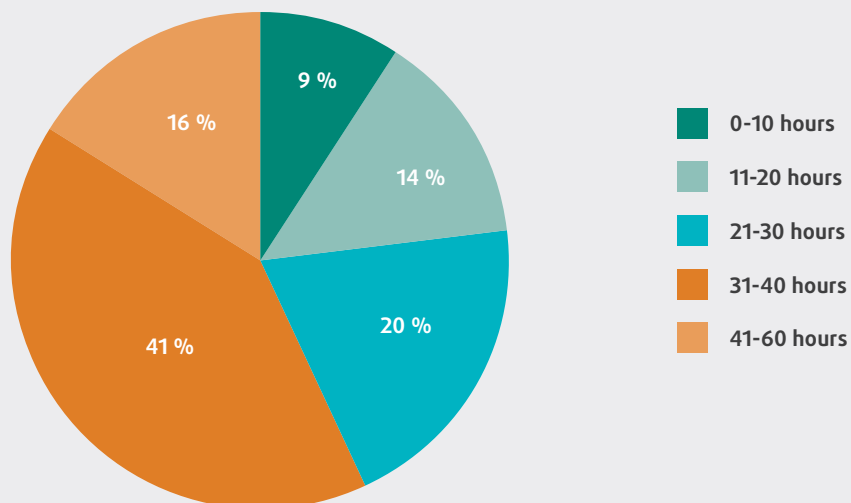
Data source: Czech Statistical Office, Labour Force Sample Survey, Employment and unemployment according to the results of the Labour Force Sample Survey – annual averages – 2021.

In addition to the quota distribution, women were asked about their current situation at the beginning of the survey (see Chart 1). The proportion of women on maternity or parental leave does not vary significantly between respondents grouped by the size of place of residence or region. Furthermore, it can be noted that a relatively high number of women in the sample are employed (including on the basis of an agreement to complete a job and agreement to perform work). There is only a minority of those who are not employed and are not looking for employment as well as those who are currently participating in retraining or education (2%). Fifteen per cent of the women work during parental leave (either as employees or as entrepreneurs/self-employed persons) and 9% of the women work during maternity leave.

Wording of the question: "Which of the following best describes your current situation?" Multiple options allowed.

As part of the initial questions, workers were also asked about the average number of hours per week spent in paid work in the last month (see Chart 2). Most often, the women stated that they worked for 31-40 hours per week. Women on maternity or parental leave reported that they usually worked for less than 20 hours per week. These were women with children between the ages of six months and three years.

CHART 2 AVERAGE NUMBER OF HOURS SPENT WORKING IN THE LAST MONTH (N=577)

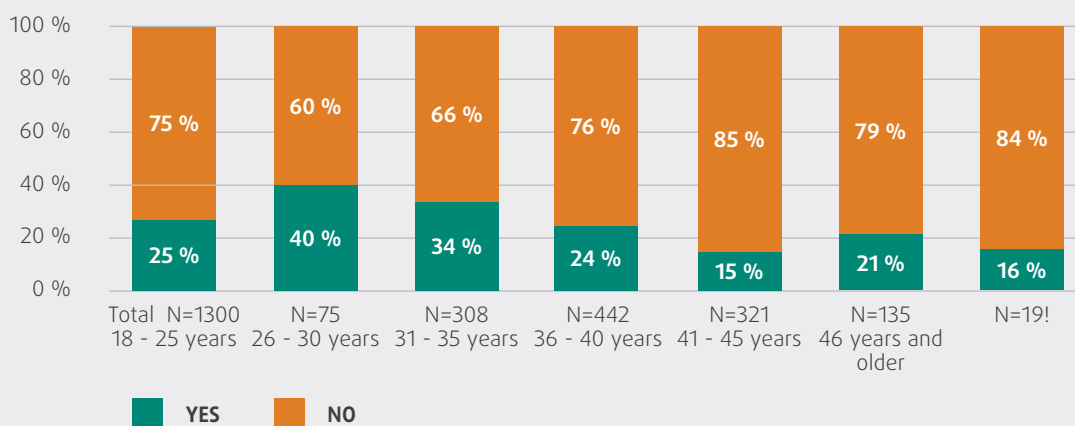


Wording of the question: "On average, how many hours per week did you spend in paid work in the last month?"

2. Experience with job search and job interviews

The first part of the questionnaire focused on the course of the job interview and the overall impression, both in respect of the current employer and other employers. First, women were asked whether they had ever come across a job advertisement whose wording, directly or indirectly, discouraged or excluded pregnant women or parents of small children. It follows from the women’s answers that about a quarter of them have encountered such an advertisement. These advertisements were significantly more often noticed by women aged 18 to 30 (40% of women aged 18–25, 34% of women aged 26–30) and those on maternity leave or with children between the ages of three to six years. Women in the older age groups seem to be less conscious of them. The results do not indicate larger numbers of such advertisements in any particular region. They were significantly more often noticed by women with primary education (38%) or secondary education without a graduation certificate (32%), which may relate to the type of jobs these women apply for.

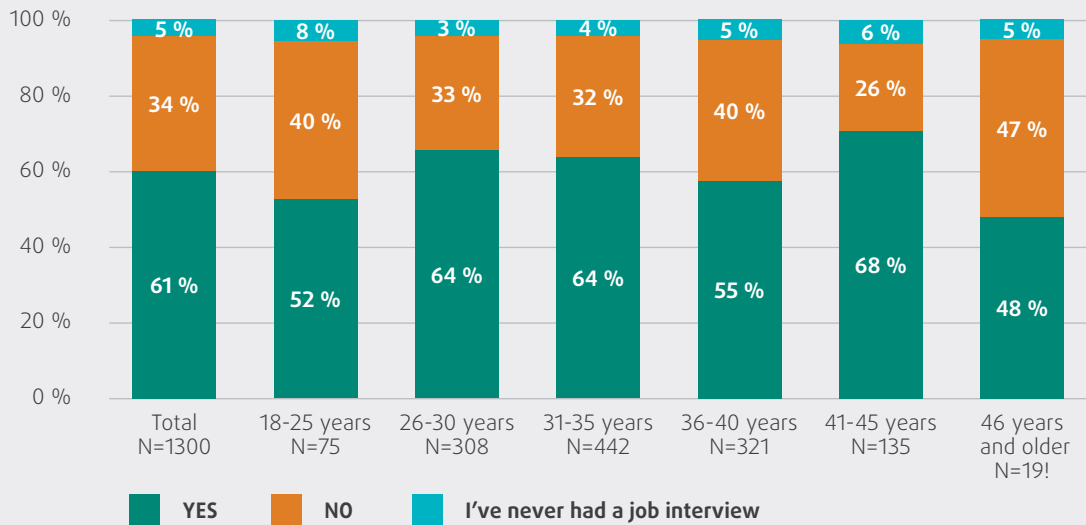
CHART 3 EXPERIENCE WITH A JOB ADVERTISEMENT WHOSE WORDING DISCOURAGED OR EXCLUDED PREGNANT WOMEN OR PARENTS OF SMALL CHILDREN (N=1300)



Wording of the question: “Have you ever come across a job advertisement whose wording, directly or indirectly, discouraged or excluded pregnant women or parents of small children?”

The survey then focused on the extent to which employers complied with the legal requirements concerning questions about the applicant’s family situation (see Chart 4). More than three-fifths of the women (61%) have been asked such questions during a job interview. This experience is mainly shared by women aged 26 to 35, followed by those aged 41 to 45. This practice was not prevalent in any particular region, it was not dependent on the woman’s education or her situation in the labour market. It can therefore be assumed that this behaviour is still present and widespread. In the qualitative part, we talked with representatives of organisations who were against this practice, but the women’s statements showed that there was still much room for improvement on the employers’ part.

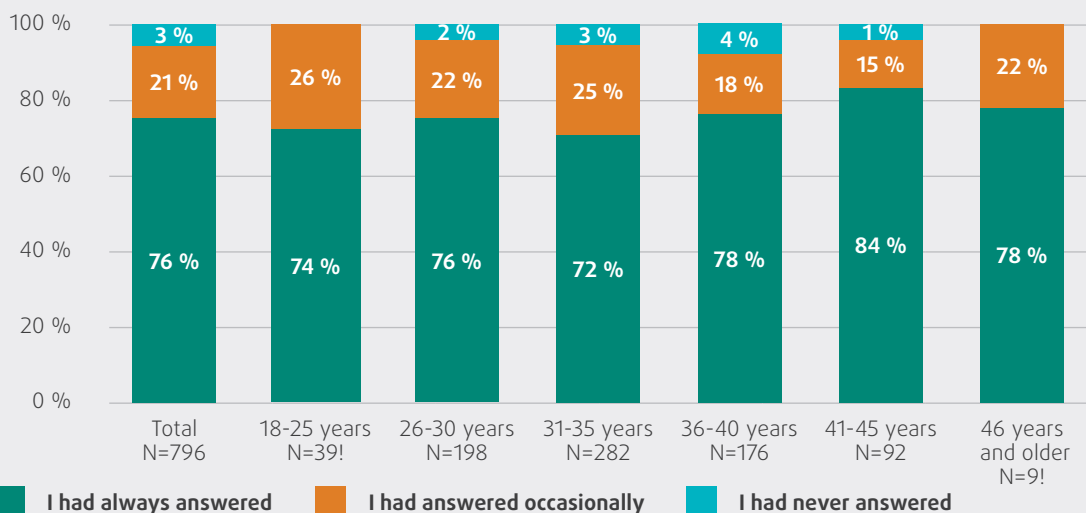
CHART 4 EXPERIENCE WITH QUESTIONS ABOUT FAMILY SITUATION IN A JOB INTERVIEW (N=1300)



Wording of the question: "Have you ever been asked questions about your family life in a job interview (e.g. your marital status, plans for getting married or having children, childcare, possible help from parents or care for your parents, etc.)?"

Women who were confronted with this behaviour by a potential employer were asked about their reaction (see Chart 5). More than three-quarters of the women had always answered these questions. Only a small percentage of the women (2%) had never given an answer. The remaining respondents (more than a fifth) had answered these questions at least occasionally. Significantly fewer women from the Prague Capital Region (64%), women applying for a specialist position (67%) and women with children under three months (58%) had answered these questions. Significantly more likely to answer these questions were women with secondary education without a graduation certificate (84%), those who applied for elementary occupations (89%), and women with children aged ten or older (87%).

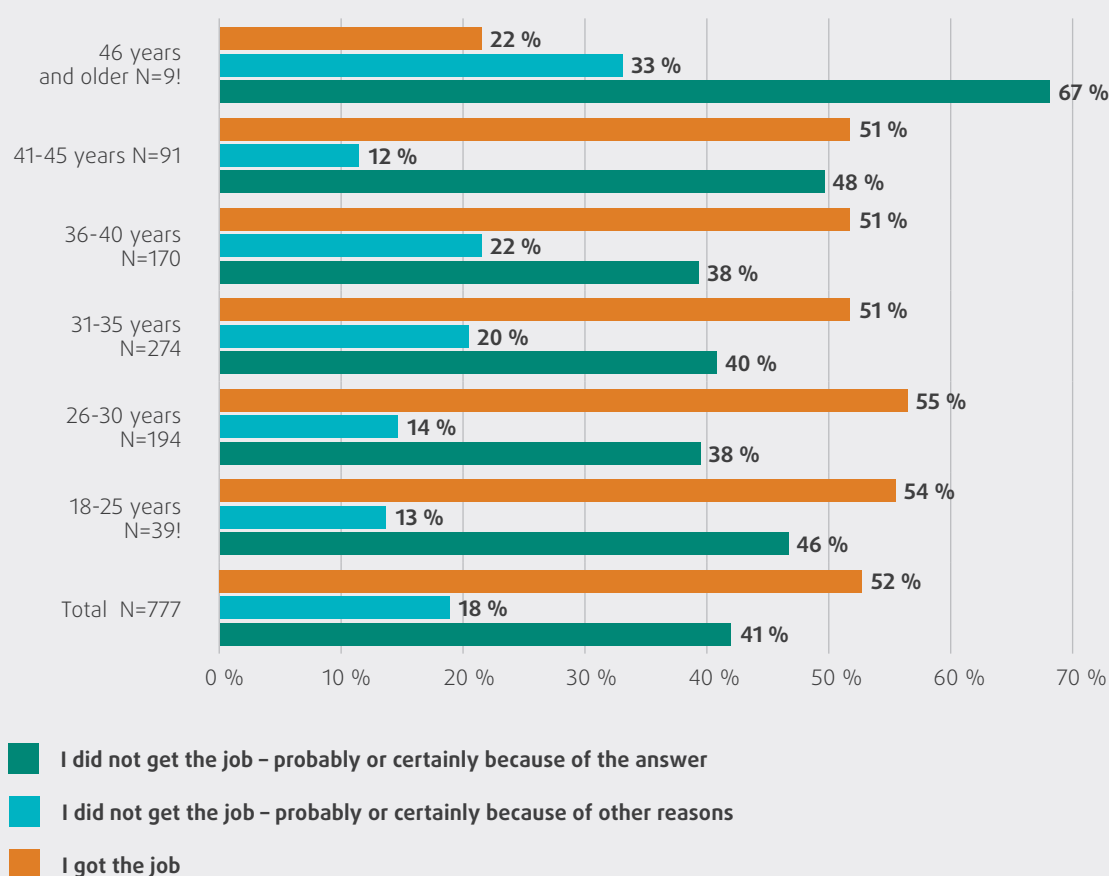
CHART 5 WOMEN'S REACTION TO THE QUESTION ON FAMILY SITUATION (N=796)



Wording of the question: "If so, how did you react?"

Since most women had provided information on their family situation to the potential employer, they were then asked about the outcome of the interview (see Chart 6). More than half of the women who had provided the potential employer with information about their family situation had got the job (52%). However, it follows from the women's statements that more than two fifths of them did not get the job, and they are convinced that this was because of their family situation. This opinion was considerably more often shared by women with children of six to ten years of age (51%). Otherwise, there are no significant differences in the results in terms of the women's age, region or size of their place of residence. Women with university education were considerably more likely to report that they had got the job despite having provided their personal information (58%).

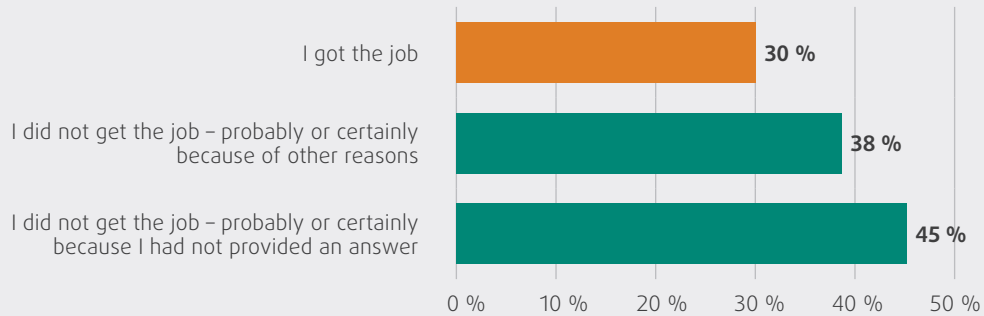
CHART 6 RESULT OF THE INTERVIEW AFTER PROVIDING INFORMATION ON FAMILY SITUATION (N=777)



Wording of the question: "If you have ever or always given an answer, what was the outcome of the interview?" In the case of a repeated experience, women were allowed to choose more than one option, depending on the outcome of the interviews.

Less than a third of the women who had refused to answer questions about their family situation (see Chart 7) got the job, but most of them did not. Almost half of these women think this was because they refused to answer, and more than a third of the remaining respondents believe there were other reasons unrelated to their refusal to provide information about their family situation.

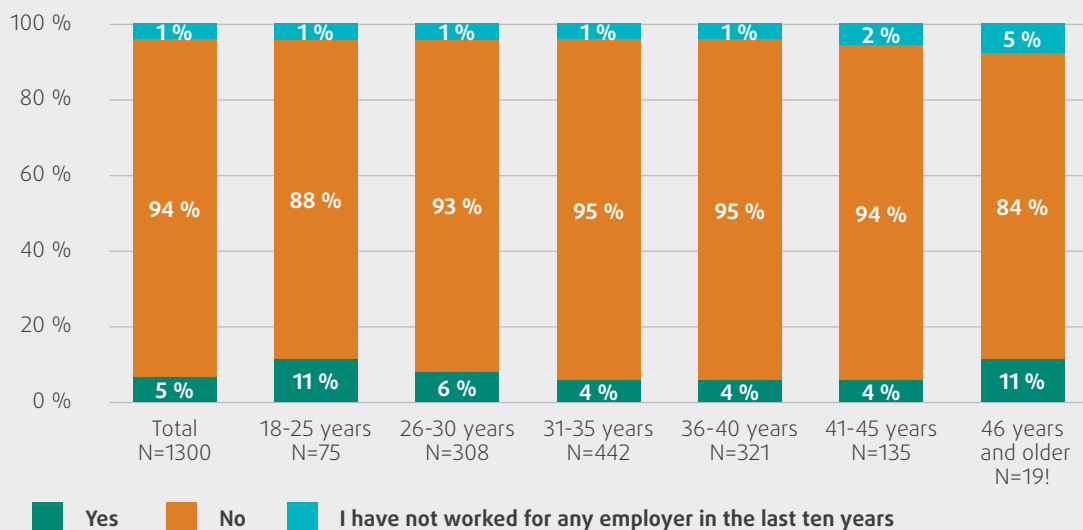
CHART 7 RESULT OF THE INTERVIEW AFTER NOT PROVIDING INFORMATION ON FAMILY SITUATION (N=190)



Wording of the question: “Q11. If you have ever or always refused to answer, how did this impact the outcome of the interview?” In the case of a repeated experience, women were allowed to choose more than one option, depending on the outcome of the interview.

The situation appears to be much better in cases where the current or potential employers ask the applicants for confirmation that they are not pregnant (see Chart 8). Only a few per cent of the women (5%) have experienced this practice in the last ten years. The majority of the women reported that their employer had not required any such confirmation (94%). Women aged 18–25 (11%), women living in cities with 5,000–19,999 inhabitants (9%), women with secondary education without a graduation certificate (13%) and women on maternity leave (10%) were more likely to encounter such a request. Again, there was no particular region where such confirmation would be required significantly more often than in other regions.

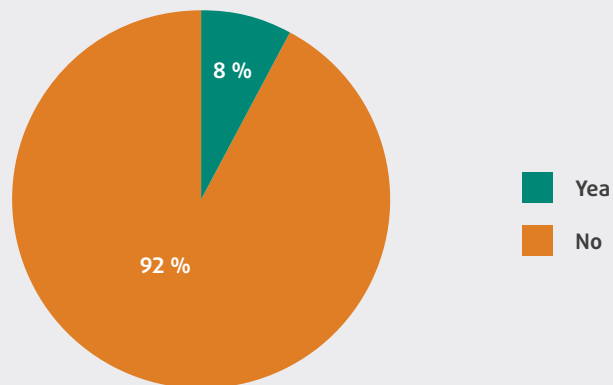
CHART 8 EXPERIENCE WITH BEING REQUESTED TO PROVIDE CONFIRMATION OF NOT BEING PREGNANT (N=1300)



Wording of the question: “In the last ten years, has the employer you worked for or applied for a job with asked you to confirm that you were not pregnant?”

The women were then asked whether they had been to a job interview during their pregnancy (see Chart 9). The majority reported that they had not (92%). The chart shows that the greatest proportion of women who had been to a job interview during pregnancy was in the oldest age group researched; as there are only 19 women in this age group in the sample, the results should be taken as indicative only. In addition, women from Prague (14%) also more often have been to a job interview during pregnancy.

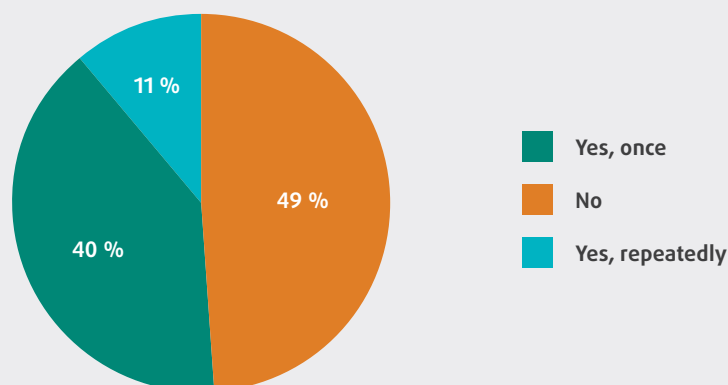
CHART 9 JOB INTERVIEW DURING PREGNANCY (N=1300)



Wording of the question: “Did you have a job interview (with your current employer or another employer) during your pregnancy?”

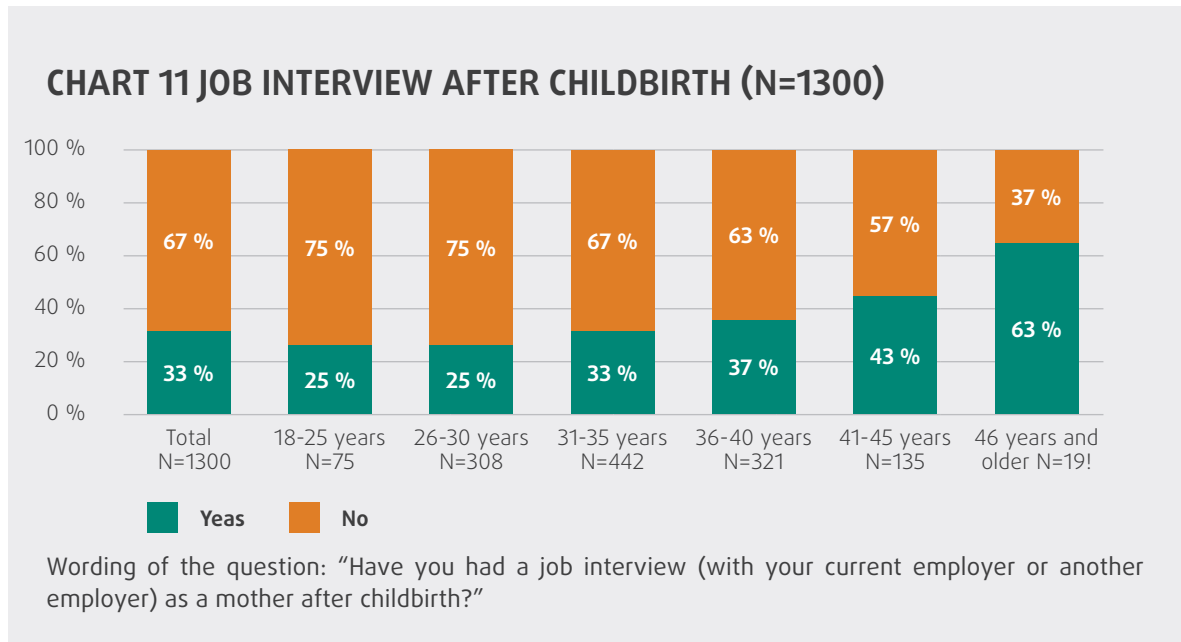
Women who had been to a job interview during pregnancy were asked about its outcome and whether they felt that they had not been hired because they were pregnant (see Chart 10). Here, the women split into two almost identical groups. The first group had never experienced a situation like this (49%), while the second group had experienced it once (40%) or repeatedly (11%). However, women in the first group were not linked to any specific region or type of education achieved.

CHART 10 WOMEN WHO HAVE BEEN TO A JOB INTERVIEW DURING PREGNANCY AND BELIEVE THEY DID NOT GET THE JOB BECAUSE OF THEIR PREGNANCY (N=97)



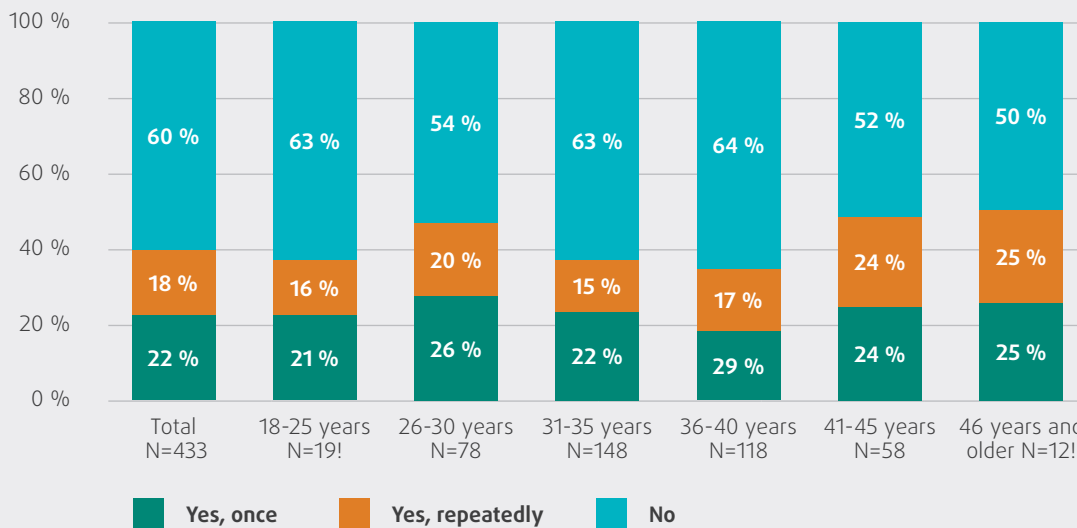
Wording of the question: “Did you have a job interview during your pregnancy that you failed (you did not get the job) probably or certainly because you were pregnant?”

