

Statement of the AGF on the 8th Family Report and the statement of the German Federal Government

“Time for the family. Family-time policy as a chance for a sustainable family policy”

General comments:

The AGF welcomes the specific consideration of the factor of time within the framework of the 8th Family Report.

The family organizations united in the AGF share the family report’s assessment that many different, generally asynchronous time structures determine the everyday-life of families. Family members are, both among themselves and individually, subjected to often different and changing pressures and commitments throughout the day. It takes much effort for families to regularly coordinate these time structures efficiently in order to meet their respective requirements and responsibilities. The AGF therefore supports the objective of developing structural measures and strategies through a “family-time policy”. This policy could provide families with more time to spend their daily lives together and increase their “time sovereignty”, i.e. their ability to manage and organize their time according to their own wishes and needs.

Families are particularly exposed to the different time structures of employers, schools or day care centers for children and therefore require comprehensive and reliable support. The recommendations of the Expert Commission in the 8th Family Report focus on increases in time sovereignty, an improved coordination of the external pacemakers as well as a redistribution of time and a strengthening of the “time competence”. Municipalities, legislators, social partners and the civil society are considered key actors for the aim of achieving an efficient family-time policy. While the AGF agrees with most of the overall problem analysis of the 8th Family Report, it is critical of the recommendations derived from this analysis. From the perspective of the family associations, rather than addressing the necessary frameworks to solve time conflicts of families, the Commission seeks to adopt primarily low-cost solutions.

The recommendations take the federal government and especially the Ministry for Family Affairs out of their responsibility for achieving a successful family-time policy. Families are instead referred to their municipalities, the voluntary commitment of the civil society as well as their own time competencies. The life situation of single parents, families with many children as well as immigrant and binational families is given far too little consideration. Hence, many political recommendations for action do not address the necessary family issues. With regard to immigrant and binational families, the current report even falls short of the findings and formulations of the 6th Family Report.

The positions in the 8th Family Report are strongly influenced by economic considerations. Throughout the report, family needs are weighed out against the demands of the labour market and are considered of secondary importance in comparison with the potential consequences for companies. This becomes particularly obvious when examining the recommended changes for labour legislation, although the approach to the labour legislation is generally welcomed by the family associations. In consideration of these preferences, it appears that families are not the central concern of the 8th Family Report.

The AGF also criticizes the limited opportunities for the accompanying advisory council, consisting of relevant NGOs, to participate. The council members had far too little influence in drafting the report and formulating the contents in any meaningful way.



On the various subjects in detail:

Expansion of the infrastructure

Among the most important time conflicts for families is the harmonization between work and child care. The supply of day care facilities and educational opportunities still fails to meet the actual working hours and career aspirations of parents. Additionally, the supply structure in Germany differs regionally and the difficulties of balancing work and family life remain. The family report appropriately points out that the problem of reconciling work and family life is to be not only a subject for parents with children of preschool age, but continues intensively during their school age as well.

The family organizations share the assessment of the report that insufficient care facilities for children have a direct influence on the employment opportunities of mothers. The present number of care facilities does not meet the needs of families. The AGF therefore supports the report's demand for a sufficient and high quality supply of day care and educational facilities for children of preschool age and beyond.

The AGF considers qualified all-day schools, flexible childcare hours well-timed to the working hours of the parents including and an easy access to care facilities at off-peak hours, as important aspects to ensuring that families can reconcile work and family life according to their wishes and needs.

The AGF considers the planned expansion of childcare facilities until 2013 to be a necessary first step. Due to Germany's federal educational policy it is critically important to take the local authorities up on their promise. The financial situation of many communes, their hesitation to expand the daycare facilities and the fact that childcare is often not anymore provided by the public sector but by independent social and private operators leaves room for doubt that mere appeals to local authorities can be successful. Rather than merely receiving demands from the federal government, local authorities should be placed in a position in which they can implement the necessary task. Local authorities on the other hand have to use their available funds and resources for an efficient and targeted expansion of the childcare infrastructure. All available resources need to be exhausted in order for the government, the federal states and the local authorities in concert to establish a comprehensive infrastructure that meets the requirements and needs of both children and parents equally. This also includes an appropriate supply of after school and holiday care. In this context, the AGF supports the recommendation of the Commission to allow a tax deduction of the full amount for the incurred costs of care.

