

The Impact of Marital Status and Fertility Status on Female Employment in China

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Abstract: Since the founding of the country, China's system of guaranteeing women's employment has become increasingly sophisticated. However, from the application of China's comprehensive two-child policy to the opening of the three-child policy to the current abolition of marriage restrictions on birth registration in some regions, marriage and childbirth have become increasingly important issues for women seeking employment. At the same time, the data survey shows that, in reality, women still receive discrimination and unequal treatment in employment due to marriage and childbirth. As women of childbearing age are responsible for both population reproduction and social reproduction, attention should be paid to how marriage and motherhood affect women's employment. By analyzing various factors in women's employment, such as enterprises, government, family members, and social opinion, this study focuses on the possible effects, such as experiencing workplace discrimination more frequently in marriage and childbirth, on women and proposes corresponding solutions. In conclusion, the focus of creating a female-friendly employment environment is not on "protection", but on building a good and sound social welfare system that takes into account the clear demands of women's development.

Keywords: women's employment, fertility policy, social security

1. Introduction

The domestic society has conducted some research on female employment, mainly from the perspective of economic and social, political policies and other micro factors, including marriage and childbirth status. The employment situation of women is still severe. Related studies include Yang Hui, who combined the all-two-child preferential policy and the fertility issue on the employment opportunities of urban women [1], and Zou Hong and Peng Jingcheng et al. , who analyzed the care of left-behind families and women's labor supply from the perspective of family care, based on the two-child policy, and they both pointed out that the all-two-child preferential policy and the delayed retirement system would lead to the contradictory relationship between the growth of care for left-behind families and the decrease of women's labor supply and proposed a program from the public care perspective [2].

At the same time, viewed from a theoretical perspective, feminist research pays attention to what economists consider to be the immediate socio-economic causes of labor lessness, taking into account the unattended patriarchal relationships and the subordinate roles of women in the community and

the state. At the same time, feminist research also points out that the way women are cared for over time and systematically does reveal a common endowment of women, that is, an endowment that directly influences women's choice of position and employers' choice of women's work [3]. Combined with existing research and theory, the marital status remains an important factor influencing women's employment.

From a realistic point of view, the final statistical monitoring report of the China Women's Development Program published by the National Bureau of Statistics shows that the percentage of working women in society is still above 40%. In 2020, there are 67.794 million women working in metropolitan areas, up 19.179 million or 39.5% from 2010 [4]. The proportion of female employed persons in the whole society is 43.5%. Meanwhile, thanks to the Special Provisions on Labor Protection for Female Employees promulgated in 2012, the proportion of enterprises implementing the policy nationwide reached 71.3% by 2020, 16.4 percentage points higher than that in 2010.

However, women still face many problems in employment. A survey in 2022 showed that 61.2% of women were asked about marriage and childbirth in their job search, much higher than 23.3% of men, which means that in the workplace, the issue of marriage and childbirth is still causing more problems for women than men [5]. At the same time, there is also a survey report on Chinese women in the workplace released in 2022, which shows that nearly 70% of women who have had children have been full-time mothers and have been spending all day with their children, nearly 60% of women want to balance their careers at the same time. The report also shows that women are more eager to break free from the shackles of marriage and childbirth, with 43.7% of women wanting to marry later or not and only 0.8% of women ready to have three children [6]. The inclusion of women in the workplace is still lower compared to men, and with the release of the two-childbirth policy and three-childbirth policy, women may devote more time and energy to their families, resulting in women being perceived as having to think about how to balance work and family in the workplace, and this discrimination has exacerbated women's employment dilemma, and a 2019 study found that women's childbearing behavior will lead to their workplace participation probability by an average of 11.74%, and the higher the number of births, the less stable female labor market employment [7]. Women's careers are inevitably affected by their fertility status, and the liberalization of fertility policies and the demands of the job market also influence women's choices to some extent [8].

