



The IBA GEI ‘Balancing Report’:

Strategic Trends in National Laws and
Multinationals’ Policies on Work-Life Balance
and the Implications for Human Resources Law

Prepared by the

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1. Introduction

- 1.1 The **IBA Global Employment Institute** ('GEI') was established in early 2010. Its primary purpose is to develop for multinational companies ('multinationals'), worldwide institutions and organisations a global and strategic approach to the main legal issues in the human resources and human capital fields (collectively referred to as 'HR').
- 1.2 Drawing on the **resources and expertise of the IBA membership**, the GEI provides a unique contribution in the field of employment, discrimination and immigration law on a diverse range of global issues to private and public organisations throughout the world. The GEI's objective is to enhance the management, performance and productivity of these organisations and help achieve best practices in the HR management from a strategic perspective.
- 1.3 The GEI aspires, through its activities, to be the **leading voice** and authority on global HR law issues by virtue of having a number of the world's leading labour and employment practitioners in its ranks, the support and resources of the world's largest association of international lawyers, and its involvement in these activities.

2. Why a survey on work-life balance?

- 2.1 The GEI 10/20 Survey, developed by the GEI in 2010, identified the 10 most relevant issues in HR management according to the opinion of 119 multinationals from 22 countries. Achieving a better balance between employees' working life and their personal/family/private life was regarded as one of the most important issues. In fact, more than 100 multinationals graded this issue as the second most important issue in HR management for the next decade. Bearing in mind that the issue which ranked as the most relevant ('new HR issues in transnational corporate transactions'), included several sub-issues, one might argue that **work-life balance is the most important single HR matter for multinationals in the next decade.**
- 2.2 Accordingly, the GEI decided to undertake in 2011 the task of engaging in a second Report, the 'Balancing Report'. This Report would study and analyse the issue of work-life balance, its future evolution and the issues surrounding it.
- 2.3 Moreover, the decision to further develop this issue was taken considering the nature of the issue itself, and in particular four of its key characteristics:
- it is a **strategic** issue because multinationals foresee that they have to consider work-life balance in their long term strategic HR planning;
 - it is a **structural** issue since it is a mainstream of multinationals' corporate policies;
 - it is a **global** issue (it is crucial for multinationals in many countries, especially for the international mobility of employees); and
 - it is a **multidimensional** issue (since it is connected to issues in immigration, discrimination and employment law as well as corporate social responsibility and corporate law and governance).
- 2.4 The GEI is interested in researching issues that play a prominent role in HR management. Given the relevance of the issue of work-life balance currently and in the future for HR management, the GEI decided to evaluate simultaneously and compare both the **view of lawyers about the national regulation on the issue in different countries and the opinion of managers about their multinationals' policies on this matter** in order to come up with significant conclusions and potential implications for HR law.

3. Goals of the ‘Balancing Report’

- 3.1 The survey has been addressed through two different questionnaires, one for senior HR management of multinationals and the other to HR lawyers. This approach was adopted as there are usually differences not only between what is provided in the law and what is developed by multinationals in their policies, but also, between the perspectives of managers and lawyers on the same matter. Therefore, in order to wholly grasp the current situation of work-life balance as a HR issue, the GEI proceeded to address both the legal aspects of this matter and the practices of multinationals.
- 3.2 The questionnaire sent to HR lawyers focused mainly on the present state of their national legal framework affecting the different issues related to work-life balance (importance of the balancing matter reflected in the law, role of the national law with regards to the state and advance of the issue, legal configuration of relevant issues in this matter, etc.). A different questionnaire was sent to senior HR managers focusing on the evolution and present application of multinationals’ policies relating to work-life balance.
- 3.3 Needless to say that one of the main benefits of this dual approach is the ability to compare the different views of lawyers and managers on the work-life balance issue. A main part of our conclusions is dedicated to identifying these differences and, to some extent, to elaborate on the motives that could explain them.
- 3.4 However, the main purpose of the survey is to determine **general trends on the issue of work-life balance** as evaluated by HR managers of multinationals and lawyers as well as to identify **consequences for HR law**. We do not consider or evaluate, at this moment, single subjects, however interesting, that can arise from the answers, such as the evolution of flexible working hours or the relationship between anti-discrimination and balancing policies. Some of these distinct issues may be the subject of future projects for the GEI.
- 3.5 By the same token, respondents were not asked to explain their rankings, that is, the reasons behind their answers. It was considered that this reasoning, however relevant, could take too much time from respondents and could affect the number of answers. Therefore, the **interpretation of the survey results** is one of the main tasks for the GEI in this report.
- 3.6 It is important to bear in mind that this is not a ‘scientific’ survey. There is no intention to develop an academic or theoretical model about the results. As it has been indicated, the purpose is to give a general view about what the current state of the issue is in the law and in multinationals’ policies in order to identify the general trends that seem to be guiding this issue globally. We wish

to relate these trends with the experiences of the GEI's members in order to promote a debate among HR professionals about the results and observations in this report.

3.7 **153** multinationals from **32** countries and **45** lawyers from **45** countries completed the 2011 survey.¹

¹ Some of the answers from 13 multinationals are incomplete, but since this fact does not alter the results of the Survey, they have been included. Also it is worth to note that in some countries the lawyers' questionnaire was answered by more than one lawyer. However, the Report is based on the responses provided by one lawyer per country, who was randomly chosen among those that responded. We acknowledge and express our gratitude to all the law firms that participated in the Survey (see Schedule 5).

4. Methodology

- 4.1 Copies of the two surveys are attached as Schedule 1. Both include two parts: section 1 is a general explanation of the survey, and section 2 is the survey itself. Two distinct lists of questions were prepared by the members of the Working Group and approved by Council of the GEI in order to evaluate the current and future state of the issue of work-life balance.
- 4.2 Respondents were asked to rate the importance of certain issues in their national law or company policy, their linkage to certain purposes in their national law or company policy, or even to evaluate certain aspects of their national law or company policy according to a yes/no questions. The survey was conducted online with the assistance of the IBA.
- 4.3 There is no scientific distribution of companies by country based on a specific criterion or value (such as the size of the country or its level of economic activity). It is acknowledged that given this flexible approach, some countries (or continents) or economic sectors may be over or under-represented. However, this is not a survey about the different 'sensitivities' that multinationals may have about particular issues depending on their national origin or sector, but rather, we should clarify, about global trends on work-life balance.
- 4.4 The Council of the GEI appointed a **Working Group** for the development of this Report. The members of this working group are Angelo Zambelli, Bettina Bender, Jelle Croes, Bjoern Gaul, Charles H Kaplan, Eric A Savage, Filip Saelens, Martin Reufels, Richard Devereux, Roselyn Sands, Shalini Agarwal and Vikram Shroff.
- 4.5 This Working Group, with the coordination of the GEI Chair (Salvador del Rey) and the Vice chairs for Knowledge Management (Mariann Norrbom and Dirk Rutgers) and the collaboration of members of the Council Graeme Kirk (Vice chair for Internal Affairs), Julia Onslow-Cole and Rob Towner (Vice-Chairs for Multinationals) and member of the Council Marcus Beresford, designed the Surveys and contacted lawyers from different countries. These lawyers answered the lawyers' Survey and also contacted multinationals headquartered in their countries. A list of these law firms is in Schedule 5. The GEI Council wishes to convey its gratitude to them for their participation and interest in the development of the Surveys. The GEI Council also wishes to express its gratitude to Elisabet Calzada (associate at Cuatrecasas, Gonçalves Pereira), who contributed to the drafting of the Report, and to Sandra Peris (assistant at Cuatrecasas, Gonçalves Pereira), who edited substantial parts of the schedules.

- 4.6 A first draft of the ‘Balancing Report’ was submitted to experts in a meeting sponsored by EUROFOUND on 28 November in Dublin. Some of the conclusions of this meeting, that in general enriched and qualified our Initial Report, have been included. The GEI Council wishes to thank EUROFOUND for that very interesting meeting, especially to Juan Menéndez-Valdés (Director at EUROFOUND) and to Manuel Ortigao (Research Manager at EUROFOUND), and those experts (Aleksandra Kanjuo-Mrčela, Anne Hustinx, Ben Jansen, Damian David, Elias Gerogiannis, Eszter Sandor, Eva Demerouti, Greet Vermeylen, Gwen Daverth, Ingrid Jönsson, Jeannine M Rupp Jiří Vinopal, Lei Delsen and Manuel Sommer) for their great contribution to this Report, although only the GEI is responsible for the views included in it.
- 4.7 Attached to the present Report, as Schedule 2 and 4, are the survey results of the two (2) questionnaires.

