

# Parents at Work

Discrimination  
Issues




# parents@work

Compatibility  
and

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 Gleichbehandlungsanwaltschaft



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## **Edition Notice**

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# The research project

# 1.



Reconciliation of work and family is the topic of much discussion. Numerous studies and information brochures address the question of what strategies can be used on an individual or company level to find a balance between the demands of the world of work and childcare (Mauerer/Schmidt 2019, Bergmann/Danzer/Schmatz 2014, Beham/Haller 2005). A large number of research results have documented that parenthood has different effects on the professional careers of mothers and fathers. For example, it has been proven that female employees are exposed to a so-called “motherhood penalty”: Compared to women without children, mothers receive lower salaries and have fewer prospects of promotions (Cukrowska-Torzewska/Matysiak 2018, Crittenden 2001, Budig/England 2001). In contrast, studies have shown that working fathers often benefit from a “fatherhood bonus”: compared to childless men, fathers often experience an increase in salary and status (Mari 2019, Budig 2014, Hodges/Budig 2010). However, if fathers take on care responsibilities, then they too are exposed to disadvantages in the workplace, albeit to a different extent than mothers (Sardadvar/Bergmann/Sorger 2020, Warming 2019, Wagner-Steinrigl 2019).

A subject that has not yet received much attention is the question of workplace discrimination against parents in response to their care responsibilities and their desire to reconcile these with their work. Nevertheless, this is a relevant area in terms of the numbers: the Ombud for Equal Treatment records 70 to 80 cases each year solely on the topic of discrimination against employees with childcare obligations; however, this is only the “tip of the iceberg”, as only a small portion of cases end up here due to the small size of the Ombud’s office and the resulting low-level awareness of its purpose.

It can therefore be assumed that a large number of parents are disadvantaged in the workplace because of their parenting or childcare responsibilities. This aspect of the compatibility of work and care responsibilities is addressed by the content of the “parents@work” project: to look more closely into the discriminatory behaviours and attitudes of employers towards employees with care obligations and their consequences in order to help reduce discrimination towards parents.<sup>1</sup>

First, the experiences of employees discriminated against due to their care responsibilities were collected (Aufhauser et al 2020). From June 2019 to January 2020, detailed interviews were conducted with 18 subjects who, due to the fact that they were parents, had been discriminated against in the workplace, mostly by their superiors. The interviewees were former clients of the Ombud for Equal Treatment. We would like to take this opportunity to thank the interviewees, who were willing to share their experiences with us and go through their stories again in interviews lasting one to three hours. The results of this part of the research are summarised in Chapter 2.

Secondly, the view of employers<sup>2</sup> towards the issue of “parents in the workplace” were then analysed. To do this, qualitative interviews were carried out with seven selected employers together with an online survey of 45 company representatives (see Bergmann et al 2020). This allowed us to get a picture of how employers envision a work environment that is also geared to the needs of employees with care responsibilities, how they would respond to discriminatory behaviours, and possible solutions.

<sup>1</sup> The full project title is: “Parents@work: Es geht um die Einstellung!” (or in English: “Parents@work: Changing Perceptions!”). More information can be found on the project website at <https://parentsatwork.eu>.

<sup>2</sup> For the purposes of this report, “employers” are to be understood as persons with responsibility for personnel. This includes all managing directors, owners, board members, department heads, project managers, HR officers, etc., with responsibility for personnel. For the sake of completeness, it should be mentioned here that the employees do not come from those companies that participated in the report.

Since this survey was carried out from April to September 2020 during the first COVID-19 lockdown, this specific situation was also addressed in the survey. We would like to take this opportunity to thank all employers for taking the time to give us an interview or take part in the online survey especially during this turbulent period. The results of this part of the research are summarised in Chapter 3. By jointly outlining the points of view of both parents experiencing discrimination and employers concerned about making their workplace more compatible with family life and preventing discrimination, this brochure aims to help companies address such employee needs differently in the future. In particular, employers may

benefit from the positive examples of companies amenable to such a work/family balance. For workers affected by discrimination, it can be helpful to see that there are other victims, that their experiences are not unique to them, but rather come from structural discrimination, and that advice and support are available. The following chapters therefore contain information on the legal situation as well as tips from the Ombud for Equal Treatment for employees and employers.

### **Info box 1:** Information about the project „Parents@work“: Changing Perceptions!

The project is being implemented in Austria by L&R Social Research in collaboration with the Austrian Ombud for Equal Treatment (GAW) and in Croatia by CESI (Center for Education, Counseling and Research) in cooperation with the Office of the Ombudsperson for Gender Equality.

#### **The aims of the „parents@work“ project are**

- increasing awareness of (hidden) discrimination against parents in the workplace and in application processes among employers, employees and in the public eye;
- developing new strategies to support employers and employees in taking action to combat discriminatory practices and developing new tools for this (informational material, workshops, YouTube videos) that are adapted to the needs of the people and organisations concerned; and

- supporting gender equality institutions and other advisory organisations with materials and tools (such as YouTube videos) that can be used in their advisory work, as well as in the course of other activities, to increase public awareness.

The project runs from June 2019 to June 2021; it is co-financed by the European Commission as part of the “Rights, Equality and Citizenship Programme”. More information can be found on the project website at <https://parentsatwork.eu>.

Parent  
experiences

## 2. of discrimination

The focus of the first part of the research was on collecting the experiences of parents affected by discrimination. What experiences did they have at work when they announced that they would be taking parental leave or a leave of absence? What discriminatory behaviour were they exposed to from their employers? How did they react and what kind of support did they get? All of the respondents were also clients of the Ombud for Equal Treatment, which supports people affected by various forms of discrimination, including on the basis of parenthood. The Ombud for Equal Treatment contacted its former clients, asking them to participate in the research project.

As there have been no previous surveys or studies of how parents affected by discrimination retrospectively assess their experiences and how this affected the future course of their careers was like, we are also breaking new ground in Austria with this part of the research. In total, 18 former clients, 13 women and five men, agreed to share their experiences in qualitative interviews.

### Info box 2: What does discrimination mean?

Discrimination is unequal treatment that is not justified and leads to disadvantage. The Equal Treatment Act (Gleichbehandlungsgesetz) protects against discrimination on the grounds of gender (including marital status and children), ethnicity, religion, ideology, age or sexual orientation.

Harassment also constitutes discrimination.

If employees take a leave of absence or reduce their hours to focus on parenting, this can lead to disadvantages with their employers.

While pregnancy is linked to biological sex and discrimination in this context only affects women, fathers can also be disadvantaged if they choose to focus on their parenting duties. For example, if fathers announce that they would like to take parental leave and are then dismissed on these grounds, discrimination occurs when an employment relationship is terminated.

In one- to three-hour interviews, people who had been affected told their stories about relevant experiences that they had had in the workplace: about the reactions of superiors, colleagues, works councils and those in their private sphere, about getting in contact with bodies that supported them, primarily the Ombud for Equal Treatment (GAW) and also the Chamber of Labour, about the outcomes of their cases, and about the consequences of these experiences on their future careers and other areas of their lives, such as their health.

Almost all of the interviewees emphasised their desire for things to be better for future generations of parents and their hope that sharing their stories would help companies deal differently with employees with care obligations. In particular, they hope that employers will take a positive attitude towards parents handling care duties and see the many beneficial aspects of it. We also hope that this report and the resulting proposals for action and materials will make a contribution to this goal, along with the other activities that form a part of this project.