Thus, it can be seen that women are generally influenced by their marital status in employment; the purpose of this paper is to examine how marriage and childbirth affect women's employment from the perspectives of policy, corporate choice, and ideology in the context of the current social situation in China, and to make recommendations.

2. Influencing Factors

2.1. Policy Impact

2.1.1. Fertility Policy

In the future, China may encounter the issue of a shrinking labor force due to an aging population. Additionally, potential gender-based discrimination in the workplace could lead to reduced childbirth rates, as women may opt to avoid situations such as the glass ceiling. As a result, China has implemented policies aimed at promoting fertility, including policies that allow for the birth of two or three children. In 2021, China officially announced the implementation of the three-childbirth policy, and according to the data of the questionnaire survey conducted by Shi Yihang Wang Yifan et al. in 2022, the three-child policy has indeed increased the difficulty of female employment to a certain extent[7]. More than half of the respondents in the survey believe that the liberalization of the three-childbirth policy has increased the difficulty of women's job search, and women will be

transferred to lower salaries or dismissed under the pretext of childbirth issues, and only 6.61% of the respondents have not encountered or heard of women around them experiencing unfair treatment because of childbirth issues. Moreover, the Sichuan Provincial Health Commission announced in the early 2023 Sichuan Birth Registration Service that it had removed the restriction on whether the subject is married or not and the restriction on the number of births when registering for births. The more relaxed fertility policy has brought more employment pressure to women of childbearing age, who are the main subjects of childbirth. A lenient maternity policy may, on the one hand, lead women to take on more family care work by increasing their willingness to have children, which in turn may affect their employment, and on the other hand, may lead companies to discriminate against women in the marketplace in order to avoid bearing the costs of maternity benefits, and more [9].

2.1.2. Marriage Policy

In contrast to increasingly lenient maternity policies, marriage policies have become more unfavorable to women. The shackles of marriage policy on women's employment are reflected in the contradiction of marriage law reform gender equality on the one hand. The Marriage Law of the People's Republic of China stipulates that the principle of freedom of marriage between men and women is equal at the legal level to break through traditional bad habits and, to a certain extent to enhance the social status of women, emphasizing the nature of the privatization of marriage also to a certain extent to protect the economic rights and interests of women. However, in terms of broad results, marriage law has ignored the conventional gender division of labor that continues in married life and even worsened the living situation of vulnerable groups of women. Social capital generated through marriage requires a well-functioning marital relationship and the joint input of the couple, while the benefits of employment have distinctly individual attributes [10]. However, in today's Chinese society, where the traditional patriarchal system is still strong, even the social capital generated by employment may be partially transferred to the spouse through the marital relationship, which is very risky. Meanwhile, women are still subordinate in marriage, it is still common for women to withdraw from the labor market due to marriage, and women's freedom of employment is still affected by family factors [11].

The 2023 Civil Code also re-emphasizes the thirty-day cooling-off period provision for divorce. The cost of ending a marital relationship is much higher for women than for men due to the increased responsibility of family care and the added expectations of society in the relationship. Therefore, whether a woman lives in a traditional marriage or chooses to end the relationship, it will have an impact on her employment.

2.1.3. Retirement Policy

In the face of the rising level of aging in China and the gradual decline and disappearance of the demographic dividend, the government has proposed a related delayed retirement policy. In February 2022, The State Council issued the Notice on the Issuance of the 14th Five-Year Plan for the Development of the National Cause for Aging and the Plan for the Old-age Service System, proposing to postpone the statutory retirement age gradually. While combined with the opening of the three-childbirth policy, married women of working age may face more conflicts between family caregiving and work. Many studies have found that the elderly have a significant promoting effect on the labor supply of young women. Arpino et al. used the random event of whether grandparents and maternal grandparents were alive as influence factor IV and found that generational care would significantly increase the probability of female labor participation. Meanwhile, according to Zou, Hong and, Peng, Jincheng, older adults have a significant contribution to the labor supply of young women, and the study used Chinese household tracking survey data to build an empirical model to find that women

made up 70.5% of the total sample, with those who had children in intergenerational care participating in the labor force at a rate that was almost 17% higher than those who did not have children in intergenerational care [2]. The average weekly working hours of women were 42.42 hours, and the number of hours worked by women in the group with children in intergenerational care was about 7 hours higher than that of women in the group without children in intergenerational care [12]. By examining the effects of institutional retirement on family caregiving and labor participation, Feng Jin and Han Xu found that the number of grandchildren significantly affected the behavior of older adults in providing family caregiving and had a significant negative effect on the labor participation of female older adults [13]. It can be seen that retirement policies also affect women's choice of employment and freedom of employment to some extent.