5. General comments on results

5.1 Comments on lawyers' responses to the Survey:

5.1.1 The issue of work-life balance is considered to be a 'somewhat' or 'very' relevant issue in current national laws by a large majority of surveyed lawyers (almost 85 per cent). The striking result is that they almost unanimously (92.3 per cent) foresee that it will become even more relevant in their national law in the next 10 years. In fact, almost four out of 10 lawyers consider it will be a very important issue in national law. As such, two conclusions can be drawn:

- they see it as an issue for the near future, and
- they see it as an issue to be regulated nationally.

5.1.2 The issue of work-life balance is generally seen, according to the majority of the surveyed lawyers, as 'somewhat' or 'very' linked to the national regulation of **working time** (52.4 per cent and 35.7 per cent, respectively). It is considered to be linked in a lesser regard to **health and safety measures** (52.4 per cent ranked it to be 'somewhat linked' and 21.4 per cent viewed it as 'very linked'). However, the linkage to **anti-discrimination legislation** or **Corporate Social Responsibility (CSR)** is not very clear among the surveyed lawyers. The percentage of lawyers considering the linkage to 'somewhat exist' or 'not exist at all' is equally high in both cases. The only clear conclusion is **linkage between work-life balance and working time regulation**.

5.1.3 The surveyed lawyers almost unanimously believe that their national law considers developing a balanced work-life lifestyle as a **private issue** and, therefore, that their national law does not play a very active role in achieving a balanced work-life lifestyle: in fact more than half of the surveyed lawyers (53.7 per cent) see no encouragement at all in their national law for its development, and 43.9 per cent perceive only some encouragement in the law.²

5.1.4 Regarding the **regulatory role of either law or collective bargaining** in the promotion of work-life balance in their countries, a majority of the surveyed lawyers consider the law to have a more important role in promotion of work-life balance in their countries than pure collective agreements and a just over 40

² As it emerged during the EUROFOUND meeting, the reason for this may be linked to the fact that generally speaking, national laws have not developed a specific statutory definition of work-life balance yet. For the purpose of this Report, we may assume that work-life balance basically consists of those working conditions that allow employees a chance to develop a minimum equilibrium between professional demands and needs/desires that belong to their private life. From a normative point of view, work-life balance regulation consists of those rules (in the law, in collective bargaining or in the company's policies) that favour and allow employees to develop that minimum equilibrium.

per cent believe that these agreements impact on work life balance more importantly than the national law.

5.1.5 In relation to **work-life balance and diversity**, while no national law differentiates between policies on work-life balance for employees depending on employees' religious beliefs, national laws do differentiate depending on age (31 per cent of cases), gender (28.6 per cent) or professional qualifications (26.2 per cent). Nationality is a minor factor of differentiation (4.8 per cent of national laws), but it is taken into consideration in some countries.

5.1.6 More than seven out of 10 lawyers considered that work-life balance is important for their clients' **hiring process and talent retention**, based on their experiences. There seems to be some mismatch between the results in the relevance of work-life balance in current national law and the importance given by companies to work-life balance: While 17.5 per cent of lawyers believe that the issue of work-life balance is not relevant in their national law, 25.6 per cent of lawyers believe that work-life balance is not relevant for their clients in terms of hiring and talent retention.

5.1.7 There seems to be a belief that the **maternity leave** provided for in their national law is sufficient. The majority, although not as high as with regards to maternity leave, also believes that the **leave for care of minors** is sufficiently provided for in their national law. One of the remarkable results is that a slight majority (52.5 per cent) considers that **paternity leave** is not sufficiently developed. In addition, five out of 10 of the surveyed lawyers consider that the **leave of absence for the care of elderly relatives** provided in their national laws is not sufficient.

5.1.8 **Flexible working hours, part-time contracts and compressed workweeks** are working conditions which are nationally regulated and considered to be regulated either with 'some link' (50 per cent, 55 per cent and 45 per cent, respectively) or 'very linked' (17.5 per cent, 7.5 per cent and 10 per cent) to work-life balance. Such links in the regulation of other working conditions (leave for education or training, teleworking, sabbatical leaves or early retirement) is not as apparent. In fact, with regards to sabbatical leave the link to work-life balance is considered as non-existent at all by 70 per cent of the respondents. With respect to the other three conditions (leave for education or training, teleworking and early retirement), while the majority is not as high, still it is considered that the link with work-life balance in the law is almost non-existent. We may conclude therefore, that these regulations are linked to some other policy goals by national legislators and parliaments.

5.1.9 It seems, from the lawyers' responses, at least some level of relationship between work-life balance policy and the effects it might have on the **promotion and integration of women in the workplace** exists in their

national law, since 48.7 per cent responded that 'some link' exists. 30.8 per cent of respondents, indeed, found that work-life balance and the promotion and integration of women are much related in their national law. However, 20.5 per cent found no connection at all.

5.1.10 Based on the lawyers' experience, **women are more willing than men to ask for part-time contracts, flexible working hours and days off for personal/family reasons** (reaching almost 90 per cent). Teleworking and leaves of absence for personal reasons are less common, but still over 50 per cent. As for early retirement, women are less willing to ask for this than men, since only 2.5 out of 10 women are more willing to ask for it.

5.1.11 The surveyed lawyers believe that **asking for such measures negatively affects women's professional careers** (almost one out of four lawyers holding that the negative effects are high), with only 5.3 per cent of lawyers considering that there are no negative effects at all. However, more than half of lawyers responded negatively when asked about the existence of specific provisions in their national law aiming at avoiding these negative consequences on women's professional careers.

5.1.12 Sixty per cent of the surveyed lawyers consider that the promotion of work-life balance in their national law is related to the positive effect it could have in reducing absenteeism (50 per cent see 'some link' and 10 per cent see these as 'very linked'). The rest (40 per cent) see no relationship between work-life balance and absenteeism reduction in their national law.

5.1.13 More than 70 per cent of the **surveyed lawyers' firms** offer flexible policies (like job mobility) in their work organisation and job functions to accommodate work-life balance needs.

5.1.14 It is interesting to note that while 40 per cent of the surveyed lawyers believe that **expatriates** need a specific work-life balance policy, only 2.5 per cent affirmatively answered to the question whether their national law provides for a specific policy for expatriates.

5.2 **Comments on multinationals' responses to the Survey:**

5.2.1 Sixty-three point five per cent of the surveyed HR managers at multinationals declare not to have a **policy on work-life balance**. However, a strong majority sees the issue of work-life balance as an important one ('somewhat' or 'very' important) within the company's policies. Furthermore, six out of 10 consider that the issue will be 'very important' (most of the rest considering it 'somewhat important'). There is no doubt about the relevance given to the issue in the near future.

- 5.2.2 The issue of work-life balance is a mixed issue (global and local), according to half of the surveyed multinationals. It is striking to see that even within multinationals, which are global by nature, **more HR managers see it as a mainly local issue (33.3 per cent) than a mainly global one (18.5 per cent)**.
- 5.2.3 **The issue of work-life balance is, in most multinationals, linked to health and safety policies.** Contrary to what one might expect, 48.8 per cent of them responded that no linkage to anti-discrimination policies is found. However, the other half of respondents equally distributed their responses between a 'somewhat linked' and a 'very linked' situation between work-life balance and anti-discrimination policies. As for its linkage to CSR, multinationals generally see a link (some or an important one), although more than one out of four responded that no link exists between work-life balance and CSR policies.
- 5.2.4 According to a significant majority (65.2 per cent), companies somehow **encourage their employees to develop a balanced work-life lifestyle** and therefore do not treat it as a private issue. In fact, 17 per cent of multinationals responded that companies totally encourage employees in this respect. The conclusion is therefore that companies do not remain neutral but choose to play an active role in developing a balanced work-life lifestyle for their employees.
- 5.2.5 In relation to **diversity**, and even though we might say that generally work-life balance policies in companies are not made adaptable depending on employees' factors such as gender or age, we might point out that the most relevant factor in making the policy adaptable is the employee's professional qualifications. In 46.8 per cent of the companies, such policy is malleable depending on this factor. In a lower number of cases, but still relevant (34.2 per cent and 31.6 per cent), it depends on the employees' gender or age, respectively. Other factors such as nationality or religious beliefs are less common and are generally irrelevant in most companies in terms of the policy's adaptability.
- 5.2.6 Almost all of the surveyed multinationals (93.9 per cent) believe that work-life balance plays a role in the **hiring and retaining of talent**. For them, it is either 'somewhat important' (44.7 per cent) or, in most cases, 'very important' (49.2 per cent).
- 5.2.7 **Flexible working hours and part-time contracts** are the working conditions most linked to the companies' work-life balance policy. On the contrary, **gradual early retirement** is hardly linked to such a policy, although there are some companies where such a linkage does exist. **Teleworking** is a condition whose linkage to work-life balance policies is considered in similar proportions as 'much linked', 'somewhat linked' and 'not linked at all'.

