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**Effects of Discrimination and Legal Redress in the Area of
Equal Access to the Labor Market.
Discrimination of Mothers at the Workplace**

SUMMARY

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2019

Cluj-Napoca

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Keywords

Discrimination; maternity; National Council for Combatting Discrimination in Romania; research on the course of life; economic effects of discrimination.

Introduction

When tackling issues related to discrimination of vulnerable groups, we mostly address ethnic minorities, especially Roma, religious minorities, and sexual minorities. In addition to the fact that these minorities are the most vulnerable and most often at risk of being discriminated against, there is another group, far from being in minority, yet excluded, and equally exposed to the risk of discrimination on the labor market: women. This vulnerability becomes even more pronounced when the woman becomes a mother.

Discrimination is a differential treatment, based on a criterion regarding a right provided by law, without objective justification. This paper proposes to investigate discrimination on three levels, as suggested by the French sociologist Bourdieu (1999), on macro, meso and micro levels.

In terms of structure, the research has four main parts. The first part presents the theoretical considerations underlying the research. The second part investigates, on macro level, the accessibility of the system for combating discrimination and the decisions issued by the National Council for Combating Discrimination (CNCD) as well as the analysis of the justifying reasons presented by those who have been complained of discriminatory acts (meso level). For each individual petition, the CNCD analyzes the following four aspects: the existence of differentiation, the existence of a criterion prescribed by law, the right that has been violated, and the existence of objective justification of the defendant. Following the analysis of the mentioned aspects, the CNCD issues a decision establishing whether the act is considered discrimination or not. Throughout the analysis, although we look at the CNCD decisions in the period under review, we will refer to maternity discrimination on the domain of equal access to the labor market.

If, in the second part, we focus on the analysis of the legal procedures of CNCD in establishing discrimination (macro level) and on the analysis of the discourses used by the defendants in justifying the discriminatory acts (meso level) the third part of the paper zooms in

on the victims, and investigates the effects of discrimination in the area of equal access to the labor market, based on maternal criterion (micro level).

In the third part, therefore, the aim is to investigate the immediate and long-term effects of discrimination. When it comes to long-term negative effects, we refer to the economic effects and effects on professional status (involuntary relegation), the most tangible and easy to measure, which can be compared to the situation of those young mothers who have not been discriminated against at work due to pregnancy. Harassment and humiliation are also important issues that can certainly have long-lasting negative effects, but they are harder to define and overcome objectively. In turn, the income and the occupied position are recorded in the individual labor contract; they are filed at the Territorial Labor Inspectorate by the employer; and the increase of the salary or the advancement in the position are also events that can be easily quantified. Also in this part we are dealing with dismissal, another important element that produces significant effects and can be prolonged over time. The event of dismissal and the resumption of work in another organization are, as salary and function, events that can be measured with precision.

The fourth part includes the results and limitations of the research, discussions and the possibility of continuing, improving research in the area of discrimination.

The research falls within the domain of sociology of law, which studies the set of rules and sanctions imposed by the state, often analyzing some aspects of the law related to social realities, such as criminality, social influences on the settlement of cases (Mihu, 1996: 29-30). Thus, the law is researched from the point of view of social sciences, and the sociological approach is based on the research of jurisprudence to learn more about society itself (Cotterrell, 1994).

Part I. Theoretic Framework

The theory of social control and the theory of sociological relationalism serve as an important basis for the proposed research. According to the social control theory, where legal remedy is accessible to all categories of groups in society and justice is fair, the people often resort to a legal remedy rather than other forms of remediation. The theory of sociological relationalism serves as a basis for explaining how inequalities are reproduced, most often

invisible and with the agreement of the parties. Sociological relationalism introduces the concept of symbolic violence, which often goes unnoticed, yet it has the role of shaping and reproducing society with its inequalities. When people discriminate often use this symbolic violence, embodied in symbolic defamation or symbolic amplification. Defamation of the person means that he or she is seen as less valuable, or the discriminatory act is hidden behind abstract concepts or behind economic and equal opportunities arguments. Amplification on the other hand means that the role or importance of certain rules or procedures are exaggerated, and the intention to discriminate does not necessarily exist.