The family organizations, however, emphasize that a good care for both young and older children does not solely depend on whether they suit their parents' working hours, but on whether or not they contribute positively to the personal development and education of the individual children. It is therefore not sufficient to offer enough childcare places with flexible opening hours. Of central importance is the quality of care. At all political levels, unfortunately, this aspect received only little consideration.

Redistribution of time between the genders

The AGF supports the demands of the family report and the federal government to distribute family duties and responsibilities more fairly between the genders. In most cases mothers have the responsibility of taking care of their household, raising children and/or caring for other relatives. The idea of a more just distribution of time and duties between the genders, however, is not consequently pursued by the statement of the federal government.

There are, in fact, possibilities of creating additional incentives for a fairer distribution of family time. An option would be the extension of the “partner months” and part-time work during the parental allowance period, improved access to temporary part-time work including an unproblematic return to previous levels of working hours, a supply of care facilities for infants, preschool and school children that meets the needs of parents as well as the elimination of the Gender Pay Gap and an improved business culture which enables also men to meet their parental responsibilities. The return to traditional gender roles in many families after the birth of a child is, that was acknowledged by the commission, isseldom the result of the parents’ decision but a consequence of broader societal factors. In principle, every family should have the freedom to choose how they organize their family duties for themselves. Conditions need to be established that enables both men and women to actively live according to their individual wishes of sharing their work and family duties. To date this is rarely the case.

Utilizing time resources of pensioners

The redistribution of time between generations is considered highly important by the Commission as well as in the federal governments’ statement on the 8th Family Report. The Commission and the federal government advocate a better use of pensioners’ time resources in order to support families. Elderly people should become more engaged in home and child care. This shall be achieved by establishing communal networks of volunteers and an appeal to the social responsibilities of older generations.

The family organizations united in the AGF note the promotion and support of families to be primarily a public duty. People’s voluntary contributions may in individual cases be a helpful addition. They cannot, however, substitute necessary political measures. This also applies to the care of elderly and disabled people. The demographic change and insecure financial situation requires fundamental reforms. Voluntary activity by elderly, neighbours and friends cannot solve these structural problems but only temporarily hide them. The expansion of voluntary commitments as a central pillar of the family-time policy, as demanded by the Expert Commission and the federal government, shifts the responsibility of easing the burden on families from politics to the civil society. Families’ constitutional rights to a special protection and support cannot be imposed upon the goodwill of third parties.

The AGF supports the intention of finding suitable activities for elderly people who wish to become committed. Such commitments, however, must remain voluntary. They shall neither be demanded from elderly people nor considered a condition for respect and future care. The AGF is therefore critical of recommendations which tie voluntary engagements with pension credits or future care assistance.

The demand for increased voluntary commitments by elderly people, furthermore, contradicts current political decisions such as the planned prolongation of the working life and the increase in the retirement age.

Expansion of the grandparental leave in the legislation on parental allowance and parental leave

Upon the recommendation of the Commission, the federal government plans to expand rights for grandparents to take time off of work in order to look after their grandchildren (grandparental leave), albeit without receiving a wage indemnification. Although this cannot always be realized in practice, the regulation can, at least temporarily, ease the time burden on at least some families. It becomes particularly difficult, however, when grandparents and grandchildren do not live in the same city. Especially for many immigrants, the reunification with family members from non-EU countries is very difficult and problematic. Here, relevant facilitations in visa and residents rights are necessary. It must be assumed that the grandparental leave will in most cases – as is the case in parental allowance – be made use of by women. This also, of course, involves the risk of a return to



traditional gender roles – with all the well-known consequences for women’s chances on the job market, employment biographies and old-age provisions. The grandparental leave must not run contrary to the report’s aim of distributing time between the genders fairly go at the expense of fathers who wish to spend more time with their families.