- 5.2.8 Generally, the majority of companies do not improve national regulations granting additional days off for legally provided **leaves of absence**, except for the case of **maternity leave and paternity leave** where 56.9 per cent and 50.8 per cent, respectively, responded that they do improve national regulations. It is worth mentioning that almost half of the surveyed companies offer additional days leave for the **care of minors** (44.1 per cent). In a much lower number of cases, additional days are provided in leaves for the **care of elder family members**.
- 5.2.9 Companies almost unanimously (97.7 per cent) believe that a work-life balance policy could have a positive effect on reducing **absenteeism** and, in fact, 40.6 per cent of the surveyed multinationals would expect the effects to be highly positive. In more than 70 per cent of the surveyed companies, work-life balance is an important component of the companies' policy for reducing absenteeism.
- 5.2.10 Companies declare even more convincingly that a work-life balance policy could have a positive effect on the **access, retention and promotion of women in the workplace**. In fact, almost 60 per cent of them believe that it would have a highly positive effect in that sense.
- 5.2.11 **Women are more willing than men to ask for any of the working conditions theoretically linked to work-life balance. That is, women are more willing to ask for flexible working hours, part-time contracts and days off for personal/family reasons**, according to the respondent's experience. Long-term leave of absence and teleworking are less common, but generally women tend to be more willing than men to ask for them. Even regarding compressed workweeks, where the tendency of women to ask for them compared with men's tendency is not very different, more than 50 per cent of the surveyed multinationals responded that women are more willing than men to ask for them.
- 5.2.12 Even though the majority holds that asking for such measures could have somewhat **negative consequences on women's professional careers**, more than 40 per cent of the surveyed multinationals consider that such effects on women's professional careers are not seen in practice.
- 5.2.13 However, only four out of 10 of the surveyed companies have specific policies to avoid these possible negative consequences.
- 5.2.14 Generally the surveyed companies consider that **expatriates** do not need a specific work-life balance policy. Accordingly, the majority of these companies do not provide a specific work-life balance policy for them.
- 5.2.15 Only three out of 10 companies offer special services to support employees in their **domestic commitments**.

5.2.16 In most of the cases (63.3 per cent), companies have not implemented their work-life balance policies with the **involvement of employees or their representatives**.

5.2.17 The same numbers appear regarding the assessment made by companies of the effectiveness of their work-life balance policies: only 37 per cent of the surveyed companies do assess this matter.

6. Conclusions

6.1 Comparing lawyers and multinationals' responses to the Survey

6.1.1 **Both lawyers and multinationals consider that work-life balance will be an important issue in the next 10 years, confirming the results of the GEI 10/20 Survey.** The future development of this issue, therefore, is highly likely. A significant fact, however, is that while work-life balance is nowadays an important issue in national laws and regulations according to the lawyers' responses, an important majority of multinationals (63.5 per cent) revealed that, even if they see its importance, they still seldom implement any specific policy in this specific field. There seems to remain, generally speaking, a gap between the high esteem of work-life balance and the factual implementation of policies actually honouring that value.

6.1.2 From a regulatory perspective, **the issue of work-life balance in national laws is primarily linked to the regulation of working time and, secondly, to health and safety.** There seems to be some correlation with what happens in the workplace, since **multinationals link work-life balance primarily with health and safety measures, but also with (flexible) working time.** From both perspectives, the linkage with anti-discrimination policies and CSR measures are uncertain. Lawyers believe that national laws link work-life balance more with anti-discrimination legislation than with CSR, while multinationals see it the other way around (more linkage with CSR than with anti-discrimination policies in their companies).³

6.1.3 From the responses, we might also conclude that the role played by national laws and multinationals with regard to work-life balance is different. That is, almost all the surveyed lawyers consider that national laws either do not encourage employees to develop a balanced work-life style or just encourage them somewhat, while multinationals consider that they take an active position in this arena, either somewhat or even totally encouraging employees to develop a balanced work-life lifestyle (even though they could not have specific policies in this regard). **The conclusion seems to be that multinationals choose to actively encourage employees to balance their personal and professional lives (even in the absence of a specific work-life balance policy), while it is not clear that national laws actively play this role on the matter.** The vast absence of specific work-life balance policies might show that

³ In the EUROFOUND meeting, the strong interrelation between working time and health and safety was highlighted, with stress and depression becoming the most common negative consequences of inadequate regulations on these matters at the working place. This might hint to the increasing importance of health and safety issues, thus being a major force for the further implementation of work-life balance policies or legislation.

the implementation of such policies is in an initial stage for multinationals, with benchmarks just in the process of emerging.

Health and safety

6.1.4 As discussed in the EUROFOUND meeting, considering the linkage between work-life balance and health and safety issues, the basic conclusion is that the above contradiction is not surprising. Indeed, multinationals have the duty to develop health and safety policies and, therefore, consider work-life balance as part of such a duty. On the contrary, national laws generally lack a specific statutory definition – or even an integrated regulation – of work-life balance and, consequently, fail to actively regulate the issue.

Diversity

6.1.5 Even though some multinationals work-life balance policies are adaptable depending on individual employees' diverse traits (gender – 34.2 per cent of cases, for example, age, nationality, religious beliefs or professional qualifications), the majority of companies' policies are not adapted in light of such traits. In comparison with multinationals, we might consider that national laws are even less adaptable depending on employees' traits and, therefore, tend to be more equal since they do not distinguish at all in relation to religious beliefs and only distinguish in some cases (although not in the majority) based on professional qualifications, gender, age and nationality. It is relevant to note that the factor upon which multinationals' policies become more malleable is employees' professional qualifications; whilst the factor that makes national laws more malleable is age (31 per cent of national laws on work-life balance differentiate on this basis, although it is worth noting that 28.6 per cent of national laws also differentiate based on gender). We might conclude, therefore, **that work-life balance and diversity are not connected**. Another relevant conclusion might be that given that national laws in some cases make distinctions between work-life balance policies based on age, this could imply indirect distinctions based on maternity/paternity or family responsibilities.

Hiring and retaining employees

6.1.6 Lawyers and multinationals basically share the same view on the relevance that work-life balance has on the hiring and retention of employees. However, lawyers mainly view it as 'somewhat important' for their clients, while almost half of multinationals feel that this is 'very important'. Moreover, while only 6.1 per cent of multinationals consider that work-life balance is not important at all for the hiring and retaining of talent, 25.6 per cent of lawyers share this same

opinion. Therefore, **it is clear that multinationals see work-life balance as an essential part of their increasingly important policy for hiring and retaining talent.** Considering the demographic dimensions of many developed markets and the ‘war for talents’, this might not be surprising.