Theories on motherhood penalty are in the focus of Chapter 3. Penalties for each birth are often reflected by wage moderation, downgrading, or even job loss. According to these theories, there are several reasons why mothers are penalized at work: they lose their seniority because they spend a few years on maternity leave, while no experience is accumulated in their professional field; are less productive because they are more concerned about raising children than work; in some cases, mothers prefer to give up highly paid jobs because of the involved overtime or high stress, in exchange for some flexible work schedules; other theories state that low-income women tend to have more children.

Some of the gender pay gap, and of mothers earnings gap can be explained by the mentioned theories, but far from entirely. When the factors mentioned are controlled by scientific studies (hours worked, education, experience, age and number of children, etc.), the pay gap is diminishing, but it does not disappear. The remaining differences are explained by discrimination.

The next step in this part of the paper presents the formation of anti-discrimination legislation from a historical and political perspective, as set forth in chapter 4. The West realizes, after 1990, but especially after the war in Yugoslavia, the gravity of the unresolved ethnic tensions. During this period, important conditions for conflict resolution, protection of human rights, stability, not just economic but also social, are introduced in the criteria for EU membership. Council of Europe instruments are ratified with regard to the protection of national minorities, the protection of minority languages, but discourse on combating discrimination at EU level is also emerging. The debates result in important measures that are not at all comprehensive, sanctions being rather symbolic, providing only moral remedy, yet they are a significant step, especially if we consider the effects that discrimination produces on victims.

Measures introduced by the EU to combat discrimination include regulations aimed at protecting women and mothers. The authorities for the protection of equal opportunities were set up in each Member State following the regulations presented. In Romania the equality body set up at the beginning of 2000 is the National Council for Combating Discrimination.

To sum up this part, we can highlight that theoretical concepts such as those of Bourdieu and Roscigno on symbolic violence, symbolic amplification and defamation are all the more important to our study because the next part proposes, in addition to analyzing CNCD decisions, the analysis of the discourse used by the defendants in justifying discrimination, ie the manifestation of symbolic violence in the light of the CNCD's rulings. We have seen how the relationship between gender and power embodied in cultural prescriptions has an effect on pregnant women or mothers. The mother image is inconsistent with the image or stereotype of workplace performance, and this contradiction is rarely observed.

Part II – Study of the Accessibility of the Anti-Discrimination System

The research on the accessibility of the anti-discrimination system based on legal texts and discrimination decisions issued by the National Council for Combating Discrimination has proposed two general objectives, namely:

- 1) Analysis of the accessibility of the anti-discrimination system from a procedural point of view (legal and institutional context) and from the point of view of persons accessing this system;
- 2) Detection of symbolic violence reproducing inequalities from the point of view of the defendants' justifications.

In the case of accessibility analysis, we had the following specific objectives:

- 1) The analysis of the relevant legal texts in combating discrimination in Romania and the internal procedure of the CNCD in establishing the facts of discrimination;
- 2) Investigating the duration of the decision-making process, the cost and the simplicity of the procedure, as it emerges from the decisions issued by the CNCD;
- 3) Assessing the extent in which vulnerable groups have access to legal redress on the field of discrimination, in light of the decisions issued by the CNCD;

- 4) Analysis of the legal remedy reflected by the decisions issued by the CNCD (the domains concerned, the most often sanctioned forms of discrimination and the sanctions applied).

During 2014, I requested approval from the CNCD for consultation of the decisions it issued. Following the approval of the institution, a few months of research in 2015 and 2016 was pursued, during which I consulted all decisions issued during 2011-2014, and later I also consulted the decisions issued in 2015, respectively the decisions issued between 2008-2010. From this last period only the maternity related discrimination cases were selected. In the 5 years, between 2011-2015, the Council issued a total of 2989 decisions, out of which 8 were material errors of previously issued decisions. Consequently, the focus of our analysis includes the 2981 decisions, in which it was determined whether the facts signaled by petitioners in the form of complaints were discrimination or not. As an exception, for our analysis of the maternal criterion, we included the decisions taken over a longer period, namely 2008-2015. Of the total number of decisions issued during the period 2008-2015, 58 decisions focused on the maternal criterion, of which 27 cases were found to be discrimination.

