



The Equality Act and Flexible Working

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Today is the tenth anniversary of the Equality Act becoming law, a decade since new legislation was passed protecting anyone, in and out of the workplace from discrimination. In theory, everyone falls under the category of one (or more) of the protected characteristics so we should all be protected against discrimination.

The protected characteristics are age, race, disability, marriage or civil partnership, pregnancy and maternity, sex, religion and belief, sexual orientation and gender reassignment.

When the legislation was introduced it brought together over 100 pieces of legislation, supposedly to level the playing field, but has it really benefited women in the workplace?

How many times have you seen or heard of a woman in your workplace overlooked for a position because she may want to have time off to for children, or a woman returning from maternity leave now works less hours? Have you considered there may be more behind the decision than just wanting to spend time looking after the baby?

A [recent report published by the TUC](#) highlighted the impact of childcare on women.

3 in 4 mothers with dependent children are in work, yet this group of workers face huge inequalities in the workplace with over half of the mothers surveyed said that they had made a

change to the employment. For some this is a choice, but for the majority it is a necessity. Lack of flexible jobs and flexible affordable childcare quoted as the reason.

It is unlawful for your employers to discriminate against you for reasons connected to pregnancy (including pregnancy-related illness) or maternity leave, yet even with the legislation in place 54,000 women a year are forced out of work due to pregnancy and maternity discrimination.

GMB reps up and down the country, in every sector are representing women who have been turned down in their application for flexible working. Women who make a valuable contribution to the workplace, yet need to change the way they work because of children.

I have seen this first hand, on too many occasions, leaving women feeling undervalued and not wanted in the workplace. Along with the stresses of having to lodge appeals leaves many resigning from work altogether. Comments such as 'why should I appeal, they don't want me here' or 'appealing is too much to handle' are commonplace. But they shouldn't be...

Many employers state that they have family friendly policies, but are they really putting them into practice?

Since 2009 anyone with parental responsibility who has been continuously employed for no less than 26 weeks. Can apply for flexible working. But this can only be applied for once a year and it is up the employee, not the employer to demonstrate how flexible working would affect the business.

The COVID pandemic has brought flexible working to the forefront, many workers are now working from home and are proving that you can be productive whilst balancing family life. However as more and more of us return to the workplace and restrictions mean that childcare is harder to organise, a change must happen and quickly.

GMB has long fought for the rights of women at work and this issue is no different, if we want true gender equality in the workplace, flexible working must be reformed.

- Jobs must be advertised with flexible working options, to not offer this should be the exception, not the norm
- The right to flexible working must be available from day one, enabling workers to balance caring and work responsibilities and create more opportunities.



- All workplaces should actively promote and encourage shared parental leave policies.

Since its introduction in 2015 this piece of legislation has been rarely used. Research based on HMRC figures shows that whilst nearly 650,000 women claimed maternity pay last year, only 2% of eligible couples utilised the scheme.

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