Flexible working and leave of absences

6.1.7 **Flexible working hours and part-time contracts are the working conditions that are most linked to work-life balance,** both in national laws and multinationals’ policies. The linkage is stronger in multinationals than in national laws. Other working conditions that in theory might have been linked to work-life balance (such as early retirement) are generally not linked at all in practice, by lawyers or by multinationals.⁴

6.1.8 **Most lawyers (more than 80 per cent) consider that national laws already provide for sufficient leave of absence in case of maternity, although 56.9 per cent of the surveyed multinationals improve on what is nationally regulated in this area.** The results on the sufficiency of maternity leave seem to be the most controversial ones: a significant majority of lawyers consider it is sufficiently provided for by law, yet more than half of the surveyed companies improve on what is nationally required. Paternity leave is roughly considered as sufficiently provided (52.5 per cent) although multinationals do improve upon what is nationally regulated, in half of the cases. Leave for care of elder family members is considered by the majority of lawyers as insufficiently provided for and is the one for which multinationals seldom grant additional days, even though it is considered to be insufficiently provided for in almost 70 per cent of the responses.

Promoting women in the workplace

6.1.9 According to lawyers, national laws do not clearly link work-life balance with the positive effects it could have on the promotion and integration of women in the workplace (in 20.5 per cent of cases there is no link at all and in 48.7 per cent there is just some link). On the contrary, multinationals show no doubt on evaluating the positive effects such a policy in the company would have on the access, retention and promotion of women since a 96.9 per cent of them finds this link. **One might conclude that national laws do not reflect the views of multinationals regarding the close relationship between work-life balance and the promotion and integration of women in the workplace.**

⁴ It was stressed in the EUROFOUND meeting that flexible working hours may not automatically lead to an improvement of work-life balance. In particular the implementation of teleworking can lead to a blend-in of private time and work time that may increase (instead of decrease) problems of work-life balance.

- 6.1.10 **A similarly large majority of lawyers and multinationals consider that women are more willing than men to ask for certain conditions to reconcile work and personal life**, mainly part-time contracts, flexible working hours and days off for personal/family reasons. Regarding other working conditions (teleworking and compressed workweeks), a lesser majority considers that women are more willing than men to ask for them. With regards to early retirement 25 per cent of the surveyed lawyers believe women are more willing than men to ask for it.⁵
- 6.1.11 Lawyers clearly appreciate the negative effects that these arrangements could have on women's professional careers, with only 5.3 per cent seeing no negative consequences at all. Even though the majority of multinationals also see such potential negative consequences, a solid 41.6 per cent consider that there are no such negative consequences on women's professional careers. **It could be argued that the position of multinationals on this issue is in accordance with their positive evaluation of a work-life balance policy with regards to the promotion of women at work.** On the other hand, it is worthy to note that given the frequent absence of detailed policies, negatives consequences might not be easily visible.
- 6.1.12 It also seems in accordance with the fact that six out of 10 multinationals do not have specific policies in place to avoid possible negative consequences on women's professional careers. If they do not see negative consequences, there is no need to provide for specific policies aiming at neutralising these effects. However, there is a gap of 20 per cent of multinationals who do consider that asking for certain conditions negatively affects women's professional careers and still do not have policies aiming at neutralising such effects. This gap is also detected in the national law, according to the surveyed lawyers responses: Although lawyers almost unanimously see that asking for these arrangements (part-time contracts, flexible working hours, etc.) could negatively affects women's professional careers, only 46.2 per cent of them assert that their national law provides for specific policies to avoid these possible negative consequences. **Our main conclusion is that there is a social issue affecting women at the workplace and there is still a long way to go in order to avoid that the full development of work-life balance policies and regulations could be handicapped (and, simultaneously, be a handicap),**

⁵ What emerged at the EUROFOUND meeting is that the feminisation of leave (either for taking care of children or elder people) has an impact on male employees since it seems that they are not expected to take leave as often and /or in the same length as their female counterparts. Therefore, even where the legal framework is provided, men are not making use of the opportunities provided, fearing loss of employment or to be considered less productive. The question of 'degenderising' such measures in order to increase work-life balance (by actively promoting men to choose such options) was raised as an important matter, being in some countries under consideration whether this should be an aim for national legislation.

by the negative consequences it could have on the professional career of employees, and especially of women.

Absenteeism

6.1.13 Multinationals seem very enthusiastic about the positive effects a work-life balance policy might have on reducing absenteeism (only 2.3 per cent considering there is no positive effect at all). Such enthusiasm, however, does not seem to have been fully translated in their policies, since almost 30 per cent of the surveyed multinationals responded that work-life balance is not an important component of their policy to reduce absenteeism. There is a clear mismatch between how multinationals view work-life balance policies and their potential impact on absenteeism and what they actually implement in relation to those policies in order to reduce absenteeism. Furthermore, 40 per cent of lawyers responded that the promotion of work-life balance is not linked to reducing absenteeism in their national laws. **We might conclude that the potential of work-life balance policies as tools to reduce absenteeism is not still effectively and fully developed by multinationals and by national laws.**

Accommodating work-life balance

6.1.14 Both multinationals and the law firms where the surveyed lawyers work offer, in an average of 58.7 per cent of the cases, flexible **policies regarding work organisation and job functions** to accommodate work-life balance needs.

Expatriate workers

6.1.15 A majority of the surveyed lawyers believes that expatriates do not need a specific work-life balance policy. More surprisingly, an even greater majority (66.7 per cent) of multinationals shares this belief with them. In accordance with such beliefs, just a small number of multinational offer a specific work-life balance policy for expatriates. At the regulatory level, only 2.5 per cent of national laws provides for this specific policy (in an apparent contradiction with what 40 per cent of lawyers consider to be necessary, since they consider that a specific work-life balance policy is required for such a group). We could argue that **the proliferation of expatriates in accordance to the increasing importance of globalisation, while it has already a major impact in the general policies of national laws and, above all, of multinationals, it still has a long way to go regarding its impact on specific policies in order to avoid or diminish the major limitation that expatriation may have in employees' work-life balance.**

6.2 Some general conclusions

- 6.2.1 The first and most important general conclusion we might draw from the results we have analysed is the confirmation of the **prominent relevance of the issue of work-life balance in the near future with regards to HR management and HR law**. Both HR senior managers and HR lawyers foresee the need to further develop this issue in the coming years. The GEI shares this view since this Report revealed the existence of mismatches between what work-life balance might help to achieve (for instance, the promotion and integration of women at the workplace and the reduction of absenteeism) and what it is actually achieving because of limitations imposed by national regulations and multinational policies.
- 6.2.2 **Work-life balance policies are mainly linked, in national regulations and multinationals' policies, to health and safety measures and to (flexible) working time**. However, and above all in relation to the latter, there is still much room for further development, since regulations affecting part-time contracts or sabbatical periods can be developed at a greater extent. It can be expected that the issue of work-life balance will be, in the future, more closely tied to health and safety legislation and that there might be a more strict regulatory legislative approach on employees' health positive effects of work-life balance.
- 6.2.3 **The connection of work-life balance with anti-discrimination law is neither close nor clear, which is surprising, given the negative effects that the lack of a work-life balance policy could have on the integration of women at the workplace**. In relation to this matter, it is worth noting that multinationals seem to maintain a more optimistic view than national laws of the positive effects of work-life balance policies in the promotion and integration of women at the workplace. Further development seems necessary in this area, above all by national laws.
- 6.2.4 **The survey results have confirmed the fact that women generally ask more than men for working conditions that ease the process of reconciling work and personal life**. Multinationals and lawyers generally believe that doing so negatively affects women's professional careers, even though they value these effects differently. However, **while potential negative effects on women's professional careers are recognised, the majority of multinationals do not provide for specific policies aiming at neutralising these possible effects and the same happens with regards to national regulations**. A problem is detected, but multinationals and national regulations do not generally provide for solutions. **It seems difficult to accomplish further promotion on the integration of women at the workplace without**

developing specific policies to avoid negative consequences in their careers as the result of the implementation of work-life policies. This might lead to the conclusion that it is desirable from that point of view that multinationals develop 'benchmark' industry standards and instruments for promoting work-life balance.

6.2.5 **Multinationals show little hesitation recognising the positive effects that work-life balance could have on reducing absenteeism, while national laws seem reluctant to introduce a work-life balance policy to achieve this goal.** However, this positive evaluation is somehow in contradiction with the high percentage of multinationals that admit that they still lack a sufficient specific policy on work-life balance. **Since one of the main causes of a high rate of absenteeism is a negative accommodation between basic needs of personal and family life and working time, one could expect much further development in this area in the near future. A significant area to address is teleworking or home/office activity that in some circumstances may lead to increased pressure, rather than ensuring a work-life balance.**

6.2.6 Taking a global perspective on the results, the GEI has detected a trend in the development of this HR issue so far: **Multinationals have identified the importance of work-life policies on many HR issues, and, although they still have a long way to go in implementing them, seem to be leading a greater promotion in the regulation of work-life balance.** National regulations seem to be more reluctant or limited in that promotion, since the law is not sufficiently covering the regulation of issues directly related to this matter.

