



GENDER EQUALITY IN RECRUITMENT AND PROMOTION PRACTICES IN VIET NAM



Policy Brief – March 2015

As the world is witnessing women's ever increasing participation in the labour market, Viet Nam has enjoyed long an enviable position with a high female participation rate in the labour force. Approximately 73 per cent of Vietnamese women are part of the labour force (one of the highest figures globally), against 82 per cent for men.¹ This gap (9 percentage points) is relatively low in comparison to the global average of around 25 percentage points.²

However, the economic empowerment of women still remains a challenge. Despite accounting for nearly half of the labour force, working women in Viet Nam are under-represented in top business management. The International Labour Organization's (ILO's) 2015 report entitled "Women in Business and Management: Gaining Momentum" shows that Viet Nam ranks 76th out of 108 countries in its proportion of female managers. Women's limited access to decision-making positions is the result of various gender-based discrimination practices in the workplace, starting from recruitment process, through difficulties in balancing work and family life, to training opportunities and promotion.

To look into this issue, the ILO in Viet Nam in co-operation with Navigo Search conducted a review of 12,300 job advertisements in the country's four largest job portals,³ backed up by two online surveys – one with employers in the private sector and the other with candidates for mid-career posts.⁴ The research aimed to discover whether gender-based discrimination exists in hiring practices, working conditions and promotion opportunities in the workplace.

Progress has been made in developing a supportive legal framework

Gender-based discrimination in the workplace is prohibited through a number of legal documents. The 2012 Labour Code protects "the female employees' right to work on the basis of equality" and requires employers to "ensure the implementation of gender equality and measures to promote gender equality in recruitment, employment, training, working hours and rest periods, wages and other policies".⁵

The Law on Gender Equality⁶ also stipulates that men and women should be treated equally in workplaces, in terms of recruitment, wages, pay and bonuses, social insurance, working conditions, training and promotion.

In addition, clear goals to ensure non-discrimination in the workplace, including an equal share of new jobs for men and women, and the reduction of the burden of family responsibilities on women, are included in the National Strategy on Gender Equality for the 2011-20 period.

Viet Nam also ratified relevant ILO core conventions on equality, namely Equal Remuneration Convention (Convention No 100) and Discrimination (Employment and Occupation) Convention (Convention No 111) in 1997.

While the laws and policies provide a sound legal framework to protect women and men from gender-based discrimination, much remains to be done in practice. This is due to the fact that typically how policies are designed and enforced is critical in determining their effectiveness.

Gender-based discrimination leads to occupational and vertical segregation

While job advertisements should avoid any mention of gender as this represents a direct form of gender-based discrimination, the relevant data has indicated that such a practice is still common in Viet Nam. By doing so, the qualifications and competencies requested for the post tend to be subordinate to gender-based prejudices.

The review of job advertisements posted on VietnamWorks, JobStreet, CareerBuilder and CareerLink between mid-November 2014 and mid-January 2015 found that one in five job postings included gender requirements. Among the job postings that included a gender preference, 70 per cent specifically requested that the positions be filled by men whereas only 30 per cent wanted female applicants.

Among the gender-preferred postings, men were most often targeted for more technical and highly skilled jobs or jobs that require more outdoor activities, such as architects (100 per cent of gender-preferred job ads requiring men), drivers (100 per cent), engineers (99 per cent) and IT professionals (97 per cent).

¹ Viet Nam Labour Force Survey 2013 (Hanoi, General Statistical Office, 2014)

² World Employment and Social Outlook Trends 2015 (Geneva, ILO, 2015)

³ The reviewed job portals include Vietnamworks (www.vietnamworks.com), JobStreet (www.jobstreet.vn), CareerBuilder (www.careerbuilder.vn) and CareerLink (www.careerlink.vn). In the case of JobStreet, the percentage of job ads with gender requirements is very small because it has its own policy on non-discrimination based on gender in recruitment.

