

Russian women's labour rights: theory and practice

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Labour in Russia remains highly segregated by gender, both across occupational spheres and within the employment hierarchy. Certain spheres that are female-dominated, such as education, healthcare and accounting, also have the lowest wage levels. Within each profession, women are concentrated at lower levels of the hierarchy, which is reflected in lower salaries. Additionally, large numbers of women, especially young women without educational qualifications, are employed in the informal sector, which leaves them at risk of violations of their labour rights.

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Introduction

Russian labour law is an evolving area of law, which reflects the economic and social challenges of Russia's society, given global trends in labour relations and taking into account the processes of globalization of economic, social and cultural life. Legal equality of men and women has long existed in Russia. During its years on the socialist road, Russia realized approaches oriented towards men's and women's equality, based on existing ideological directives and values. Early declarations in the 1918 and 1936 Soviet-era Constitutions² that women had rights equal to those of men, later gave way to the modern formulation in the Constitution of the Russian Federation that "the State guarantees the equality of human and civil rights and freedoms regardless of sex. Men and women shall enjoy equal rights

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² Konstitutsii Rossiiskoi Federatsii Jul.10, 1918 //SU RSFSR, 1918, No 51, art. 582 [*Constitution of the Russian Federation 1918*] (Rus.); Konstitutsii Sovetskogo Souza Dec.5, 1936 //1936, News of the Central Executive Committee and Central Executive Committee of the USSR, No 283. [*Constitution of the Soviet Union*] (Rus.).



and freedoms and equal opportunities to exercise them.”³ In 1918 the equality of rights of men and women employees was stated in first Soviet Labour code as basic legal requirement.⁴

Thus, from the formal and legal point of view, for a century there has been no inequality between men and women in Russia in labour life, and no outright discrimination in rights. In formal, legal terms, Russia is one of the leading countries of the world in relation to labour gender equality. But while the principle of gender equality is widely incorporated in Russian law, our assessment in this article reveals that, in reality, Russian women suffer many forms of discrimination and are unable to realize their right to equal opportunities in the labour force.

Legal and political issues

Subsection 3 of Article 37 of the Constitution of the Russian Federation states that all individuals shall have the right to work under conditions meeting the requirements of safety and hygiene, to remuneration for work without any discrimination whatsoever, and also the right to security against unemployment.

Furthermore, Article 2 of the Russian Labor Code (2002) prohibits workplace discrimination and guarantees the equality of rights and opportunities of all employees.⁵ As well as the Russian Labour Code, other legal documents including Federal laws, prohibit discrimination against women.

While Russian legislation contains statutory provisions banning workplace discrimination against women, the number of discrimination claims is rather small compared to, for example, claims against unfair dismissal on other grounds.

Gender inequality is one of the most pressing challenges in the political, economic and social life of Russia. In recent years, legislation of the Russian Federation in the field of politics and economics has been aimed at establishing the basis for the development of gender-sensitive and gender-balanced policy. The main goals of such a policy in Russia are to:

- promote respect for women's rights in the rights and freedoms of men;

³ Konstitutsii Rossiiskoi Federatsii ot Dec.12, 1993 // RossiiskayaGazeta, Dec.25,1993 [*Constitution of the Soviet Union*] (Rus.).

⁴ Kodeks zakonov o trude Rossiiskoi Federatsii. Dec.10,1918. Collection of Laws and Orders Worker and Peasant Government of the RSFSR. 1918; No 87-88. Art. 905. Introduction [Russian Code of Labour Laws] (Rus.).

⁵ Trudovoi kodeks Rossiiskoi Federatsii [Labor Code of the Russian Federation], Federal Law No. 197-FZ, 2001, art.

² [Labor Code] (Rus.).