6.2.7 There is a gap between lawyers' and senior HR managers' perspectives on work-life balance in an essential HR practice that seems to confirm the above conclusion. **While HR managers unanimously defend work-life balance as a tool to attract and retain talent, lawyers do not see the relationship so clearly.** The same divergence of opinion relates to the positive effects that multinationals see on work-life **balance** as means to promote and integrate women, since lawyers do not seem to consider this potential in their law. From these facts, **one could argue that the main changes in work-life balance from a global perspective seems to come from multinationals' policies and that they could have a positive effect on the national laws of many countries.** However, it could be argued that these positive effects might be brought about by advanced national laws that positively impact multinationals' policies on the issue and at the same time could positively impact national laws of less advanced jurisdictions. In any case, it seems clear that the relationship between national legislation and multinationals policy is, and will continue to be of a synergic nature.

6.2.8 **We do not have enough data to identify the consequences that the economic crisis of the last three years had, is having or will have in the**

development of work-life balance in national laws or multinationals' policies. However, from the results of this Survey – three years after the crisis started and given the general importance that both actors, multinationals and national legislators – give to this matter, one could argue that work-life balance is already such an essential issue in HR regulation and practice that it will be promoted in the future regardless of the situation of the economy or of the market, since it is key for the efficiency of the company organisation and its competitiveness.

7. About the International Bar Association Global Employment Institute

The [International Bar Association Global Employment Institute](#) was established in early 2010. Its primary purpose is to develop a global and strategic approach to the main legal issues in the human resources and human capital fields for multinationals and worldwide institutions.

The Executive Council Officers of the IBA GEI:

- Chair: Salvador del Rey
- Vice-Chairs for institutions: Keith Corkan and John K. Weir
- Vice-Chairs for multinationals: Pascale Lagesse, Bob Mignin, Julia Onslow-Cole and Rob Towner
- Vice-Chairs for knowledge management: Mariann Norrbom and Dirk Rutgers
- Vice-Chair for internal affairs: Graeme Kirk

How to Join

If you would like to join the **IBA Global Employment Institute** or one of the other committees in the Human Resources Section, or if you would like further information on section or committee activities, please visit www.ibanet.org
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Tel: +44 (0)20 7691 6868, Fax: +44 (0)20 7691 6544
or by email at member@int-bar.org

Further information is available at the IBA website:

www.ibanet.org/LPD/Human_Resources_Section/Global_Employment_Institute/Global_Employment_Institute_Home.aspx

Schedule 1. Surveys

IBA Global Employment Institute – Questionnaire for Lawyers on Work-Life Balance

IDENTIFICATION

Please Note: The information collected in this section is for internal purposes only.

1. Name:

2. Law firm:

3. Country:

GENERAL QUESTIONS

4. How important is the issue of work-life balance in your national law?

Not at all important

Somewhat important

Very important

*Currently?

*In the next 10 years?

5. Does your national law include specific and direct legislation for promoting work-life balance? *Yes* *No*

*If yes, when did the law(s) originate? Less than 10 years ago or more than 10 years ago?

6. In your national law, is the issue of work-life balance mainly linked to the subject of:

Not at all linked

Somewhat linked

Very linked

*Working hours

(part-time contracts,

flexible working hours, etc.)?

*Anti-discrimination legislation?

*Corporate social responsibility?

*Health and safety, including stress?

7. Does your national law actively encourage employees to develop a balanced work-life lifestyle or is this regarded as mainly a private issue?

*Please rate. *No encouragement* *Some encouragement* *Total encouragement*

8. In your country, do you think that the role of collective bargaining in relation to the promotion of work-life balance is more important than that of your national law?

Yes

No

9. Does your national law differentiate between policies on work-life balance for employees depending on any of the following characteristics:

Yes

No

*Professional qualifications (managers, white collar, blue collar)?

*Nationality?

*Religious beliefs?

*Gender?

*Age?

SPECIFIC WORKING CONDITIONS

10. In your experience with clients (companies), do you think that work-life balance is an important consideration for them in the hiring and retaining of talent?

*Please rate. *Not at all important* *Somewhat important* *Very important*

11. Do you think that the regulations developed so far by your national law on leave of absence in the following situations is sufficient:

Yes

No

*Maternity leave?

*Paternity leave?

*Care of minors?

*Care of elder family members?

12. In your national law, is the regulation of the following working conditions linked to work-life balance:

Not at all linked

Somewhat linked

Very linked

*Part-time contracts?

*Teleworking?

*Flexible working hours?

*Compressed workweeks (longer hours on fewer days per week)?

*Short leave for education or training to improve job skills?

*Sabbatical leave for personal matters?

*Early retirement?

13. In your national law, do you think that a work-life balance policy is related to the positive effects it could have on the integration and promotion of women in the workplace?

*Please rate.

Not at all related

Somewhat related

Very related

14. In your experience, are women more willing to ask for:

Yes

No

*Part-time contracts?

*Teleworking?

*Flexible working hours?

*Compressed workweeks (longer hours on fewer days per week)?

*Days off for personal/family reasons?

*Long-term leave of absence for personal/family reasons?

*Early retirement?

15. If you responded 'yes' to most of the categories in the preceding question, do you think this fact has negative consequences on women's professional careers?

*Please rate.

No negative consequences

Somewhat negative consequences

Highly negative consequences

16. Does your national law have specific policies to avoid these possible negative consequences?

Yes

No

17. Do you think that the promotion of work-life balance in your national law is related to the positive effect it could have in reducing absenteeism?

*Please rate.

Not at all related

Somewhat related

Very related

18. Does your workplace company have flexible policies (ie, job mobility) regarding work organisation and job functions to accommodate work-life balance needs?

Yes

No

19. Do you think expatriates need a specific work-life balance policy?

Yes

No

20. Does your national law provide this kind of specific work-life balance policy for expatriates?

Yes

No

IBA Global Employment Institute – Questionnaire for Multinationals on Work-Life Balance

IDENTIFICATION

Please Note: The information collected in this section is for internal purposes only.

1. Name of company:
2. Main economic activity of company:
3. Number of employees worldwide:
4. Country where company has its head office:

GENERAL QUESTIONS

5. Does your company have a specific policy on work-life balance?

Yes

No

*If yes, when did it originate? Less than 10 years ago or more than 10 years ago?

6. How important is the issue of work-life balance in your company's policies?

Not at all important

Somewhat important

Very important

*Currently?

*In the next 10 years?

7. Is the issue of work-life balance in your company mainly local or global?

*Please rate.

Mainly local

Mixed

Mainly global

8. Is the issue of work-life balance in your company linked to its:

Not at all linked

Somewhat linked

Very linked

*Corporate social responsibility?

*Anti-discrimination policies?

*Health and safety policies, including stress?

9. Does your company actively encourage its employees to develop a balanced work-life lifestyle or is this regarded as being mainly a private issue?

*Please rate. *No encouragement* *Some encouragement* *Total encouragement*

10. If your company has a work-life balance policy, is it malleable/adaptable depending on the employee's:

Yes *No*

*Professional qualifications
(managers, white collar, blue collar)?

*Nationality?

*Religious beliefs?

*Gender?

*Age?

SPECIFIC WORKING CONDITIONS

11. Do you think that work-life balance is an important consideration in the hiring and retaining of talent in your company?

*Please rate. *Not at all important* *Somewhat important* *Very important*

12. Are the promotion of the following working conditions linked to your company's work-life balance policy:

Not at all related *Somewhat related* *Very related*

*Part-time contracts?

*Flexible working hours?

*Teleworking?

*Gradual early retirement?

13. In the countries where it operates, does your company improve national regulations by granting additional days off for the following reasons:

Yes *No*

*Maternity leave?

*Paternity leave?

*Care of minors?

*Care of elder family members?