Most of the interviewees have a relatively high level of professional or academic education or training and were active in corresponding professional fields, often in senior positions. Most of the respondents came from Vienna; the other six were spread across different Austrian states (Styria, Lower Austria, Salzburg, Tyrol). With regard to the industries in which the people originally worked, three each worked in the IT sector, banking and finance, and further training; two in the healthcare sector and two in classic production; and one person each in the legal sector, trade, and social services. Two people did not want to provide any information in this regard. Around half of the interviewees worked in relatively large companies or companies with a group structure; only three people worked in relatively small or family companies.

While for women the focus was on them being in danger of losing management positions or salary entitlements due to parental leave and/or the desire to have reduced working hours and assumptions that they were no longer sufficiently committed to their work due to their childcare obligations, the men more often reported general discouragement against taking parental leave or reducing working hours to avoid signalling to other (male) colleagues that such concerns were accepted within the organisation. Even with female interviewees, though, there were repeated attempts to avoid legal entitlements such as parental part-time working, with the right to unilaterally determine the arrangement and length of their working hours.

Five selected case histories are presented as tangible illustrations of the kinds of discrimination just outlined.

**Ms D. is repeatedly disadvantaged and bullied after taking parental leave**

Ms D. wants to return on a part-time basis after taking a relatively short leave of absence. This is taken very negatively by her employer, especially the fact that she wants to work on certain days. She then allows herself to be persuaded to adopt a flexible arrangement – on condition that she can stick to her preferred days as much as possible. The reality then looks very different. Ms D. is transferred to a branch that is difficult to reach and is assigned to working days that are unfavourable for her. This is the beginning of a long line of increasingly severe acts of bullying and accusations that she is doing her job wrong. Working part-time is in general not welcomed by her boss. Ms D. gets support from the Chamber of Labour (AK) and the GAW, and finally sues with the help of the AK. In the end, a settlement is negotiated and this results in her leaving the company.





### **Ms J. experiences disadvantages while working reduced hours**

Ms J. wants to work on a part-time basis after giving birth and informs her manager of this. Although she is given permission to work part-time, she is denied the flexitime that applies in the company. Because she knows that it is impossible for her to arrange her working hours around her childcare without flexitime, she turns to the HR department and the works council. Ms J. does not receive any support from either body; rather, the HR department, her manager and the works council join forces against her. After she returns to work, her manager begins to discriminate against her and bully her in various ways. For example, he moves her to a field of activity that does not correspond to her skills, excludes her from meetings, and isolates her workspace from that of her colleagues. Ms J. applies for other positions within the company, but is always rejected. She turns to GAW and decides to take legal action against the company because she had also collected evidence. A verdict is currently pending, and she still works for the same company.

### **Mr O. is pushed out of the company because of his wish to take parental leave and work on a part-time basis**

Mr O. wants to take parental leave, but knows in advance that parental leave for men meets with strong disapproval from his manager. When he informs his boss in good time about his desire to take three months of parental leave, the latter reacts angrily. His boss wants to grant him only one month of leave. This offer is rejected by Mr O. At the same time as announcing that he would like to take three months of parental leave, Mr O. also expresses the wish to come back to work on a part-time basis of 30 hours a week following his parental leave. This request is denied. His boss accuses him of a lack of willingness to work and offers him employment of 1–2 hours a week for copying activities. Furthermore, he recommends Mr O. give his notice, since with this amount of parental leave “there will no longer be a position for him anyway”. Although Mr O. would have had good chances in court if he had sued for his right to part-time hours, he refrains from taking legal action as he values a carefree period of parental leave over the burden of a legal dispute. Due to these incidents, Mr O. now wants to leave the company voluntarily and asks the works council to negotiate an amicable termination of the employment relationship, which it succeeds in doing. Meanwhile, Mr O. has a new job.



### **After announcing her pregnancy, Ms M. is not given a permanent employment contract**

Ms M. becomes pregnant while on a fixed-term contract. It is customary within the company for all fixed-term contracts to be converted into permanent contracts. However, after announcing her pregnancy, Ms M. is informed by her supervisor that she will not be receiving a permanent contract, even though this has previously been done for all of her colleagues. She turns to the works council, which contacts GAW, which identifies clear discrimination on the grounds of parenthood. After both the works council and the GAW confront the supervisor in writing with the allegation of discrimination, Ms M. finally receives a permanent employment contract.

### **Mr P. is fired because he expresses a desire to take parental leave**

After the first year of parental leave that his wife took, Mr P. would like to take parental leave for the second year of his child's life. He informs his boss in a timely manner, but already suspects beforehand that he will not be pleased. When Mr P. mentions in a conversation with his boss that he plans to take parental leave, the situation escalates immediately and a heated argument ensues. He is dismissed only a few days later and is also accused of lying during the process. He sues for reinstatement using his own lawyer and wins the court case, and so he initially returns to the company after his parental leave ends. His employer makes life difficult for him after his return, transfers him to a lower position and even uses a private detective against Mr P. and his wife. As a result of this, Mr P. experiences health problems, goes on sick leave and leaves the company. He is then unemployed for a while, but eventually finds a new job. He gives up his claim to a management position.

### Info box 3: Key legal provisions in the Equal Treatment Act (excerpts)

§ 2. The aim of this section is equality  
of women and men.

§ 3. Nobody may be directly or indirectly  
discriminated against in connection with an  
employment relationship on the basis of gender,  
particularly in relation to one's marital status or  
whether or not someone has children.

In particular, this is not allowed:

1. when establishing the employment relationship,
2. when determining the remuneration,
3. when granting voluntary welfare benefits that  
do not constitute remuneration,
4. when it comes to training, further education  
and retraining measures,
5. in relation to career advancement, in particular  
in the case of promotions,
6. in relation to other conditions of employment,
7. when terminating the employment relationship.

§ 12 Legal consequences of violation of the  
requirement for equal treatment

(1) If an employment relationship has not been  
established due to a violation of the equal treatment  
requirement under §3 No.1, the employer is  
obliged to compensate the applicant for financial  
loss as well as for the personal impairment  
suffered. (...)





(5) If an employee has not advanced  
professionally due to a violation of the equal  
treatment requirement under §3 No. 5, the  
employer is obliged to compensate the  
employee for financial loss as well as for the  
personal impairment suffered.

(6) In the event of a violation of the equal  
treatment requirement under §3 No. 6, the  
employee is entitled to be granted the same  
working conditions as an employee of the  
opposite sex or to compensation for financial  
loss as well as for the personal impairment  
suffered.

(7) If the employment contract has been  
terminated or prematurely ended by the  
employer because of the gender of the employee  
or because of the assertion of not obviously  
unjustified claims under this Act, or if the  
probationary employment contract has been  
terminated for such a reason (§ 3 No. 7), the  
dismissal, redundancy or termination  
of the probationary employment contract can  
be contested in court. If a fixed-term employment  
contract that is designed to convert into a  
permanent employment contract has been  
terminated through being allowed to expire  
because of the gender of the employee or  
because of the assertion of not obviously  
unjustified claims under this Act, legal action  
may be taken to determine that the employment  
contract is permanent. If the employee allows the  
termination against him/her to stand, he/she  
shall be entitled to compensation for financial  
loss as well as for the personal impairment  
suffered. (...)