- ensure the full participation of women and men in decision-making at all levels of government;
- promote equal rights and equal opportunities in the labour market in the field of business and finance;
- improve health care for women and men, and increase life expectancy;
- create conditions for active participation of men in child-rearing and housework, and
- suppress all forms of violence against women and men.⁶

Gender statistics

To implement these objectives requires regular, detailed and accurate information that is emerging in an interdisciplinary field of statistics - gender statistics. Gender statistics is statistical data on women and men, reflecting their status in all spheres of society. It is one of the most important tools to consider the characteristics of women and men as specific socio-demographic groups in the development of optimal social and demographic policy, the implementation of the principle of equal rights and equal opportunities for women and men.

Legal and political basis

Contemporary public policy of the Russian Federation is aimed at achieving equality between women and men in society: overcoming all forms and manifestations of gender discrimination, the creation of political conditions and the necessary social conditions for the fullest realization of the natural abilities of women and men in all areas of employment, and public and private life.

At the heart of this policy are generally recognized international standards. The Russian Federation fully subscribes to the principles of the UN and the understanding of gender equality as an essential condition for sustainable development of the country which creates conditions for the full development of human potential.

From this point of view, priority should be given to the situation of women, particularly in those problem areas where there remain overt and covert forms of discrimination. In the economic and political spheres, special measures should be developed, including legislative measures, to

⁶ O pervoочerednykh zadachakh gosudarstvennoi politiki v otnoshenii shenshchin [On the priorities of the state policy on women] Decree of the President of the Russian Federation. Mar.4,1993. No 337 (Rus.); O koordinatsionnom sovete pri Pravitelstve Rossiiskoi Federatsii po realizatsii natsionalnoi strategii deistvii v interesakh zhenshchin na 2017-2002 [About Coordination Council under the Government of the Russian Federation on the implementation of the National Women Action Strategy for 2017 - 2022 years], Decree of Russian Federation Government Dec.28,.2016 No 1520 (Rus.).

achieve equal opportunities for men and women, and the alignment of their social status.

There are certain situations in Russia where the legal status of women is more favorable than that of men. These situations include, in particular, legal regulations concerning labor conditions and retirement benefits for those women who reside and work in the High Northern regions and equivalent areas of Russia which are situated further north than 60 degrees north latitude, and are closer to the central part of the country than, for instance, Siberia. The working week for all women employed in these regions is four hours shorter than men's working week (36 hours compared with the 40-hour working week established for men).⁷ Women living and working in these regions also are entitled to retire and receive pension benefits at the age of 50, whereas men can retire when they reach the age of 55. In the rest of the country, the retirement age is 55 for women and 60 for men.⁸

For an international organization of labor, the biggest challenge is the efficient use of gender mainstreaming in all four strategic objectives: the fundamental principles and rights at work, promoting employment, enhancing social protection and social dialogue, as well as their implementation through projects and programs. Instead of a narrow economic approach, the concept of human development has increasingly been used in the world, developed in the framework of the UN Development Program. Reorientation is performed with equal rights of men and women to equal treatment of men and women in the labor market and in other spheres of life by providing them with equal opportunities in society as a whole and the development in the public mind of a deeper understanding of the links between gender equality and sustainable development.

Human development is the empowerment of human choice. The meaning of the expansion of human capabilities in the development process is to live long and live a healthy life, to acquire knowledge, to gain access to economic resources necessary to ensure adequate conditions of life, at the same time conserving them for future generations, ensuring the safety of human life and aligning the position women and men.

⁷ Trudovoi kodeks Rossiiskoi Federatsii [Labor Code of the Russian Federation], Federal Law No. 197-FZ, 2001, art. 320 [Labor Code] (Rus.).

⁸ Trudovoi kodeks Rossiiskoi Federatsii [Labor Code of the Russian Federation], Federal Law No. 197-FZ, 2001, art. 327 [Labor Code] (Rus.); O trudovyh pensiyah v Rossiskoi Fedratsii [On labor pensions in the Russian Federation], Dec.17, 2001 *Rossiiskaya Gazeta*, Dec. 20, 2001 [On labor pensions in the RF], art.28.1 (Rus.).