Women were also asked whether they had been to a job interview with any employer after giving birth (see Chart 11). Approximately one third of the women (33%) stated that they had. The percentage increased in the older age group researched. Otherwise, this experience was more common in the case of women living in large cities with 100,000 or more inhabitants (40%), women who had two children under the age of 18 (43%), women applying for specialist positions (43%) and employed women (54%).



We asked women who had experience with such an interview about their perception of the outcome of the interview and whether or not they believed it had been influenced by the fact that they had a child/children (see Chart 12). Forty per cent of the women had been to a job interview but were probably not hired due to their motherhood. In this group, half of the women had the same experience repeatedly, the other half only once. Women with children between six and ten years of age had been in the same situation repeatedly, as stated by more than a quarter of them (28%). An overwhelming majority of the women (60%) believed that their failure to get the job had not related to their motherhood or care for children. This opinion was shared to a greater extent among women with university education (68%).

CHART 12 WOMEN WHO HAD BEEN TO A JOB INTERVIEW AND BELIEVED THEY HAD NOT GOT THE JOB BECAUSE THEY WERE TAKING CARE OF SMALL CHILDREN (N=433)



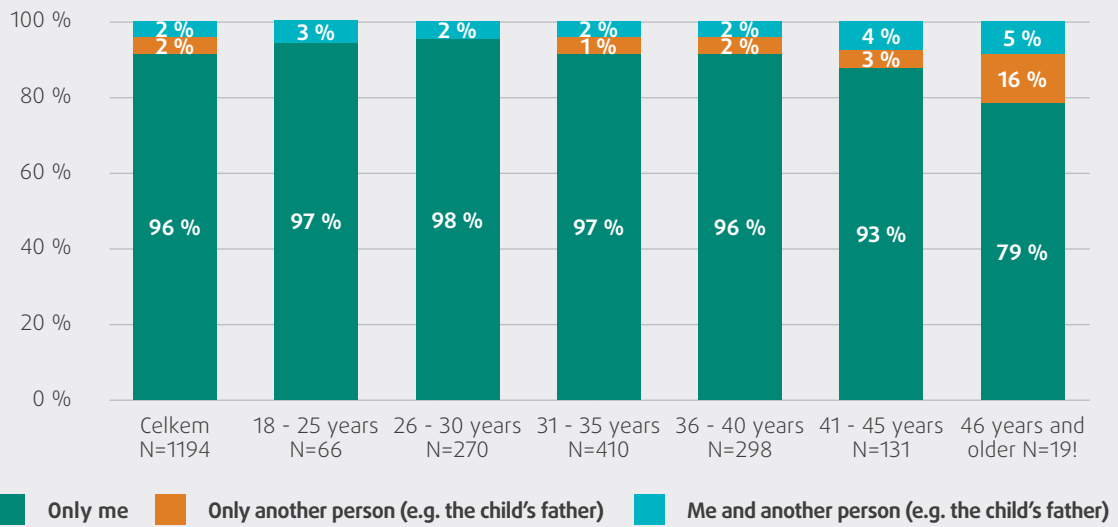
Wording of the question: “Have you failed a job interview after having a child/children (you did not get the job) probably or certainly because you were a mother or were taking care of a child?”

3. Taking maternity and parental leave, and contact with the employer during this period

In the next part of the survey, we asked about details of taking maternity leave. Specifically, what preceded the leave, how the process was set up by the employer and also what factors influenced the decision as to which parent would take parental leave and for how long.

In the Czech Republic, parental leave is almost exclusively taken by women (96%), (see Chart 13). Another person, including the child’s father, takes parental leave only in a fraction of cases (1%). The same applies to concurrent parental leave, where the mother and then another person take parental leave (2%); this situation is not common in our country.

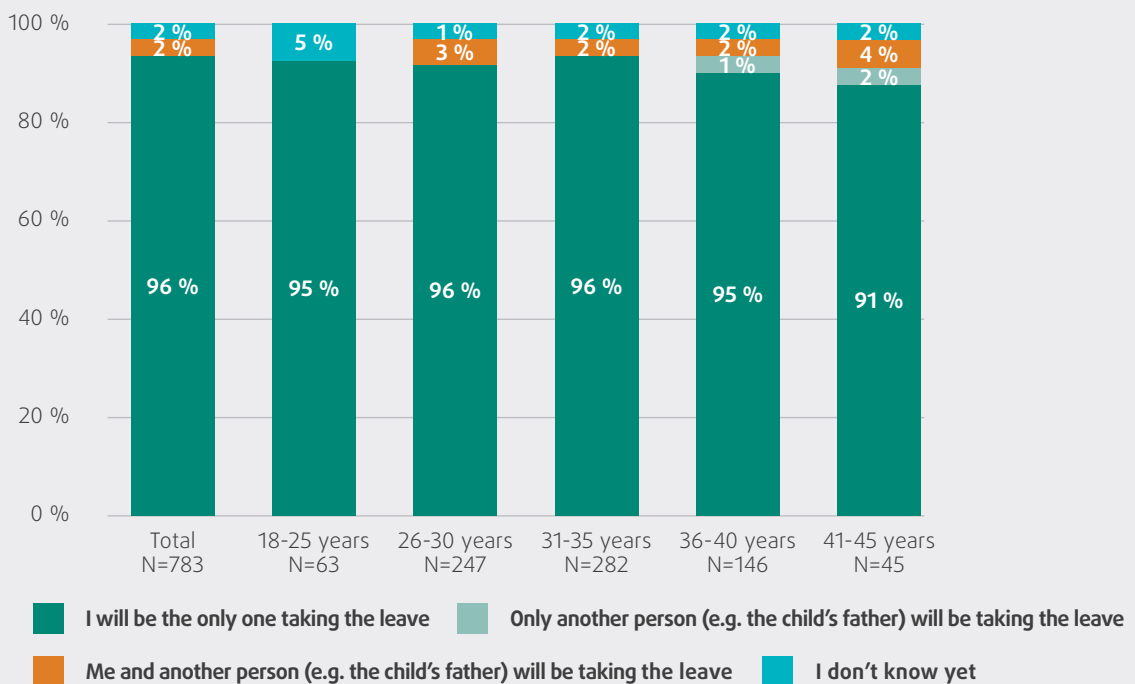
CHART 13 PERSON TAKING PARENTAL LEAVE (N=1194)



Wording of the question: "Who in your family is taking or has taken parental leave to care for your youngest child?"

Regarding the plan for future parental leave (see Chart 14), respondents mostly state that they will be the ones taking parental leave (96%). Women aged 26 to 30 display a slightly greater preference for taking parental leave together with another person (3%); the same applies to women aged 41 to 45 (4%).

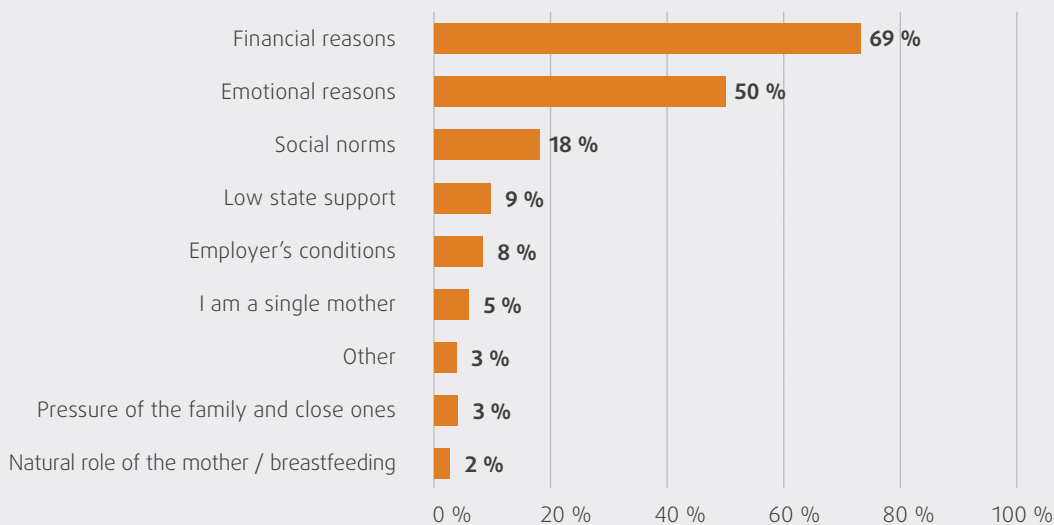
CHART 14 PLAN REGARDING FUTURE PARENTAL LEAVE (N=783)



Wording of the question: "What is your plan for the future regarding parental leave to care for your youngest child?"

The reasons influencing the decision on who will take parental leave are mainly financial (as reported by 69% of the women) (see Chart 15). Half of the women (50%) also state emotional reasons. Other reasons amount to only a small percentage. It follows from the answers that only rarely were the women pressured by their family and close ones to take parental leave. However, women aged 18 to 25 indicated more often low government support (16%) or family pressure (12%) as the reason for this choice. Women aged 26 to 30 were more likely to be influenced by social norms (24%). Financial reasons were most frequently mentioned by women aged 31 to 35 (77%).

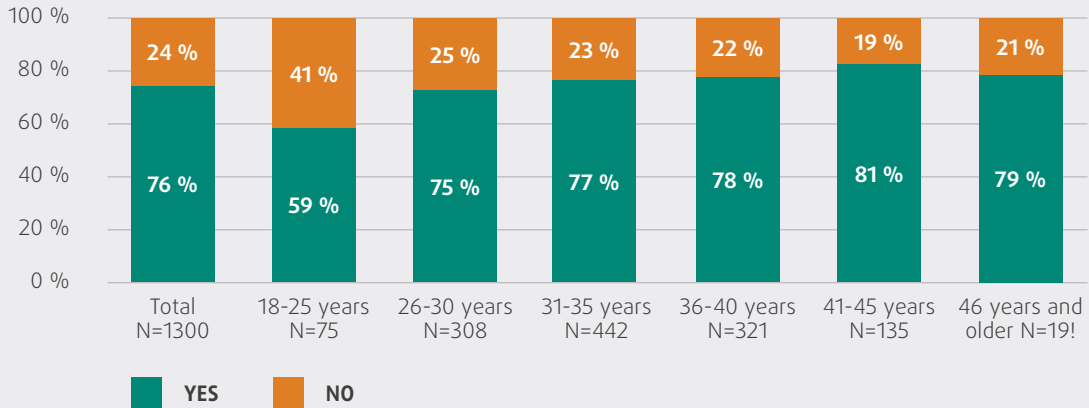
CHART 15 FACTORS INFLUENCING THE DECISION ON WHO WILL TAKE PARENTAL LEAVE (N=1300)



Wording of the question: "What factors have or had the greatest influence on deciding who (you or the child's father) is going to take parental leave and for how long?" Multiple options allowed.

Overall, more than three quarters of respondents (76%) reported that they felt a change in their employer's attitude after announcing their upcoming maternity or parental leave (see Chart 16). On the contrary, more than a fifth of respondents (24%) did not notice any change in the employer's attitude. The percentage of women who experienced such a change is significantly lower (59%) in the 18-25 age group. Women with university education experienced most often the change in their employer's attitude (81%). Although the HR specialists interviewed in the qualitative survey stated that motherhood was natural and dealing with employees taking maternity or parental leave was a matter of routine, women themselves felt a change in their employer's attitude towards them after they had notified them of the pregnancy.

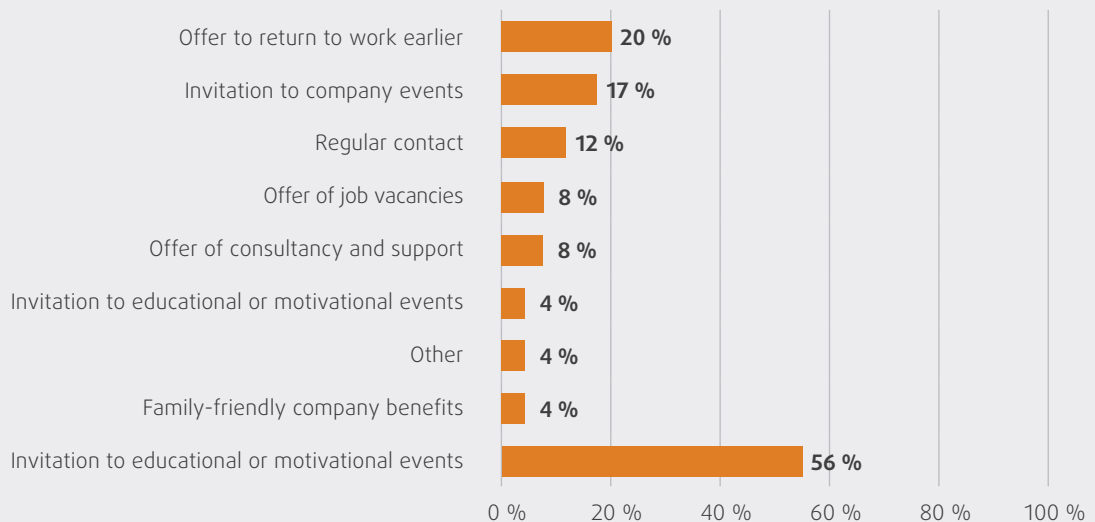
CHART 16 PERCEIVED CHANGE IN THE EMPLOYER’S ATTITUDE AFTER NOTIFICATION OF PREGNANCY (N=1300)



Wording of the question: “When you had informed your employer that you were pregnant and would be taking maternity and/or parental leave, did their attitude towards you and your work change in any way?”

Before or during maternity or parental leave, less than half of the women (44%) received an offer of some form of co-operation (see Chart 17). On the contrary, more than half of the women did not receive an offer of future co-operation before going on maternity or parental leave (56%). If the employer did approach the respondents with an offer, it was usually an offer to return to work earlier (20%). Some employers also invited them to take part in company events such as Christmas parties or teambuilding. Women living in the South Moravian Region (25%) were more likely to receive invitations to these events.

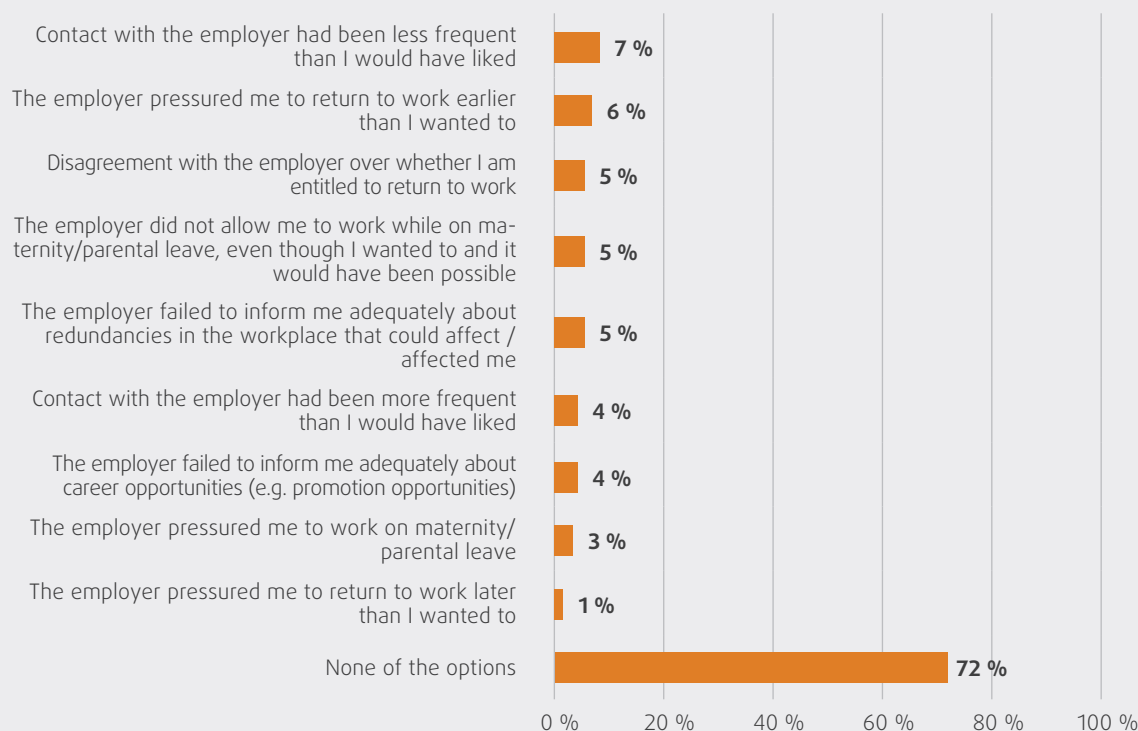
CHART 17 OFFER OF SUPPORT OR CO-OPERATION BEFORE TAKING MATERNITY/PARENTAL LEAVE (N=990)



Wording of the question: “Did your employer offer you any further co-operation or any of the following forms of support before or during your maternity/parental leave?” Multiple options allowed.

More than a quarter of the women (28%) had a negative experience with their employer during maternity or parental leave (see Chart 18). Most often (7% of respondents), they had been in contact with the employer less frequently than they would have liked.

CHART 18 EXPERIENCE WITH VARIOUS SITUATIONS IN CONTACT WITH THE EMPLOYER DURING MATERNITY OR PARENTAL LEAVE (N=990)

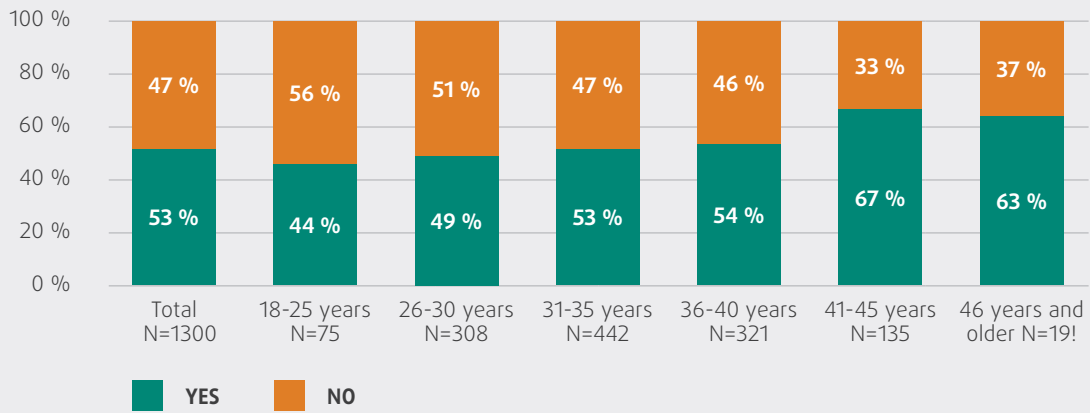


Wording of the question: "During your maternity or parental leave, did you encounter any of the following situations?" Multiple options allowed.

4. Returning to work after maternity and/or parental leave

We also asked whether the women were engaged in any paid work after the birth of their youngest child (see Chart 19). Approximately one half of the women were engaged in paid work (53%) and slightly fewer women were not (47%). Most women who reported that they did not perform any paid work were in the 18 to 26 (56%) and 26 to 30 (51%) age groups. The percentage of those who did not do any paid work after the birth of their youngest child decreases with age. This experience was more often reported by women with university education (60%) and less often by women with secondary education without a graduation certificate (42%). There are no significant differences in the responses in terms of the region or size of place of residence.

CHART 19 PERCENTAGE OF WOMEN ENGAGED IN PAID WORK AFTER THE BIRTH OF THEIR YOUNGEST CHILD (N=1300)

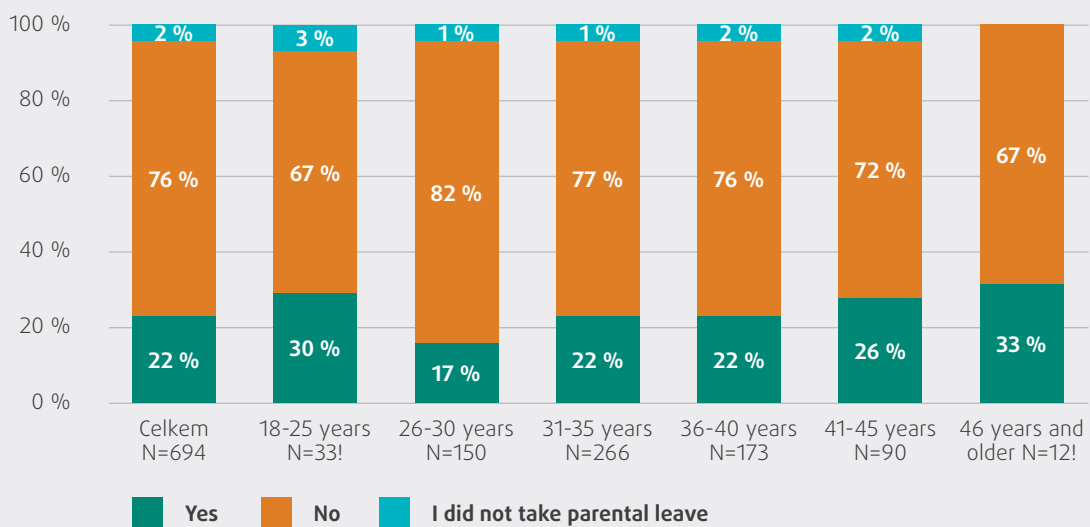


Wording of the question: "At any time after the birth of your youngest child, did you engage in any paid work (regardless of the type of work or its duration)?"

On average, the youngest child whose mother engaged in paid work (regardless of the type of work or its duration) was 15.2 months old, i.e. about a year and a quarter. The average age of the child increased with the age of the woman – for mothers aged 18 to 25, the average age of their child when they started paid work was 12.4 months, compared to 24.9 months for mothers aged 46 and more.

Around a fifth of the women (22%) had terminated their parental leave before their youngest child reached the age of three (see Chart 20). The percentage is slightly higher in the youngest and the oldest age groups, but again this is a very small sample, so the results are rather indicative.

CHART 20 PERCENTAGE OF WOMEN TERMINATING PARENTAL LEAVE BEFORE THEIR CHILD REACHES THREE YEARS OF AGE (N=694)



Wording of the question: "Did you terminate your parental leave taken to care for your youngest child before the child turned three?"

The most common reasons for women returning to work before the child reaches the age of three are poor financial situation and that they have managed to secure a place in a nursery or kindergarten (both reasons 44%) (see Chart 21). Other reasons are significantly less represented. The reasons mentioned by HR specialists during the qualitative interviews, such as a change in the family situation (e.g. divorce, break up or widowhood), were mentioned by only a minority of the women (3%). Emotional reasons, such as returning to work because the woman needed a change (22%) or felt socially isolated or degraded (22%), placed third and fourth. Women from the Central Bohemian Region (41%) and women living in municipalities with a population of less than 499 inhabitants (46%) were significantly more likely to report that their employment or business enabled them to balance their maternal and professional responsibilities. However, in the case of the two main reasons mentioned above, there were no significant differences in the women’s responses by age or by region.