## 2.1 Forms of discrimination

The diverse experiences of the interviewees were able to be pooled into four typical forms of discrimination. The first three forms concern the professional position and the workplace. These include:

-  **transfer to another position;**
-  **disadvantages when it comes to pay;** and
-  (attempted) **termination of the employment relationship** by the employer.
-  The fourth form of discrimination primarily occurs on a personal level; in this context, the interviewees reported being exposed to **harassment**, which could even go **so far as bullying**.

### 2.1.1 Transfer to another position

Of the 18 respondents, nine were affected by a forced change of position, mostly a demotion. In one case, this was also followed by dismissal; in another, a transfer was carried out because a dismissal was not legally tenable, and so it was more or less instead of termination. For six people, the “trigger” for these transfers was taking parental leave (in one instance, the change of position took place during pregnancy), and for the other three, it was the desire to take advantage of reduced working hours to focus on parenting. In the case of one other respondent, the company did not comply with an agreement regarding a management position following parental leave, meaning that she was denied career advancement.

The concrete ways in which these transfers were experienced are outlined below: it was particularly common for the interviewees to be confronted with such a change in position only upon their return from parental leave.

“(…) and I was made subordinate to my former co-worker and basically had to do filing. And I had to do this job in the conference room next to the managing director, so that he had an eye on me.”  
(Interview 16)

In addition to demotion to activities that do not correspond to the qualifications of the respondent, the physical proximity to the managing director and the resulting monitoring by him were described as particularly stressful. Interviewee 7 also experienced a demotion to a lower professional position when she returned from her parental leave, and she was not even allowed to return to her original position when it became vacant a little later:

“For me, though, the discrimination was the fact that when I actually said I was ready again, my job wasn’t given back to me. And even though the person who had been given my job was then fired, I still didn’t get it back.” (interview 7)

Another respondent had to suffer similar experiences after returning from parental leave. At the time she announced her pregnancy, she was in the process of applying for a higher position in her company:

“And I was told that I would get this job after my parental leave, and that’s why, I was told, they would employ someone in my place, not as maternity leave cover, but on a permanent basis. That’s when the game started. They hired a man. And when I came back after those 10 months, they said there was no job anymore.” (Interview 11)

Since the interviewee’s former position had been filled on a permanent basis and the promised higher position apparently no longer existed, the interviewee was assigned a “pseudo job” without any area of responsibility. This situation persisted until the respondent began another period of parental leave. Similar experiences are also reported by other interviewees, who were assigned subordinate positions after announcing their pregnancies. Likewise, after their return, they did not receive the originally promised positions, but rather these went

to less qualified colleagues (from the point of view of the interviewees):

“And then from March until my maternity leave, I was made subordinate to the new senior project manager as a project assistant. And what also happened is that in autumn 2016, this “New Business” position went to a colleague. So, a colleague at the same level was put in charge of strategic product management. (...). That was discrimination pure and simple. For one thing, then, this was gender discrimination and discrimination due to my being a parent. (...) I didn’t understand it because, according to our CVs (I compared his and mine), I had a lot more experience than he did.” (Interview 8)

Another respondent said that prior to her parental leave, she had agreed with her employer to move to a branch of her company that was close to her place of residence, in order to be able to better reconcile her work with parenthood after her return. However, on her return, she was transferred to a branch that was difficult for her to reach, and no consideration was given to her preferred working days.

#### Info box 4: Tips from the Ombud for Equal Treatment for reduced hours for parenting purposes

What can also often happen is that, after **returning to work on a part-time schedule**, parents are faced with **worse working conditions**.

This can include being transferred to a place of work that is far or further away, not being equipped with the necessary work equipment, or being deprived of a managerial position.

It is important in such cases to seek to have a conversation at an early stage, to obtain legal information, and to also clarify that one has a right to the same, or an equivalent, job.

The original employment contract in which the duties and job level are defined should only be changed with regard to the work hours and their location, but not the content of the work when one takes a reduction in hours for parenting purposes.

Fathers with ambitions in childcare earn either praise and recognition (the model dad) or ridicule and rejection (“wimp”, “a henpecked husband”). Some companies fear that fathers only take reductions in hours in order to secure protection against dismissal. Others see problems for their operations if “men too” start demanding more flexible working hours. They generally perceive employees who are parents as a “disruption” to operations. However, fathers have the same parental rights as mothers and can also invoke the **Equal Treatment Act**. This should therefore be seen as normal by companies, and professional management should be established for this.

Overall, the return to work following parental leave was cited as a particularly critical point in time at which, in some companies, unfavourable changes to one's professional position are more or less de rigueur, as the following quotation exemplifies:

"(...) this struggle with returning to work!!! I hardly know anyone where that went really well. Rather, it's a 'negotiation', and you have to set yourself up in such a way that you are not discriminated against again – and that's not only by men, but also by mothers, who are bosses." (Interview 8)

### 2.1.2 Dismissal

In seven of the 18 cases, (imminent) parenthood and the associated leave or reduction in work hours was not only a reason for deterioration of one's professional position, but employers even terminated or attempted to terminate the respondents' employment. The fact that this constitutes unfair dismissal in violation of applicable labour law or that such dismissals are null and void during pregnancy did not prevent the discriminatory managers from taking such steps, as the following example shows:

"I then wrote an email asking to have a discussion about paternity leave. That was on the Monday, and we were supposed to be having a conversation on the Friday, and then I was handed my notice. I was perplexed at first." (Interview 9)

One interviewee reported of a particularly drastic experience of discrimination: she was dismissed immediately after announcing her pregnancy and was escorted off the premises by security.

"(...) and on the second day, he apparently went to the top boss in the morning and talked to him. I then received a phone call, and they told me that I was dismissed with immediate effect. So, I had to pack all my things immediately, with security. Then I cried and said, 'Yes, I can have an abortion. Please don't do that!' That's how they get rid of people if something is stolen in the bank, or if they steal data or do something bad, like fraud ... then the security guys really do come and accompany you, so that you cannot take anything with you from the computer. They look and see exactly what things you take with you and they take you out on the street with the whole box." (Interview 12)

Another respondent reported how she had been monitored and how female employees in management positions at her company were no longer seen at work after their pregnancies:

"I'd already noticed this, of course; that is, when the other half was still there, as I recall, there was a head of sales and a business unit manager who also got pregnant, and, afterwards, they weren't there anymore. That's what I observed. I already imagined why, but it was never discussed." (Interview 11)

The interviewee also expressed the assessment that "(...) Companies really aim to get rid of women working part time to take care of their children". This assessment is justified by experiences the interviewee had in her own company, but also by reports of similar experiences by her circle of friends and acquaintances.

It is important to clarify at this point that termination of the employment relationship was in most cases the result of the discriminatory experiences outlined by the interviewees, even if this was not resolved unilaterally by the employer. In most cases, the interviewees found it inconceivable to remain in the company after the discrimination they had experienced. The relationship of trust was shattered afterwards, or, in some cases, impairments to health were already evident. One example:

"I was then in rehab, and, while I was in rehab, we then terminated the employment relationship by mutual agreement. I couldn't ever go back." (Interview 6)

The cause for termination was the discrimination experienced on a personal level, as outlined below.

**Info box 5:**  
Tips from the Ombud  
for Equal Treatment  
relating to pregnancy  
and maternity rights

There are special regulations that protect pregnant women, which are regulated in the **Maternity Protection Act**. Women are not allowed to be disadvantaged in connection with a (suspected) pregnancy; **termination during one's probationary period** due to pregnancy is also prohibited. What sometimes happens is that **fixed-term contracts**, offered with the intention of converting them to permanent contracts, are frequently terminated once notice of a pregnancy is given.