2.2. Corporate Choice

Since the implementation of the market economy in China, enterprises have been recruiting independently under the market mechanism and have greater freedom in selecting workers. This has led to the problem that some employers ignore social efficiency and fairness to pursue corporate efficiency [14]. At the same time, due to the different physiological conditions and the fact that women bear more of the costs of childbirth, employers are more inclined to hire male workers. The government has also made a series of regulations to protect women in the employment market, but the problem of discrimination against women in employment still exists, and it even appears that “the more protection women have, the more difficult it is to find employment”. According to an online survey conducted by China Youth Daily Social Survey Center on 1,386 people, 63.0% of people are worried that the maternity policy will make “enterprises reluctant to recruit women and intensify the difficulty of female employment”; 54.9% of people are worried that “enterprises prefer men in the selection of some important positions. “44.7% believe that “companies will lower women's wages to save on maternity allowance costs” [9].

A very typical factor that affects women is their fertility status. For a long time, it was the employer in China who bore the costs associated with maternity, including wages during maternity leave, examination fees and maternity fees, and maternity benefits. Although there is a law that provides for the employer to bear part of the costs through social insurance, the employer is still responsible for the maternity fund. And the construction of supporting facilities, including maternity lounges and breastfeeding rooms, is also a cost that employers should take into account. In order to protect women's employment equity, the state has introduced several laws, including the Law of the People's Republic of China on the Protection of Women's Rights and Interests and the Special Provisions on Labor Protection for Female Workers, but in the process of implementing the policy, it is obvious that there is resistance from employers, this is because after the establishment of the socialist market economy, enterprises operate on their own, and employers in the market may choose to reject women or restrict their development in order to avoid the cost of policy protection for women.

2.3. Ideological Factors

In the process of the rapid transformation of Chinese society, the problem of difficult employment has attracted the attention of scholars and the public. The phenomenon of women's employment difficulties is related to the traditional backward concept of “male heads the household and female heads the family” and “husband sings, and the wife follows”. For example, influenced by traditional backward thinking, some people advocate that women should give up their careers and return to the family, and there is also the idea that “it is better to marry well than to work well” prevailing in society. Women's value is tied to childbirth and marriage at the expense of women's own abilities and self-development needs. Women are also shackled to traditional gender perspectives and are more likely

to take on volunteer caregiving work [15]. The results of the 4th China Women's Social Status Survey 2020 show that employed women spend about twice as much time as men doing household chores such as caregiving/cooking/cleaning/daily shopping. Since the 18th Party Congress, the state has vigorously advocated family building and the consent of women to achieve family contribution and social contribution, which is not only the current dilemma of career and family faced by women but also the oppression of women by the traditional gender division of labor.

3. Countermeasure and Suggestion

3.1. National Level

A sound legal system is an important factor in mitigating female employment discrimination and creating a favorable employment environment. At the same time, in conjunction with the requirements of the China Women's Development Program, the government should be prudent in formulating public policies, incorporating a gender perspective when making policies, truly considering women's development requirements, and reducing the risks of women's work. Build a female-friendly marriage and family system and policy environment [16]. Explicitly support the concept of women's development, increase the proportion of female leaders and decision-makers in all fields, and truly safeguard the practical interests of female groups while providing concrete hope for female values and subject positions.