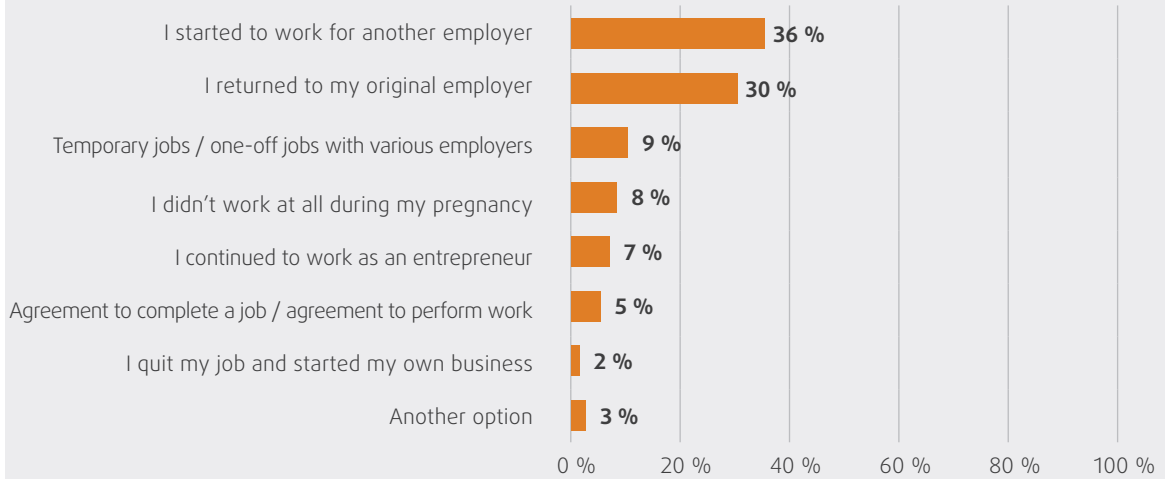
CHART 21 REASONS FOR TERMINATING PARENTAL LEAVE BEFORE THE CHILD REACHES THE AGE OF THREE (N=153)



Wording of the question: “What were your reasons for terminating the parental leave before your child reached three years of age?” Multiple options allowed.

If a woman performed paid work after the birth of her youngest child, most often she worked for another employer (36%) (see Chart 22). Less than a third of the women returned to their original employer (30%). Other options were significantly less frequent. Entrepreneurs from Prague were most likely to continue in their business or work as self-employed (14%).

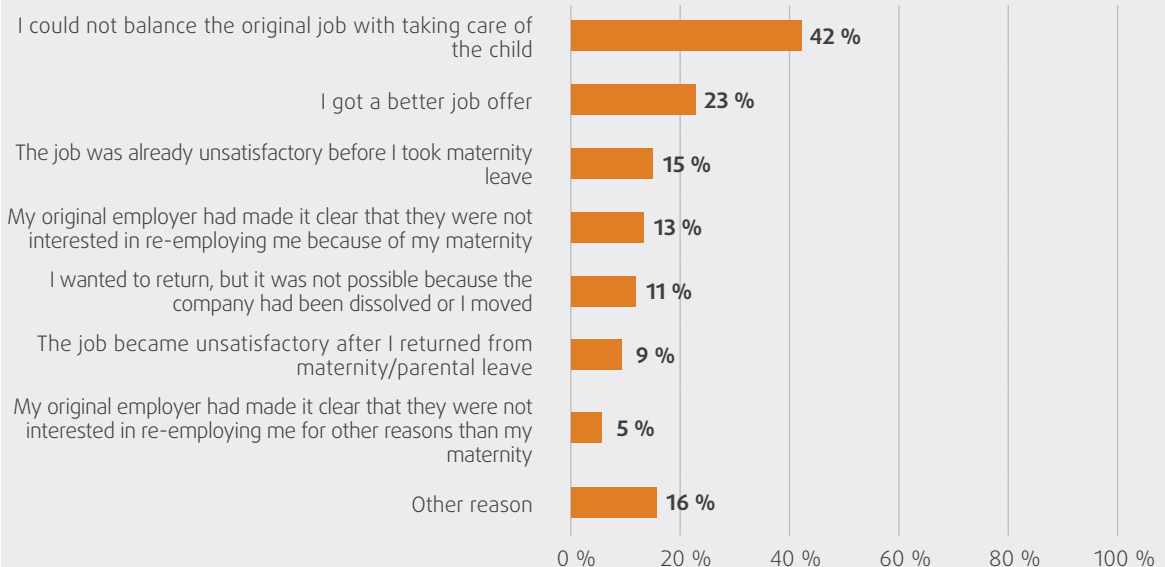
CHART 22 TYPE OF WORK AFTER THE BIRTH OF THE YOUNGEST CHILD (N=694)



Wording of the question: "When you started paid work after the birth of your youngest child, what was the type of work?"

According to the respondents, the main reason for accepting an offer from another employer was that they could not balance the original job with taking care of the child (42%), (see Chart 23). The second most common reason was that they received a better offer from another employer (23%). Other external reasons were much less frequent. Less than 13% of the women stated that their original employer had lost interest in them due to their motherhood.

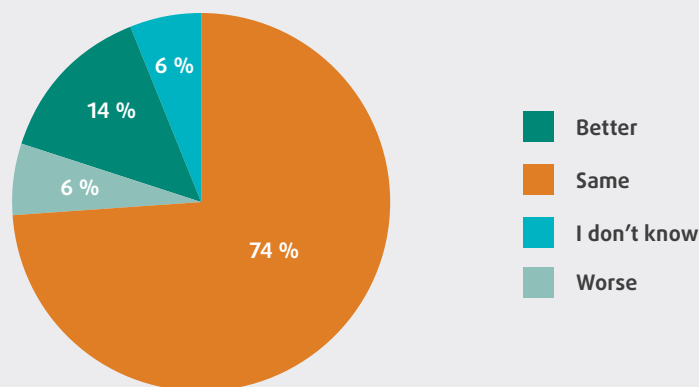
CHART 23 REASONS WHY THE WOMEN DID NOT CONTINUE WORKING FOR THEIR ORIGINAL EMPLOYER (N=262)



Wording of the question: "After the birth of your youngest child, why did you not continue working for the same employer you had worked for before your maternity or parental leave?" Multiple options allowed.

Women who had returned to work with the same employer after the birth of their youngest child were asked if there had been any change in the employer's attitude towards them when compared with the time before pregnancy and motherhood (see Chart 24). Almost three quarters of the women responded that their employer's attitude had not changed. About a tenth of them even claimed that they were now treated better than before. A relatively small percentage of the women (6%) were treated worse.

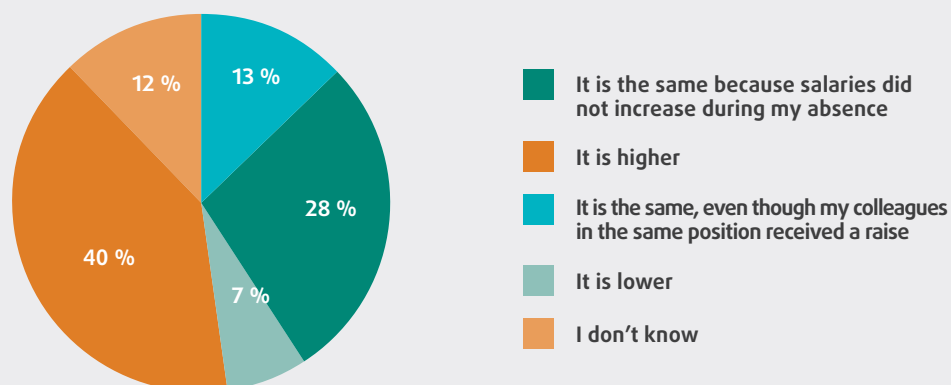
CHART 24 EMPLOYER'S BEHAVIOUR AFTER THE WOMAN RETURNED TO WORK (N=210)



Wording of the question: "When you returned to work after the birth of your youngest child, how did your employer treat you compared to the period before your pregnancy and motherhood?"

After returning from maternity or parental leave after the birth of their youngest child, a majority of the women were paid better than before (see Chart 25). Their average hourly rate increased compared to the period before their maternity or parental leave (as stated by 40% of women). Salary of those that had not received a pay raise most often stayed the same because salaries had not increased in general (28%). However, it is also worth noting that significant percentage of the women (13%) did not receive a raise despite the fact that their colleagues in the same position had been given a raise in the meantime. The salaries of another group of women (7%) even decreased after they had returned to work.

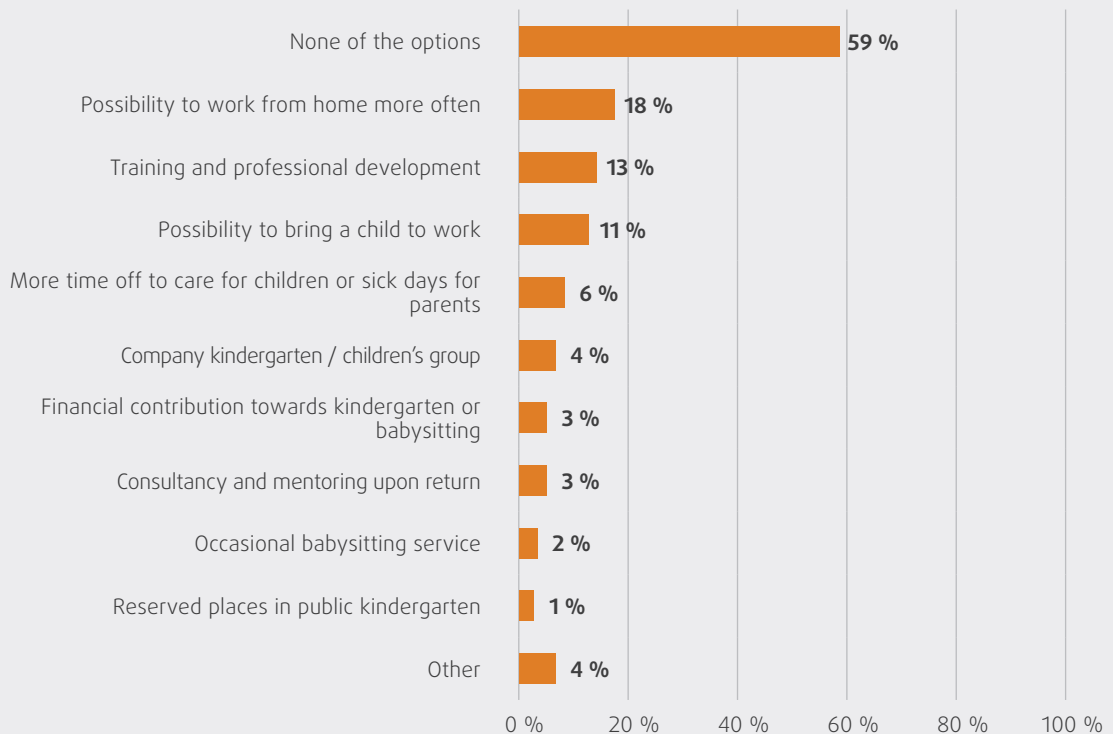
CHART 25 CHANGE IN THE HOURLY RATE AFTER THE WOMAN'S RETURN TO WORK (N=210)



Wording of the question: "How did your average hourly rate change when you returned from maternity or parental leave after the birth of your youngest child compared to the period before your maternity or parental leave?"

Women who were returning to work after maternity or parental leave were asked whether their employer had offered any forms of support to facilitate their return (see Chart 26). A majority of respondents said that their employer had not made any such offer (59%). The most frequent offers, if any, consisted in facilitating working from home for parents (18%), education and personal development programmes (13%), or the possibility to bring a child to work (11%). Other forms of assistance were significantly less frequent. Less than 5% of employees stated they had the option to use a company kindergarten or children’s group.

CHART 26 OFFER OF FORMS OF SUPPORT TO FACILITATE WOMEN’S RETURN TO WORK (N=472)



Wording of the question: “When you started working after maternity/parental leave, did your employer offer you any of the following forms of support to facilitate your return?” Multiple options allowed.

5. Work-life balance measures and support for women by employers

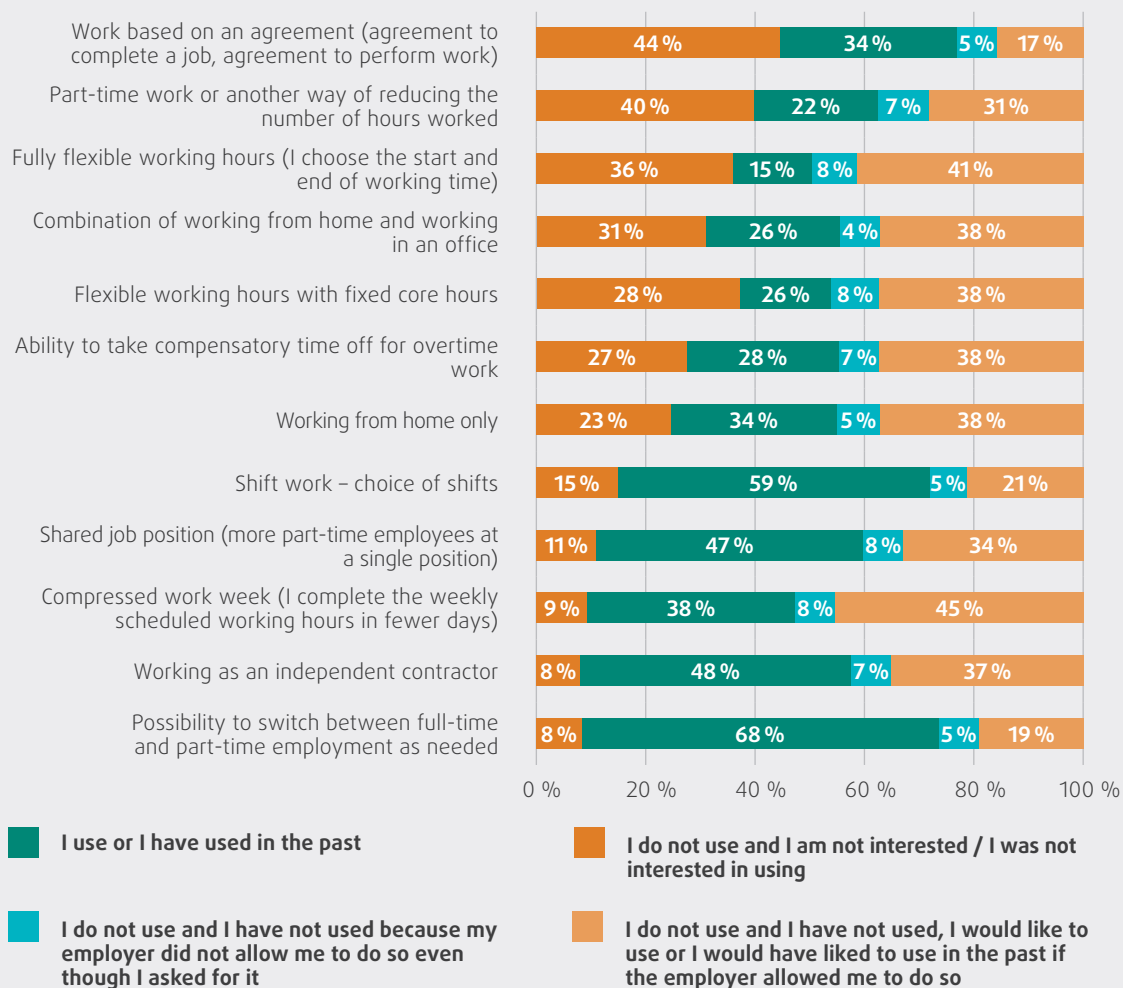
The next part of the survey focused on experience with various work-life balance measures that employers can offer.

Of these measures, the respondents most often mentioned work based on an agreement outside employment (agreement to complete a job, agreement to perform work), which is or has been used by 44% of them. This is followed by part-time work or another way of reducing the number of hours worked, which has been or is used by 40 % of the respondents. Fully flexible working hours (when the employee chooses the start and end of working time) have been or are used by 36% of them. Least often women mentioned work as an independent contractor (8%), the possibility to switch between full-time and part-time employment as needed (8%), and

compressed work schedule (weekly scheduled working hours compressed to fewer days) (10%). In the case of compressed work schedule and fully flexible working hours, employees also most often said that they did not use these measures but would be interested if the employer offered them (45% and 41%, respectively). The interest in work-life balance measures is generally quite high – up to a third of the women who did not use any of these measures would be willing to do so if their employer gave them the opportunity. This suggests that there are significant gaps in the employers’ offer of work-life balance measures.

However, not all work-life balance measures are similarly appealing. There is low interest in working as an independent contractor (68%), the choice of shifts in shift work⁷² (59%), the possibility to switch between full-time and part-time employment as needed (48%), and a shared job position (more part-time employees at a single position) (48%).

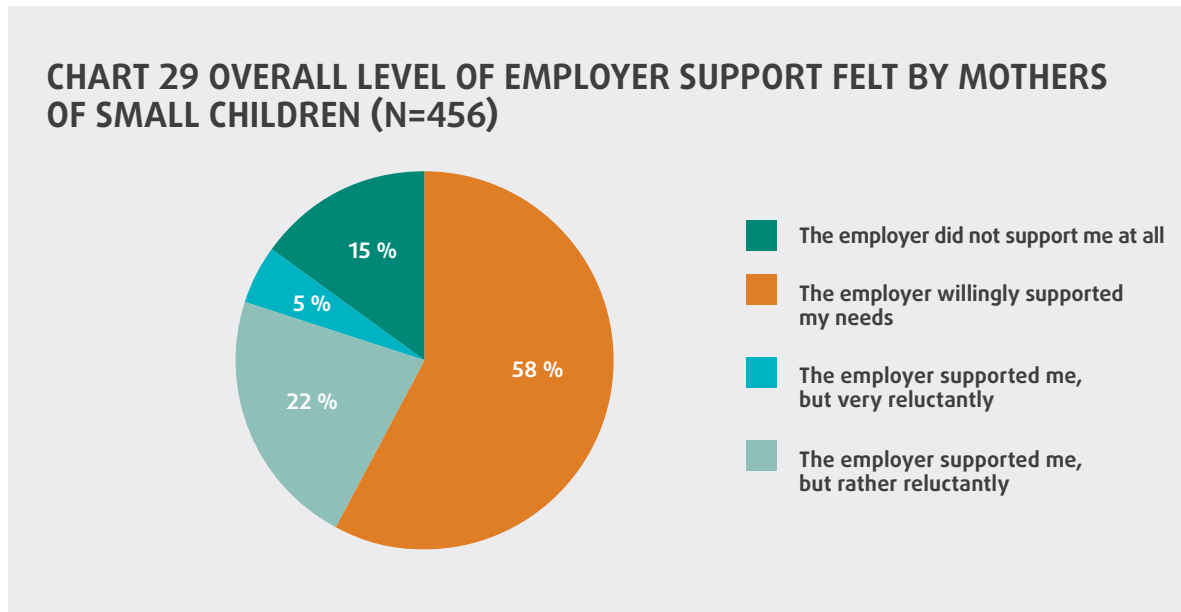
CHART 28 USE OF WORK-LIFE BALANCE MEASURES (N=834)



Wording of the question: “Are you currently using or have you used any of the following measures to balance work and personal life?”

72 The respondents did not indicate whether they worked in shifts. It is therefore not clear for how many of them the benefits of shift work might be relevant.

When asked to rate the overall support they received from their employer as mothers of small children, more than half of the women reported that their employer had willingly supported them (58%) (see Chart 29). This is followed by a group of women who had been supported by their employer, but rather or definitely reluctantly (27%). And less than 15% of the women had not been supported by their employer at all. There are no significant differences in the willingness of employers to support an employee among age groups or regions.

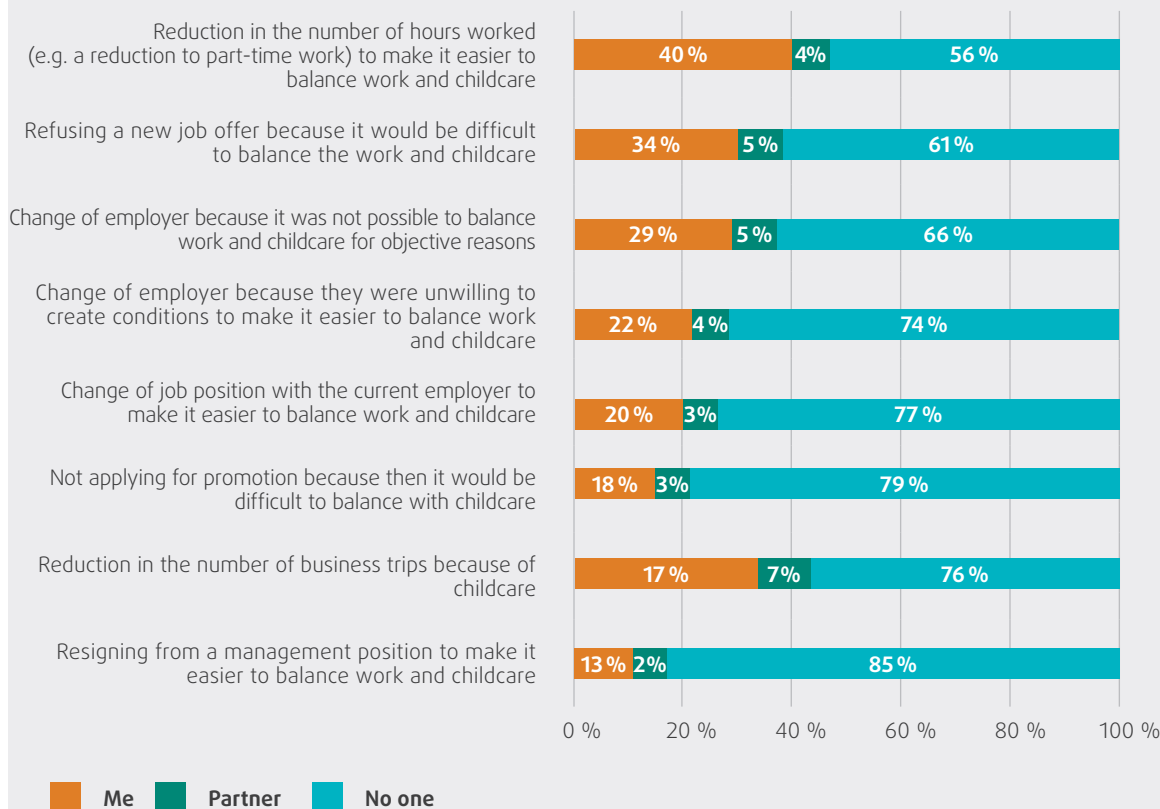


Wording of the question: “How would you rate the overall level of support you receive from your current employer as a mother of a small child?”

The majority of the women who are currently caring for a child under the age of six while working report that neither they nor their partner have made any adjustments in their career paths to care for the child (see Chart 30). If they have done so, the most common adjustment was a reduction in the number of hours worked on the part of the woman (e.g. a reduction to part-time work) to make it easier to balance work and childcare (40%) or refusing a new job offer because it would be difficult to balance the work and childcare (34%).

According to the respondents, their partners have very rarely adjusted their career to care for the child. Forty-two per cent of the women have made at least one career adjustment, as compared to only 12% of their partners.

CHART 30 CAREER ADJUSTMENTS MADE BY THE WOMEN AND THEIR PARTNERS (N=834)

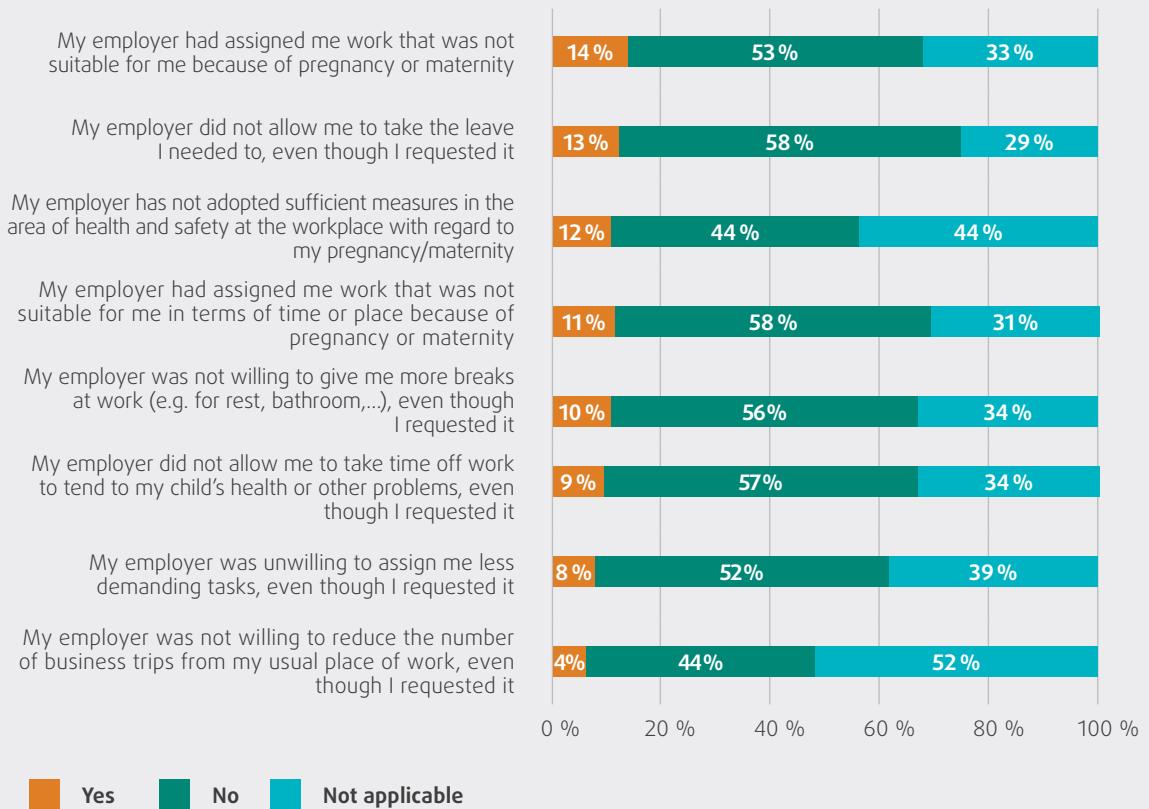


Wording of the question: "Have you or your partner made any of the following adjustments in your careers while you were caring for at least one child under the age of six?"