In such cases, the **Equal Treatment Act** gives victims the option of either seeking redress in the form of financial damages or a restoration of a permanent employment relationship. Discrimination due to pregnancy or the fact that someone has children is likewise not allowed during the **application process**. Questions about marital status or children are not prohibited in principle, but they must not be asked in such a way that they can be perceived as harassment or lead to adverse decisions for applicants. In general, questions in job interviews should always be related to the requirements or basic conditions of the position in question.

### 2.1.3 Pay discrimination

In two cases, respondents also suffered a disadvantage in terms of pay during, or because of, their parental leave and the subsequent period of reduced work hours. In the first example, it was reported that salary increases stipulated in collective bargaining agreements that occurred while the employee was on leave were not granted upon returning to work:<sup>3</sup>

“One criticism was that no increases in basic pay were implemented during parental leave, not even the increases that are laid down in the collective bargaining agreements. So, it wasn’t the case that you just hadn’t been successful in any way. I don’t know whether that has changed on the whole. I do know for sure that this happened to me not just by chance, but that it was managed that way. It was a relatively long time ago, but I do believe that they fall under the legal regulation on transparency.” (Interview 2)

Another example was reported by an interviewee who was on parental leave: she told us about how, as a part-time worker, she had to pay a higher cost share for a benefit, which she saw as an expression of general discrimination against part-time workers:

“Well, that would not have been worth it, because I am only part-time and they would have therefore asked me to pay a much higher tax-advantaged cost share. In other words, I would have paid almost 500 euros a month for a company car, while full-time employees only pay the equivalent of 200 euros per month. So, again, that was an instance of discrimination, where I thought, „Well, that’s just already very much in the company’s DNA“.” (Interview 8)

<sup>3</sup> Such an approach by employers would no longer have been possible at the time this report was drawn up: a statutory barrier was put in place to stop pay discrimination of this kind; parental leave for children born on or after 1st August 2019 must be counted in full as time spent in the event of any claims that are dependent on length of service, such as the increases in basic pay that are regulated under collective bargaining agreements that were mentioned by one interviewee.



#### 2.1.4 Denigration on a personal level: bullying and harassment

The disadvantages that were described by those affected were in many cases associated with denigration of their professional performance, which also often devolved into personal bullying. In most cases, these experiences can be subsumed under the heading of bullying and harassment. This terminology was also brought into play by the interviewees themselves:

“I think they tried to get rid of me the other way, that is, something like bullying or even actual bullying.” (Interview 6)

A practice that cropped up in several reports is that of managers giving a poor account of the performance of those affected – and unjustly so, according to the descriptions of those discriminated against:

“It then went in the direction where they were saying that my performance wasn’t up to it. And I had my appraisal meetings recorded in writing saying that my performance had been appropriate.” (Interview 6)

One interviewee even reported of her manager not only portraying her performance as poor within the company, but also within the entire industry, which made it difficult for her to find a new job.

Very drastic experiences were also described by a man who spoke of his superiors taking wagers on how long he would endure the bullying. He was informed about this bet by several colleagues who had access to the relevant minutes of a meeting:

“(…) because my manager and the managing director, the very two I had the appointment with, wagered 3 bottles of sparkling wine on how long I could hold out and when I would ask to increase my hours again.<sup>4</sup> And the winner could choose the sparkling wine, that’s what it said.” (Interview 1)

In another interview, the respondent said that they were spatially isolated from their superior and had hardly any contact with colleagues anymore; she suspected that behind this was a plan to cut her off from important information in order to make it impossible for her to do an adequate job.

“Although there is such a lack of space in the company, I was given an office to myself – as someone who came in for 2 days in the morning – and it was the largest one available on the entire floor. Only my boss’s was even bigger. So, he completely isolated me. I got no more information at all. This basically boiled down to the fact that for him – and I already realised this – it was about me not getting any more information, meaning that my work would at some point be inaccurate because I was no longer up to date. And I no longer had these documents available to me, nor did I have the knowledge available in such a way that I could do my work intelligently. That was utterly frustrating because I actually tend to be a bit of a perfectionist.” (Interview 10)

When interviewees addressed these antagonistic practices, this was again turned against them in that they were portrayed as being overly sensitive and were ridiculed:

“He then fetched several people together and then asked me whether I still felt disadvantaged in any way or anything else. He made me look as if I felt disadvantaged all the time and he did that in front of the group.” (Interview 10)

<sup>4</sup> What it meant here by increasing one’s hours is that the interviewed person withdraws his request to avail of parental part-time working in order to return to work full-time, as requested by the managerial staff.



Companies have sometimes resorted to very drastic practices in order to collect material against employees whom they no longer wanted to have in the company. Private detectives were even hired to collect incriminating evidence to be used against them.

“During my dismissal process, we were also followed by a private detective, my wife, our child, and I. Quite a lot happened. That was very difficult at the time, because my wife had started working again. I had also been ordered back to work. Being on sick leave and going out is such taboo. My wife was at work for induction training, and I wasn’t allowed to go out. In fact, I didn’t dare to leave the apartment for 3 weeks.” (Interview 16)

In another example, the respondent was shown that he was not wanted when a clothes rack with sweaty laundry was placed behind his desk.

“They then placed a clothes rack by my workplace, right behind my desk, the rack where employees who had gone jogging in the morning would hang up their sweaty laundry, socks, underwear, etc. I said that it bothered me and that it was not acceptable for sweaty clothes to be hanging right behind me. And nothing was done to change it.” (Interview 1)

On the basis of these cases, it becomes evident that a considerable amount of bullying and harassment was used by the companies in order to “get rid of” employees who had fallen out of favour or otherwise force them to conform with company expectations (for example, by working full-time instead of part-time as desired). From bullying to surveillance by a private detective, a wide range of questionable practices are being used by companies, bosses, and colleagues to sanction employees exercising their rights as parents and other actions that they apparently consider illegitimate. Since this behaviour was always exercised by superiors, these practices are to be classified as abuse of power/authority.

Even if the described denigrations on a personal level are the ones that are less overt from a legal perspective,<sup>5</sup> they are of great importance in the accounts of the interviewees, and are those areas that have a long-lasting impact, as was evident to us as interviewers. Not least due to the fact that most of the respondents considered themselves to be very committed to their careers, this denigrating and harassing behaviour by their superiors represented an enormous additional burden on top of the “actual discrimination” and a personal humiliation, and, in many cases, led to widespread consequences, such as health problems.

<sup>5</sup> Nevertheless, many of the disadvantages in everyday working life described here can also be combated under the law; the Equal Treatment Act calls these “other conditions of employment”, as a general clause, and also prohibits this.

## 2.2 Conclusions from the experiences of the parents

As mentioned in the introduction, the interviewed parents did not accept their discrimination, but took action against it at different levels. One step was to seek advice and support from the Ombud for Equal Treatment and, in many cases, also from the Chamber of Labour.

In seven cases, this ultimately led to court cases, three of which ended in settlements and one which resulted in a judgement. At the time of the interviews, three court cases were still pending.<sup>6</sup> The vast majority of those interviewed – 15 people – left the company where they had experienced the discrimination. Of the total of 18 respondents, only three were still with the same company.

In addition to presenting and visualising individual experiences of discrimination due to parenthood and the resulting consequences, another goal of this study was to identify the basic structural conditions responsible for such disadvantages in the workplace and the structural obstacles to work/family balance.