Family orientation of employment law

Reconciling work and family life is one of the most important tasks in family(-time) policy. In Germany it is mainly mothers who have to resolve these time conflicts. They reduce their working hours or stay at home completely in order to raise their children or take care of dependant relatives. Fathers on the other hand, continue to be employed full-time (or more) and secure the family income. This constellation can be risky for both sides: mothers risk long-term unemployment and an inadequate provision for old age, whereas fathers risk to loose irretrievable time with their family in the case of a separation or divorce. Various studies confirm that both mothers and fathers are unhappy about this situation.

The AGF therefore welcomes the demands of the 8th family report to offer more flexible family friendly working hours, to increase the time-sovereignty of employees and to protect their familial responsibilities.

In its statement, however, the federal government remains far behind its possibilities by not adopting important recommendations for change made by the Commission. Neither a facilitated return to previous amounts of working hours according to §9 of the Act on Part-Time and Fixed-Term Employment (TzBfG) is planned nor a legally guaranteed say in working times or a stronger consideration of familial maintenance obligations for the social selection in the case of dismissals.

From the perspective of the family associations a re-evaluation of Part-Time Work and Fixed-Term Employment is urgently required to ensure a higher flexibility in working patterns. Rather than continuing to primarily serve employers’ interests, the law must be written from the viewpoint of families and meet their needs. At the present state, employees have not only extensive obligations to provide supporting documents if they wish to reduce their working hours, but often walk a one-way road, as legal regulations make a return to previous levels of working hours difficult. The family report is justified in demanding change.

The AGF also welcomes the initiative to grant employees more rights to decide the location of their working hours and help them balance their work and family duties. The family organizations consider the inclusion of family-related reasons and phases of familial conflict situations to be very sensible. Families tend to be more affected by time constraints than other categories of persons. Other categories of persons should, nonetheless, also profit from an increase in time-sovereignty, as it leads to a higher life satisfaction and therefore has positive side effects for society as a whole. In order to grant legal rights to part-time work and a co-determination concerning working hours for families only, a clear definition of “family” is necessary. The various types of families and the multiple responsibilities within and outside of families, which even the 8th Family Report acknowledges, make a clear definition difficult. Additionally, a legal definition of “family” risks that convincing explanations and formal obligations of proof discourage families from exercising their rights. Therefore the AGF rejects a reduced entitlement to part-time work exclusively for employees with family obligations.

The AGF generally welcomes the plans of the Commission and the federal government for more flexible working hours and an improved transferability of the parental leave. The AGF rejects the report’s consideration of reducing the parental leave to two years. The federal government’s decision not to follow this proposal is, on the other hand, welcomed. The family associations pledge to monitor which effects the planned flexibilities will have on the general employment opportunities - especially for mothers. In this context, the possibility of a



gradual return to previous working hours should be considered. The AGF rates the planned changes to details by the federal government concerning the regulations on parental leave as positive.

The success of the employment law measures for families principally depends on whether it is possible to establish a business culture in companies that takes family responsibilities seriously. This aspect unfortunately falls short in the family report. It is not sufficient to point to certain positive examples and assume that the expected shortage of skilled labour would force companies to establish a family friendly business climate by themselves. Rather, this effect remains concentrated in a very small circle of companies that compete for skilled workforce. From the perspective of the family associations, the promotion of a family-friendly business culture is important in order to secure the fundamental needs of families, and not to alleviate entrepreneurial risks. Such a change in corporate culture must be consolidated politically and must benefit all families and genders.

Strengthening the time competencies of families

The 8th Family Report concludes that a lack of competence in many families to deal appropriately with their time, prevents an optimal use of their available time resources. The AGF strongly rejects this notion that the federal government comprehensively addresses in its statement. There may be individual cases and problematic personal situations, in which the present handling of time should be questioned and suggestions for an improved time management could be helpful. To assume, however, that families in general have a lack of responsible time management, is far out of touch with reality. On the contrary, with their efforts in dealing with the different time structures as well as the many demands and pressures placed upon them, and despite limited time-sovereignty and time synchronization, families continue to prove their competence of managing their time shortages on a daily basis.

Concluding remark

The AGF will continue to monitor what consequences the federal government draws from the family report. The AGF is happy to collaborate on a family-time policy that places the needs of the family at the forefront, that is focussed on eliminating structural barriers that prevent people from taking care of their familial responsibilities and that enables families to realize their long-term plans and promotes their well-being.