6. Experience with unequal treatment at the workplace

The next part focused on experience of women caring for a child under the age of six with unequal treatment. First, we asked the women whether they had any experience with various kinds of inconvenient situations caused by the employer that might make it difficult for them to work during pregnancy or care for their children (see Chart 31). The results show that there are some cases of such behaviour. A fifth of respondents have experienced situations where their employer did not allow pregnant women or women caring for young children to modify their working duties. Most often, they were assigned work that was not suitable for them because of their pregnancy or motherhood (14%) and were not allowed to take leave as they needed (13%). It cannot be concluded that these problems are of a widespread nature, and this rather appears to be the practice of some employers; in any case, such situations still occur.

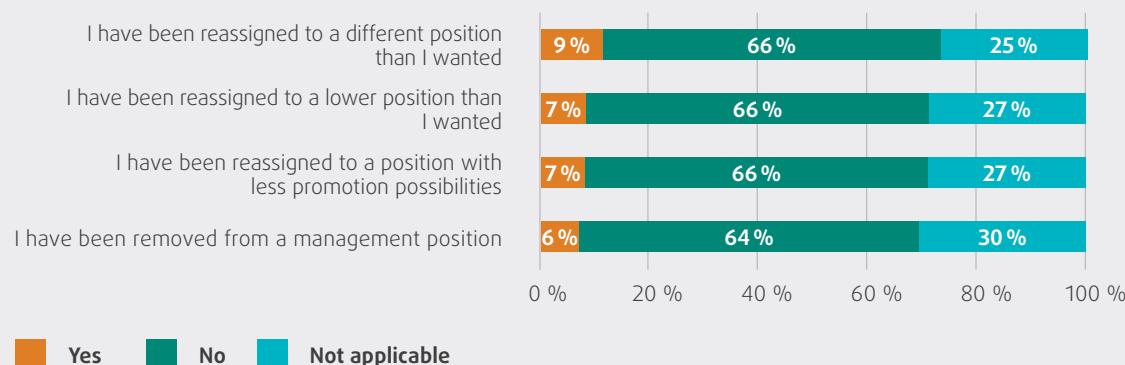
CHART 31 EXPERIENCE WITH INCONVENIENT SITUATIONS CAUSED BY THE EMPLOYER (N=834)



Wording of the question: "Have you experienced any of the following situations during your pregnancy and/or while caring for at least one child under the age of six?"

A small proportion of respondents (8% on average) have experienced negative changes in their job position (probably or certainly because of their pregnancy or motherhood) (see Chart 32). At least one of the possible negative changes, be it reassignment to a different or worse position or removal from a management position, was mentioned by less than a tenth of the women. While this is clearly not a widespread practice, it is not entirely exceptional either.

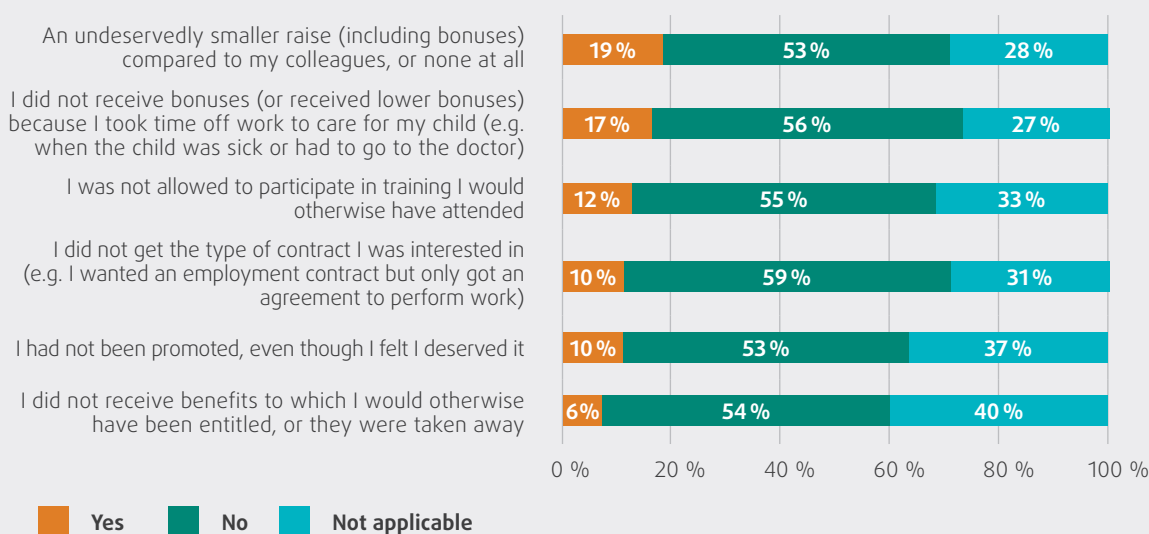
CHART 32 EXPERIENCE WITH UNWANTED CHANGES RELATED TO THE JOB POSITION (N=834)



Wording of the question: “Have you personally experienced any of the following unwanted changes to your job position or job description while you were pregnant or caring for at least one child under the age of six, probably or certainly because of your pregnancy or motherhood?”

The women were also asked whether they had faced worse treatment than other employees because of pregnancy or motherhood (see Chart 33). They reported two types of situations that they had often experienced. First was an undeservedly smaller raise (including bonuses) compared to their colleagues, or no raise at all (19%). Second, 17% of the women reported that they had not received bonuses (or received lower bonuses) because they had taken time off work to care for their child (e.g. when the child was sick or had to go to the doctor). The HR specialists interviewed in the qualitative part also mentioned that there was certain imbalance in the women’s remuneration and the women’s answers confirmed this. Moreover, it was no exception if the women were refused further training, promotion or the type of contract they were interested in. Up to one tenth of the women who care for a child under the age of six while working have experienced these situations.

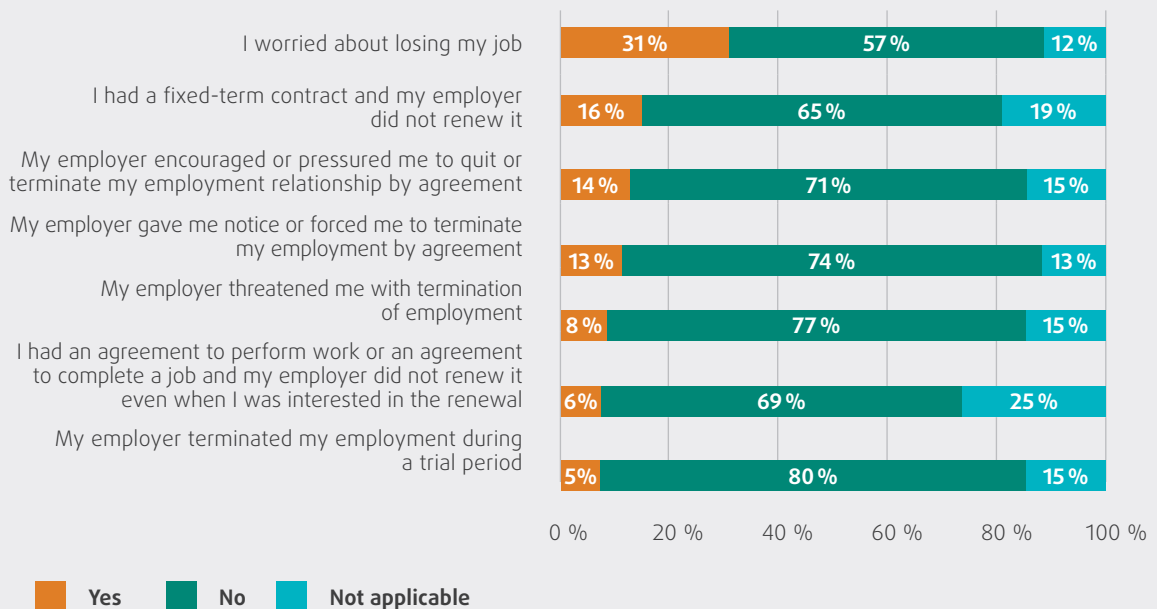
CHART 33 PERCEIVED LESS FAVOURABLE TREATMENT OF THE WOMEN BY EMPLOYERS (N=834)



Wording of the question: “Have you personally experienced that your employer treated you less favourably than other employees while you were pregnant or caring for at least one child under the age of six, probably or certainly because of your pregnancy or motherhood?”

Another reported manifestation of perceived less favourable treatment of women caring for small children is the termination of co-operation (see Chart 34). Almost one third of the women surveyed who are caring for a small child/children are worried about losing their job because of their pregnancy or motherhood. Approximately one in six women (16%) has personal experience with not having her fixed-term contract extended by her employer, even though she was interested in an extension; approximately one in seven women (14%) has been pressured by her employer to terminate the employment by agreement and one in eight has actually received a termination notice or has terminated her employment by agreement after being pressured by the employer to do so (13%). The remaining concerns or situations were mentioned less frequently.

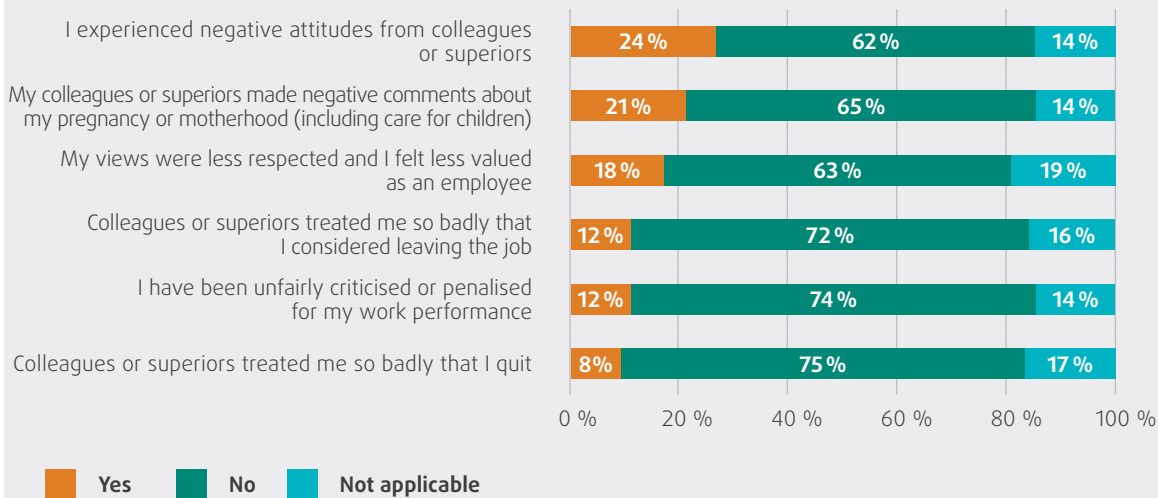
CHART 34 CONCERNS ABOUT LOSING A JOB AND EXPERIENCE WITH TERMINATION OF EMPLOYMENT (N=834)



Wording of the question: "Have you personally worried about losing your job or has your employment been terminated while you were pregnant or caring for at least one child under the age of six, probably or certainly because of your pregnancy or motherhood?"

Various negative attitudes and inappropriate behaviour directed against employees caring for small children may appear at the workplace (see Chart 35). It turns out again that a significant number of the women have experienced negative attitudes or behaviour directed against them. Women most often report that they felt negative attitude from their colleagues or superiors because of their pregnancy or motherhood (24%). They also report that colleagues or superiors had unpleasant comments about their pregnancy or motherhood (including childcare); 21% of the women experienced this problem. The third most frequently reported workplace issue is a situation where the views of women caring for children are less respected and they feel less valued as employees (18%).

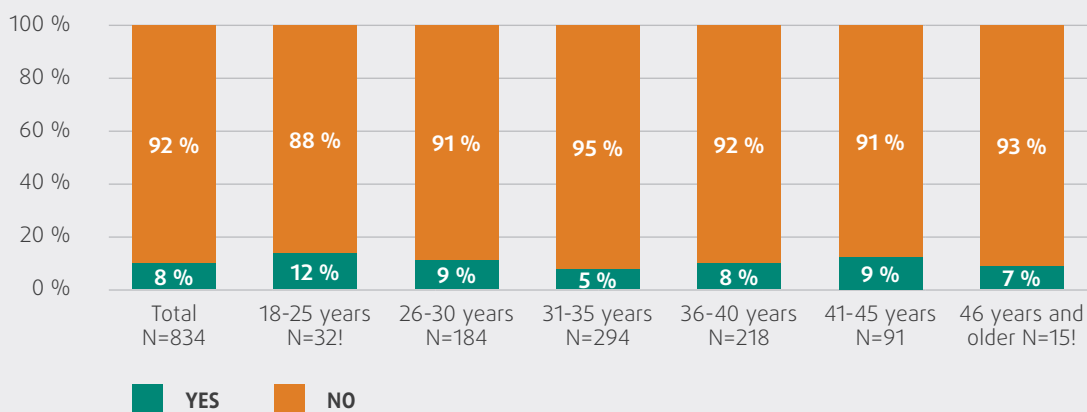
CHART 35 EXPERIENCE WITH MANIFESTATIONS OF NEGATIVE WORK ENVIRONMENT (N=834)



Wording of the question: “Have you personally experienced any of the following manifestations of unpleasant work environment while you were pregnant or caring for at least one child under the age of six, probably or certainly because of your pregnancy or motherhood?”

In addition to these manifestations of less favourable treatment in the workplace, the women were asked whether they had encountered any other problems due to their pregnancy or motherhood. Only a small percentage of the women mentioned other problems as well (see Chart 36). These mostly concerned the employer not allowing them to benefit from flexible or shorter working time, and workplace bossing and bullying; however, these cases are rather exceptional.

CHART 36 EXPERIENCE WITH ANOTHER SITUATION WHERE A WOMAN WAS TREATED LESS FAVOURABLY BECAUSE OF HER PREGNANCY OR MOTHERHOOD (N=834)



Wording of the question: “During your pregnancy or after returning from maternity/parental leave, did you experience other situations where you were treated less favourably at work or during job search (because of your pregnancy/motherhood)?”

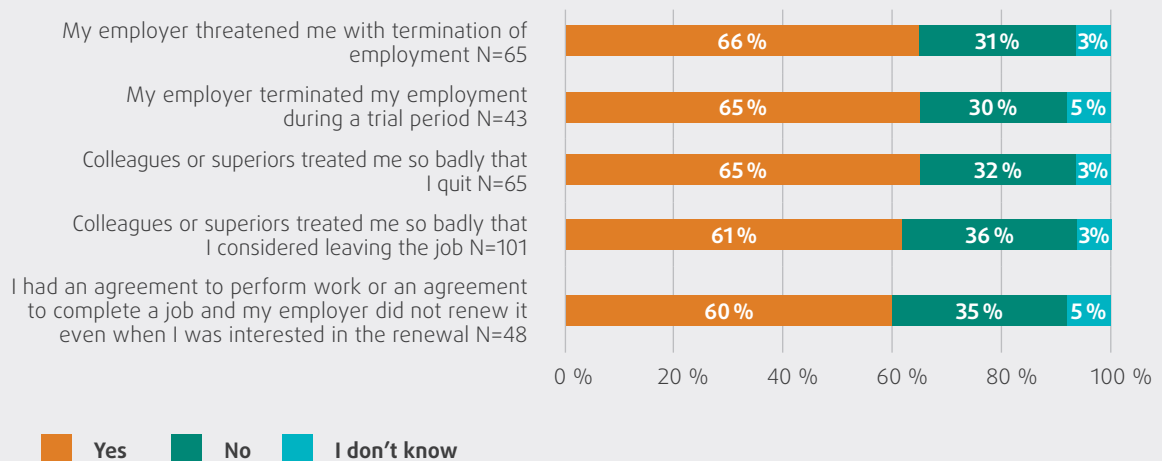
7. Women's defence against unequal treatment

In the previous parts of the questionnaire, women caring for small children were asked about various unpleasant situations and behaviour on the part of their colleagues or supervisors. This section therefore focuses on whether the women had addressed these situations in any way, to whom they turned for help and what was the outcome. For each situation, they were asked whether they had tried to resolve the issue, either formally or informally.

Of all the women who had experienced any of these situations, 35% of them decided to address at least one of them. In contrast, 65% of women who had a negative experience did not deal with the situation any further. Below, we list five situations that the women had decided to address most often (see Chart 37) and, in contrast, five situations that the women chose to address least often (see Chart 38). For each situation or option, the number of women who selected it is indicated by the letter N, so it is necessary to analyse the results in the context of the size of each group.

Situations that the women had decided to address most often concerned the actual or potential termination of employment (see Chart 37). Up to 66% of the women decided to take action when their employer threatened them with termination of the employment. A majority of the women also addressed the situation when their employer had terminated their employment during the trial period (65%). Another situation that the women tried to resolve was less favourable treatment by colleagues or superiors which could cause them to contemplate leaving their job or was the actual reason for leaving the job.

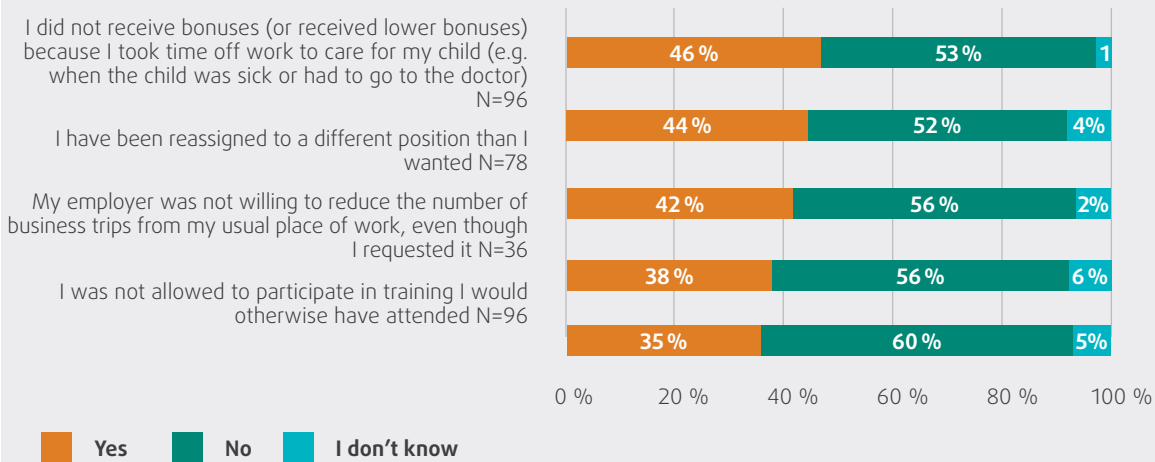
CHART 37 FORMAL OR INFORMAL RESOLUTION OF LESS FAVOURABLE TREATMENT BY THE EMPLOYER: MOST COMMON SITUATIONS



Wording of the question: „Q44. Did you discuss this treatment with anyone, whether formally or informally?“

The respondents least often decided to address any treatment related to a change in their position, training or adjusting the conditions to balance work and childcare (see Chart 38). When assigned to a lower position than they wanted, 35% of the women addressed the situation, while 60% of the women did not. If they were not allowed to participate in training despite their interest, 38% of the women addressed this practice, but the majority (56%) did not do so, neither formally nor informally.

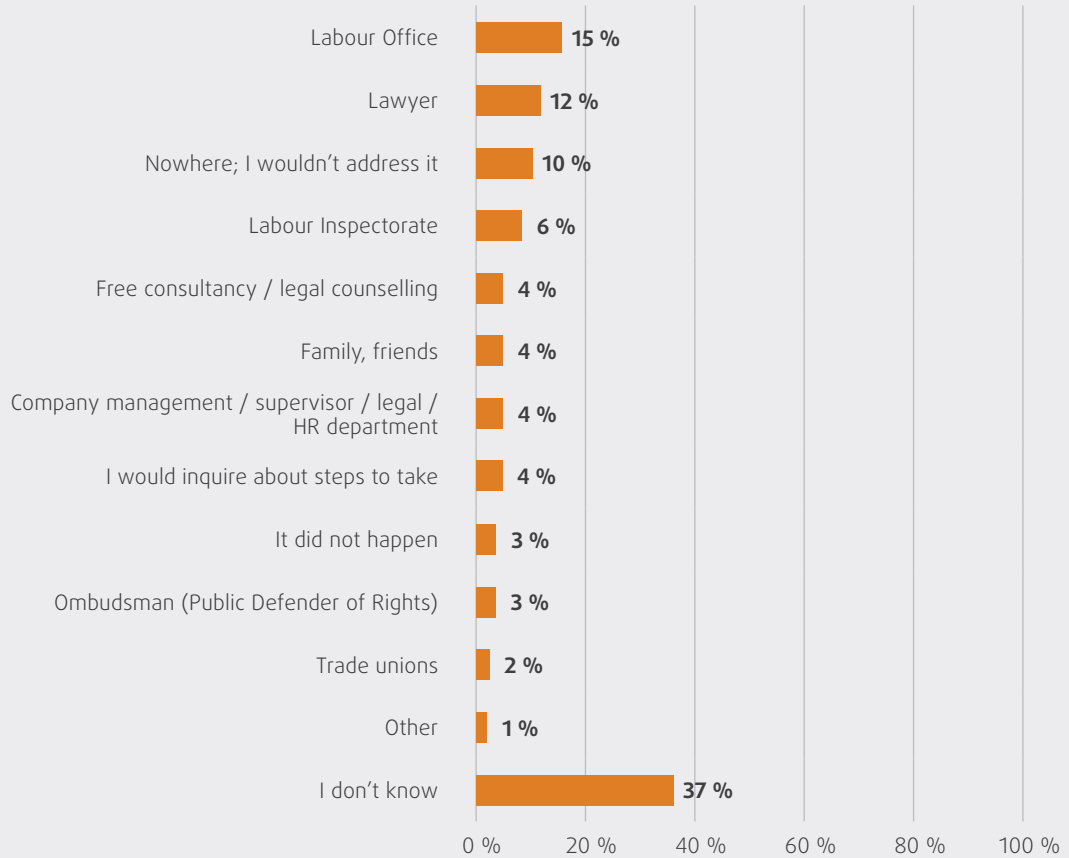
CHART 38 FORMAL OR INFORMAL RESOLUTION OF LESS FAVOURABLE TREATMENT BY THE EMPLOYER: LESS FREQUENTLY ADDRESSED SITUATIONS



Wording of the question: "Did you discuss this treatment with anyone, whether formally or informally?"

Women with small children who had no personal experience with less favourable treatment by their employer were asked to whom they would turn for help if necessary (see Chart 39). The result demonstrates a lack of awareness of the defence options. More than a third of the women stated that they did not know where to seek help. The most frequently mentioned organisation that women would turn to is the labour office (15%), followed by a lawyer (12%).