In the course of this analysis, five factors emerged as central:

➤ The first aspect pertained to gender-specific, **normative role expectations in relation to the division of gainful employment and care duties.** It became evident here that ideas of typically “male” and “female” professional careers are still firmly anchored in society. This was expressed over the course of the surveys by the fact that men who wanted to reduce their working hours to focus on childcare activities experienced discrimination and disadvantages because they were allegedly deviating from the classic male breadwinner model and did not fulfil the stereotypical gender role assigned to them, along with the related expectations in terms of availability for business (see also Pfau-Effinger 2004 and Goedicke/Ellenberger 2015). By contrast, women were particularly discriminated against if they continued to display ambition for a career despite motherhood and thereby deviated from the role expectations that are specific to women (see also Baumgarten/Luterbach/Maihofer 2017).

<sup>6</sup> In the meantime (as of June 2020), two cases have resulted in a positive decision in favour of the discriminated parents.

✔ The **full-time norm**, which is still strongly established in Austria, was shown to be a further, structural factor causing discrimination against parents in the workplace. For managerial staff, in particular, full-time employment is often seen as an absolute prerequisite. Companies often see serving as a manager on a part-time basis as unthinkable. This strong orientation towards the full-time norm emerged during the interviews as a fundamental obstacle for parents in the workplace, because reducing hours for parenting was often viewed as incompatible with holding higher positions (see also Sorger 2014).

✔ Another structural obstacle identified was the **prejudicial assumption that parenting had a negative effect on job performance**. In the cases analysed, employers showed themselves to be largely unwilling to respond to wishes and requests – for example, requests from parents for more flexible working hours. Parenthood was only viewed in the light of the potential difficulties and problems associated with it; the potential resources offered by parenthood were completely disregarded (see also Steffens & Ebert 2016).

✔ Furthermore, the interviewees frequently referred to a **lack of uniform regulations and procedures in the companies with regard to parenthood and career**. This results in a great deal of scope for arbitrary decisions made by individuals within the companies and opens the way for disadvantages and discrimination. What was also seen is that the way parents are dealt with at the workplace largely depends on the usual way work is organised within the company and previous experiences with employees' reducing hours to take care of parenting responsibilities (cf. Gärtner 2012). In the cases analysed, the discrimination mostly affected people who worked in companies where parental leave and reduction of hours were not the norm.

✔ Ultimately, the **legal framework** also played a central role in the cases analysed. The interviewees often reported that they were **powerless** against their employers, as the latter do not have to fear any serious consequences in court proceedings, unlike individuals, and the financial risk for companies is comparatively low. This was also one of the reasons why some people who had been discriminated against refrained from taking legal action. Those who took legal action said that the **length of the proceedings was extremely long**. This was felt to be very stressful because the discrimination at the workplace only grew worse while the legal proceedings were ongoing. Overall, the respondents saw themselves as losers, even if they sometimes won their legal cases.

At this point, it should be noted that the five structural factors do not occur in isolation, but rather interact within the overall context and (often unconsciously) influence employers' attitudes towards parents.

## Parenthood and gainful employment

# 3.

## strategies from the perspective of family-friendly employers

The results of the survey of employers summarised below clearly contrast with those from the survey of employees. The employers surveyed got in touch on their own initiative after receiving invitations or newsletter mailings from the Ombud for Equal Treatment or appeals from L&R Social Research (via social media and mailing lists), or they were contacted directly by L&R Social Research or the Ombud for Equal Treatment and asked to give an interview. The employers who responded were therefore not afraid to give interviews or answer online questionnaires about the topic of work/family balance and the discrimination that sometimes occurs. This explains why the employees' accounts of discrimination sometimes stand in stark contrast to the views of the employers interviewed, who tended to be very open and positive about the topic of reconciling work and family. A total of 45 employers took part in the online survey and seven employers took part in the qualitative questioning. In order to cover a broad range of employers, care was taken to include different sectors (commerce, banking and insurance, education, information and consulting, trade and crafts, public administration) and different-size entities in the survey.

### 3.1 What were the main results of the employer survey?

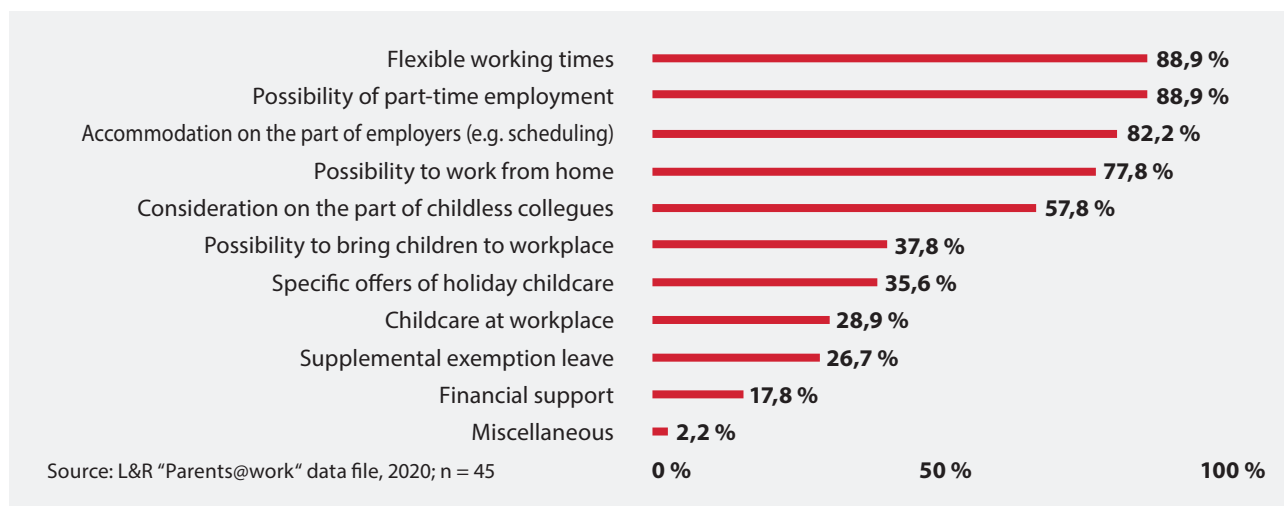
The employers appreciate a number of needs that working parents have. One of the main needs is parents' desire for flexible working time models, such as the need for different flexitime models, the willingness of employers to be accommodating in relation to holiday plans or important appointments, but also options for working part-time:

"One of the main needs (...) is the issue of working hours and how working hours are organised" (Employer 7).

For working parents, however, what is also important in connection with flexible working hours is reliability when it comes to being able to keep appointments, because this enables them to (better) plan their professional and family activities. Other key needs of working parents observed were the option to work from home, specific offers for care during the school holidays, and generally greater understanding on the part of the employer when it comes to dealing with issues of reconciling work and family.

The employers surveyed cited a large number of existing measures in place to meet these needs. In addition to flexible working time models, the option of part-time employment and home office, and a willingness on the part of employers to be accommodating in matters of scheduling (see also Figure 1), specific childcare offerings were also mentioned in some cases.

**Figure 1: Employer measures to meet the needs of working parents (multiple answers possible)**



In the qualitative interviews, the respondents also sensitively address the challenges faced by working parents as well as measures to provide information and further training and to raise awareness on the topic of reconciling work and family:

“It starts with the on-boarding process, and we have an educational programme with in- house seminars on this topic. For employees and managers. [...] We have our own intranet site and we are always posting headlines on this topic. [...] We always come up with various campaigns, and if there is something new, this is also communicated on the intranet” (Employer 1).