In addition, clear that the focus of female employment equity is not "protection" but rather the development of women's aspirations and recognize the value of childbirth and valuing family labor; women should be recognized and compensated for their social value, and along with China's economic and social development, the social security system for women needs to be further improved. According to a survey conducted by the Chinese Women's Status Survey Group: Chinese urban women spend 3.75 hours per day on housework, while men spend 2.16 hours per day, with women spending 1.59 hours more than men; Chinese rural women spend 5.18 hours per day on housework, while men spend 2.23 hours per day, with a difference of 2.95 hours. An important means of ensuring women's employment while assuming maternity responsibilities is to improve the social security and welfare systems. For example, we should increase the supply of childcare resources to meet the demand for public care due to the change in maternity policy and provide subsidies to employers to encourage the hiring of women and improve women's competitiveness in the labor force in conjunction with the provision of public services [17]. At the same time, it is imperative to strengthen the supervision and punishment of employers and impose appropriate penalties for violations of the policy.

3.2. Employer Level

Enterprises should strive to promote a level playing field in the labor market by offering equitable employment opportunities to women. This involves ensuring fair competition between the male and female labor force in all stages of the employment process, including recruitment, hiring, training, assessment, salary, benefits, promotion, dismissal, and retirement.

Moreover, it is the responsibility of enterprises to enhance the welfare treatment of pregnant women and improve the maternity protection system for female workers. Enterprises must actively respond to national policies that support women's employment and also leverage policy bias to share the burden of promoting gender equality and protecting women's employment rights and interests. By creating a fair and inclusive work environment, enterprises can not only contribute to the sustainable development of society but also realize the full potential of their human resources.

3.3. Social Level

The underlying problem of gender discrimination against women in the workplace is still the result of traditional gender-cultural differences. It is crucial to change traditional views of women as caregivers in the home and promote a joint responsibility for “childbirth” and “caregiving” among individuals of all genders. This will advance gender equality and ensure that women are treated with basic respect in the workplace, leading to the effective utilization of human resources.

By valuing and supporting the contributions of women in the workforce, a more equitable and just society can be created. This requires a collective effort to dismantle gender stereotypes and implement gender-sensitive policies and practices that acknowledge the diverse experiences and needs of all individuals in the workplace.

4. Conclusion

Due to China’s long-standing traditional gender concept and the change and development of the economic system in the new era, the gap between men and women within the workforce in China is large, and women’s employment is still influenced by, among other things, their marital status and maternity status. To alleviate the disadvantageous position of women in the employment market, it is necessary to change the social concept and the policy support from the national government, to pay attention to women’s human capital, to improve women’s education level, to enhance women’s competitiveness within the workforce, to protect women’s rights and interests in the fields of income distribution and redistribution, and to avoid the increase of gender inequality and gender discrimination within the family or the workforce.

Women’s employment participation is, to some extent, linked to the development and progress of society, and the job market should not be developed at the expense of women. When the interests of half of society’s population are compromised or abandoned, there will be no substantial progress and development in society. Society needs to use the combined efforts of all parties to build a gender culture that is responsive to social development and individual well-being and to guarantee women’s employment from both a spiritual and practical perspective. At a time when global gender equality is evolving, the power and value of women should not be limited to family and childbirth. Creating a female-friendly employment environment for survival is not only a matter of women themselves but also a sign of a more civilized nation.

In conclusion, marriage and childbirth continue to affect women’s equal access to the job market and equal treatment in the employment process in the context of new policies and traditional attitudes. This paper bases some of the previous arguments on documentary analysis and further analyzes the current situation by suggesting that government support should be emphasized to enhance women’s competitiveness in the labor market.

There are still some limitations in this study. First, this study did not conduct primary data collection or corresponding data analysis but developed on the data of the original study, and thus cannot effectively test the latest female employment situation, and second, the analysis in this paper mainly focuses on the employment of urban women, and there are still gaps in the analysis of rural women. Since the data collected in this study do not cover the entire population, it is not possible to show these differences and problems in detail. More detailed data will be collected in subsequent studies to analyze the employment status of women in more detail and to explore it in more depth.

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