CHART 39 CONSIDERED OPTIONS FOR SEEKING HELP IN THE CASE OF LESS FAVOURABLE TREATMENT AT WORK (N=471)

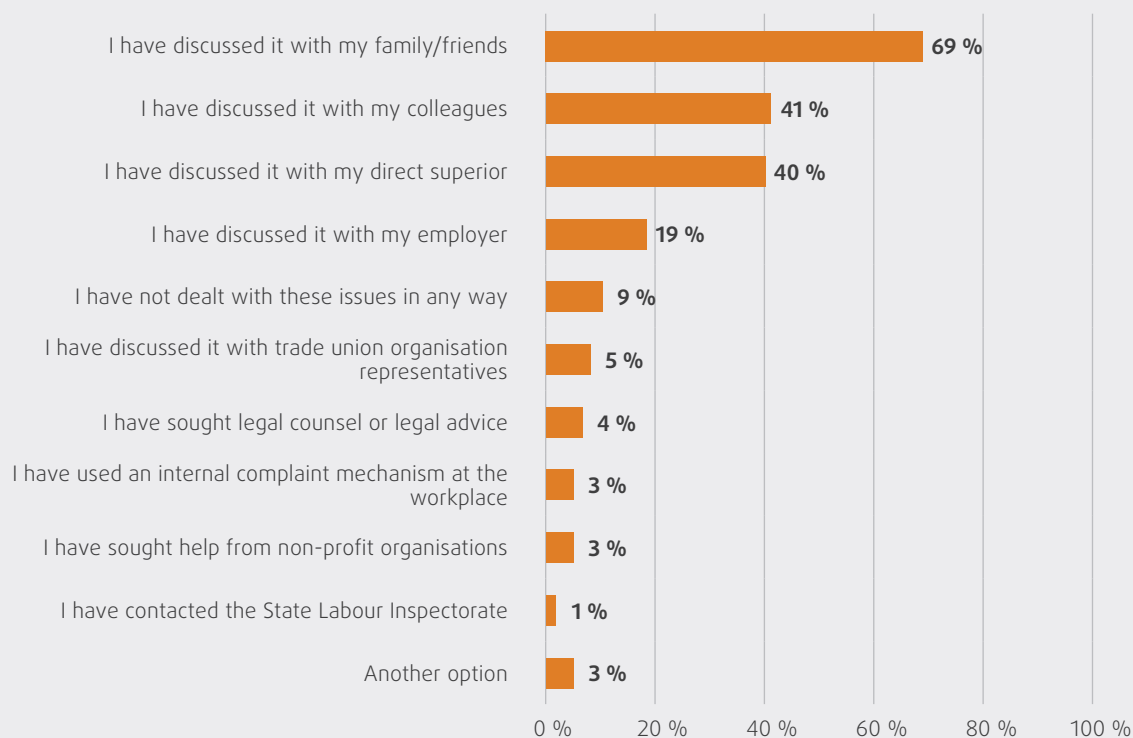


Wording of the question: "Q45. If you were ever treated less favourably at work or during job search because of your pregnancy/motherhood, who would you turn to for legal help?"

Note: Only options that scored at least 1% are shown in the chart.

Women who had experienced less favourable treatment at work reported that they had discussed the problem mainly with their family and friends (69%) (see Chart 40). Another large group consists of women who shared the problem with their colleagues at work (41%), and third, women who discussed the situation with their superior (40%). Significantly less frequently (less than 5% in each case), the respondents mentioned other forms of assistance, such as hiring a lawyer, contacting a non-profit organisation, the State Labour Inspectorate, the Public Defender of Rights or the court.

CHART 40 WAYS OF DEALING WITH LESS FAVOURABLE TREATMENT AT THE WORKPLACE (N=359)

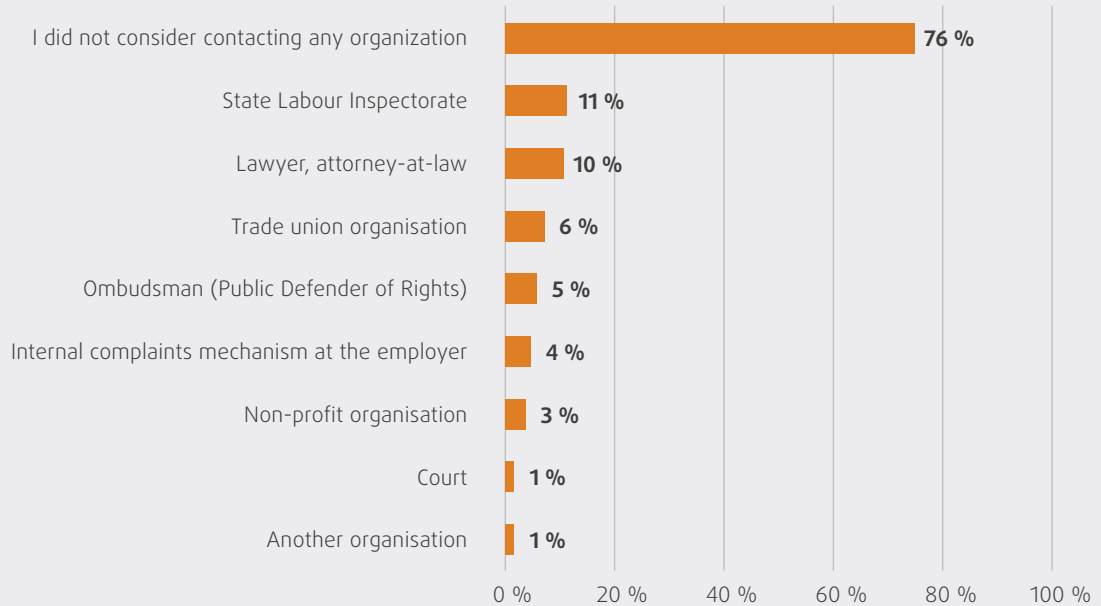


Wording of the question: “How did you deal with these issues and with whom did you discuss them?”
Multiple options allowed.

Note: Responses by women who said they had experienced less favourable treatment by their employer.

Subsequently, women who responded to the previous question in that they had not used any of the institutionalised forms of assistance (they had not contacted a trade union, lawyer, court, Public Defender of Rights, State Labour Inspectorate, non-profit organisation and had not used an internal complaint mechanism at the workplace) were asked whether they had at least considered these options. Chart 41 shows that more than three quarters of them had not considered them. There were no differences in the responses across age groups or by size of place of residence. Women from the South Bohemian Region (22%) were more likely to contact a trade union organisation.

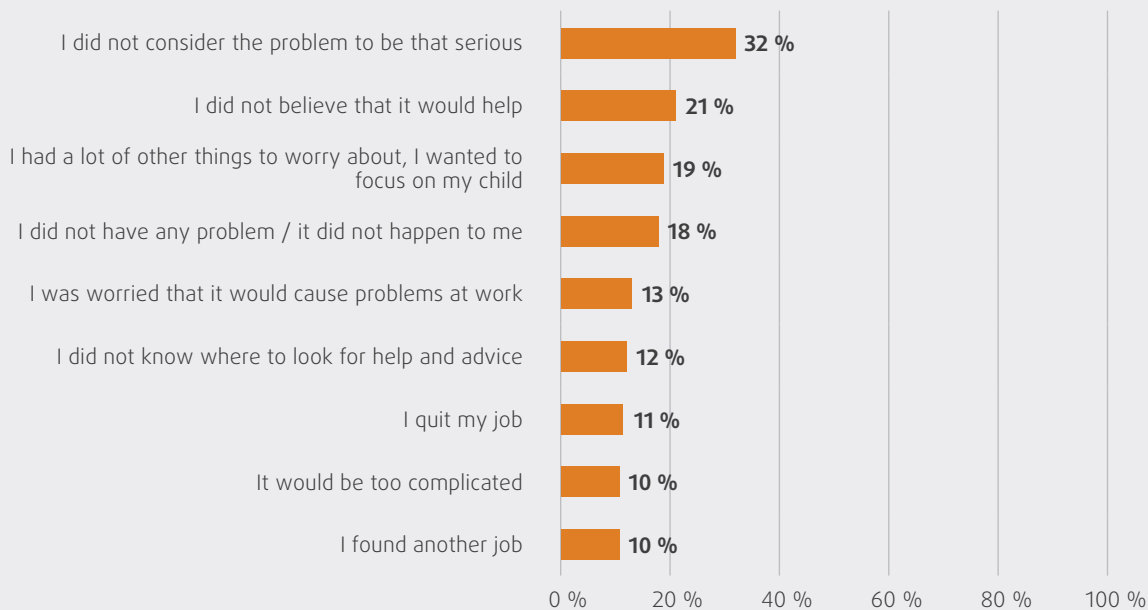
CHART 41 CONSIDERATION OF SELECTED OPTIONS FOR SEEKING HELP IN THE CASE OF LESS FAVOURABLE TREATMENT AT WORK (N=796)



Wording of the question: "In relation to problems at work because of your pregnancy or motherhood, did you consider contacting:" Multiple options allowed.

If the woman had not contacted any organisation to seek help regarding less favourable treatment at work, we asked why she had not done so (see Chart 42). As the main reason, the women stated that they had not considered the problem to be that serious (32%). Second, the women did not believe that reporting the problem would help (21%). The third most common reason was that employees did not have the capacity to address the situation when caring for a child (19%). Women aged 26 to 30 more often thought that addressing the situation would be too complicated (17%). They were also concerned about the financial costs (14%). Women aged 46 and older resolved the situation by finding another job (36%). Otherwise, there were no significant differences in women's reasons in terms of size of place of residence or education.

CHART 42 REASONS FOR NOT ADDRESSING THE SITUATION (N=796)



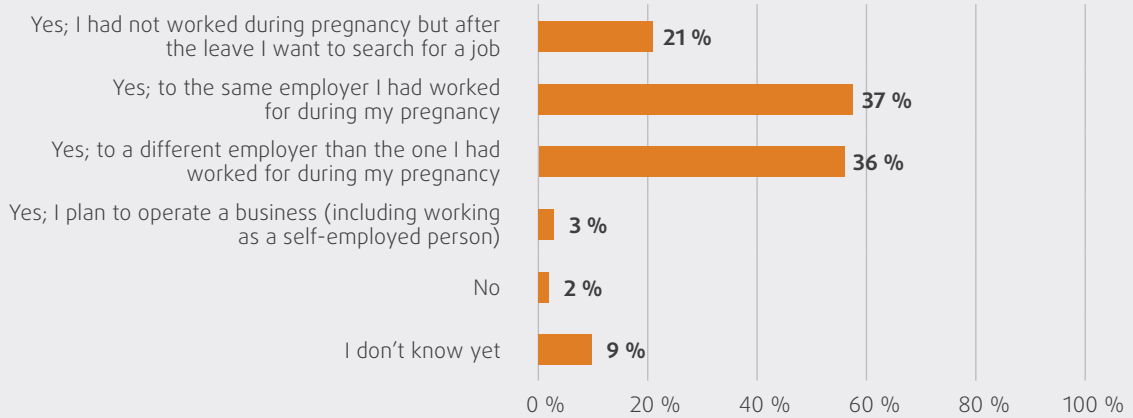
Wording of the question: "Why didn't you address the situation?" Multiple options allowed.

8. Future plans for work

The penultimate part of the quantitative survey focused on women who were currently on maternity or parental leave and were not engaged in paid work. The aim was to find out whether and under what conditions they planned to return to work and whether they faced any obstacles. Next, we inquired into how their decisions to return to work were influenced by the attitude of their employers.

As shown in Chart 43, almost all women planned to return to work after maternity or parental leave, but not necessarily to the same employer. More than a third of the women planned to return to their original employer (37%) and a similar percentage planned to work for another employer (36%). Women in the 18 to 25 age group were more likely to report that they had not worked during pregnancy but currently wanted to search for a job (36%); these women mostly had primary education, whether complete or incomplete (44%). Women with university education were significantly more likely to want to return to their original employer (47%).

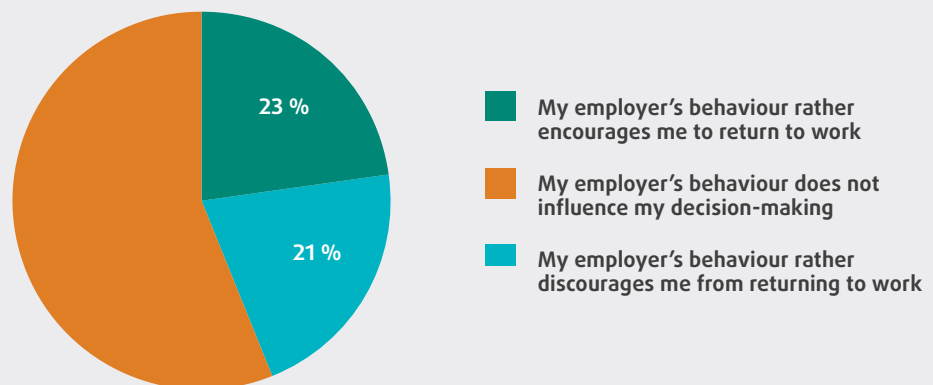
CHART 43 PLANS FOR RETURN TO WORK AFTER MATERNITY/PARENTAL LEAVE (N=672)



Wording of the question: "Are you planning to return to work after maternity or parental leave?" Multiple options allowed.

More than half of the women reported that their decision to return to their original job was not influenced by their employer's behaviour towards them (56%) (see Chart 44). A fifth of the women stated that their employer's behaviour encouraged them to return. However, almost as many (21%) said that the employer's behaviour tended to discourage them from returning.

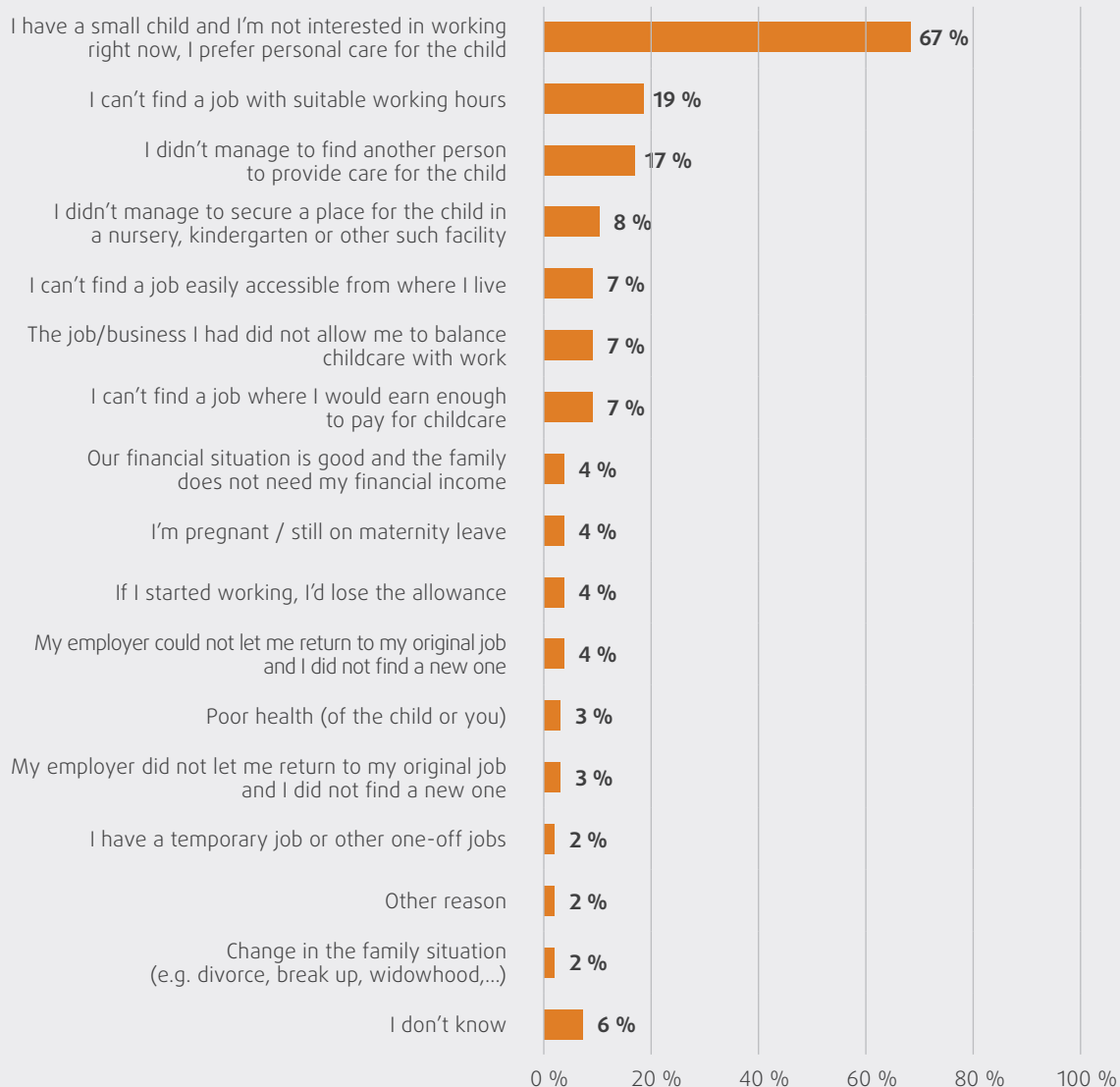
CHART 44 INFLUENCE OF THE EMPLOYER'S BEHAVIOUR ON THE WILLINGNESS TO RETURN (N=672)



Wording of the question: "To what extent does (did) your employer's behaviour during pregnancy or maternity/parental leave influence your decision to return to work?"

If the women are currently not engaged in any paid work, this is most often because they are caring for a small child and want to devote their full attention to that care (67%) (see Chart 45). However, almost a fifth of the women is unable to find a job with suitable working hours (19%) or find another person to provide care for the child (17%). Other reasons were significantly less frequent. Women aged 18 to 25 (11%) with primary education are more worried about losing their social benefits. The rest of the women do not significantly differ in their responses by age or any other parameter.

CHART 45 REASONS WHY WOMEN ARE CURRENTLY NOT WORKING (N=838)



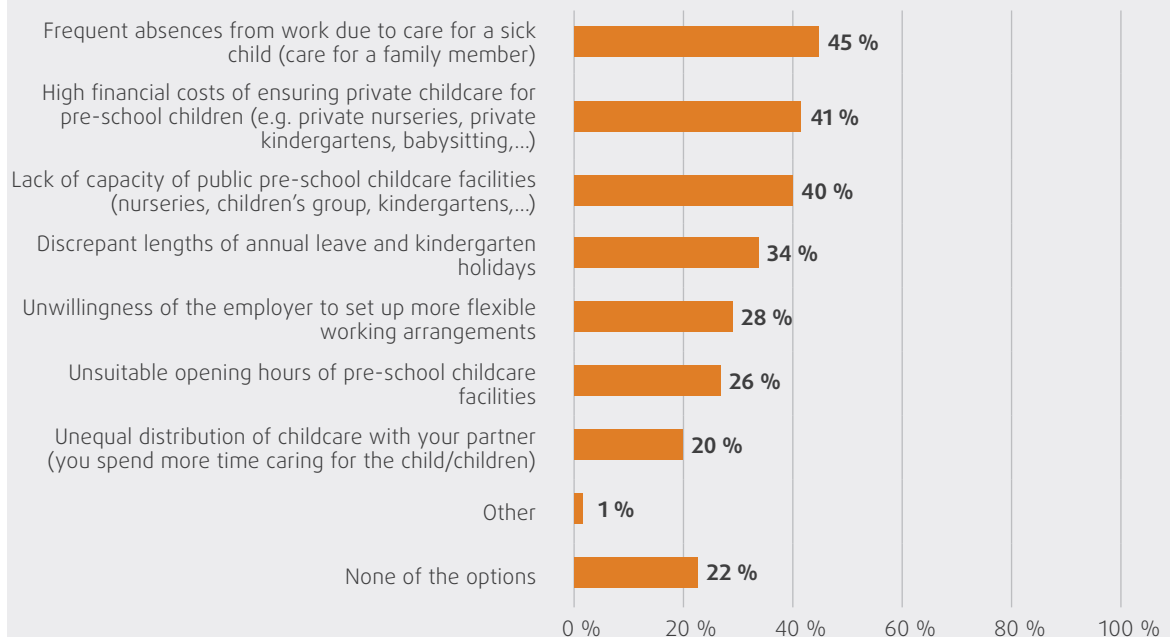
Wording of the question: "Which of the following is the reason why you currently do not perform paid work?" Multiple options allowed.

9. Perceived impact of motherhood on the career and the division of labour and gender roles

Mothers face many challenges in their efforts to return to work while caring for their family. Therefore, we asked which obstacles they personally faced now or had faced in the past (see Chart 46). The most common problem, mentioned by almost half of respondents, were frequent absences from work due to care for a sick child (care for a family member). Second, the women mentioned high financial costs of ensuring private childcare for pre-school children (e.g. private nurseries, private kindergartens, babysitting ...) due to an insufficient capacity of state facilities. The third most common reason was the lack of capacity of public pre-school childcare facilities (nurseries, children's group, kindergartens ...). Unsuitable opening hours of pre-school childcare facilities and the discrepant lengths of annual leave and kindergarten holidays are more often a problem for women aged 41 to 45, who may have more children of different ages. The lack of capacity in public pre-school childcare facilities is reported more by women from the Central Bohemia Region (50%).

CHART 46 PERCEIVED OBSTACLES TO EMPLOYMENT (N=1300)

Wording of the question: "Mothers caring for small children may face various obstacles that make it



difficult for them to get a job. Some of them are listed below. Please mark those that you personally face or have faced in the past." Multiple options allowed.

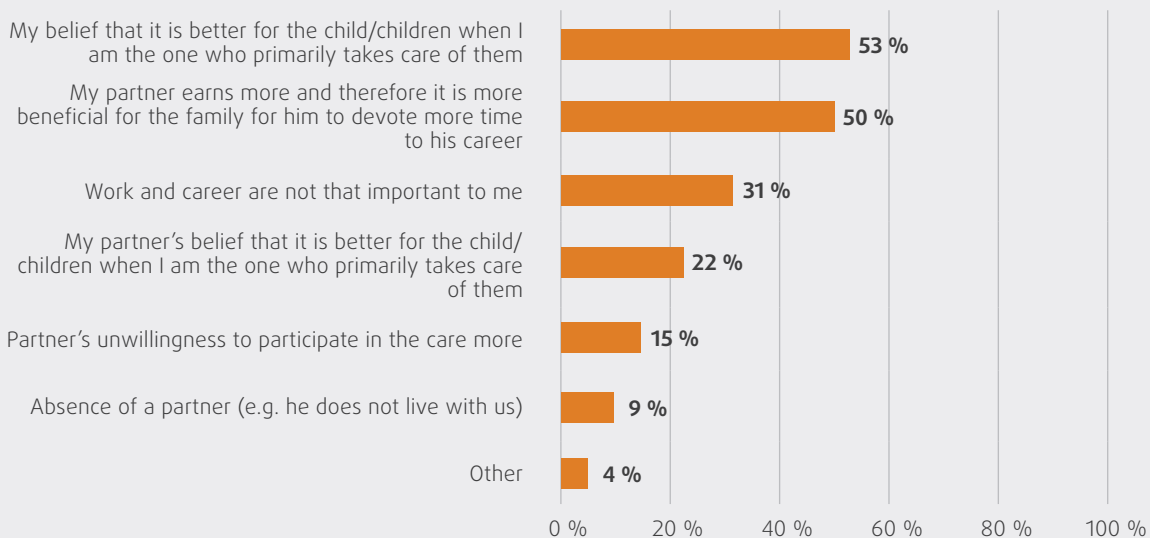
The next part of the survey focused on the perception of the impact of motherhood on women's and men's careers, the division of roles in childcare and the role of a mother in general. We also asked about their ideas of the men's role when it comes to childcare.

In the beginning, women were asked how they split childcare and work responsibilities in their households. Thirty-eight per cent of the women said that caring for children had affected their career to some or large extent. In contrast, there is a group of women (24%) who claim that their careers were not affected by having

children at all or were affected only to a small extent. A further 38% of the women are not clear about the impact of caring for children on their career. Women with university education (43%) and those living in large cities with more than 100,000 inhabitants (46%) report greater influence of having children on their career. More than two-thirds of the women state that their partner's or husband's career is not affected by having children at all or is affected only to a small extent (68%). Only 7% of the women say that their partner's career is affected by caring for children to some or large extent.

The main reasons why women put their careers on hold in favour of caring for children are shown in Chart 47. One of the reasons is the belief that it is better for the children when they are mostly cared for by their mother (53%), and another reason is the financial aspect, i.e. that the woman's partner earns more and it is therefore more beneficial for the family for him to devote more time to his career (50%). The belief that women are better at childcare is shared among women between the ages of 18 and 30 far more than among the remaining age groups. Almost a third of the women say that work and career are not that important to them. More than a fifth of the women said that their partner believes that it is better for the child if the mother takes care of him/her; this was followed by the partner's unwillingness to participate more in the care (16%) and the absence of a partner (9%).