Another strategy for supporting working parents is voluntary work/family balance audits which encourage employers to identify and meet the needs of working parents.

“Awards, prizes, audits, the precious employer certificates that the company participates in to position itself. The creation of the text alone already raises questions, or if you get third place, what is still lacking? (...) This is a process that takes years” (Employer 2).

However, cases are also cited in which the needs of working parents cannot be met or can only be met with great difficulty, e.g., if insufficient notice is given or if wishes are too specific.

The qualitative interviews also show that the needs of working mothers and working fathers are defined differently, since the main responsibility for childcare is seen as lying with (and is also practised by) women.

The employers interviewed also justify this using a (still rather) traditional division of roles, in which women are assigned the work of child- rearing/care/domestic chores, while men are assigned the role of gainful employment. The general political/legal conditions in Austria are also judged to be such that they maintain these existing societal systems of values and norms and these practices. Other countries such as those in Scandinavia are seen as more progressive than Austria in this regard:

“Because Austria is a conservative country, because we still have ascribed roles in which women are responsible for looking after the children, because companies also see things that way, and because this perceived role certainly also leads to the fact that women do actually feel more responsible, and because we also have a high proportion of single mothers in Austria and it is taken for granted here that it is mothers who avail themselves of this and not fathers” (employer 3).

In general, however, it is assumed that there is also a shift underway in Austria towards a division of tasks that is more based on partnership:

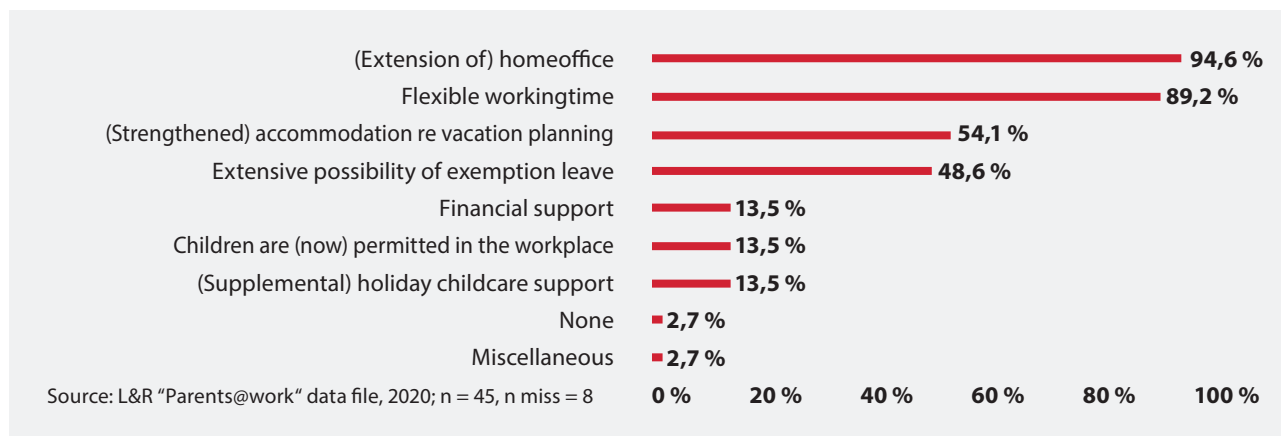
“Overall, this is still such an issue for society. It will get happen, but it will take a few more years for us to reach where the Scandinavians are already” (Employer 1).

### 3.2 What additional challenges are working parents seen as facing due to COVID-19?

Many parents and employers were particularly challenged by the lockdown in the wake of the COVID-19 pandemic. The temporary closure of childcare facilities and schools, in particular, posed additional challenges for people with children. How have employers experienced this time? What were seen as additional needs and problems for their employees? What solutions were or are being offered?

As can be seen from Figure 2, many employers are relying on (the expansion of) work-from- home arrangements and flexible working hours. Around half said cited a greater level of accommodation when it came to planning holiday leave as well as more options for taking time off.

**Figure 2: Measures for working parents during COVID-19**



The employers surveyed also perceived that parents were overburdened, especially those with small children. They report on the need to simultaneously manage working from home and home schooling as a heavy burden – especially when the family has to share a rather cramped living space. According to the employers surveyed, the lockdown has hit single parents the hardest:

“Parents were really severely challenged, even if to different degrees. There are single mothers, but also those who had to bear more responsibility due to their partner’s professional obligations. There were some companies where you had to continue working normally and there was no working from home. Depending on the situation, they faced different levels of challenges, with single mothers being challenged most of all. They were challenged by ‚home schooling‘ and having to work at the same time almost more than by caring for children under the age of 6” (Employer 3).

Those working parents who could not work from home due to their jobs being tied to specific locations also faced very special challenges. In many of these cases, the employers had to find individual solutions. The employers surveyed tried to expand measures for working parents, for example, by making working hours even more flexible or by offering extended opportunities for time off.

In some cases, working parents were also allowed to take a break from their work or to work less than usual. The option of short-time work was also used.

[Short-time work is a program where the government makes up some of the wages lost when employees’ hours are cut on a temporary basis.] The special care time that was put in place for working parents in the wake of the lockdown was also used according to some employers. Despite the advantages, some of the employers surveyed also expressed criticism of the government programme offering special leave for care responsibilities. This relates to the bureaucracy associated with this programme, which was perceived as very complicated, and the communication surrounding the requirements for granting special care time, which was viewed as being too unclear. Overall, it became evident in the interviews that employers were very aware of the stressful situation many parents faced during the lockdown in the spring of 2020. In addition, the interviews revealed different approaches for enabling fruitful employment “despite it all”.

Even if working from home where possible was mentioned as the first choice for reconciling care duties and gainful employment within a certain framework, the interviews also make reference to its limits and difficulties: time overload, difficulty delimiting work and home life, and spatial issues. The employer’s perspective thus concurs with the views of many parents who work from home (Mader et al 2020).

Understanding employers also critically questioned whether it makes sense in such situations for parents to use up their annual leave entitlement. It was stated that parents with care duties “need a holiday more than ever” after such situations. They instead warned firmly of lasting negative effects on the health of employees. Working from home itself, i.e. without any additional measures, was therefore described quite critically, with warnings of long-term overloading of employees. At the same time, different approaches were mentioned for those employees for whom it was not possible to work from home. In addition to periods of special care leave and other reductions in duties, short-time working was also mentioned as an instrument to enable parents to work less while not sacrificing most of their income. Policymakers were also addressed generally, saying that more attention should be paid to the needs of working

parents and should not leave them or their employers to their own devices. In this context, employers, on the one hand, mentioned improvements to the regulations for special care time (legal entitlement, full remuneration by the public sector, no bureaucratic effort), and, on the other, they said that the situation of those with care obligations should receive greater attention overall and be better taken into account when developing support measures. However, these should not be viewed as special privileges, because they affect so many people. Rather, this should all be seen as a general approach, as has been done in other countries.

### 3.3 From the employers' point of view, what approaches are useful for improving the situation of working parents?

The employers surveyed also put forward ideas as to the ideal future direction of work/family balance. In this context, employers were asked about their ideas of an “ideal company policy”. An ideal company policy was defined by the respondents as entailing communication on an equal footing, a true culture of appreciation, employees being treated equally, active and mutual exchange between management and employees, the collective intelligence gathered from all involved, openness for optimisation/further development, and decisions and actions being transparent/open to scrutiny. Two representative quotations:

“The subject of leadership culture naturally plays a major role, that is to say, leading on an equal footing, because when people meet eye to eye, everything is easier” (Employer 4).