The analysis of the legal texts and the internal procedure of the CNCD served to present and understand in detail how the CNCD establishes discrimination. After understanding how the CNCD identifies and sanctions acts of discrimination, we have switched to the following specific objective, namely research into the extent to which the CNCD guarantees accessibility to legal redress as outlined in chapter 6 on Accessibility of the Anti-Discrimination System. In determining accessibility, we investigated the length of the decision-making process within the CNCD, the simplicity and costs of the remedy procedure. We have concluded that accessibility to legal remedy from a procedural point of view is achieved: we have a reasonable time to settle petitions (average 5.3 months), the procedure does not involve any cost, except for those cases where people decide to use the services of law firms, nor does it require legal or administrative knowledge, being a very simple process. The existence of an affordable system is an important first step, but it does not mean that all categories use the services of this system if they think they have been discriminated against.

The next specific goal was to study the extent to which petitioners belonging to the various vulnerable groups are able to access legal redress in the field of discrimination. We noticed that most of the petitioners come from urban areas (more than 90%), the number of men is double that of women, and the share of those with higher education is over 30%, double the

country level. From these data, we can conclude that an important majority of petitioners live in urban areas, have higher education and most likely are men, so the petitioners most often belong to privileged categories. However, it is not to be neglected that 6% of the petitioners have secondary school or elementary school, out of which 17% have submitted complaints that have been settled in their favor. So, in a very small number, we still have people who are less privileged, but have been able to complain to the CNCD, which established the act of discrimination.

In Chapter 8 we deal with the fourth special objective, namely the investigation of the legal remedy reflected by the decisions issued by CNCD. We analyzed the areas of discrimination concerned, the most often sanctioned forms of discrimination and sanctions applied by the CNCD. From the analysis of the discrimination domains where most complaints have been submitted in, it is clear that the domain of equal access to the labor market is the one with the most petitions concerning alleged acts of discrimination. 977 cases, representing 32.8% have been submitted in this domain, and together with complaints about the pension system, the total number of complaints filed in the domain of equal access to labor market rise to 1240 petitions, with a weight of 41.6% of all submitted complaints. Discrimination is most often established if the discrimination is direct: 445 such cases, approximately 92% of the complaints where discrimination has been established. Although the law states that the intention to discriminate is not a condition in establishing the deed, yet the overwhelming majority of cases catch up with differentiations where this intention does exist.

From the analysis of the decisions another interesting procedure emerges, that is, the public institutions are those who receive a less severe penalty than the private ones. The public institutions received on average 1228 lei fine, while the private companies received on average almost triple fines compared to the public institutions, the average of the fines amounting to 4351 lei in their case. In fact, public institutions receive significantly more sanctions of contraventions or recommendations, while private ones are more often amended. This approach is all the more interesting because public institutions are the ones most often called as defendants before the Council.

The second general objective of this research was to capture symbolic violence that reproduces inequalities from the point of view of the defendants' justifications, as outlined in Chapter 9 entitled Accessibility to Legal Remedies in the Field of Equal Access to the Labor