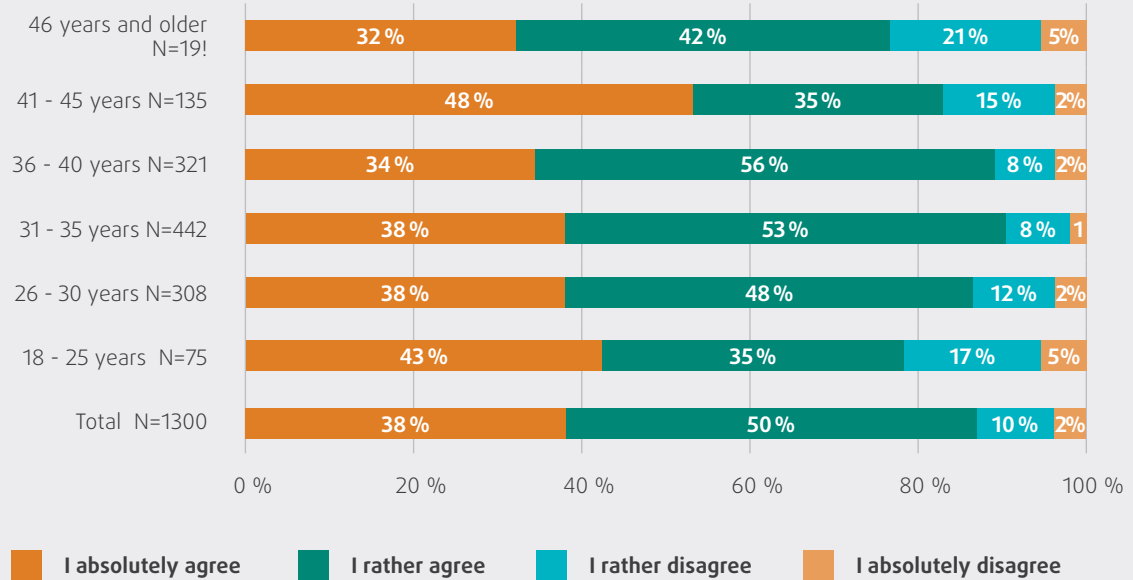
CHART 47 REASONS WHY CARING FOR A CHILD/CHILDREN AFFECTS A WOMAN'S CAREER (N=815)



Wording of the question: "What do you consider to be the main reasons why caring for a child/children affects mainly your career?" Multiple options allowed.

The majority of the women (88%) also agree that parenthood has a negative impact on women's employment (see Chart 48). Women aged 18 to 25 tend to agree with this statement more, followed by women in the 41 to 45 age group. No significant differences are seen in the remaining demographic parameters. The HR specialists interviewed in the qualitative part of the study also agreed that motherhood had a negative impact on employment in the Czech Republic, associating this view with long parental leave, which made women absent from professional life for many years and complicated their return to work.

CHART 48 LEVEL OF AGREEMENT WITH THE STATEMENT THAT PARENTHOOD HAS A NEGATIVE IMPACT ON WOMEN'S EMPLOYMENT (N=1300)



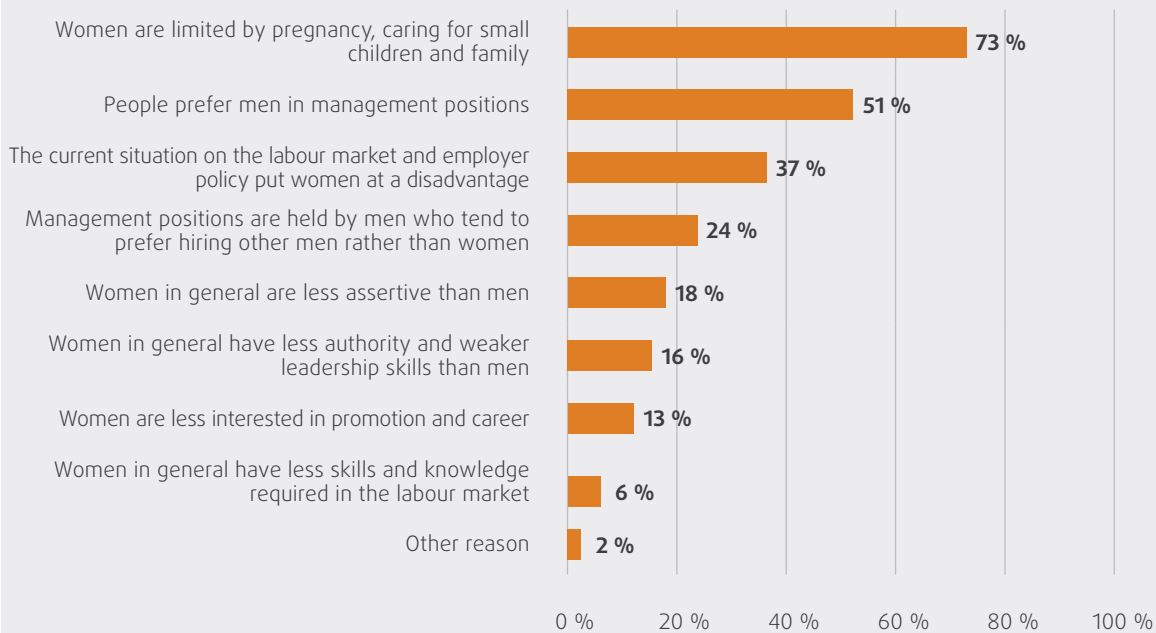
Wording of the question: "To what extent do you agree or disagree with the statement that parenthood has a negative impact on women's employment?"

According to Eurostat data, women in the Czech Republic earn on average 16% less than men,⁷³ and are not nearly as often promoted to management positions.⁷⁴ We therefore wanted to find out what women caring for small children thought was the reason for their lower professional success (see Chart 49). For almost three quarters of the women, this was caused mainly by limitations ensuing from pregnancy, caring for small children and family. Second, women thought that organisations preferred men in management positions (51%). The third reason was that the current situation in the labour market and employer policy put women at a disadvantage (37%). At the opposite end of the scale, there were reasons attributable to the women, such as beliefs they were less assertive, had less authority, weaker leadership skills, lower or less appropriate qualifications, or less interest in a career.

73 <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/edn-20220307-2>.

74 See e.g. DELOITTE. Progress at a snail's pace. Women in the boardroom: A global perspective. Seventh edition. 2022. Available from: <https://www2.deloitte.com/content/dam/Deloitte/global/Documents/gx-women-in-the-boardroom-seventh-edition.pdf>. CZECH STATISTICAL OFFICE. Focus on Women and Men – 2021. Public life and decision-making. 2021. Available from: <https://www.czso.cz/csu/czso/7-public-life-and-decision-making-uefgof86ea>.

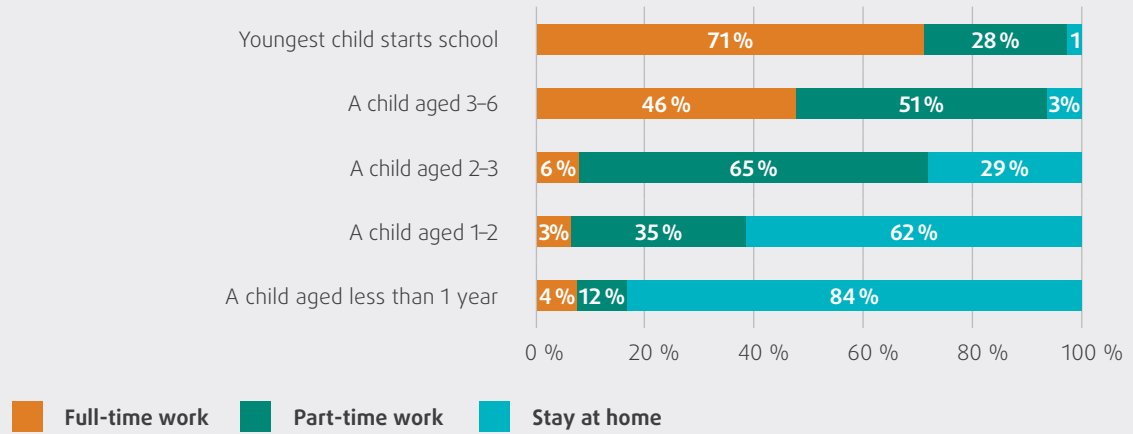
CHART 49 REASONS FOR WOMEN'S LOWER PROFESSIONAL SUCCESS (N=1300)



Wording of the question: According to the data of the Czech Statistical Office, women in the Czech Republic earn on average 16% less than men, and are not nearly as often promoted to management positions. What do you think is the reason for women's lower professional success?" Multiple options allowed.

Somewhat traditional attitudes to childcare are illustrated in Chart 50, which shows women's ideas of their participation in the work process depending on the child's age. The majority of women felt that until the child was two years old, the mother should be at home with them; they considered part-time work appropriate when the child was between the ages of two and six, and full-time work once the child started school. In general, the results show that the smaller the child, the stronger the belief that it is necessary to be at home with them and to give them maximum care.

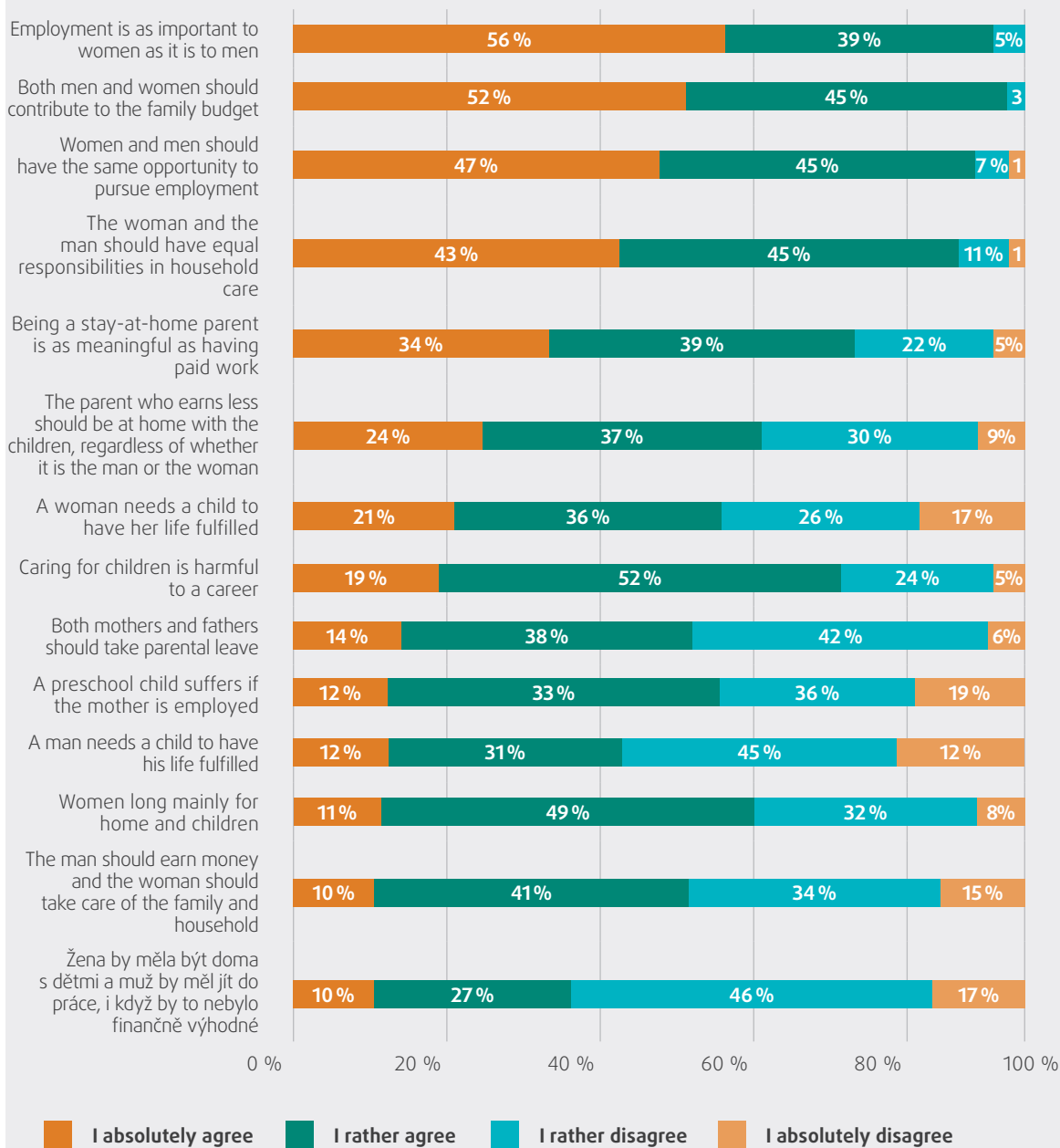
CHART 50 APPROPRIATE INVOLVEMENT OF THE MOTHER IN WORK PROCESS AT DIFFERENT STAGES OF THE CHILD'S LIFE (N=1300)



Wording of the question: "What do you think is the appropriate work involvement of you as a mother in the different periods of your child's life?"

Next, we focused on the attitudes of women with small children towards the position of men and women in society (see Chart 51). Almost half of respondents (45%) believe that men need to have a child to have their lives fulfilled; slightly more respondents feel the same need in relation to women (57%). According to 95% of the women, employment is as important to women as it was to men. More than half of the women (51%) agree with the stereotype that the man should earn money and the woman should take care of the family and household. Similar percentage of the women (52%) think that both mothers and fathers should take parental leave (they should take turns taking care of the household). The majority of the women (92%) believe that women and men should have the same opportunity to pursue employment. The same applied to the division of household chores (88%), in respect of which women state that the woman and the man should have equal responsibilities in household care.

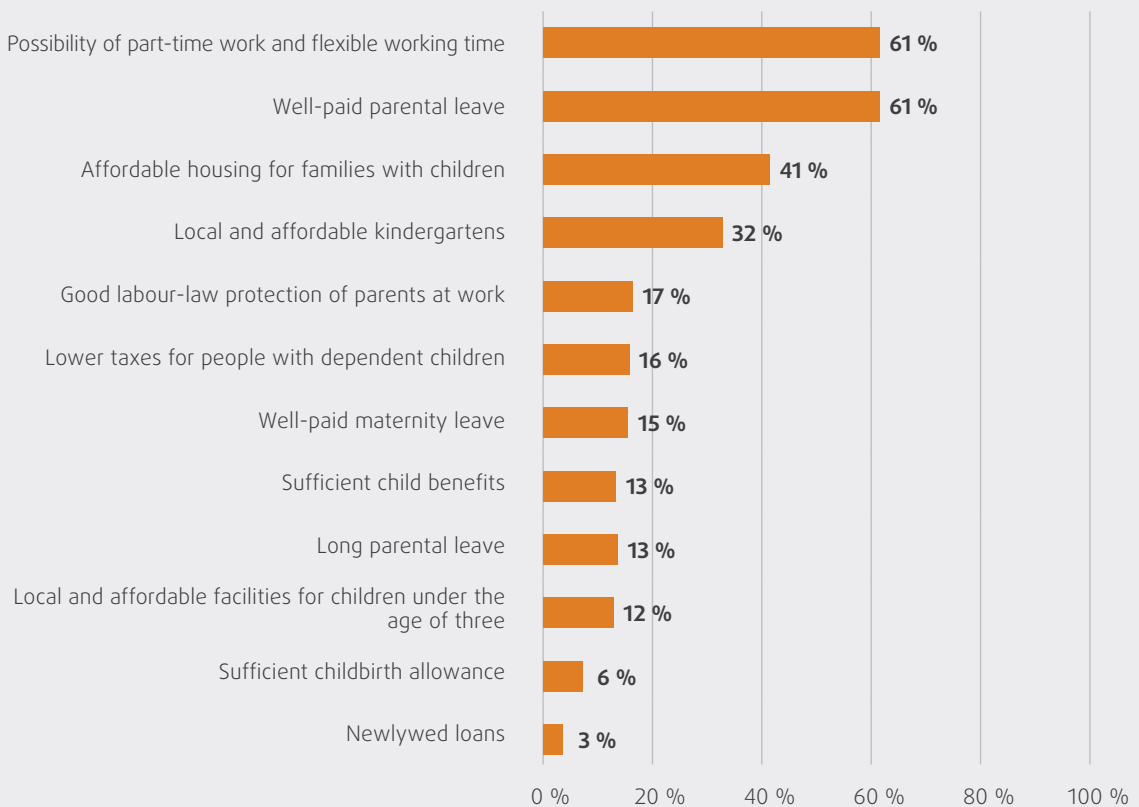
CHART 51 STATUS OF MEN AND WOMEN AND ATTITUDES TOWARDS THEM (N=1300)



Wording of the question: "To what extent do you agree or disagree with the following statements regarding the status of men and women?"

Finally, we presented the respondents with a list of family and social policy measures and asked them to choose three they considered the most important (see Chart 52). Almost two-thirds of the women (61%) considered the possibility of part-time and flexible working time to be the most important measure. This measure was more often chosen by women with higher education (68% of women with secondary education with a graduation certificate and 66% of women with university education). The same proportion (61% of the women) chose well-paid parental leave. This measure was more popular among younger women (63% of women aged 18–25, 71% of women aged 26–30). Other measures preferred were affordable housing for families with children (41%) and local and affordable kindergartens (32%). Offers of newlywed loans and sufficiently high childbirth allowance were of little importance to the women (3% and 6%, respectively).⁷⁵

CHART 52 MOST IMPORTANT FAMILY AND SOCIAL POLICY MEASURES (N=1300)



Wording of the question: "Choose three family and social policy measures that you consider most important." Up to three answers allowed.

⁷⁵ Childbirth allowance is a one-off benefit as a contribution towards the costs of childbirth. The entitlement to the childbirth allowance arises if the family's decisive (net) income in the calendar quarter before the birth was less than 2.7 times the family's subsistence minimum. Childbirth allowance is set at a fixed amount of CZK 13,000 for the first child and CZK 10,000 for the second child.

Qualitative part

The qualitative part of the survey was conducted in the form of semi-structured interviews with representatives of 25 employers, where the respondents were company owners, HR specialists and other persons responsible for HR issues at the employer (one respondent from each employer). The aim of this part was to explore the experience and attitudes of employers regarding pregnancy and maternity in the workplace. The interviews focused on nine main areas: the overall approach to pregnancy and maternity in the workplace (Chapter 2); recruitment and hiring of new employees (Chapter 3); communication with employees on maternity and parental leave (Chapter 4); duration of parental leave and return to work (Chapter 5); flexibility and work-life balance (Chapter 6); dismissals (Chapter 7); complaints (Chapter 8); and the perceived position of women in the labour market, assessment of Czech legislation, and proposals for change (Chapter 9).

1. Methodology

The method of semi-structured interviews was used to ensure sufficient quality and comprehensiveness of information on the topic under study. In each semi-structured interview, various topics were discussed with the respondent based on a pre-determined scenario (see Appendix 2 for the scenario). We conducted 25 interviews with HR specialists in different types of organisations, mostly with heads of HR departments or, in the case of medium and large companies, with their directors. In the case of small organisations and self-employed persons, the owners were interviewed. The selection of respondents (employers) respected the CZ NACE (Classification of Economic Activities) quota, region, and size of the entity (number of employees).

More than 50 organisations were invited to participate in the interview with regard to the recruitment quotas. The invitation to the project was directly addressed specifically to respondents in charge of HR in the organisation. It can be concluded from the reactions of the respondents and their willingness or unwillingness to participate in the project that the organisations which were more open to participate in the research are also more receptive and active in the area of women's employment and are interested in the topic. It can

therefore be assumed that organisations for which the project topic is not relevant or which do not address this issue systematically are less represented in the interviews.

It should also be noted that a significant part of the respondents are women since HR is a field in which women are more likely to be involved. Most of them are also mothers and have some experience with maternity and parental leave, so in addition to their professional perspective, they answered the questions from the position of mothers. The remaining respondents were men, but also at a stage in their lives when they already had children, so they had good understanding of the women's role as mothers and were willing to accommodate their needs where possible.

Table 1: The sample of organisations surveyed covered the following business areas (N=25)

Education	3
Public administration and defence; compulsory social security	2
Health and social care	2
Administrative and support service activities	2
Processing industry	2
Information and communication	2
Construction	2
Wholesale and retail trade and repair of motor vehicles and motorcycles	2
Transportation and storage	1
Accommodation and food service activities	1
Finance and insurance	1
Real estate activities	1
Professional, scientific and technical activities	1
Production and distribution of electricity, gas, heat and conditioned air	1
Agriculture, forestry, fishing	1
Arts, entertainment and recreation	1

Table 2: Sample of organisations surveyed by number of employees (N=25)

1-9	4
10-49	4
50-99	3
100-249	3
250-499	3
500-999	3
1 000 and more	5

Table 3: Sample of organisations surveyed by region (N=25)

Capital City of Prague	9
South Bohemian Region	1
South Moravian Region	2
Karlovy Vary Region	1
Vysočina Region	1
Hradec Králové Region	1
Liberec Region	1
Moravian-Silesian Region	1
Olomouc Region	1
Pardubice Region	1
Plzeň Region	2
Central Bohemian Region	2
Ústí nad Labem Region	1
Zlín Region	1

Note: The higher representation of Prague is due to larger organisations that are based in Prague but operate in other regions or nationwide.

2. Overall approach to pregnancy and maternity in the workplace

The statements of the HR specialists reflected many years of professional experience. In their answers, they commented not only on the current situation, but also on the developments in the labour market or in the organisations they worked at. In this respect, the respondents perceive positive developments in attitudes towards pregnancy and motherhood in the workplace in their organisations in recent years. They state that the current labour market situation has contributed to the change in approach, along with a shortage of qualified candidates and the pandemic, which forced many organisations to try out various flexible forms of co-operation.

The respondents say that many organisations have found that both employees and employers can benefit from a supportive working environment and a flexible offer of work-life balance measures. The HR specialists encounter negative prejudices from employers/superiors less frequently than in the past.

“This is one of the ground rules of HR and a red flag for me as I try and dispel any concerns of my superiors and make sure we don’t take them into account since it’s a classic example of discrimination. Things like this used to come up from time to time in the past, especially from the managers of the older generation.”

Man, Real estate, Moravian-Silesian Region, 500–999 employees

The HR specialists interviewed, and particularly women, felt that they were often the ones who initiated the change in the perspective of women’s employment and in the reduction of the barriers they faced in the labour market. As part of internal communication, they try to educate their colleagues about the long-term benefits of women’s employment and being open to work-life balance measures.

“I would like maternity or parental leave not to be seen as a hindrance, but as an opportunity.”

Woman, Finance and insurance, Prague, 1,000 employees or more

“Looking to the past, some eight or so years ago, I did sometimes hear them say: ‘A young girl like that in her thirties? She’s sure to go on maternity leave, we shouldn’t hire her’. Today, the situation is completely different and there are so few good candidates that nobody really cares about that.”

Woman, Wholesale and retail – manufacturing and sale of construction materials,
Prague, over 1,000 employees

The employers, or rather the HR specialists, do not feel that the current Czech legislation regarding pregnancy and maternity complicates their organisation’s operations and increases costs. They state that these are common issues that fall within the HR department’s standard responsibilities. The HR specialists do not consider leaving or returning after maternity or parental leave an unduly and burdensome process. They say they deal with it primarily within the scope of their competences. They therefore focus more on administrative matters and do not comment on the related operating costs. In their words, Czech legislation is generally not perceived as disproportionately protecting employees and shifting costs and burdens to employers.

“It probably puts a strain on them, but we can’t just write off a pregnant woman or a mother. Where would that get us? Yes, it is certainly a burden, things are more complicated for them than they are for a childless person, but the employer should accept it as a fact and definitely shouldn’t take it as an insuperable complication.”

Man, Public administration and defence, Vysočina, 10–49 employees

Only rarely did the respondents encounter concerns from their superiors (usually older men) about the availability and efficiency of employees after they return from maternity or parental leave. However, the respondents say that these are unfounded prejudices that are not confirmed in practice. The HR specialists describe the experience with the performance of employees returning after maternity and parental leave as positive. These employees excel in efficiency, time management and reliability on top of being loyal. In all these respects, their attitude is significantly more positive compared to the time before maternity or parental leave. If there is one aspect the HR specialists say that is weakened by parenthood, it is the ambition and the desire for rapid career advancement. The HR specialists welcome the experience gained through the maternity or parental leave. Experience of employees-parents contributes to greater employee diversity, which can benefit the entire organisation.