“A corporate culture of appreciation, support and backing, with plenty of freedom for a lot of potential to develop. I set great store by collective intelligence; that is, I think less of one person giving instructions and the others just doing. It’s more important for people to be given freedom so that they can work well” (Employer 5).

In addition, overcoming negative attitudes towards working parents is seen as an important goal for a better work/family balance. Negative attitudes could be overcome, among other things, by emphasising the skills of working parents. According to the employers surveyed, these especially include good time management, a high level of resilience, flexibility in specific situations, clear problem-solving skills, high resistance to stress, composure, and good multitasking skills. In general, it is extremely important to actively break down negative prejudices by holding discussions, informing people and raising awareness among all those involved of the issue of reconciling family and career:

“Negative attitudes can be overcome with conversations and information. But there are also situations where you can only effect things by using top-down guidelines. Both are important. We always try to take both sides into account. [...] You have to support parents, and you also have to demand concessions from them” (Employer 2).



### 3.4 Discussion of four fictitious case studies relating to possible conflict situations

As part of the qualitative survey, the employers were lastly provided with four fictitious workplace scenarios that could lead to conflicts and were asked whether they were familiar with such situations in their own organisations and how they would react as HR managers:

#### Scenario 1:

An employee on a time-limited project (with prospects for further career opportunities) becomes pregnant

#### Scenario 2:

A woman does not mention her three children in her application

#### Scenario 3:

A male key worker wants to take parental leave during a hectic time

#### Scenario 4:

A department head makes things difficult for men who take paternity leave

In many cases, these scenarios were familiar, especially in larger organisations. Time and again, employers mentioned how attempts would be made to find solutions that are suitable for all parties involved. The main differences are whether there are established structures to respond to such situations or whether they are dealt with on a case-by-case basis.

Examples of professional handling mentioned included guidelines for the structured transfer of knowledge when arranging replacements for employees who will be absent for a limited time and conscientious planning within the team when it comes to the distribution of workload and tasks.

The important role of managerial staff in dealing with such situations was frequently emphasised.


“Family-friendliness often stands and falls with the manager” (Employer 4).

The ability to reconcile work and family was emphasised as a part of a manager’s skillset, and managers were said to occupy positions as role models in family-friendly companies/institutions. It was also assumed here that younger managers tend to have a greater understanding of such issues.

What was also expressed in the interviews were the personal attitudes of the employers surveyed, which also addressed the gender-specific differences when assessing a situation, for example, when assessing the question of whether or not to enable managerial positions for women with children. Discrimination against women, as seen when women with children are sorted out when applying for managerial positions, was mentioned in this context as a well-known phenomenon (even if not practised in the respondents’ own companies).

What was striking was that the prevailing legal situation was only minimally referenced or even familiar to the respondents. For example, what does the right of return look like in the event that an extension of contract has been promised following a fixed-term employment contract? Or is the topic of children allowed to be discussed by employers in a job interview?


In any case, clear regulations and structures make it easier to reconcile family and career; nevertheless, the implementation in practice should not be left to the managerial staff individually, and managerial staff should be better acquainted with the employer’s duty to act in the event of legal violations. So far, the reconciling of career and family has been viewed more as a matter of “good will” on the part of employers than a legal obligation or entitlement of employees.

 **The legal position for Scenario 1:  
An employee on a temporary project  
(with prospects for further career opportunities)  
becomes pregnant**

The employee is to be treated exactly as she would be treated if she were not pregnant; otherwise, this would constitute discrimination on the basis of gender. So, if she were to be given a permanent employment contract if she were not pregnant – which, in the example, was promised from the outset and underlined by her good work performance – then this must apply in the same way to the pregnant woman. This was specifically included in the Equal Treatment Act for this very situation, i.e. the expiry of fixed-term employment contracts intended to “convert into a permanent employment contract”.

In practice, this means that the employee must receive a permanent employment contract after the six months, i.e., shortly before the start of her maternity leave or even during it, and therefore, of course, has the right to return to her job after her maternity leave. It would then make more sense to employ a temporary employee to cover her maternity leave. The pregnancy must not be a reason for her not receiving a permanent contract. In the case of fixed-term employment contracts with no “prospect of further career opportunities”, then, in the event of a pregnancy, §10a of the Maternity Protection Act also applies, which states that the employment contract is to be extended up until the start of the period of maternity leave if the fixed term expires beforehand (with exceptions).

What was striking was that only slight reference was made to the prevailing legal situation, and the respondents were only partially familiar with this. In particular, little knowledge of the legal situation was available when it came to the question of the right

 **The legal position for Scenario 2:  
A woman does not mention her three  
children in her application**

In actuality, such questions are not explicitly prohibited by law. However, the courts decided that questions about pregnancy in application procedures are in any case inadmissible. Any question during the application procedure (e.g., in a questionnaire for applicants or in the job interview) that is related to one of the grounds for discrimination that are protected under the Equal Treatment Act (gender, ethnicity, age, sexual orientation, religion, ideology) can be an indication of discrimination and should therefore not be asked, especially if they have nothing to do with the job in question. In such cases, however, those affected must credibly demonstrate that the question or this context is what actually led to the application not being considered or the position being given to someone else. Degrading questions or comments that are related to grounds for discrimination can also be harassment, which also constitutes a violation of the Equal Treatment Act (for example, condescending comments such as “Well then, and you want to accomplish that with three children?” or about the age of applicants).

of return in the case of fixed-term employment contracts with an option for extension, or when it came to the question of whether the issue of reconciling family and career is allowed to be addressed in an interview.

**Legal position for Scenario 3: A male key worker wants to take parental leave during a hectic time**

In Austria, fathers have had an independent right to parental leave under the Paternity Leave Act for several decades, so this is not a question of “good will” on the part of the employer. Since 1st September 2019, the same has applied for all employed fathers with respect to the so-called “Daddy Month” (in the law, this is referred to as “entitlement to leave on the occasion of the birth of a child”). If a man is disadvantaged in connection with such an entitlement to parental leave, for example, he is transferred or his employment contract is even terminated, this constitutes discrimination on the basis of gender under the Equal Treatment Act – this also includes disadvantages “in relation to having children”.<sup>7</sup> Such disadvantages can also constitute further violations of the law, for example, violations of the employee’s employment contract or of protective provisions under labour law, such as protection against transfer or dismissal in connection with parental leave.

In principle, it is not the persons on leave but the employer who is responsible for organising the cover staff. It in any case makes sense when hiring parental leave cover to tie the person’s contract to the duration of the parental leave period. This way, the employer makes it clear that the employee on leave is entitled to the same job after returning to work and can thus avoid internal conflicts.

**Legal position for Scenario 4: A department head makes things difficult for men who take paternity leave**

If a manager disadvantages employees who want to take parental leave or who do so, who claim their Daddy Month or their right to part-time parental working, this manager is being discriminatory and is thus violating the Equal Treatment Act. In such cases, the employer is required to act, because, otherwise, the employees being discriminated against will have claims for damages against the company. Managerial staff of this kind damages the company – the company must make it clear that it does not accept such behaviour and must take the appropriate action if the manager does not comply. The legal requirement here is thus not to make efforts to “persuade” the manager by engaging in discussions, but to outline clear instructions with an appropriate emphasis on acting in a non-discriminatory manner.