Market by Maternity Criterion. Bourdieu introduced the term symbolic violence into sociology, and Roscigno, building on Bourdieu's theory, developed the concepts of symbolic amplification and symbolic defamation. Defamation means that the victim of discrimination is perceived by the defendant as guilty of the alleged act of discrimination, while the amplification presents those cases where the defendant is hiding behind procedures, laws, internal regulations, or economic considerations. In the case of symbolic defamation, we often find the intention to discriminate, whereas in the case of symbolic amplification the intent is invisible or non-existent. Our general objective is composed of two specific objectives: first, we analyzed whether the other forms of discrimination, other than direct ones, are found between CNCD decisions issued in the maternal criterion. This analysis covered a longer period, 2008-2015, for two reasons: on the one hand there are very few petitions with complaints on maternity discrimination at the workplace submitted to CNCD, on the other hand we wanted to include a period before the Constitutional Court's decision no. 997/2008, which restricts the scope of competence of the CNCD. Of the total number of decisions issued during 2008-2015, 58 decisions concerned the domain of equal access to the labor market, based on maternity criterion, out of which in 27 the discrimination has been established by CNCD. In terms of forms of discrimination, out of the 27 cases, in 21 decisions the discrimination is direct, and in 6 cases we can speak of indirect discrimination. In these 6 cases, the discrimination stemmed from the texts of normative acts or organizational rules, which means that the acts of indirect discrimination are also institutional discrimination. Interestingly enough, before the decision of the Constitutional Court we find institutional discrimination sanctioned in 2008. However, after this period, the direct discrimination remains, as in the other criteria, the most sanctioned form by CNCD.

In the analysis of defamation and symbolic amplification, we extracted the justifications of the defendants from all the decisions related to discrimination on the basis of maternity during the period 2008-2015, and where the CNCD established discrimination. We only selected cases where discrimination was established, to make sure that the defendant's justifications cannot be considered objective justifications. The narratives used by the defendants are repeated, most often using economic considerations (restructuring was necessary), followed by the amplification of procedures or regulations that led to the petitioners being elected to be dismissed or downgraded in its professional status. The symbolic defamation was manifested by the invocation of missing without motivation (the petitioner took medical leave when she was most

in need of her work), or by poor performance. In two cases, defendants considered that a mother cannot be a good mother and a proficient worker in the same time because the two roles are mutually exclusive.

		Loss of Work	Downgraded	Total
Symbolic defamation	Poor Performance	6	0	6
	Missing unmotivated	2	1	3
Symbolic amplification	Internal procedures	4	0	4
	Economic reasons	11	3	14
	Total	23	4	27

Table 1. Distribution of cases of discrimination on maternity criteria ascertained by CNCD, after the defendants justify the facts and the consequences of discrimination

Of course these narratives are often combined, defendants using several arguments to justify their motives, but in most petitions economic considerations have been used either as the only argument or in combination with others. We must remember that very often in the case of symbolic amplification intent of discrimination is missing, or is undetectable, but in most cases such arguments are used to justify differentiation.

Part III - Research on the Long-Term Effects of Discrimination on the Basis of Maternity

In this part we have come closer to the victims, and we have watched the long-term effects of discrimination on pregnant women and young mothers returning to their workplace. We analyzed the impact of the discrimination event in the life of the individual from the perspective of the life course research paradigm. In chapter 11 we presented the objectives, hypotheses and methodology of research on the long-term effects of maternity discrimination at the workplace. Our objective was to analyze at the micro level, namely at the level of victims, the economic effects and the effects on the professional status due to discrimination. In order to analyze the

effect of discrimination at the workplace on pregnant women and young mothers who resume their work after maternity leave, we have formulated three hypotheses.

The three hypotheses had as a starting point the assumption that discrimination has negative effects on the life of the individual in the long run. The areas in which these effects are most prominent are the financial and the professional status the individual can lose as a result of discrimination. Not by accident these two areas were most severely sanctioned by the CNCD.

Hypothesis 1: We assume that mothers who are discriminated against during pregnancy at their workplace and who return to work after maternity leave have a lower wage than they earned before they became pregnant, unlike the mothers never discriminated against, returned to work, who keep their salary at least at the level they had before leaving for maternity leave.

We also estimated the probability of recovering the salary pay gap up to a specified duration, that is, we estimated the time required for a discriminated woman whose salary was decreased to start earning at least at the same salary level before pregnancy. To estimate the probability of recovering this gap up to a specified duration we worked with the cumulative probability of survival.

Hypothesis 2: We assume that mothers who are discriminated against during pregnancy and return to work after maternal leave are downgraded at their return, unlike mothers who have not been discriminated against, who retain their job or working conditions after their return at least at the level prior to leaving for maternity leave.