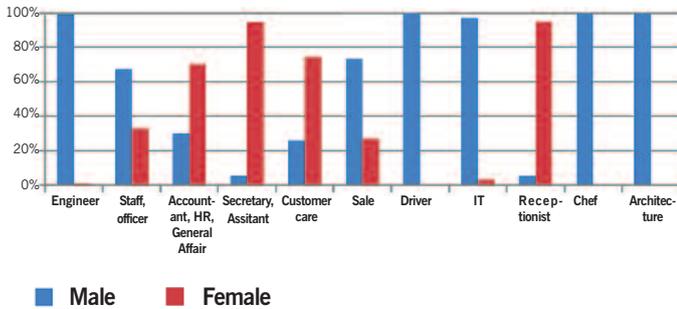
⁴ The two online surveys were conducted in January 2015. The survey with employers and that with candidates for mid-career posts received 350 and 150 qualified responses respectively.

⁵ Viet Nam Labour Code 2012, Chapter X, Article 153 and 154

⁶ Viet Nam Law on Gender Equality 2006, Chapter II, Article 13

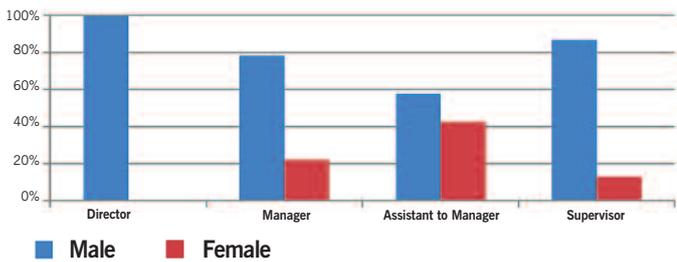
Meanwhile, women were often preferred for office and support work, such as receptionists (95 per cent), secretaries and assistants (95 per cent), accountants, human resources and general affairs (70 per cent).

Figure 1: Sex-preferred job postings by occupation



In the survey with employers, one in five companies admitted that female employees are clustered around certain job functions. They include accounting, office work, general affairs, and human resources.

Figure 2: Sex-preferred job postings by position



Overall, the findings from the job postings review and employers' survey indicate the existence of "glass walls" resulting in gender segregation by occupation and job functions (known as horizontal segregation). The majority of occupations where male workers are preferred are higher-skilled and better paid than most of those for women. By advertising gender preference, women's and even men's access to certain types of jobs is restricted, thereby depriving them of important opportunities in the labour market. This also limits the ability of businesses to fully benefit from the talent of newly recruited employees.

Gender segregation can also occur along the career ladder within an occupation (known as hierarchical or vertical segregation). This was shown by the reviewed job advertisements for managerial positions. Up to 83 per cent of management job postings that indicated a gender preference required male applicants. Significantly, all of the director posts were exclusively for men. This gap was also found across other management positions, including "managers" and "supervisors" where 78 and 87 per cent of job ads respectively only accepted male candidates.

Despite growing evidence demonstrating positive links between women's participation and business performance,⁷ there is a long way to go for Viet Nam to achieve true gender equality in the workplace, especially when it comes to top management positions. This bias is clearly linked to gender stereotyping where men and women are assigned roles based upon predetermined "masculine" and "feminine" skill sets.

Balancing family burdens to improve women's job prospects and business performance

Findings from both the employers' survey and that with candidates for mid-career posts reveal the factors that employers take into consideration during job interviews.

Apart from academic qualifications and work experience, the two most important factors when it comes to recruiting decisions; two thirds of employers ask questions about the applicants' availability to work outside of normal working hours. Up to 43 per cent of employers seek to discover the marital status of the applicants and 30 per cent seek information on the candidates' future plans to have children.

However, the survey with candidates for mid-career posts showed that only 8 per cent of male professionals were asked about their future plans to have children in their most recent job interview, compared to 31 per cent of female candidates. Similarly 18 per cent of the women received questions about family responsibilities, while this rate was only 13 per cent among the men.