Again, in the case of the manager who is hostile to parental leave, the interviewees were largely unaware of the employer’s duty to act in the event of violations of the law by such managers. Compliance with legal requirements was deflected

onto the level of personal attitudes, even when it was reported that work would be done in this regard with the managers. Family-specific legal claims that employees have are seen less as claims than as a question of “good will” on the part of the employer.

<sup>7</sup>The same naturally applies to women on maternity leave.

### 3.5 Conclusions from the experience of employers

The discussions and online questionnaires involving the company representatives show positive approaches, but also difficulties in implementing work/family balance practices in companies for those looking to reconcile family and career.

It can be seen that **work/family balance for parents is fundamentally seen rated as an important topic** in the companies surveyed and that concrete steps of various kinds are taken to this end – above all, as part of a general policy as well as in relation to the individual responsibility of managers.

Broad **implementation on a structural level**, so that those affected are not dependent on the “good will” of individual managers, is recognised **as a central necessity, but has mostly not yet been implemented**. Nevertheless, approaches can also be found towards taking steps on a structural level, for example, policies for dealing with situations such as parental leave. In some companies, there are also structures that “individual cases” can turn to in the event of questions or concerns, but this tends to be more of an exception (cf. Pfahl/Reuss 2008).

Nevertheless, the examples do also show that **gender-specific assessments of professional situations are still the order of the day**. This is the case, for example, in relation to the fact that parental leave for men is shorter in duration and therefore has to be organised individually, according to the notions of the company representatives, or the fact that a demanding managerial position seems difficult to imagine for women with several children (cf. Gärtner 2012, Baumgarten/ Luterbach/Maihofer 2017).

Overall, the interviews also reveal some **approaches** for how employers can act within the scope of a **non-discriminatory and work-family-balance-friendly corporate policy** and can consciously take action against discrimination, for example:

- by not automatically sorting out people during application processes – especially women with children – but rather, focusing on skills in relation to all applicants and making it clear to applicants that the company supports them in reconciling work and care responsibilities, thereby enabling the topic to be addressed openly;

- by communicating attitudes that are friendly towards balancing family life and career as part of the management culture, and also by defining specific instructions on how to proceed in particular situations; or

- by arranging a structured handover of tasks when parental leave is taken so that being and becoming a parent are not seen as a “disruption” or a “problem to be solved on one’s own” within the company.

Finally

# 4.

Who can parents and employers turn to

## Who can parents and employers turn to with questions about parenthood, gainful employment and discrimination?

There are numerous legal provisions on the subject of parenthood and the workplace: they include protective provisions for the benefit of (expectant) parents, options for combining work with childcare responsibilities, obligations for employers, and bans on discrimination. In addition, there are other important regulations for those affected in relation to social security during the

initial period of parenthood, above all, child benefit. It is sometimes difficult to navigate one's way through all of this. This last section is therefore intended to provide an overview of the bodies that offer advice on questions relating to these topics – the focus here is on legal issues relating to discrimination against people with childcare obligations.

### For employees:

The Chamber of Labour ([www.arbeiterkammer.at](http://www.arbeiterkammer.at)), the statutory representative body for employees, offers comprehensive advice on issues relating to parenting and the workplace, including in relation to discriminatory treatment. If the worst comes to the worst, it can also institute proceedings before the court for those affected.

The particular trade union responsible in each case also provides advice on these issues, but only to its members – so, membership is a prerequisite here. Different trade unions bear responsibility depending on what type of employment someone has and what industry they work in. An overview is provided at <https://www.oegb.at/>. The union can also represent its members in court if necessary.

If you, as an employee, have the impression that you are being discriminated against because of your childcare responsibilities, you can contact the Ombud for Equal Treatment ([www.gleichbehandlungsanwaltschaft.gv.at](http://www.gleichbehandlungsanwaltschaft.gv.at)). Advice and support from this facility is confidential and free of charge.

You can also assert suspected discrimination before the Equal Treatment Commission (<https://www.bundeskanzleramt.gv.at/agenda/frauen-und-gleichstellung/gleichbehandlungskommissionen/gleichbehandlungskommission.html>). On the website of the Equal Treatment Commission, you will find numerous results of inspections dealing with cases of discrimination on the grounds of parenthood. The Ombud for Equal Treatment can support you with making an application to the Equal Treatment Commission.

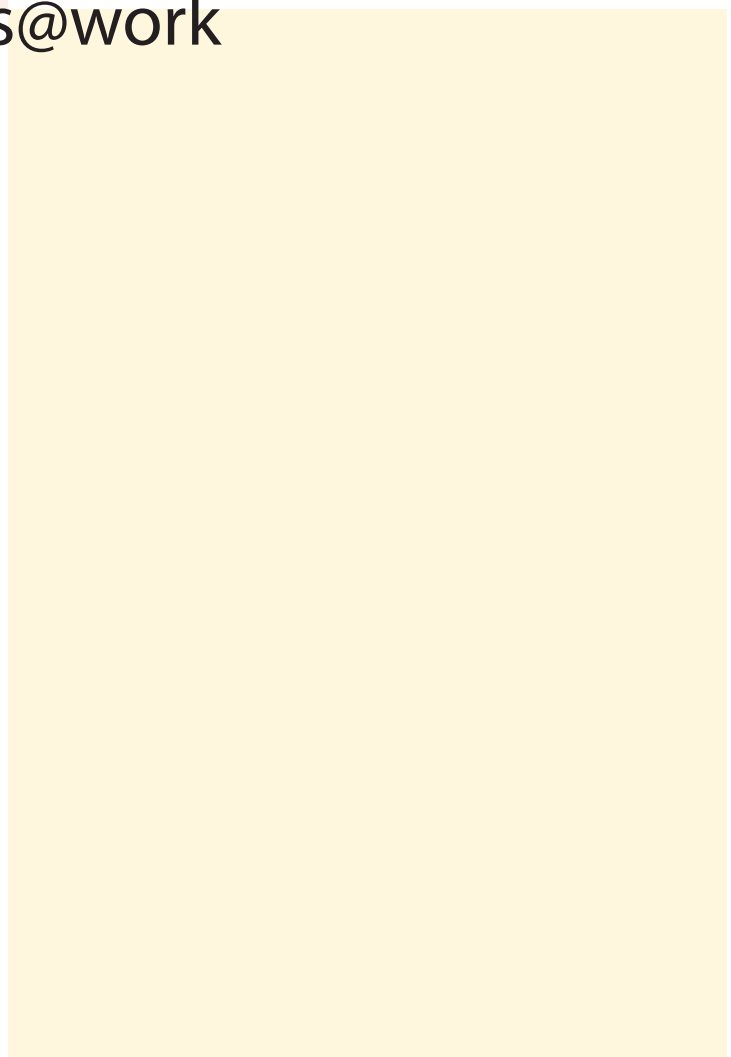
### For employers:

As a business operator, you have the Austrian Chamber of Commerce ([www.wko.at](http://www.wko.at)) and the Federation of Austrian Industry ([www.iv.at](http://www.iv.at)) available to you as the interest support groups for employers if you have any questions or need advice.

If, as a business operator, you want to train your employees or managers on the subject of reconciling family and career, or want to actively support in raising awareness on this topic within the company or taking precautionary measures to prevent discrimination in this area, then you can also contact the Ombud for Equal Treatment ([www.gleichbehandlungsanwaltschaft.gv.at](http://www.gleichbehandlungsanwaltschaft.gv.at)).



  
parents@work



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