Realities

Over the last decade economic and social transformations in Russia have had a significant and multidirectional impact on men and women realizing their potential in the labor, social and political spheres. Population by gender in 2002 and 2016, respectively, is presented in Table 1.

Table 1. The distribution of population by age in Russia, 2002 and 2016.

Age, year	2002		2016	
	Female	Male	Female	Male
0-9	49	51	49	51
10-19	49	51	49	51
20-29	50	50	49	51
30-39	50	50	50	50
40-49	52	48	52	48
50-59	55	45	55	45
60-69	60	40	60	40
70-79	69	31	68	32
80 and older	81	19	76	24
Total	53	47	54	46

Source: Russian Federation, Federal State Statistics Services. Men and women.

Russia has formally adopted the principle of gender equality, but in fact in all of these areas, there is a gender imbalance. It should be noted that, in the age groups up to 40 years, the number of men and women is about the same, while in the older age groups the number of women greatly exceeds the number of men. Age and sex structure of population in 2014 is presented in Figure 1.

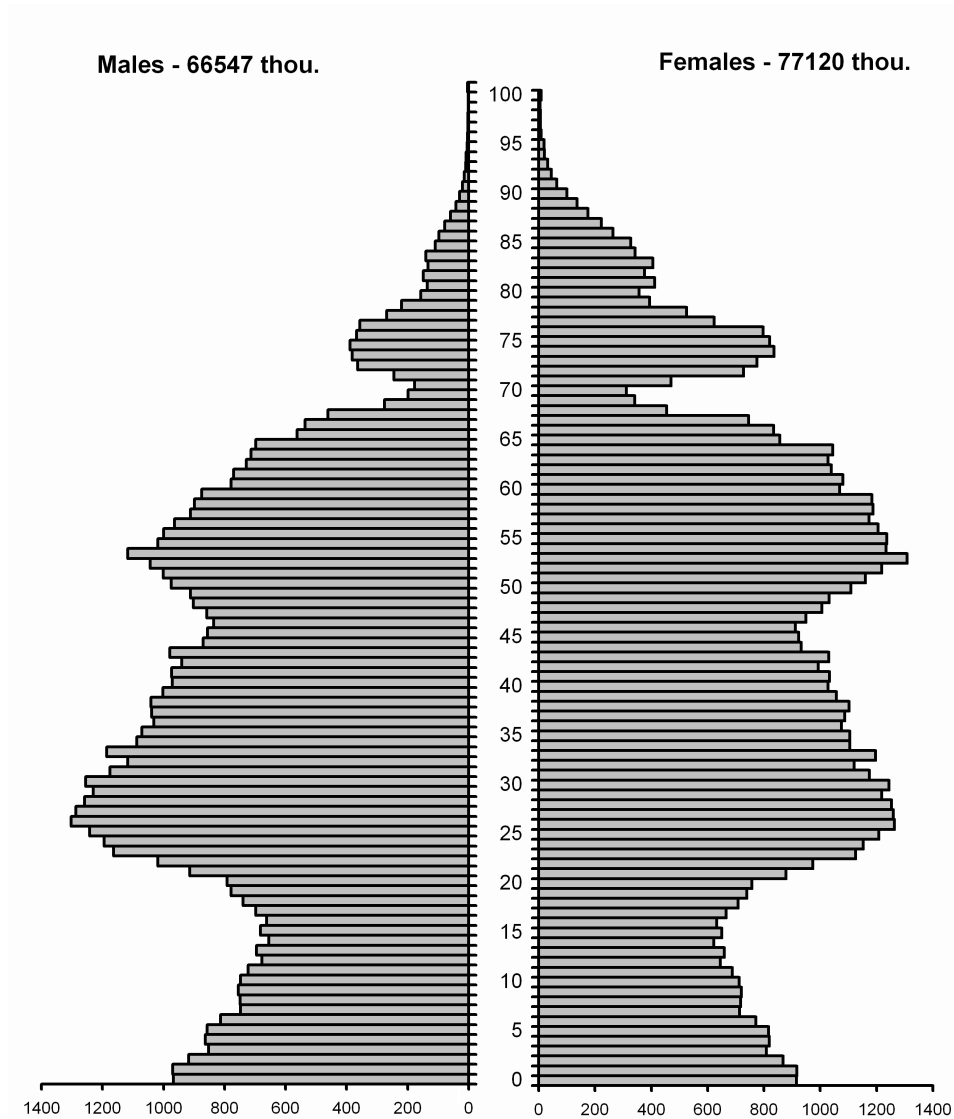


Figure 1: Age and Sex Structure of the Population in Russia as of January 1, 2014. Source: Russian Federation, Federal State Statistics Services. Age and Sex Structure of Population.

For ages 30-34 years, 1,014 women compares with 1,000 men; for ages 50-54 years, 1,180 women compares with 1,000 men; over the age of 70 years, the number of females is 2.4 times more than the number of men. In the Arkhangelsk region in North Western Russia, the situation is similar, with women outnumbering men by an average of 6 percentage points. With the opening of new opportunities for a broad application of human abilities of people requiring high adaptability, there is a significant difference between

men and women. Due to a number of socio-cultural characteristics and traditions, women are more disadvantaged than men.

Differences in life expectancy between men and women are mainly due to socio-psychological and behavioral factors. Because of their social and professional status in society, men are exposed to more, and more varied, psycho-emotional overloads. Men are more likely than women to suffer from chronic nervous tension and stress, leading to deteriorating health and premature aging, and caring less about maintaining health and prolonging life. The process of industrialization has a more negative impact on men than on women.

In the past, many women have achieved social equality by gender, however, women are still disadvantaged in a number of critical areas of life in Russia with insufficient rights, particularly:

- The field of culture takes into account the contribution of women to a much lesser extent than the contribution of men. In addition, there is discrimination against women and the humiliation of their dignity in mass culture.
