

## In China, Working Mothers Are in Hot Water

By Jieru Shen

In Feb. 2019, China has passed the law which prohibits gender discrimination in hiring. However, pregnancy discrimination is pervasive. Pregnant women say that employers discriminate against them in defiance of labor laws, and they are mostly unpunished.

Despite China putting effort into the elimination of gender inequality in the workplace, the hiring process contains questions that are deeply discriminatory against women.

According to a survey on the current situation of working women in China, 2020, 58.25 percent of women experienced being asked about marriage and child-bearing during a job interview; 27 percent of women experienced gender restrictions when seeking employment; and 6.39 percent of women experienced the change of position or the decrease of income during marriage and child-bearing process.

Feifei Zuo, 35, a mother of one child, has been asked questions regarding fertility planning at the end of a job interview for a Marketing Manager in an Internet company .

“The interviewee asked me if I want to have another kid. And she explained to me that hidden marriage will not affect work but if I told her that I won’t have children anymore, the decision cannot be changed.” Zuo said, “I hesitated for a while after hearing this question and just because of my hesitation, I lost this job opportunity.”

“Some of my colleagues start work after six weeks of child-bearing because their positions can’t be empty, and if they don’t go to work, their positions will be substituted by other colleagues.” Zuo added, “It means that their previous efforts may be zero and they need to start over. If someone wants to keep her position, she can’t treat herself as a woman.”

Women during various life stages are labeled differently. For example, women who don't have children are labeled as “will have days off during marriage and pregnancy”; women who have one child are considered “will have the second child at any time and have days off”; and women who have two children or more are considered to have “no energy for work”.

Child-bearing becomes the main bottleneck for women’s career development. In extreme cases, pregnant women even face severe situations that they may lose their jobs due to the pregnancy. According to statistics in a survey of The Living Status of Working Mothers in 2019, 41.6 percent of women lose opportunities for promotion and a raise in salary during their pregnancy and child-bearing stages; 33.7 percent of women lose promotion opportunities because of pregnancy discrimination.

Xinyan Huang, 32, a department manager at one advertising company, talked about her personal experience of losing a promotion opportunity because of pregnancy.

“When I was 24 years old and just graduated from college, I was asked if I have boyfriends and when do I plan for marriage and having children during job interviews. Then, I joined a company and after two years, I got married. However, I didn’t have children because of work,” said Huang. “I think if I am pregnant, I will definitely lose the promotion chance. This will cause negative effects on my further career path. But I was pregnant at the age of 30, as for women, old age is not suitable for having kids. I already sacrificed a lot and I really want children before 30 years old since I had been married for years.”

“After my boss knew that I was pregnant, he made a decision that I still cannot accept. He gave the promotion opportunity of the manager in a branch office to another less qualified young male workmate instead of me,” Huang added.

Runqi Pan, 29, a husband who is married but doesn’t have children, said that he wants to have a kid but his wife has contracted with the company.

“My wife is worried about losing her job if she is pregnant. She wants to get a promotion, but the prerequisite is that she cannot have children in three years.” Pan said, “We got married late and if we need to wait for three years to have children, my parents will not be satisfied. I don’t want to frustrate them because they are old.”

“My close friends all have children and some of their kids go to kindergarten. To be honest, I am kind of jealous. But my wife has this invisible contract with the company, I don't know what to do. I think that is unreasonable,” Pan added.

China has announced the two-child policy in 2016, therefore, to avoid workers becoming pregnant in groups, many companies announced “Get in Line for Pregnancy” in which employees need to tell supervisors their fertility plans in advance and once approved, they can have children only in an arranged period of time. This pressure from life and work jointly hampers women’s fertility. According to statistics in a survey of The Living Status of Working Mothers in 2019, 41 percent of women want to have a second kid but they are afraid of the potential consequences.

Yirui Tang, 35, a kindergarten teacher from Hubei, was fired because of her early pregnancy. She said that her supervisor has a rule that all employees must submit application forms of having a second kid six months in advance and the employees are arranged strictly by the length of service, age and marriage time. If anyone violates this regulation and has kids earlier than the arranged time, the corporation will automatically fire this person.

“I want to have a second kid and I submitted the application when I fulfilled the requirements. However, after I submitted the application, I was pregnant by accident,” said Tang. “After my boss knew that, he told me that if I want to have this kid, I will be fired because I had the kid before the arranged time. I am really angry about this unreasonable rule, but I have to quit this job to keep my baby.”