14. Do you think that a work-life balance policy could have a positive effect on reducing absenteeism?

*Please rate. No positive effect Somewhat positive effect Highly positive effect

15. Is work-life balance an important component of your company's policy for reducing absenteeism?

*Please rate.
 Not an important component Somewhat important component Very important component

16. Do you think that a work-life balance policy could have a positive effect on the access, retention and/or promotion of women in the workplace?

*Please rate.
 No positive effect Somewhat positive effect Highly positive effect

17. In your experience, are women more willing to ask for:

Yes No

*Part-time contracts?

*Flexible working hours?

*Compressed workweeks (longer hours on fewer days per week)?

*Days off for personal/family reasons?

*Teleworking?

*Long-term leave of absence for personal/family reasons?

18. If you responded 'yes' to most of the categories in the preceding question, do you think that this fact has negative consequences on women's professional careers?

*Please rate.
 No negative consequences Somewhat negative consequences Highly negative consequences

19. Does your company have specific policies to avoid these possible negative consequences?

Yes No

20. Does your company have flexible policies (ie, job mobility) regarding work organisation and job functions to accommodate work-life balance needs?

Yes

No

21. Do you think expatriates need a specific work-life balance policy?

Yes

No

22. Does your company provide this kind of specific work-life balance policy for expatriates?

Yes

No

23. Does your company offer special services to support employees in their domestic commitments (for example company kindergarten, babysitting service, cleaning service)?

Yes

No

*Please describe:

24. Have your company's different work-life balance policies been implemented with the involvement of employees or their formal representatives?

Yes

No

25. Does your company regularly assess the effectiveness of its work-life balance policies?

Yes

No

Schedule 2. Results of multinationals' survey

IBA Global Employment Institute - Questionnaire for Multinationals on Work-Life Balance SurveyMonkey

1. Name of company:

	Response Count
	150
answered question	150
skipped question	3

2. Main economic activity of company:

	Response Count
	152
answered question	152
skipped question	1

3. Number of employees worldwide:

	Response Count
	149
answered question	149
skipped question	4

4. Country where company has its head office:

	Response Count
	151
answered question	151
skipped question	2

5. Does your company have a specific policy on work-life balance?

	Response Percent	Response Count
Yes	36.5%	50
No	63.5%	87
If yes, when did it originate? Less than 10 years ago or more than 10 years ago?		
		48
answered question		137
skipped question		16

6. How important is the issue of work-life balance in your company's policies?

	Not at all important	Somewhat important	Very important	Rating Average	Response Count
Currently?	8.1% (11)	63.0% (85)	28.5% (39)	2.21	135
In the next ten years?	2.4% (3)	38.6% (49)	59.1% (75)	2.57	127
answered question					138
skipped question					15

7. Is the issue of work-life balance in your company mainly local or global?					
	Mainly local	Mixed	Mainly global	Rating Average	Response Count
Please rate.	33.3% (45)	48.1% (65)	18.5% (25)	1.85	135
				answered question	135
				skipped question	18
8. Is the issue of work-life balance in your company linked to its:					
	Not at all linked	Somewhat linked	Very linked	Rating Average	Response Count
Corporate social responsibility?	28.9% (37)	41.4% (53)	29.7% (38)	2.01	128
Antidiscrimination policies?	48.8% (61)	28.0% (35)	23.2% (29)	1.74	125
Health and safety policies, including stress?	14.4% (19)	36.4% (48)	49.2% (65)	2.35	132
				answered question	134
				skipped question	19

9. Does your company actively encourage its employees to develop a balanced work-life lifestyle or is this regarded as being mainly a private issue?					
	No encouragement	Some encouragement	Total encouragement	Rating Average	Response Count
Please rate.	17.8% (24)	65.2% (88)	17.0% (23)	1.99	135
				answered question	135
				skipped question	18
10. If your company has a work-life balance policy, is it malleable/adaptable depending on the employee's:					
	Yes	No		Response Count	
Professional qualifications (managers, white collar, blue collar)?	46.8% (36)	53.2% (41)		77	
Nationality?	22.7% (17)	77.3% (58)		75	
Religious beliefs?	25.3% (19)	74.7% (56)		75	
Gender?	34.2% (26)	65.8% (50)		76	
Age?	31.6% (24)	68.4% (52)		76	
				answered question	78
				skipped question	75

11. Do you think that work-life balance is an important consideration in the hiring and retaining of talent in your company?					
	Not at all Important	Somewhat Important	Very Important	Rating Average	Response Count
Please rate.	6.1% (8)	44.7% (59)	49.2% (65)	2.43	132
				answered question	132
				skipped question	21

12. Are the promotion of the following working conditions linked to your company's work-life balance policy:					
	Not at all linked	Somewhat linked	Very linked	Rating Average	Response Count
Part-time contracts?	31.0% (36)	42.2% (49)	26.7% (31)	1.96	116
Flexible working hours?	14.2% (17)	43.3% (52)	42.5% (51)	2.28	120
Teleworking?	36.8% (43)	38.5% (45)	24.8% (29)	1.88	117
Gradual early retirement?	52.2% (59)	35.4% (40)	12.4% (14)	1.60	113
				answered question	120
				skipped question	33

13. In the countries where it operates, does your company improve national regulations by granting additional days off for the following reasons:				Response Count
	Yes	No		
Maternity leave?	56.9% (70)	43.1% (53)		123
Paternity leave?	50.8% (62)	49.2% (60)		122
Care of minors?	44.1% (52)	55.9% (66)		118
Care of elder family members?	31.6% (37)	68.4% (80)		117
			answered question	123
			skipped question	30

14. Do you think that a work-life balance policy could have a positive effect on reducing absenteeism?					
	No positive effect	Somewhat positive effect	Highly positive effect	Rating Average	Response Count
Please rate.	2.3% (3)	57.0% (73)	40.6% (52)	2.38	128
				answered question	128
				skipped question	25

15. Is work-life balance an important component of your company's policy for reducing absenteeism?					
	Not an Important component	Somewhat Important component	Very Important component	Rating Average	Response Count
Please rate.	27.6% (34)	54.5% (67)	17.9% (22)	1.90	123
				answered question	123
				skipped question	30

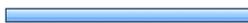
16. Do you think that a work-life balance policy could have a positive effect on the access, retention and/or promotion of women in the workplace?					
	No positive effect	Somewhat positive effect	Highly positive effect	Rating Average	Response Count
Please rate.	3.1% (4)	39.5% (51)	57.4% (74)	2.54	129
				answered question	129
				skipped question	24

17. In your experience, are women more willing to ask for :				
	Yes	No	Response Count	
Part-time contracts?	76.7% (99)	23.3% (30)	129	
Flexible working hours?	87.7% (114)	12.3% (16)	130	
Compressed workweeks (longer hours on fewer days per week)?	52.8% (67)	47.2% (60)	127	
Days off for personal/family reasons?	73.8% (96)	26.2% (34)	130	
Teleworking?	59.1% (75)	40.9% (52)	127	
Long-term leave of absence for personal/family reasons?	62.0% (80)	38.0% (49)	129	
			answered question	130
			skipped question	23