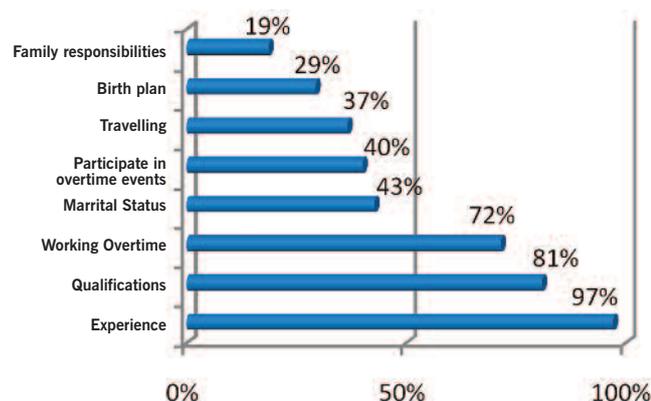
These findings suggest that employers prefer not to recruit women who plan to have children in the near future, fearing that their reproductive role could affect the company's costs and performance. In addition, the perception that women, not men, bear the main responsibilities for housework, childcare and the care of other dependents, is an important factor in hiring decisions.

This was reinforced by the fact that 74 per cent of employers saw women as "more likely to have family obligations relating to marriage, child care, and/or elder care that limit their contribution to company goals", whereas 25 per cent saw no difference between women and men and only 1 per cent thought men are more likely to bear those burdens.

Similarly, three in five employers said that men are "more likely [to be] available to work outside traditional working hours", compared to only 5 per cent in favour of women.

The fact that in many cases women's access to certain jobs was restricted on the basis of their reproductive role and/or main responsibility for childcare and the care of other dependents, serves

⁷ McKinsey&Company: Women Matter series (2007-2014)

Figure 3: Factors considered by employers during job interviews

to highlight an urgent need to create an environment that promotes work-life balance in the workplace. In such an environment, the preference of the employers would change for the benefit of workers, companies and the society as a whole – a mutual gain to everyone.

Therefore, the introduction of policies which enable workers with family responsibilities to engage and advance in employment without discrimination should be encouraged. Such policies include more flexible arrangements from which a variety of benefits can be gained, including reduced absenteeism, increased ability to attract and retain skilled staff, and improvements in productivity and time management.

Women may face discrimination if they are viewed by employers as “risky investments” due to expectations about the division of family responsibilities and may be overlooked and undertrained for high level positions perpetuating their exclusion from management and hindering their success.

Gender-sensitive business environment must be a priority

The survey relating to candidates for senior positions, who are typically at least 28 of age and in the middle of their career, showed that the majority of them did not perceive gender-based discrimination once working in their job. However, there remained room for improvement in this area.

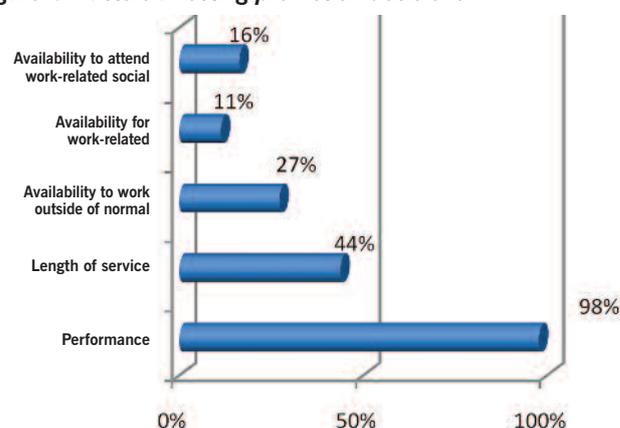
Most of the mid-career female surveyed stated they had never had a problem in getting a salary increase due to gender. Only 8 per cent reported that they did not receive a pay rise because they are women. This finding is in line with the fact that the gender wage gap is relatively small in Viet Nam, at 9.4 per cent,⁸ as globally women’s average wages are between 4 and 36 per cent less than men’s.⁹

Two thirds of the interviewees believed that women and men have an equal chance of being promoted in their company while the rest said gender-based discrimination existed in the promotion process. When asked whether they have been denied a promotion because of their gender, only 18 per cent of the female interviewees said they had experienced it, in comparison to 63 per cent who had reported they had not been in such a situation and the remainders did not have a view.

When it came to promotion decisions made by employers, the most important factor was the performance of the worker, followed by the length of service, which suggested a degree of fairness. However, the availability to work outside of normal working hours was the third most important factor. Once again, this may serve to limit female employees’ access to higher positions in their career given that they are more likely to take the main family responsibilities and therefore are less available to work outside of working hours.