In Feb. 2019, the Ministry of Human Resources and Social Security and other nine departments in China issued the “Notice on Further Regulating Recruitment Behavior to Promote Women’s Employment” stipulating that when recruiting employees, the company cannot ask women’s marriage and childbirth. The pregnancy tests can’t be involved in the pre-entry body test items, and the company can’t make the restrictions of childbirth as a condition of employment. Considering law and regulations, most companies won’t blatantly ask for “only men” when recruiting, and gender requirements often become a “hidden threshold”. Some companies don’t even look at women’s resumes, and some companies deliberately adjust pregnant employees to positions with poor conditions, forcing them to voluntarily resign.

Jiehan Yang, a human resource manager at a technology company, said that he feels helpless in some cases.

“I don’t want to discriminate against women, but it is really difficult to find people to fill out the blank positions of pregnant employees who are on leave,” said Yang. “If a woman has two kids, she may spend five years in child-bearing. Within these five years, a woman can’t devote all her energy to work for at least three and a half years. In other words, if we hire this woman and pay her 100 percent of the salary for these five years, our company will only get 70 percent of the production returns, or even lower.”

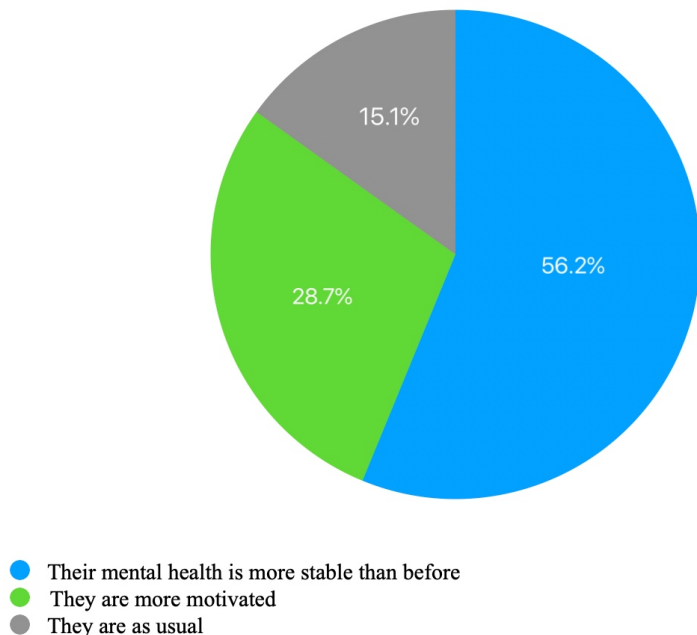
Wei Liang, a scholar who studies gender and sexuality at East China Normal University, said that most women don’t know how to protect themselves when they face discrimination in the workplace.

“I knew many pregnant women who experienced unfairness in their companies, but they didn’t do anything. They didn’t want to seek help from lawyers or other organizations because they thought it would be complicated. They just quit the job and found a new one after giving birth,” said Liang. “Most women employees don’t have the consciousness to protect themselves using labor laws and some of them lack the knowledge of the content of labor laws.”

Work-life balance is a difficult obstacle for working mothers. However, according to a survey in 2016, 70 percent of women believe that family and career are equally important. In addition, according to statistics in a survey of The Living Status of Working Mothers in 2019, 56.2 percent of

working mothers believe that after giving birth, their mental health is more stable than before. 28.7 percent said they are more motivated than before.

The Changes of Working Mothers After Giving Birth



China has laws against gender and pregnancy discrimination and a maternity policy that ensures 98 days of paid leave, but the enforcement is scant.

Amber Lu, 25, a girl who just joined a company for half a year and is pregnant unexpectedly, said that she doesn't dare to delay her work because at that time the company is busy.

"I worked very late for half a month during pregnancy. Every time I got off work, it was really late and I didn't have time to cook. Therefore, I ordered food delivery nearly every day." said Lu, "One day, I fainted in the office and then my colleagues sent me to the hospital. The whole company knew that I was pregnant."

"The doctor strongly suggested that I rest at home, otherwise my child might be affected. Then I asked my boss for leave, but he replied that Lillian from the finance department took a rest only a month before giving birth and he didn't allow me to take days off at that time," Lu added.

According to the statistics in a survey of The Living Status of Working Mothers in 2019, only 8.22 percent of companies have maternity rooms. The companies don't give enough care for working mothers and even the infrastructure construction of maternity rooms is seriously inadequate.

It is vital that the Chinese government not only implements laws in tackling gender discrimination in the workplace, but also urges companies, individuals and the society to bring the fight against discrimination to the next level. Companies need a more formal system to investigate and mediate complaints. Working mothers can organize and establish a benefit association together to bravely face unfairness.