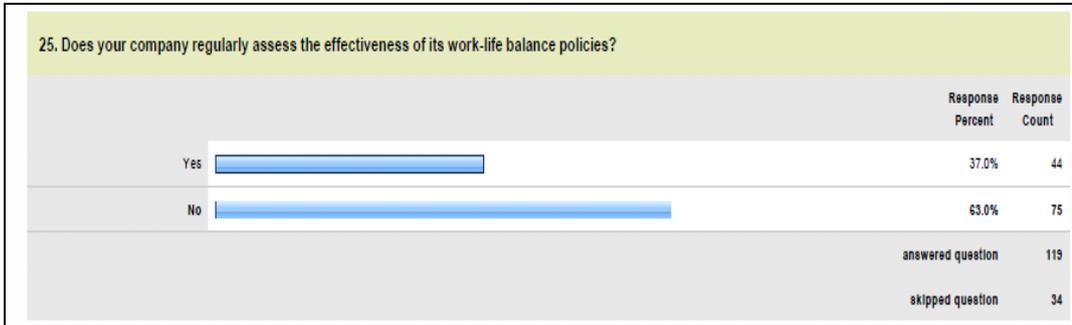
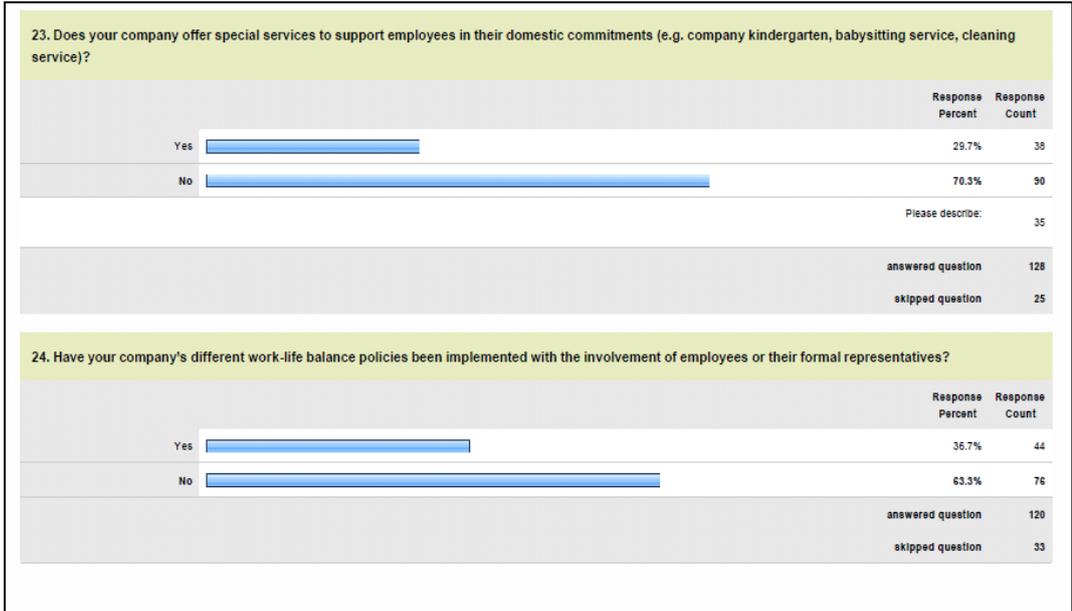
18. If you responded 'yes' to most of the categories in the preceding question, do you think that this fact has negative consequences on women's professional careers?						
	No negative consequences	Somewhat negative consequences	Highly negative consequences	Rating Average	Response Count	
Please rate.	41.6% (47)	52.2% (59)	6.2% (7)	1.65	113	
					answered question	113
					skipped question	40

19. Does your company have specific policies to avoid these possible negative consequences?				
		Response Percent	Response Count	
Yes		40.5%	49	
No		59.5%	72	
			answered question	121
			skipped question	32

20. Does your company have flexible policies (i.e. job mobility) regarding work organisation and job functions to accommodate work-life balance needs?				
		Response Percent	Response Count	
Yes		56.7%	72	
No		43.3%	55	
			answered question	127
			skipped question	26

21. Do you think expatriates need a specific work-life balance policy?				
		Response Percent	Response Count	
Yes		33.3%	42	
No		66.7%	84	
			answered question	126
			skipped question	27

22. Does your company provide this kind of specific work-life balance policy for expatriates?				
		Response Percent	Response Count	
Yes		16.8%	22	
No		81.2%	95	
			answered question	117
			skipped question	36



Schedule 3. Number of multinationals per country

- Australia: 2
- Austria: 2
- Belgium: 2
- Brazil: 1
- Canada: 1
- China: 1
- Czech Republic: 1
- Denmark: 5
- France: 5
- Germany: 24
- India: 10
- Ireland: 1
- Italy: 8
- Japan: 7
- Luxembourg: 1
- Malaysia: 1
- Mexico: 1
- New Zealand: 1
- Norway: 3
- Peru: 2
- Portugal: 1
- Russia: 4
- Slovakia: 1
- South Africa: 2
- South Korea: 2
- Spain: 5
- Sweden: 2
- Switzerland: 4
- The Netherlands: 2
- United Kingdom: 11
- USA: 36
- Venezuela: 1

Schedule 4. Results of lawyers' survey

IBA Global Employment Institute - Questionnaire for Lawyers on Work-Life Balance SurveyMonkey

1. Name:

	Response Count
	44
answered question	44
skipped question	1

2. Law firm:

	Response Count
	44
answered question	44
skipped question	1

3. Country:

	Response Count
	45
answered question	45
skipped question	0

4. How important is the issue of work-life balance in your national law?

	Not at all Important	Somewhat Important	Very Important	Rating Average	Response Count
Currently?	17.5% (7)	77.5% (31)	5.0% (2)	1.88	40
In the next ten years?	7.7% (3)	53.8% (21)	38.5% (15)	2.31	39
					answered question 42
					skipped question 3

5. Does your national law include specific and direct legislation for promoting work-life balance?

	Response Percent	Response Count
Yes	52.4%	22
No	47.6%	20
If yes, when did the law(s) originate? Less than 10 years ago or more than 10 years ago?		22
		answered question 42
		skipped question 3

6. In your national law, is the issue of work-life balance mainly linked to the subject of:

	Not at all linked	Somewhat linked	Very linked	Rating Average	Response Count
Working hours (part-time contracts, flexible working hours, etc.)?	11.9% (5)	52.4% (22)	35.7% (15)	2.24	42
Antidiscrimination legislation?	42.9% (18)	47.6% (20)	9.5% (4)	1.67	42
Corporate social responsibility?	52.4% (22)	42.9% (18)	4.8% (2)	1.52	42
Health and safety, including stress?	25.2% (11)	52.4% (22)	21.4% (9)	1.95	42
					answered question 42
					skipped question 3

7. Does your national law actively encourage employees to develop a balanced work-life lifestyle or is this regarded as mainly a private issue?						
	No encouragement	Some encouragement	Total encouragement	Rating Average	Response Count	
Please rate.	53.7% (22)	43.9% (18)	2.4% (1)	1.49	41	
					answered question	41
					skipped question	4

8. In your country, do you think that the role of collective bargaining in relation to the promotion of work-life balance is more important than that of your national law?				
		Response Percent	Response Count	
Yes		42.9%	18	
No		57.1%	24	
			answered question	42
			skipped question	3

9. Does your national law differentiate between policies on work-life balance for employees depending on any of the following characteristics:				
	Yes	No	Response Count	
Professional qualifications (managers, white collar, blue collar)?	26.2% (11)	73.8% (31)	42	
Nationality?	4.8% (2)	95.2% (40)	42	
Religious beliefs?	0.0% (0)	100.0% (42)	42	
Gender?	28.6% (12)	71.4% (30)	42	
Age?	31.0% (13)	69.0% (29)	42	
			answered question	42
			skipped question	3

10. In your experience with clients (companies), do you think that work-life balance is an important consideration for them in the hiring and retaining of talent?						
	Not at all important	Somewhat important	Very important	Rating Average	Response Count	
Please rate.	25.6% (10)	59.0% (23)	15.4% (6)	1.90	39	
					answered question	39
					skipped question	6

11. Do you think that the regulations developed so far by your national law on leave of absence in the following situations is sufficient:			
	Yes	No	Response Count
Maternity leave?	82.5% (33)	17.5% (7)	40
Paternity leave?	52.5% (21)	47.5% (19)	40
Care of minors?	62.5% (25)	37.5% (15)	40
Care of elder family members?	45.0% (18)	55.0% (22)	40
		answered question	40
		skipped question	5