“They are less ambitious. The reasons are precisely that they just don’t have time for it, and that society still generally expects that the child will be taken care of primarily by the mother, who consequently attends to a lot of things including schoolwork and so on. In short, these women prioritise family for several years after they return from parental leave. This is not to say that mothers are less effective. Quite the contrary, actually, women can be very organised.”

Woman, Information and communication, Prague, 1,000 employees and more

“Parents are like ninjas, they develop instinctive multitasking skills that enhance their performance at work.”

Woman, Accommodation and food service activities, Ústí nad Labem Region, 50-99 employees

On the other hand, some of the HR specialists are rather critical to the significantly higher performance of employees returning after maternity and parental leave. They claim that the pressure to prove to colleagues and superiors that the returning employee is a valuable team member and is able to perform her tasks efficiently poses a risk of employee burnout or conscious or unconscious abuse by her superior.

“The situation could be improved by a broader public debate on the issue, including, of course, closing the gender pay gap. A debate on the need to give employees space for personal life, work and family, whether they’re men or women.”

Woman, Culture, Pardubice Region, 1-9 employees

Some respondents see the roots of the barriers mothers face in the labour market in the length of parental leave and the women’s social and professional isolation during this time, which leads to low self-esteem after returning to work. Others feel obliged to improve these conditions and to support their employees to set their limits and adjust the right balance between personal, family and working time. They say that it is very rare for pregnant employees or employees with small children to abuse their position. Such situations arise from the employee’s personal responsibility and attitude and are not directly related to pregnancy or maternity. According to the HR specialists, unreliability and untrustworthiness in employees is not related to age, gender or number of children.

3. Recruitment and hiring of new employees

At the beginning of the interview, we opened the topic of recruitment. The questions covered the general perception of applicants, potential barriers and prejudices, and the selection procedure itself.

The HR specialists clearly stated that they were aware of the legal boundaries of recruitment. According to the respondents, both explicit and implicit questions about the family situation of applicants are completely unacceptable. The HR specialists assume that applicants are able to assess their time availability and flexibility and consider whether it allows them to perform a particular job. They say that it is completely contrary to the law to inquire about the applicants’ family situation or how they provide for their children. They consider such questions to be a private matter and avoid it as a matter of principle. They also believe, on the basis of their professional experience, that a greater emphasis is now placed on adherence to recruitment standards.

These statements by the HR specialists are at variance with the results of the quantitative survey, which shows that during interviews, applicants are confronted with questions about their family situation. The data show that 61% of women have been asked about their family life in a job interview.

A smaller proportion of respondents (no more than one fifth) said that there were individuals in their organisations who treated young female applicants in a stereotypical manner. This mainly occurs in larger organisations (male-dominated organisations with over 250 employees). The respondents say that such individuals are exclusively older men in management positions. However, these are only individual cases rather than a generalised view, and the HR specialists always try to make it clear that such views are not acceptable. Applicants occasionally share information about their family situation during the interview without being asked about it. In such cases, the HR specialists take the information as a fact and do not attach any importance to it in the recruitment procedure. They may expect the information to influence the form of future co-operation, for example. This, however, they consider a resolvable operational matter, not a barrier.

Opinions on sharing information about current or soon-to-be pregnancies vary among the HR specialists. This is a delicate situation that occurs only rarely in the professional experience of the HR specialists interviewed.

However, the majority of respondents are inclined to believe that it is fair and honest to disclose information about a pregnancy. About one fifth of the HR specialists do not expect the applicants to share information about their pregnancy, considering it personal. Another fifth of the respondents are ambivalent about the situation and do not have a clear opinion.

Some HR specialists claim that information about pregnancy need not necessarily preclude possible co-operation. They say they would still give the woman a chance to apply for the job if she met the qualification requirements, even though not many respondents have experienced a similar situation. If the applicant were interested in the position, a suitable form of employment could be sought. Some responded that they would not worry about selecting such a candidate for the position claiming it all to be a matter of communication. As many mothers want to return to work more quickly on a part-time basis, this would depend on the job and the timeframe of the pregnancy.

The issue of early departure for maternity or parental leave after starting a new job is mostly tolerated by the employers. It may mean extra work for the HR specialists to find a replacement, but they describe this as a part of ordinary life. The respondents state that there is no formally or informally set period in their organisation for which a new employee is expected to work before taking maternity leave. Further co-operation is dependent on the personal approach and responsibility of the employee. If the existing co-operation has worked to mutual satisfaction, the employer hopes for the future return of the employee after parental leave and is keen to offer flexible work arrangements.

The respondents also said that in exceptional cases, job applicants planned to use the employment only to become entitled to maternity benefits or parental allowance in a certain amount and had no further motivation to develop co-operation with the employer. Such cases are rare, but the HR specialists are very critical to such practices that result in a loss of trust towards employees.

The HR specialists say that in organisations with little previous experience with flexible work arrangements, the two-year pandemic has brought a major shift. For many organisations, it has meant a radical change of perspective and they continue to use these new arrangements (e.g. flexible working hours or the possibility of working from home) following positive experience. A wider range of possibilities regarding forms of co-operation can therefore be negotiated at the job interview.

“When I joined the company before the Covid-19 pandemic, they didn’t allow for a great deal of flexibility regarding, let’s say, working from home and so on. That’s changed a lot. Basically, almost all employees have semi-flexible working hours and can work from home on the basis of an agreement with their superior. We would now also like to focus on offering more part-time jobs for parents so as to be even more flexible. We want their working time mutually beneficial for both sides.”

Woman, Professional and scientific activities / Information and communication,
Prague / Plzeň Region, 250–499 employees

The respondents see more changes happening also due to the current situation on the labour market. They say that there is a shortage of qualified candidates and every suitable candidate who successfully passes the selection process is much appreciated and indispensable for the organisation. HR specialists try to minimise employee turnover by focusing on appropriate working conditions and maintaining a friendly approach.

“The way I see it, everyone has to be given the same chance. That means it does not matter whether you are a man or a woman. What matters is whether you have the competences we require for the position.”

Woman, Professional and scientific activities / Information and communication,
Prague / Plzeň Region, 250–499 employees

The views on how challenging it is to find a temporary replacement for maternity or parental leaves vary depending on the size of the organisation. In the case of companies with more than 100 employees, the HR specialists say this is not that difficult. This can be done either by reallocating responsibilities or, more often, by hiring a new employee. In the case of small organisations, however, this is seen as a more serious complication. Due to the number of employees, there is less interchangeability and finding and hiring a new temporary employee can be a challenging task.

“From a business point of view, it’s a bit of a challenge. Maternity leave in the Czech Republic is ridiculously long compared to other countries. We’re a small company, a small team, and it’s not easy when a colleague takes maternity leave. But it’s not that big of a deal. These things just happen, and we have to keep going.”

Man, Production and distribution of heat and conditioned air, Plzeň, 10–49 employees

The respondents agreed that in a majority of cases, women were the ones who took parental leave in the Czech Republic. It is highly unusual for men to take parental leave. Paternity leave⁷⁶ after the birth of a child is used increasingly more among employees.

The HR specialists’ experience suggests that there has also been a change in the perception of care for sick children. The respondents say that the companies’ positive experience with flexible work arrangements has brought about a shift in balancing family and work responsibilities. Some employers have noticed this shift, for example, in a reduction in the number of requests for sick pay (due to caring for sick children) since the employees can work from home or use flexible working hours if necessary. This results in less paperwork, lower costs for the social system, more benefits for the organisation and less stress for the employees, who are given the chance to find the right time and space for work as needed. This description reflects the views of the HR specialists. The employees’ views on the use of sick pay were not subject of the survey.

According to the HR specialists, the popularity of flexible work arrangements eliminates the stereotypical perception of female employees as primary carers, who are more likely to be absent from work. The HR specialists believe that if employees have the option to work from home or have flexible working hours, emphasis is placed on the overall results of their work rather than on their physical presence at the workplace.

The HR specialists have no information as to which parent usually cares for a sick child or whether the parents take turns, if the employee does not draw carer’s allowance.

4. Communication with employees on maternity and parental leave

Another topic of the interview was communication with employees during maternity and parental leave. According to the HR specialists, all of the organisations interviewed maintain contact with employees in some form. Communication takes various forms and varies in frequency. This is largely influenced by the size of the organisation. While in smaller companies, communication often takes place on an informal level, larger organisations look for more systematic ways to keep in touch with their employees (e.g. through newsletters or meetings for parents with children to learn about their needs and future plans). However, they want to leave the main initiative regarding the choice of the intensity of communication to the employees themselves. They respect their priorities during maternity and parental leave and do not wish to put any pressure on them.

“It all starts when the mother gives birth. Within a few months, I send her a form asking for how long she’s requesting the parental leave. I also check with her to see if she wants to keep working in some way. If she doesn’t, I leave it up to her to take the initiative in communicating. And about eight to ten months before her leave is supposed to end, we get in touch with her and resume communication.”

Woman, Accommodation and food service activities, Ústí nad Labem Region, 50–99 employees

From the employers’ perspective, keeping in touch with their employees during maternity and parental leave

⁷⁶ Paternity leave is a sickness insurance benefit which is paid for 14 days to the father of the child in relation to the care for the newborn child. Simultaneously with this benefit, the employer provides paternal leave.

has a number of benefits and it is therefore in the organisations' interest not to lose contact with them. It contributes to strengthening loyalty to the organisation, increases the likelihood that the employee will return after parental leave, and creates more opportunities for flexible co-operation during parental leave.

“The benefits lie in the involvement in company activities. The moms don't lose track of what's going on in the company. When we have a vacancy, we sometimes ask them if they want to come back or help us at least part-time with, say, administrative work or something they can do from home. It's a win-win situation. Then, of course, it's much easier for them to come back and it's also great for the company because you have less employee turnover.”

Woman, Professional and scientific activities / Information and communication activities,
Prague / Plzeň Region, 250–499 employees

According to the results of the quantitative part of the survey, some form of contact is also important for the employees. Their responses show that 16% would welcome a more effective communication with their employer. The women are critical of infrequent contact or lack of communication regarding current developments in the workplace.

In general, respondents state that, if the business allows, their organisation welcome if employees are interested in some form of co-operation during parental leave. For them, it means a greater chance to have a loyal co-worker back in the team who maintains the necessary qualifications and less worry about finding a replacement.

Whatever the form of communication during maternity and parental leave, the employer ascertains the situation and clarifies the circumstances of the expected return approximately 12 to 6 months before the announced return to work. Effective communication during maternity and parental leave helps to prevent situations where the employer receives unexpected news from the employee regarding, for instance, termination of employment or another maternity and parental leave.

5. Duration of parental leave and return to work

The following section concerns the usual length of parental leave and the issues relating to the return of employees to work.

Maternity leave is seen by the HR specialists as a matter they come across regularly. They agree that by maintaining some form of contact with their employees on parental leave, they know in advance when and how the employees plan to come back. They verify this information on a regular basis. The respondents report that, in smaller organisations, finding a temporary replacement can be rather challenging, especially in regions or industries where it is difficult to find qualified workers.

According to the HR specialists interviewed, potential difficulties in this area include mainly certain unexpected situations. One such example is when an organisation expects an employee to return to work, but she, for whatever reason, decides not to.⁷⁷ Alternatively, she needs to go back to work immediately or has to take maternity leave very suddenly due to a risky pregnancy. In this respect, some HR specialists would appreciate more effective communication from the employees.

⁷⁷ If an employee wants or needs to stay at home with the child longer than until the child's third birthday, it is possible to agree with the employer on the provision of compensatory time-off without compensation for salary. However, the employer is not obliged to accept such an arrangement. During the time-off, employees are no longer covered by protection granted to parents on parental leave. For more details, see e.g. Parenthood and discrimination at work: practical guide for parents regarding their right to equal treatment in the labour market, available at: https://www.ochrance.cz/dokument/rodicovstvi_a_diskriminace_v_praci/rodicovstvi-a-diskriminace-doporuceni.pdf.

“I think it’s great that the mother has the opportunity to stay with her child. It’s the best thing you can do for your kid. That’s why we’ve never really seen it as an issue. But then there are all the things the company has to take care of. As an employer, we would like to see a greater share of the obligation to communicate with us effectively fall on the mothers. The thing is that the mothers have a lot of rights, for instance regarding unpaid leave..., but it leaves us with very little room for manoeuvre.”

Woman, Information and Communication, Prague, more than 1,000 employees

The HR specialists from the organisations interviewed have a positive experience with employees returning to work after parental leave; usually between 50 and 100% of employees return to work with them. They also claim that if an employee does not return, it is mainly due to external factors such as a change of residence, a desire to work in a different field or a wish to extend her parental leave beyond the standard length. Sometimes the employees themselves come to the conclusion that going back to their old job while caring for their child is simply not feasible. However, the HR specialists say that even in cases such as these they try to retain their employees, for example by offering them other positions.

These statements do not correspond to the data from the quantitative survey. According to its results, the return to the original job is not that smooth. The survey shows that women were put under pressure by their employer to terminate their employment or not to renew their employment contract, even if the employee wants to stay with the company. While caring for a child under the age of six or pregnant, 31% of women were worried that their pregnancy or motherhood would cost them their job. Fourteen per cent of women have experienced a situation where their employer pressured them to quit or terminate their employment by agreement.

According to the HR specialists interviewed, the decision not to go back to their old job is almost always made by the employee. The reasons employers give for the termination of co-operation are usually restructuring during parental leave, i.e. the elimination of the position or department in question, and the unavailability of a different position. The HR specialists reported that they are keen to have their employees return from parental leave because they already know the company and have build up a relationship with it. They also stated that hiring a new employee would mean higher training costs. While they still expect to have to retrain returning employees, what they view as essential is their existing relationship and familiarity with the company processes.

According to the HR specialists, the usual length of parental leave is three years, unless the mother plans to have another child (in which case she returns later). Earlier returns are quite individual; respondents did not come to an agreement regarding specific time. Some employees return on a part-time or temporary basis. The HR specialists also report that employees are more likely to return quickly if they have worked in management positions.

“Three years. I’ve just looked into it and what usually happens is that even if they initially ask for two years off, their child often doesn’t get into nursery or kindergarten after the two years, so they extend the maternity leave to three years. That’s the most common length.”

Woman, Wholesale and retail – manufacturing and sale of construction materials,
Prague, over 1,000 employees

According to the HR specialists, organisations are relatively successful in placing women returning from maternity and parental leave in their old positions. Alternatively, if the mother’s situation has changed and she is no longer interested in returning to the same position, the HR specialists try to find a different one that matches her qualifications and requirements.

If the same position is not available, the position has been eliminated in the meantime, or the replacement for the employee on maternity leave has proved to be a great asset, the HR specialists will offer the returning employee a comparable position. The HR specialists also claim that it is only if there really is no vacancy, or the employee does not want to accept any of the positions offered by the organisation that they terminate her employment.

In the respondents’ view, the reason behind the termination of employment may also be a personal decision

of the employee in which neither pregnancy nor parenthood plays a role. On the basis of the HR specialists' experience, this may be the case of an employee who has neither the motivation nor the desire to continue working for the company and is merely looking for an opportunity to leave with severance pay.

During the interviews, the HR specialists noted that communication with employees on maternity or parental leave is crucial for them, as it is also the key to a smooth return to work. With many organisations now offering work-from-home options and flexible working hours, respondents feel that integrating women back into the workplace after parental leave is not a major issue.

If an employee requests a fourth year of unpaid leave, the employer grants it to her without any further conditions. However, in the experience of the HR specialists, when requesting unpaid leave after parental leave, employees most often ask for less than twelve months off. They use this unpaid leave offer for a short bridging period, for instance before their child starts kindergarten. Even in situations like these, the approach of the organisations is usually accommodating. The HR specialists are very understanding when it comes to women extending their parental leave. As they stated, they do not view this in a negative way because they know that the capacity of kindergartens, nurseries and other childcare facilities is not sufficient.

6. Flexibility and reconciling work and family

Organisations currently offer a relatively wide range of work-life balance measures that facilitate the allocation of time between work and family. The gradual shift towards more flexibility has been greatly accelerated by the Covid-19 pandemic, the HR specialists believe. Organisations with no prior experience in working from home and flexible working hours had to put the effectiveness of this work arrangement to the test. As the HR specialists report, the experience has been, for the most part, very positive. Companies have found that a more flexible form of collaboration can be beneficial to both parties – the employees can choose their own schedule and focus on their work when they have the time, which in turn means less administrative work and employee absence for the employer. With flexible working time, the employees can complete their tasks while also fulfilling their parental responsibilities.

“We meet each other halfway. As an employer, we let them get off work at 3 p.m. if they need to pick up their child, knowing that the person is willing to work on the weekend if they have to finish their work. We just accommodate each other.”

Woman, Accommodation and food service activities, Ústí nad Labem Region, 50–99 employees

During the semi-structured interview, the HR specialists were presented with a range of work-life balance measures. Based on their experience, they elaborated on how common these measures are in their organisations and what their experience with them is.

According to the respondents, the use of such measures does not involve any major difficulties. In large organisations, the offer of work-life balance measures forms part of internal guidelines or collective bargaining agreements, but there is also room for negotiation with the direct superior. In smaller companies, this is done by informal agreement.

As the HR specialists maintain, the experience with the offered measures is overall positive and beneficial to both parties. The last two years of the pandemic have proved even to conservative employers that compromise and flexibility can result in greater efficiency and strengthen employee loyalty.

“Thanks to Covid-19, flexible working hours are simply more common now. It’s understandable that working from home has become much more popular and easier to implement than it used to be.”

Woman, Wholesale and retail – manufacturing and sale of construction materials, Prague, over 1,000 employees

The experience of the HR specialists is that employees returning from maternity or parental leave are mostly interested in flexible working hours, part-time employment and working from home.

Cases where a request for a particular work-life balance measure is rejected are believed to be rare and usually it is due to the specifics of the job in question, which might not be done remotely or on a part-time basis.

Some organisations reportedly face societal stereotypes that a mother has an unwritten obligation to devote herself fully to her child for at least the first three years of the child's life. A number of HR specialists also point out women's lack of awareness of part-time work possibilities during parental leave, even if their employer is open to such an option. Working mothers of small children may also face criticism for not fulfilling their role as mothers if they work part-time in addition to taking care of their child.

The following overview summarises the experience of the HR specialists with the various work-life balance measures:

- a) Fully flexible working hours (employees choose the start and end of working hours themselves).

This option is not usually offered by employers. There are positions where this may be possible, but it is not common.

- b) Flexible working hours with fixed core hours.

According to the HR specialists interviewed, a large proportion of the organisations they represent offer partially flexible working hours or working hours with fixed core hours. Operational reasons are usually the only restriction in such cases. In smaller companies, working hours are often a matter of informal agreement. This arrangement is generally preferred and requested by employees when they return from parental leave.

- c) Compressed work week (the employee completes her weekly hours in fewer days).

This measure is not being used among the organisations interviewed or is only used in rare cases temporarily.

- d) Part-time work or other means of reducing the number of hours worked.

Among all the work-life balance measures mentioned, part-time work is one of the most common. It is also very popular among employees returning from parental leave. According to the HR specialists, companies try to accommodate this request where business operations allow.

- e) Job sharing (a full-time job split between two employees).

This measure is often perceived by HR specialists as administratively and organisationally demanding, which is why companies, regardless of size, do not offer this option. Although most companies have not tried to implement this measure, the prevailing opinion is that it is a rather challenging solution, not only financially and organisationally, but also in terms of personnel. Those who have tried it commented that this model was not practical.

- f) Agreement-based work (agreement to complete a job, agreement to perform work) during maternity or parental leave.

Most of the organisations interviewed offer this option and prefer it to self-employment (under a trade licence).

- g) Working as an independent contractor (self-employed) during maternity or parental leave.

This form of co-operation is rarely used by organisations.

- h) Combination of working from home and working in an office.

Where the nature of the work allows, this is currently a common measure, one that organisations have had good experience with. Again, this is one of the most preferred work-life balance measures among employees returning from parental leave.

- i) Working from home only.

This measure is used only sporadically when deemed necessary due to external circumstances, for instance as a short-term solution to an unexpected situation. Generally speaking, employers prefer at least irregular presence at the workplace.

- j) Shift choice.

The majority of respondents had no experience with shift work. In organisations where employees work shifts, they have the option of choosing their shifts only in exceptional cases and on an ad hoc basis. The HR specialists opine that such a measure would be impossible to put into practice in the long-term.

- k) Switching between full-time and part-time employment as needed.

According to the HR specialists, this measure is considered to be above standard and requires a great deal of willingness and flexibility on the part of the employer. In rare cases, however, they do offer it.

- l) Ability to take compensatory time-off for overtime work.

This measure is commonly offered by most of the HR specialists' employers.

7. Dismissals and fixed-term contract

Another topic of the interview was the termination of employment. Dismissal of employees is a common matter in labour-law relationships that occurs more or less frequently in every organisation. As reported by the HR specialists, dismissals in the case of employees returning after maternity or parental leave occur most often when the organisation has been restructured and a specific job position has been cancelled, or when the employee has limited availability and the position does not allow for flexible working arrangement.

“This happens only exceptionally. In this case it was because we were in a crisis, so the number of employees was reduced, we discussed it with them.”

Woman, Transportation and storage, Central Bohemia Region, 500–999 employees

According to the HR specialists, information about the employee's marital status is a secondary factor in the organisation's decision to dismiss a particular employee. The larger the organisation is, the less this aspect is reflected. Initially, they focus on the length of the employment and the employee's qualifications, and only then do they consider the “soft parameters”, such as childcare.

“Most of the time when we dismiss employees, we obviously look at the position and performance of the individuals, which is the first step and it is also relevant under the Labour Code. But if we had two equally performing employees at two identical positions and had to choose one, that's when we consider the soft parameters, which are hard to describe. And if you know there is a single mother and a single 22-year-old guy, then I think the decision is clear.”

Woman, Education, Zlín Region, more than 1,000 employees

Generally speaking, dismissal of employees is a part of running a business. According to HR specialists, there are no specific circumstances related to employees returning after maternity or parental leave. Again, it depends on experience with a particular employee. If she has proved to be reliable, the employer is keen to offer her another suitable position even in the case of restructuring. This also applies to employees returning after maternity or parental leave.

If an employee's fixed-term contract expires during maternity or parental leave, the organisation will either negotiate an extension of the contract or the employment relationship will terminate as planned. In general, however, most of the HR specialists interviewed had no experience with this situation because they do not use fixed-term contracts.

Where such a situation occurred, its resolution depended on whether the organisation had the opportunity to offer the employee another position, whether this position was permanent or temporary, and whether the employee wished to continue working for the organisation and had demonstrated her qualities. The HR specialists say that there is a shortage of qualified employees, so much effort is made to retain them and find ways for further co-operation if the organisation is satisfied with their performance.

However, the quantitative part of the survey shows that the situation where an employee's fixed-term contract expired is not that rare. According to the data, 16% of women have had their fixed-term contract expire while they were pregnant or caring for a child under the age of six and their employer did not offer them an extension.

If there are any isolated complaints about how this issue is tackled in the Czech legal system, they concern complications in women's return to work after maternity or parental leave. According to the HR specialists, in the three or more years during which an employee is on parental leave, the organisation can develop dynamically and the statutory right to return to the original job becomes problematic.⁷⁸

The employer then has very limited options once the employee returns after parental leave. In this respect, some organisations would appreciate more freedom on the part of employers in terms of reassigning the employee to another position or offering to terminate co-operation. Similar unclear situations could be avoided if the time period for which an employer must hold the original position for the employee on parental leave was defined differently.⁷⁹

8. Workplace complaints

The HR specialists state that they do not deal with official complaints about various problems in the workplace related to pregnancy or caring for small children. They have no experience with this and cannot even imagine such a case in practice. They say that pregnancy and caring for small children are a normal part of life that need to be adapted to and must not be seen as a complication or burden.

The HR specialists have not received any informal complaints of discrimination against parents of small children or complaints from other colleagues that the parents are being favoured. On the rare occasion that it happens, it is an interaction that does not go beyond marginal everyday matters and does not require formal intervention of the HR department. The quantitative part shows that the majority of women (65%) chose not to resolve disputes. Those who were determined to find a solution most often turned to their family

78 In fact, the law does not guarantee the right to the original job for three years. The employer must "hold the spot" for women who return to work immediately after maternity leave. The employee must thus be able to return to the same position as the one she had before leaving for maternity leave. Where this is not possible, because the work has ceased to exist or the workplace has been abolished, the employer must assign them to some other job corresponding to the employment contract. When employees return after parental leave lasting no more than 3 years, they are not legally entitled to return to their original position, but have the right to be assigned the type of work and job description as set out in the employment contract.