Just as in the case of salary pay gap, we estimated the probability up to a specified duration of being promoted to the level before the pregnancy, ie we estimated the time needed for the discriminated woman to return to the level of her pre-pregnancy position. To estimate the probability of recovering this gap to a specified duration, as in the previous hypothesis, we worked with the cumulative probability of survival.

As a next step we analyzed how long were those women absent from the labor market who lost their work as a result of workplace discrimination, compared to women, who also lost their work but did not face discrimination at their workplace during their pregnancy.

Hypothesis 3: We assume that pregnant mothers who are discharged during their pregnancy, or lose their work immediately after their return from maternity leave, have a harder time finding a new job compared to mothers in the same situation who have not been discriminated against before.

We believe that losing continuity in the labor market over an important period of time is in itself an additional negative effect that adds to discrimination through dismissal.

In order to test the hypothesis, I applied an online questionnaire on a convenience sample, comprising of 600 women. The sampling frame included women in urban areas, municipalities with a population of over 100,000 inhabitants in Romania, mothers who have at least secondary education with baccalaureate. In selecting the number of respondents in each municipality we respected the proportion of the inhabitants of the respective cities in relation to the entire population of Romania. We planned to choose a specific number of respondents from each city according to the size of the population. The top twenty municipalities with the largest population have a total of 5,649,115 inhabitants, representing more than one-fourth of the Romanian population.

The biggest concern related to convenience samples is the fact that usually those people are asked who are available at the moment of the publication of the questionnaire. Thus the risk of excluding those categories of people that are not available when the questionnaire is published is high. In case of convenience samples we cannot talk about representativeness for the whole population either. In order to reduce the systematic bias arising from convenience sampling we did not just select the available people, but developed a quasi-random mechanism of selecting respondents.

We chose Facebook for survey because of the size (over 1 billion users worldwide, 9.6 million users in Romania) and its continuous growth. 70% of Facebook users in Romania are aged between 18-44, exactly the age range we are interested in.

Chapter 12 presents the descriptive results from our questionnaire. Respondents of the online questionnaire are all women, with a total of 530 respondents. All come from the selected big cities of Romania, respectively the suburban areas of these cities. There are 482 women from the urban areas, meaning 90.9% of the respondents, and 48 of them from suburban regions of the cities, representing 9.1% of the women who completed the questionnaire. As for the respondents' age, most of them fall into the 29-40 age group, representing 72.5% of the total respondents. In terms of educational level, much of the respondents finished higher education (435 women, representing 82% of the women completing the questionnaire), 74 have graduated high school, together with those with higher education accounting for 96.1% of all respondents. In our sample there are 36 women who held a position of managerial level or supervisory role, meanwhile 483 women were employees without any supervisory role before their first pregnancy. 11 people did not indicate any function either because they were students or because they did not work. Thus, 7% had executive positions meanwhile 91% were employees without supervisory roles.

Table 2 presents the content of the discrimination women faced after they announced they were pregnant, in those cases where differential treatment occurred.

	Frequency	Percentage out of the discriminated ones
Ironical remarks	86	53%
Dismissal	60	37%
Salary decreased	56	35%
Did not benefit of trainings anymore	40	25%
Verbal warning	38	24%
Downgraded	31	19%
Was not promoted despite the promise of promotion before the announcement of pregnancy	23	14%
Did not benefit of bonuses anymore	22	14%
Resigned because of	11	7%

harassment		
Written warning	2	1%
Total	362	

Table 2. Distribution of respondents by types of discriminatory treatment at the workplace, multiple frequencies and percentages

We can observe from Table 2 that the most frequent type of discrimination have been ironic remarks from the employer in relation to their pregnancy. An important percent is that of those employees who have been fired after announcing their pregnancy (37% of those discriminated against), another 7% have resigned due to the differential treatment. 35% of the respondents who faced discrimination on maternal criteria had their salaries decreased after they returned to their workplaces following maternity leave. 25% of the respondents could not attend professional trainings, although their colleagues benefitted from it, 24% received verbal warning, 19% were downgraded, 14% were not promoted in their position, despite such previous promise existed, 14% stopped benefitting of bonuses and 1% received written warnings.