- In the field of public relations there is a significant predominance of men in public positions at the level of policy-relevant decision-making, while at the same time, the NGOs concerned with addressing the most urgent social problems at all levels are female-dominated.
- In the economy, more men than women are employed in jobs associated with an increased risk to health and life, where salaries are higher. Women are prevented from taking these jobs and are pushed towards the extra-legal "grey economy" where women are paid less than men.

In order to analyze problem situations of gender segregation of the labor market we look at three areas:

1. gender inequality in the labor market;
2. motivational components in gender employment strategies;
3. gender-specific unemployment.

Formation of the gender structure of the labor market is largely due to the influence of traditional stereotypes inherent in the basic subjects: workers and employers. As a result of gender, jobs are divided mainly into male and female roles, and have qualitatively different valuation characteristics. This horizontal occupational segregation contributes to the women being trapped in low-paid occupations and industries. The main areas of women's work are services, education, trade and catering, health, science, and

transportation. When vertical occupational segregation acts as a stereotype of female professions: the idea of women's careers formed in comparing or contrasting with men's careers, in comparison or contrast with the personal life and family.

Unequal opportunities for women and men in the labor market and the prevalence of women in low-paid occupations and industries are in non-compliance with the labor laws. There is an increase in economic activity by both men and women. Female labor force participation in the Arkhangelsk region was 79 percent, for men it was almost 84 percent. The situation in the labor market is determined primarily by two sets of indicators: employment and unemployment, that is, the characteristics of the availability and the type of jobs and wage rates.

The degree of participation in the labor force of women reflects the level of economic activity. On the whole, Russia still has a very high level of economic activity for women. This is because permanent employment for women is still, as in the socialist period, necessary to ensure the family budget. For most households, one working spouse cannot provide for the necessary level of consumption and welfare. In addition, high levels of female employment are supported by historic social traditions and a high level of education. The participation of women in income-generating activities is a socially acceptable standard of behavior.