79 The employer must guarantee the original job only for the duration of the maternity leave (28 weeks for one child, 37 weeks for multiple children).

and friends (69%), and only then to their colleagues at work (41%), direct superiors (40%) and employers (19%). It is therefore possible that these cases are rare and the qualitative research with a limited number of respondents did not include them. However, it must also be admitted that in some organisations the problem may lie in the flow of information from superiors to HR specialists or other employer representatives (simply put, some complaints may not reach them).

9. Status of women in the labour market, evaluation of Czech legislation and proposals for changes

The final part of the interview focused on the different position of men and women in the labour market. The question was whether there are any differences in the position of men and women in the Czech labour market, what may be their cause, and what measures could reduce the imbalance if the differences are significant.

According to the HR specialists interviewed, the position of women in the labour market is not comparable to that of men. This is evident in a number of ways. For women in the Czech society, motherhood means a several-year hiatus in professional growth, a constant search for a work-life balance, a struggle with the prejudices of Czech society according to which a woman returning to work soon after childbirth is a bad mother, unequal pay for men and women in the same positions, and the difficulty of dealing with the lack of childcare infrastructure (few spaces in kindergartens, short operating hours of kindergartens).

“I would probably be inclined to say that pregnancy and motherhood have a negative effect on the position of women in the labour market. It’s holding you back in your career growth. You reach the same salary later than a man does. Even if you start your career at the same time.”

Woman, Education, Zlín Region, more than 1,000 employees

According to the HR specialists, it is both the minor obstacles in the daily organisation of work as well as the general Czech mentality that contribute to the perception of mothers as potentially unreliable and underperforming employees, although the experience of the organisations interviewed shows otherwise. They report that experience and acquired competences make women after maternity or parental leave efficient and loyal employees.

During the interviews, the respondents were also informed of the survey results, which showed that women in the Czech Republic often become unemployed immediately after returning to the labour market; almost 30% of women with two-year-old children and 60% of women with three-year-old children become unemployed immediately after their parental leave ends. The question was raised as to how the HR specialists would explain these figures.

“It’s just a guess, but I assume that after four years of leave – unless she stays in a really close touch with her employer – the company found a way to cover for her, and she has other things to worry about. Moreover, very often she prepares for her second motherhood, comes back just for appearances’ sake for some time and usually gives notice herself.”

Man, Steam and air conditioning supply, Plzeň, 10-49 employees

For a more in-depth analysis, it would be necessary to know the reasons and circumstances that led to the loss of employment in more detail. Even in general terms, however, the HR specialists are able to formulate the main causes of this situation. These include:

- a) Long duration of parental leave, interruption of the work process and difficulties in returning.
- b) Insufficient offer of part-time jobs and flexible working arrangements.

- c) Little time flexibility of the mothers (they have to arrange their work around kindergarten opening hours, they have to be at home with sick children, etc.).
- d) Cancellation of job positions, restructuring during parental leave.
- e) A woman's decision that the time required to perform the job is no longer acceptable, or a family moves to another location.
- f) Insufficient capacity of kindergartens, nurseries, children's groups, difficulties in arranging childcare and babysitting, lack of funds for private kindergartens or nurseries and the overall difficulty of balancing family care with work.
- g) Dysfunctional communication with the employer during parental leave.
- h) Little motivation of employees to return to their original jobs.
- i) The general concern of employers that employees with small children will stay at home with their children too often and that their work performance will not be satisfactory.

Respondents came up with many different suggestions on what could be done to improve conditions for women in the labour market. The two main ideas were a change in the mentality of employers and the expectations of society, which associates the main parental responsibilities with the role of the mother. Expected absence from work, dealing with parental responsibilities and large salary differences put women at a significant disadvantage compared to employed fathers. According to the respondents, changing this setting will take a long time and will require education of society as a whole as well as education of employers, who could become interested in the benefits of employee diversity.

"I would like maternity or parental leave not to be seen as a hindrance, but as an opportunity. Every woman who gives birth to a child becomes a manager. It's not an easy task. I would like to see a change in how we think of mothers – maternity leave is not holidays in the first place and we should focus on how the value of a woman increases when she becomes a mother. Most people have a problem with this because the way they see it, the woman has dropped out of the work process and isn't gaining any professional experience. But I would really like everyone to realise, and I'm trying to show this to people around me, that becoming a parent has taught this woman a lot of other skills which she can bring to the team and to work."

Woman, Manufacturing, Prague, more than 1,000 employees

Second suggestion is more specific, that is to reduce parental leave to 1.5–2 years. Surprisingly, this step should bring the main benefits to the employee rather than to the employer. Long parental leave is perceived as an obstacle especially for women and their return to the labour market. A shorter interruption from work would bring many benefits to women, which would ultimately have a positive impact on their labour market position and return to work after maternity or parental leave. The shortening of parental leave is conditional on ensuring sufficient childcare infrastructure. In practice, this change would not necessarily mean a reduction in parental leave for all parents, but a reduction in the time that the employer is obliged to hold the employee's original position.⁸⁰ It would then be possible to apply for an optional third year of parental leave, but the employer would no longer be obliged to hold the job position for the employee.⁸¹

"I really think it would be possible to shorten parental leave to two years. But, of course, it would require a major investment in infrastructure to enable women to return earlier."

Woman, Information and Communication, Prague, 250–499 employees

⁸⁰ There is misinformation among respondents about this obligation, see previous footnotes.

⁸¹ In fact, the employer only has to guarantee a specific position until the end of maternity leave (which typically lasts 28 weeks) and may reassign the employee to another position if she returns later from parental leave. In such situations, employees have the right to be assigned the type and scope of work specified in the employment contract. These can be defined rather broadly.

“I think it would be great to have a system that would allow the moms to grow. Be it some kind of retraining or refresher courses, corporate or public, something like that. It happens that the mothers decide to change fields completely or decide not to come back to work at all, so it would be nice if they had the opportunity to somehow get a completely different qualification. I think that would surely be nice. I think it’s more about educating the employers and society. No, it’s not a dogma that a mom with small children automatically means she’s going to perform poorly. And I’m more for education than for some quotas.”

Woman, Manufacturing, Prague, more than 1,000 employees

Other possible innovations and development options that organisations would welcome in order to improve the position of women in the labour market are as follows:

- a) Better awareness among employers of different types of part-time or other work arrangements.
- b) State support for employers to offer flexible work schedules (e.g. as is the case for people with disabilities), lower insurance contributions for part-time work.
- c) Tax benefits for part-time jobs to encourage organisations to offer them more, and simplification of the related paperwork.
- d) Simplifying the conditions for setting up and running children’s groups.
- e) Increasing the capacity of public nurseries and kindergartens and extending their opening hours.
- f) Supporting the establishment of company nurseries and kindergartens, whether through subsidies, preferential treatment of organisations or simplification of the related paperwork.
- g) Improving general awareness of the benefits of employing women and promoting helpfulness and openness.
- h) Introducing the possibility of combining carer’s allowance and part-time work.
- i) The possibility of receiving maternity benefits for entrepreneurs who cannot afford to interrupt their business.
- j) Relaxing or lifting the ban on working in the same profession while on maternity or parental leave.
- k) Sparking a broader debate on unequal positions of men and women – including the pay gap and the assumed need for a work-life balance.
- l) Simplification of shared jobs – according to the respondents, this is particularly relevant in education, where teachers have more part-time jobs at different schools.
- m) Simplification in proving qualifications in the case of temporary replacement of employees on maternity or parental leave.
- n) Promoting the possibility of working from home among employers where it is not common, educating employers in this area. Public administration could serve as a model in this area.
- o) Providing free courses for parents on/after parental leave where they could further their education in their field and become more competitive in the labour market.
- p) Supporting employers to provide in-house courses to employees on/after parental leave, which is already happening in larger organisations but small and medium sized companies do not have the capacity to do this and do not know where to start.
- q) Considering enacting a minimum number of days of parental leave for fathers (otherwise the parental allowance for these days would be forfeit), thus balancing out the difference in interruption from work – e.g.

one year for the woman, one year for the man (with the possibility of transferring part of this time), as is the case, for example, in some Scandinavian countries.

- r) Improve education regarding employee diversity so that employers understand how they can benefit from diversity in the workplace, thus helping change company attitudes in this area.

“If men were to go on maternity leave for as long as women do, it would indirectly solve a lot of the problems. I can imagine that a man would go on a year-long maternity leave following the woman’s maternity leave, with the same child and under the same conditions. I’m sure a lot of families would take this opportunity, and again, it wouldn’t be so hard on the employers.”

Male, Steam and air conditioning supply, Plzeň, 10-49 employees

As for the Czech legislation, the HR specialists generally do not have any major complaints. They take the legislation as given rather than a subject for discussion or possible innovation.

They say that the Czech regulation is friendly towards employees who can choose whether they want to devote themselves to parental duties during maternity and parental leave or whether they want to return to work earlier.

According to the HR specialists, the parental leave options are flexible enough to allow parents to decide how long they want to stay on parental leave and care for the child at an important stage of the child’s development. From this perspective, Czech conditions are exceptional and very family friendly.

The criticism of the Czech legislation focuses on the length of parental leave, which can cause long interruptions in employment and subsequent difficulty in returning to work; it also forces organisations to hold the job position for an unreasonably long period of time.

Summary

1. Summary of the Quantitative Part

The results of the quantitative survey are as follows:

- a) A quarter of the women have come across a job advertisement, whose wording, directly or indirectly, either discouraged or excluded pregnant women or parents of small children.
- b) Sixty-one per cent of the women had been asked questions about their family life in a job interview, even though employers are not allowed to ask this question. More than three quarters of the women always answered these questions. Only a small percentage of the women (2%) never provided an answer. However, refusing to answer does not pay off. In the case of women who had provided information about their family situation to a potential employer, more than half (52%) got the job, but of the women who had refused to answer questions about their family situation, less than a third were eventually hired.
- c) Unlike questions about family situation asked in job interviews, it is very rare for current or prospective employers to ask for confirmation of pregnancy. Only a few per cent of the women surveyed (5%) have experienced this in the last ten years.
- d) More than half of the respondents (52%) who went to a job interview while pregnant say they did not get the job and believe their pregnancy was the reason. In the case of women caring for small children, a much smaller proportion (around two fifths) consider their motherhood as a reason for failing a job interview.
- e) In the Czech Republic, parental leave is almost exclusively taken by women (96%). Another person, including the child's father, took parental leave only in a fraction of the cases (1%). The same applies to concurrent parental leave, where the mother and then another person take parental leave (2%); this situation is not common in our country. The reasons influencing the decision on who will take parental leave are mainly financial (as reported by 69% of the women) and emotional.
- f) More than three quarters of women say that their employer's attitude changed after they had announced their departure for maternity or parental leave. The women's responses also suggest that their contact with the employer during maternity and parental leave is not problematic (negative experience is rare),

but on the other hand, this is also a missed opportunity in terms of the employers' activities. Fewer than one half of the women were offered further co-operation or any form of support (44%; the most common offer was an early return to work), and some women reported that they had less contact with their employer than they would have liked.

- g)** On average, women return to work when their child is 15 months old. Typically, however, they simultaneously remain on parental leave. Only about a fifth of the women reported that they had terminated parental leave before their child reached the age of three. The most common reason for women returning to work before their child reaches the age of three is poor financial situation (44%); the second most common reason is that they have managed to place their child in a nursery or kindergarten (44%).
- h)** A large proportion of women (more than a third – 36%) do not return to their original employer after the birth of their youngest child but start working for another employer. The main reason is the inability to reconcile the original job with care for the child (42% of the respondents gave this answer). In contrast, 30% of them return to their original jobs.
- i)** The majority of women (almost three quarters) said that their employer's attitude had not changed after they returned to work from maternity or parental leave. A further 13% even said they were treated better than before, and only 6% experienced any deterioration in how they were treated.
- j)** After returning from maternity or parental leave after the birth of their youngest child, a majority of the women were paid better than before. Their average hourly rate increased compared to the period before their maternity or parental leave (as stated by 40% of women). Salary of those that did not receive a pay raise most often stayed the same because salaries had not increased in general (28%). However, it is also worth noting that a significant percentage of the women (13%) did not receive a raise despite the fact that their colleagues in the same position had been given a raise in the meantime. The salaries of another group of women (7%) even decreased after they had returned to work.
- k)** A large majority of women said that their employer had not offered them any forms of assistance to facilitate their return to work (59%). If the employer made any offer whatsoever, it mostly consisted in facilitating working from home for parents (18%), education and personal development programmes (13%), or the possibility to bring a child to work (11%).
- l)** In terms of the work-life balance measures that employers can offer, women have most often experience with work on the basis of an agreement outside employment (agreement to perform work, agreement to complete a job; this is or has been used by 44% of women), as well as part-time work or other ways of reducing the number of hours worked (41%) and fully flexible working hours (the employee chooses the start and end of the working hours; 36% of the respondents). The interest in work-life balance measures is generally quite high; up to a third of the women who did not use any of these measures would have been willing to do so if their employer had given them the opportunity. The respondents were most interested in compressed work schedule and fully flexible working time; the proportion of women who said they had not used these two measures but would be interested in doing so if their employer offered them was 45% and 41%, respectively. These findings show that there are significant gaps in the employers' offer of work-life balance measures.
- m)** When asked to assess the overall support they received from their employers as mothers of small children, the majority of respondents stated that their employer supported them readily (58%); 27% were supported by their employer rather or definitely reluctantly, and less than 16% were not supported by their employer at all.
- n)** Most women report that neither they nor their partners have made adjustments to their career paths in relation to caring for a child under six years of age. If any adjustments have been made, this was only on the part of the woman, such as reducing the number of hours worked (e.g. reduction to part-time work) to make it easier to combine work and care for the child (41%) or refusing a new job offer because it would not be possible to adequately combine work and care for the child (34%). According to the respondents' answers, their partners have rarely adjusted their career paths because of having children.
- o)** The survey also investigated the experience of working mothers of small children with various

manifestations of less favourable treatment at the workplace. The most common negative experience during pregnancy or at the time when women cared for at least one child under the age of six was related to the workplace environment; almost a quarter of the respondents (24%) experienced negative attitudes from colleagues or superiors because of their motherhood; a fifth (21%) experienced unpleasant comments from colleagues or superiors about their pregnancy or motherhood and care for children; and a similar proportion (18%) felt that the views of women caring for children were less respected and that they were less valued as employees.

- p) The second area of concern is remuneration. As many as 19% of the women said that, compared to their colleagues, their salary increase (including bonuses) was undeservedly lower or even non-existent; 17% of them believed that they did not receive bonuses (or they were lower) because they took time off work to care for their child (e.g. when the child was sick or needed to go to the doctor).
- q) The third area of concern are employment contracts and termination of employment. Approximately one in six women (16%) has personal experience with not having her fixed-term contract extended by her employer, even though she was interested in an extension, and believes that this was because of her motherhood; approximately one in seven women (14%) has been pressured by her employer to terminate the employment by agreement and one in eight has actually received a termination notice or has terminated her employment by agreement after being pressured by the employer to do so (13%). Overall, up to a third of women caring for children under six years of age fear losing their jobs due to motherhood.
- r) The fourth area of concern is the organisation of work. Fourteen per cent of respondents said that they had been assigned work that was not suitable for them because of pregnancy or maternity, and 13% experienced a situation where their employer had not allowed them to take the leave they needed to care for their child.
- s) Of the women who had experienced less favourable treatment at work, 38% tried to resolve the situation, either formally or informally. The respondents sought resolution most frequently in the most serious cases where the employer had threatened them with termination of employment, terminated their employment during a trial period, refused to extend an employment contract even though they were interested in the renewal, pressured them to quit or terminate their employment relationship by agreement, or when their colleagues or superiors had treated them so badly that they had considered leaving the job. Even in these cases, however, about a third of women still left such unfavourable situations unresolved.
- t) The respondents stated that they had most often discussed the problems with family and friends (69%), with colleagues at work (41%) or with their superior (40%). Only a fraction of respondents (always less than 5%) sought external forms of assistance, such as hiring a lawyer, contacting a non-profit organisation, the State Labour Inspectorate, the Public Defender of Rights or the court. The most common reason for not using one of the institutionalised forms of assistance was that they did not consider the problem to be that serious (32%), but also because they did not believe that reporting the problem would help (21%) or they simply did not have the capacity to deal with it as they needed to care for the child (19%). Women who had not encountered less favourable treatment most often reported that they would not know who to turn to with a similar problem (this was stated by a third of them). Other answers included Labour Office (15%) or a lawyer (12%).
- u) Most women plan to return to work after maternity or parental leave (96%), although only a third plan to return to their original employer. If the women are currently not engaged in any paid work, this is most often because they are caring for a small child and want to devote their full attention to that care (68%). Overall, 72% of the respondents are not currently in paid work because they are still pregnant or on maternity leave, their financial situation is good and their family does not need their income, or they have a small child and are not currently interested in working. Further 22% of the women currently do not have paid work for other reasons (mainly due to the lack of available childcare options and the fact that they are unable to find a job that would make appropriate work-life balance possible) and 6% are unable to define the specific reasons.
- v) Regarding the barriers faced by working mothers caring for small children, the most common are frequent absences from work due to caring for sick children (taking care of a family member); almost one half of the women have personal experience with this issue. Second, the women mentioned high financial

costs of ensuring private childcare for pre-school children (e.g. private nurseries, private kindergartens, babysitting, ...) due to insufficient capacity of public childcare facilities. The third most common reason was the lack of capacity of public pre-school childcare facilities (nurseries, children's group, kindergartens, ...).

- w) The majority of the women (88%) believe that parenthood has a negative impact on women's employment. Almost three quarters of the respondents believe that the main reason why women earn less and do not reach management positions nearly as often as men is that they are limited by pregnancy, caring for small children and family. Second, women thought that organisations preferred men in management positions (51%). The third reason was that the current situation on the labour market and employer policy put women at a disadvantage (37%).
- x) While almost 38% of the women surveyed feel that their career is affected to some or large extent by childcare, only 7% of the women report that their partner's career is impacted to the same extent. There are two main reasons why women limit their career development in favour of caring for children. One of the reasons is the belief that it is better for the child/children to be mostly taken care of by their mother (53%); another reason is the financial aspect, i.e. that the woman's partner earns more and it is therefore more beneficial for the family for him to devote more time to his career (50%).
- y) The majority of women feel that until the child is two years old, the mother should be at home with them; they consider part-time work appropriate when the child is between the ages of two and six, and full-time work once the child starts school. While a majority of respondents think that women and men should have equal responsibilities in household care and equal opportunities to pursue employment, up to half of them also believe that the man should earn money and the woman should take care of the family and household. More than a third think that the woman should be at home with the children and the man should work even if this is not financially advantageous for the family, and that it harms pre-school children if the mother is employed. According to the respondents, women also need children more than men in order to have a fulfilled life.

2. Summary of the Qualitative Part

The findings of the qualitative part of the survey are as follows:

- a) The HR specialists interviewed perceive maternity and pregnancy at the workplace as a routine topic that does not cause them any significant complications or difficulties. It is naturally linked to human society and they are therefore convinced that organisations should be prepared to support their employees who are or soon will become parents.
- b) Czech legislation is seen by the HR specialists as a given reality that they do not need to criticise. They look at it from the viewpoint of their own position in the organisation, not taking into account the organisation's cost. They appreciate the freedom it gives women to decide whether they wish to fully pursue their maternal responsibility or prefer an earlier return to work. The HR specialists would welcome a change in the length of parental leave under Czech legislation. They believe it would make it easier for companies if they did not have to guarantee a job position to an employee on parental leave for so long; a shorter parental leave (along with significant strengthening of childcare infrastructure) would also contribute to women's smoother return to the labour market.
- c) From the perspective of smaller companies, the Czech legislation may complicate things by forcing them to look for a substitute staff member for the time an employee is on parental leave.
- d) The HR specialists interviewed encounter prejudices associated with the employment of women only rarely and if they do, then mainly among the older generation of men. These men may see young women or mothers of small children as unreliable and inflexible employees. The HR specialists interviewed declare that the organisations they work for are making great efforts to reduce the spread of such prejudices as much as possible.

- e) They state that family situation of applicants is not taken into account when hiring new employees. The respondents declare that they are aware of the legal boundaries and avoid questions about family status. This finding is contrary to the results of the quantitative part of the research where 61% of women said they had been asked questions about their family situation at job interviews.
- f) They do not see a woman's family status or pregnancy as a barrier to her employment in their organisations. The respondents say that if the applicant has the required qualifications and availability, their organisations will be able to accommodate her with a flexible form of co-operation.
- g) According to the HR specialists, employers have recently been open to various forms of work-life balance measures. The Covid-19 pandemic brought a positive shift in this respect as organisations were forced to try out various flexible forms of co-operation. Many have had good experience with these measures and continue to use them. The most offered options include semi-flexible working hours, the possibility of combining work from home and office and part-time work. According to the HR specialists, these three types of co-operation are also the most sought-after among employees returning to work after parental leave.
- h) According to the HR specialists, the current situation in the labour market has also influenced the greater responsiveness to the balancing of work and family life. There is a shortage of qualified candidates and employers are trying to prevent high employee turnover. This motivates organisations to be more responsive to the wishes of their employees who have proven their qualities. This also applies to employees on parental leave. According to the HR specialists, much effort is made to motivate employees to return to work for the same organisation. One of the tools that can successfully support this is appropriate communication during maternity and parental leave or an offer of agreement-based work during maternity or parental leave.
- i) The HR specialists say that effective communication during maternity and parental leave is one of the keys to a smooth return after parental leave. It allows them to stay informed of planned returns and it offers the possibility of co-operation during maternity and parental leave (e.g. on the basis of an agreement); it also helps female employees to keep up to date with the situation within the organisation.
- j) Their responses indicate that returning to work after maternity or parental leave is not associated with major complications. They state that, in general, their experience with the work results of employees returning to work after maternity and parental leave is very positive. They know from experience that these are loyal and very efficient workers.
- k) The HR specialists interviewed are not aware of any formal or informal complaints raised in their organisations in connection with motherhood or parenthood.
- l) Despite the fact that the HR specialists interviewed perceive the approach of their companies as friendly and open, they consider the position of women in the Czech labour market to be difficult. They are aware of the imbalance between the position and the opportunities of women and men. They stated that the barriers that women faced in the Czech labour market included the need to cope with a several-year pause in professional growth, the constant challenge of balancing work and family life, the fight against the prejudice in Czech society that a woman should devote all her attention to caring for children until they were at least three years old, the gender pay gap for the same jobs, and insufficient childcare infrastructure.
- m) In order to reduce the unequal position of men and women in the labour market, the HR specialists propose the following recommendations:
 - » Support the overall awareness of companies regarding the benefits of employing women and employee diversity.
 - » Spark a debate on unequal pay for women and men in the same positions.
 - » Reduce social isolation and shorten the career break caused by the length of parental leave. They believe this is possible by shortening parental leave, intensifying communication with employees during parental leave, supporting various forms of working relationship for employees on parental

leave and strengthening the infrastructure related to childcare (expanding the capacity of nurseries and kindergartens, extending their operating hours, simplifying the administration associated with the establishment of children's groups and company kindergartens). Another measure could be to set a certain period of parental leave reserved for the other parent.

- » Set up tax benefits for part-time jobs to encourage organisations to offer them more often, and simplify the related administration.
- » Promote work-life balance (e.g. relax or lift the ban on working in the same profession while on maternity or parental leave).
- » Reduce the barrier to women's return to the labour market after parental leave, for example by expanding the offer of retraining courses, thus increasing their competitiveness in the labour market.

3. Final summary

The research and its results show clear differences in how the HR specialists and women who are pregnant or care for small children perceive the situation at hand.

The HR specialists acknowledge the unequal position of women and men in the labour market, but in their experience, employers show great willingness to accommodate their employees' needs. They are able to offer a fairly wide range of flexible forms of co-operation, from part-time work and semi-flexible working hours to a combination of working from home and from office. Due to the current situation in the labour market, employers also try to motivate their employees on parental leave to return after the leave ends and are willing to comply with their needs in this respect, if allowed by the operating conditions. However, the respondents' statements do not confirm this. They report that they have encountered discriminatory behaviour in job interviews and most have no experience with their employer providing any such forms of flexible working arrangements when they returned to work from parental leave.

Although the experience of the two focus groups differs in many respects, together they agree that pregnancy and parenthood generally have a negative impact on women's participation in the labour market.

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