After presenting the descriptive results, we proceeded to the analysis of the long-term effects of maternal discrimination at the workplace as presented in chapter 13. To estimate the probability of the salary pay gap up to a specified duration, we worked with the cumulative probability survival (in low salary status). First of all, we analyzed the time needed to earn the same wage level for women who have not been discriminated against, then checked the time needed for discriminated women to reach at least the wage level they were earning before their maternity leave. We can observe from Table 3 that women who have not been discriminated against at the workplace started, from the first month, earning at the same level as before entering maternity leave.

		Salary reduced after returning from maternity leave		
		Yes	No	Total
Discriminated based	Yes	56	70	126

on maternity at the workplace	No	0	277	277
	Total	56	347	403

Tabel 3 – Table of association between discriminated and non-discriminated women at the workplace based on maternity and salary reduction following their return from maternity leave

At a value of Pearson χ^2 test of $\chi^2 = 142.97$ at a degree of freedom of $df = 1$, $p < 0.001$, p is less than the significance threshold of 0.001. Thus, discriminated mothers in the workplace are significantly more likely to suffer a decrease of salary when resuming work than non-discriminated mothers. Mothers who have been discriminated at work, based on maternity, gradually recover the salary gap as shown in Table 4.

Our sample included 56 women who, as a result of workplace discrimination based on maternity, suffered a decline in their salary after returning from maternity leave; this represents 11% of the total respondents who completed the questionnaire.

The beginning month of the interval	Number of cases present at the beginning of the interval	Number of women reaching the same salary level as before pregnancy	The cumulative proportion of cases that do not yet recover the salary level at the end of the interval	Hazard rate of recovering salary level
0	56	3	.95	.02
3	53	7	.82	.05
6	46	9	.66	.07
9	37	5	.57	.05
12	32	13	.34	.17
15	19	5	.25	.10
18	14	0	.25	.00
21	14	0	.25	.00
24	14	6	.14	.18

Tabel 4 – The number and proportion of discriminated women who reach the same salary level as before maternity leave

According to Table 4, in the first three months only 3 women have earned the same as before giving birth, accounting for only 5% of the respondents. In the next 3 to 6 months period, another 7 women started earning at least the same as before their maternity leave, ie a total of 18% of them earned the same half a year. Over the next 6-9 months, another 9 women received a "salary increase", so after 9 months, 34% of them reached the pre-natal salary level. An important period is that of 12-15 months, when 13 of the respondents managed to reach the salary level they had before entering maternity leave, thus after 15 months 66% of the respondents started earning at the level before maternity leave. The hazard rate shows that the maximum chance to start earning the same as before giving birth for discriminated women occurred after 12 months. The median time to recover the pay gap for discriminated women is 10.8 months, ie between 9 and 12 months. The length of the intersections varies as follows: 25% of the respondents recover the salary gap until the sixth month, and 75% of them until the fifteenth month.

We can conclude that there is a wage gap between mothers who have been discriminated against and those who have not been discriminated against at their workplace following their return from maternity leave. It has been found that the maximum chances of recovering the pay gap for discriminated mothers occur after one year of their return, while the non-discriminated mothers are gaining on a similar level as before maternity leave as soon as they return.

Log Rank (Mantel-Cox)	Phi square	Degree of freedom	Level of significance
	116,610	1	0,000

Tabel 5 - The equality test of survival functions at the recovery of the pay gap; discriminated and non-discriminated mothers at the workplace during pregnancy

The Log-rank test for complex comparison of survival functions at the level of discrimination factor (Table 5) shows a value of 116.61, which corresponds to a degree of freedom $df=1$ at a significance level of $p<0.001$. Consequently, the null hypothesis of equality of functions, according to which young mothers who return to the labor market after maternity leave and who

have been discriminated against at work, do not have a gap in the salary received as compared to returning mothers who have not been discriminated against during the same period is rejected.

The average time necessary to begin earning at the same level as before maternity leave for discriminated mothers at the workplace is 13.35 months, almost a year and a month after returning from maternity leave (Table 6).