Maternity leave and the reproductive role may also result in discrimination against women in their prospects for promotion. Although the laws clearly state that the maternity leave period should be counted as part of the length of service,¹⁰ the surveys illustrate that only 60 per cent of employers comply with this regulation. The other 40 per cent admitted that the time taken for maternity leave is not included in their female workers’ length of service in their company. With the length of service being the second most important factor when employers make promotion decisions, this certainly represents a significant disadvantage for women to progress in their careers, especially following the extension of maternity leave from four to six months which commenced from 2014.

Findings from the mid-career candidates’ survey, however, indicated that the majority of female workers did not believe their promotion process was affected by their reproductive role. Only

Figure 4: Factors affecting promotion decisions

⁸ See Viet Nam Labour Force Survey 2013, op. cit

⁹ Global Wage Report 2014/15: Wage and income inequality (Geneva, ILO, 2015)

¹⁰ Decree No.45/2013/ND-CP 2013, Chapter 2, Article 6 and Circular No.08/2013/TT-BNV 2013, Article 2

approximately one in five was passed over for a promotion because of their maternity leave. While the laws protect the majority of women from any discrimination on the basis of maternity leave, some are still affected nonetheless. One in ten interviewees witnessed their co-workers being fired upon returning to work after giving birth and 8 per cent saw their female colleagues being placed in a different position with a lower salary than their previous one.

In terms of working conditions, 87 per cent of the interviewees reported that their company has separate bathrooms and toilets for male and female employees, which is compulsory in the Labour Code.¹¹ This was indicative of progress having been made towards meeting the minimum requirement spelled out in the law to ensure a gender-sensitive environment and fair safety and health for women at work.

The 2012 Labour Code also for the first time outlawed sexual harassment in the workplace, which is a form of gender-based discrimination that mostly is perpetrated upon women.¹² However, up to 17 per cent of the interviewees in the candidates' survey said either they or someone they know have been asked for "sexual favours by a superior in return for some kind of workplace benefit". Findings from the survey also indicated that half of the companies surveyed do not have a policy prohibiting sexual harassment as required.

Two thirds of the interviewees also did not consider their company to be "family friendly". This meant that their employers did not have any policies and practices to help employees manage their family responsibilities and cope with changing circumstances.

Discrimination-free workplace supports both gender equality and business success

Supporting women and men to build and advance their career is not only an issue of gender equality but also makes good business sense.

Women and girls receive almost half of all educational resources around the world, thus representing a significant proportion of the available talent pool.¹³ In Viet Nam, UNESCO data indicates that among those with tertiary education, women always outnumbered men in the period between 2007 and 2011.

There is also evidence of the benefits to business of tapping into the talent pool which women represent, including being in tune with a consumer market increasingly driven by women. As women control household budgets and financial decisions and their purchasing power has increased, they are significant consumers and

clients of products and services. Therefore, decision-making roles in enterprises should be represented by both women and men.¹⁴

It follows that promoting gender-based diversity in different occupations and job functions is key to increasing companies' productivity and competitiveness, thereby seizing the economic and social benefits of the country's deepening integration.

Discrimination between men and women in Viet Nam has deep social roots which cannot be removed simply by laws, policies or any one specific measure. In this process, the role of business and workers' organizations are critical. Some recommendations to help narrow the existing gender gap in the workplace include:

- Putting in place more detailed regulations to prohibit gender-based discrimination practices, such as advertising gender preference in job postings;
- Ensuring enforcement of national legislation on gender equality by trained and sensitive labour inspectors;
- Raising public awareness on the social and economic benefits of gender equality and changing the mind-set of employers to break long-standing stereotypes and cultural barriers;
- Allowing flexible arrangements for employees to manage work and family time commitments in line with labour regulations;
- Expanding the coverage of maternity protection and providing childcare supports to attract and retain talented workers, whether they are women or men;
- Making sure that women and men are given equal opportunities to training and mentorship programmes; and,
- Fighting sexual harassment in the workplace by endorsing a national Code of Conduct and including this in company policies.

¹⁴ See Women in Business and Management: Gaining Momentum, op. cit

¹¹ Viet Nam Labour Code 2012, Chapter X, Article 154

¹² Viet Nam Labour Code 2012, Chapter I, Article 8

¹³ Women in Business and Management: Gaining Momentum (Geneva, ILO, 2015)

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