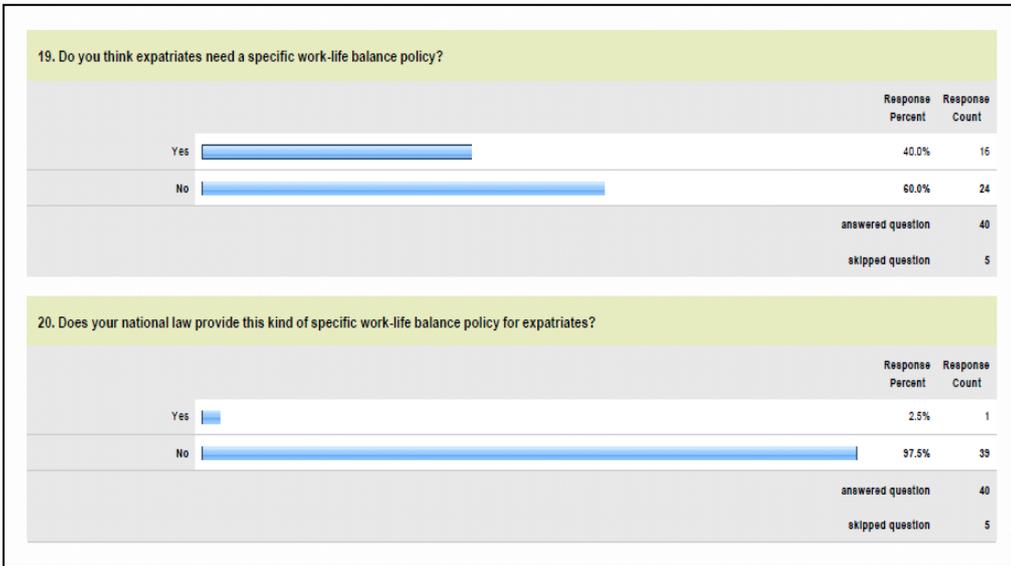
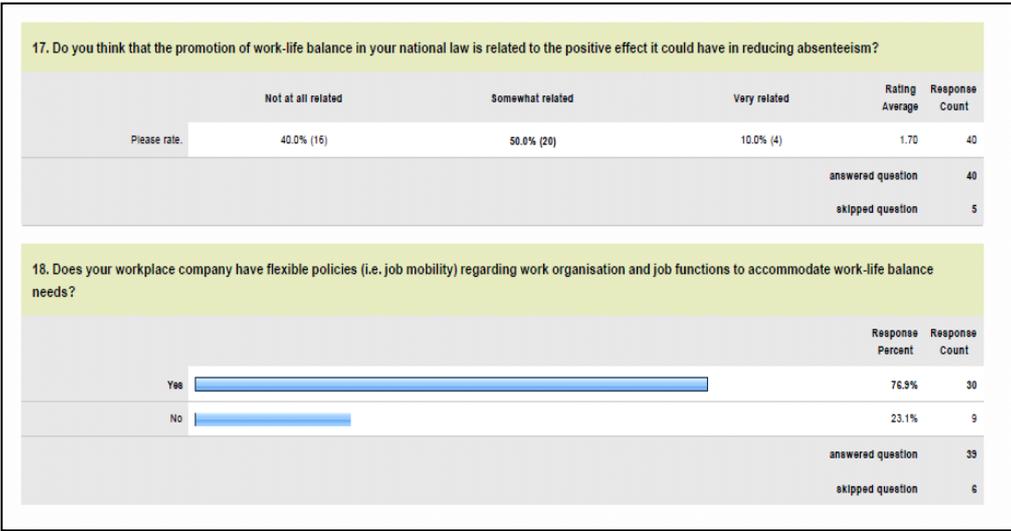
12. In your national law, is the regulation of the following working conditions linked to work-life balance:					
	Not at all linked	Somewhat linked	Very linked	Rating Average	Response Count
Part-time contracts?	37.5% (15)	55.0% (22)	7.5% (3)	1.70	40
Teleworking?	50.0% (20)	42.5% (17)	7.5% (3)	1.58	40
Flexible working hours?	32.5% (13)	50.0% (20)	17.5% (7)	1.65	40
Compressed workweeks (longer hours on fewer days per week)?	45.0% (18)	45.0% (18)	10.0% (4)	1.65	40
Short leave for education or training to improve job skills?	65.0% (26)	30.0% (12)	5.0% (2)	1.40	40
Sabbatical leave for personal matters?	70.0% (28)	27.5% (11)	2.5% (1)	1.33	40
Early retirement?	61.5% (24)	33.3% (13)	5.1% (2)	1.44	39
				answered question	40
				skipped question	5

13. In your national law, do you think that a work-life balance policy is related to the positive effects it could have on the integration and promotion of women in the workplace?					
	Not at all related	Somewhat related	Very related	Rating Average	Response Count
Please rate.	20.5% (8)	48.7% (19)	30.8% (12)	2.10	39
				answered question	39
				skipped question	6

14. In your experience, are women more willing to ask for :			
	Yes	No	Response Count
Part-time contracts?	85.0% (34)	15.0% (6)	40
Teleworking?	65.0% (26)	35.0% (14)	40
Flexible working hours?	87.5% (35)	12.5% (5)	40
Compressed workweeks (longer hours on fewer days per week)?	53.8% (21)	46.2% (18)	39
Days off for personal/family reasons?	90.0% (36)	10.0% (4)	40
Long-term leave of absence for personal/family reasons?	70.0% (28)	30.0% (12)	40
Early retirement?	25.0% (10)	75.0% (30)	40
answered question			40
skipped question			5

15. If you responded 'yes' to most of the categories in the preceding question, do you think this fact has negative consequences on women's professional careers?					
	No negative consequences	Somewhat negative consequences	Highly negative consequences	Rating Average	Response Count
Please rate:	5.3% (2)	71.1% (27)	23.7% (9)	2.16	38
answered question					38
skipped question					7

16. Does your national law have specific policies to avoid these possible negative consequences?			
		Response Percent	Response Count
Yes		46.2%	18
No		53.8%	21
answered question			39
skipped question			6



Schedule 5. List of law firms per country

IBA Global Employment Institute – List of law firms per country contributors to the Survey on Work-Life Balance*

ARGENTINA

- Funes de Rioja & Asociados

AUSTRALIA

- Blake Dawson

BELGIUM

- Altius

CHILE

- Cariola Diez Pérez Cotapos y Cía. Ltda

CHINA

- Clyde & Co

COLOMBIA

- Posse Herrera & Ruiz

CZECH REPUBLIC

- CMS Cameron McKenna
- Havel, Holasek & Partners
- Randl Partners

DENMARK

- Norrbom Vinding

EGYPT

- DLA Matouk Bassiouny

FINLAND

- Roschier, Attorneys Ltd

FRANCE

- Ernst & Young Société d'Avocats

GERMANY

- Heuking Kühn Lüer Wojtek

HUNGARY

- Forgó, Damjanovic & Partners Law Firm
- PRK Partners Budapest / Fábry

INDIA

- Fidelity International
- Nishith Desai Associates

INDONESIA

- Frans Winarta & Partners

IRELAND

- A & L Goodbody

ITALY

- Bonelli Erede Pappalardo
- Dewey&LeBoeuf

JAPAN

- Nishimura & Asahi

KUWAIT

- DLA Piper Kuwait

MALAYSIA

- Khan Azmi & Associates
- Shearn Delamore & Co
- Zul Rafique & partners

MEXICO

- Basham, Ringe y Correa, s.c.

THE NETHERLANDS

- Bronsgeest Deur Advocaten

NEW ZEALAND

- LangtonHudsonButcher

NIGERIA

- Aluko & Oyebode

NORWAY

- Arntzen de Besche

PAKISTAN

- Asim Nazir & Co. Advocates & Legal Advisors

PERU

- Estudio Echeopar

PHILIPPINES

- Romulo Mabanta Buenaventura Sayoc and Delos Angeles
- Salvador & Associates

POLAND

- Domanski Zakrzewski Palinka
- Raczkowski i Wspólnicy

PORTUGAL

- Cuatrecasas, Gonçalves Pereira

RUSSIA

- Alrud
- CMS Russia

SAUDI ARABIA

- DLA Piper Saudi Arabia

SENEGAL

- Geni & Kebe

SINGAPORE

- TSMP Law Corporation

SOUTH AFRICA

- DLA Cliffe Dekker Hofmeyr

SPAIN

- Cuatrecasas, Gonçalves Pereira

SWEDEN

- Vinge

THAILAND

- Tilleke & Gibbins

TUNISIA

- Ferchiou & associés

TURKEY

- Mehmet Gun & Partners

UKRAINE

- Vasil Kisil & Partners

UNITED KINGDOM

- Lewis Silkin

UNITED ARAB EMIRATES

- DLA Piper

URUGUAY

- Ferrere

VENEZUELA

- Macleod Dixon

* In relation to the number of lawyers per country answering the survey, see note 1 of the Report.