We can conclude that there is a wage gap between mothers who have been discriminated against and those who have not been discriminated against at the workplace when they resume work.

We have used the same method to check whether the above-mentioned gap also occurs with regard to the occupational position. We have come to similar results, concluding that the average duration until the discriminated woman begin to have the same occupational status is 16.52 months, while non-discriminated mothers re-enter the same jobs on return from their maternity leave.

	Average duration required to recover salary level (in months)	Median duration required to recover salary level (in months)	Absolute frequencies	Percentage frequencies
Women discriminated against	13,35	10,8	56	13,89
Women non-discriminated	0	0	347	86,11

Tabel 6 – Average duration and Median time required for wage recovery for discriminated / non-discriminated women, absolute frequencies and percent frequencies

Finally, we also tested the hypothesis according to which we assumed that pregnant mothers who were discriminated against during their pregnancy, and who lose their jobs after maternity leave, have a harder time finding a new job as compared to mothers in the same situation but who have not been previously discriminated against. Using the life-table method, in this case, we concluded that women who were not discriminated against but lost their jobs find a

new job after 2.8 months, while women who were discriminated against on maternity criteria find a new job on average in 5.02 months.

Our analysis has shown that mothers who have been discriminated against at workplace during their pregnancy or immediately after returning to work, recover the gap created significantly longer than those mothers who did not have differential treatment.

The results of the study showed that most employees recovered their previous salary level, but discriminated against women expect an average of 13 months to reach the same salary level they had before maternity leave. Discriminated women also suffer in terms of professional position offered when returning from their maternity leave. They are employed on their previously held position only after 16 months on average. Those women who have lost their jobs due to discrimination find a new job in 5 month on average, while women in similar situation, but who previously were not discriminated against in about three months.

Part IV – Conclusions and Discussions on Findings

It remains to the size of a future study to analyze the percentage by which salaries decrease after return from maternity leave, where appropriate. By knowing this percentage, we could have checked the degree of the salary pay gap in our sample after the birth of each child. This information would have allowed us to compare the value of the motherhood penalty in terms of salary decrease with the values in other countries. Also, in a future study, it will be important to ask what kind of job the woman finds after her dismissal. Based on our questionnaire, we learnt how long it took until the mom found another job, but we do not know whether this work corresponds to her studies, her expectations, or was a solution of compromise. It would have been useful to know how long it took until the mother found a job that corresponds to the professional level of the former job. It is possible that such a question would have given us another result in terms of the time needed to find a new job, but we did not ask these questions because we were interested in the economic effect produced and the time it takes to recover it, without considering the psychological aspects.

Thus, our analysis, largely focused on analyzing the economic effects, and did not take into account the psychological effects that arise as a result of the stigma and humility of the employed mother, where there is differential treatment based on maternity from the employer. A

study on the effect of these psychological aspects would complement our current study and would offer a broader view on the effects of discrimination based on maternity at the workplace.

Another shortage of the present study is precisely the fact that the sample does not include women with a high degree of vulnerability. Our sample focused, in line with the results from the analysis of CNCDD decisions, on a segment of women who have at least secondary education with a baccalaureate and live in cities with a high population. Of course, inclusion of women with at most secondary education would have surpassed the field of our current research, but the palette of discrimination against women on the labour market would be more nuanced. Especially because women with secondary education without a baccalaureate or only with elementary education are the ones most often belonging to vulnerable groups; more often in the manual labour sector; with a minimum wage etc., so their inclusion in future studies would complement our image of the degree of discrimination existing on the labor market.

Increasing the scope of our analysis would be the subject of a future study, beginning from the economic sphere, but focusing also on the way in which discrimination operates and is lived in everyday life by the victims, their coping mechanism chosen etc. But, ultimately, our thesis did not intend to analyze exhaustively all these spheres in which discrimination has its effect, only the most visible and all-embracing sphere, the economic one. And this sphere is still insufficiently exploited and very rarely sanctioned, although the long-lasting effects are clearly visible and felt by the working mothers who have been discriminated against.

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