Women have ample opportunities for employment and access to jobs. Analysis of the factors influencing the level of economic activity, by gender shows some differences. The economic activity of women, unlike men, negatively affects the number of children a woman will have. This result is easily explained, because it rests on women's basic responsibility associated with raising children. For women, more than for men, the level of education has a positive impact on the level of economic activity. This means that women's education brings greater returns in terms of improving their position in the labor market.

For men more than women, the change in the level of economic activity affects health characteristics. Life expectancy for women exceeds the life expectancy of men, with the most significant gap, characteristic of the rural population, being 12 years. A similar situation exists in the Arkhangelsk region, where female life expectancy is 75 years, 12 years more than men, which is shown in Table 2.

Table 2. Life expectancy at birth, years.

Administrative level/region	Female	Male
The Russian Federation	76.3	65.1
North-West Federal District	75.8	64.2
Arkhangelsk region	75.0	62.7

Source: Russian Federation, Federal State Statistics Services. Life expectancy at birth.

The high level of female employment has led to women having decision-making positions on economic activity as well as men. Most men in the labor market depend to a large extent on economic factors, and women on socio-demographic factors.

In addition to the level of economic activity an important characteristic of the economic situation of men and women is the level of unemployment. Accounting and recording of unemployment in Russia began in 1992. The proportion of women among the unemployed depends on the level of unemployment. If unemployment rises, there is a greater impact on the employment of women than of men.

The paradox is that, in Russia, the level of education of women is higher than that of men. That means that a proportion of women would like to have a good career and a position in society commensurate with their education. However official statistics indicate that, across Russia, two out of three unemployed Russians are women.

Legal practices

In Russia, despite the Russian Labour Code, there is almost an absolute freedom in the workplace for the owners of enterprises. Conditions of work and payment are now a matter of agreement between the employer and the employee (with some minimum standards).⁹ Private employers, who are usually male, can do virtually whatever they want and the State does not interfere. Discrimination against women in employment is rife. This imbalance between private employers and their employees has arisen because employees are afraid to lose their jobs, very few employees are members of trade unions, and the state labour inspectorates do not have sufficient staff to undertake their labour compliance functions.

An important feature of Russian legislation is a reference to the common forms and means of protection in disputes about discrimination. Thus,

⁹ Trudovoi kodeks Rossiiskoi Federatsii [Labor Code of the Russian Federation], Federal Law No. 197-FZ, 2001, art. 56-57 [Labor Code] (Rus.).

according to Article 3 of the Labour Code, persons who feel that they have been discriminated against in employment may apply to court for redress, compensation for material damages and moral damages.¹⁰ Such claims are subject to review by the district courts, under the rules of action proceedings, in accordance with relevant provisions of the Civil Procedure Code. At the same time the Russian Code of Civil Procedure does not contain any special rules relating to claims of discrimination.

Russia has also established criminal liability for violation of equal rights and freedoms of citizens (Article 136 of the Criminal Code), for the unjustified refusal to hire women or unfair dismissal on grounds of pregnancy, as well as an unjustified refusal to hire or unjustified dismissal of a woman with children under the age of 3 years (Article 145 of the Criminal Code).¹¹ Thus, an employee who believes that she has been discriminated against may file with the Investigation Committee of the Prosecutor's Office an application for an inspection, and a criminal case.

It is clear that the prosecution cannot be the main way of protecting against violation of employment discrimination rights because of the difficulties in establishing criminal liability for an offence. When considering individual labour disputes, courts have repeatedly refused to consider plaintiffs' claims of discrimination in the actions of the employer, on the basis that the existence of discrimination can be established only in criminal proceedings relating to a specific office or individual.

An example of this is the following court case. In the Decree of 30.07.2009 (Application N 67336/01) in the case "Danilenkov and others v. Russia", the European Court recognized that part of Russia was in violation of Article 14 of the Convention (prohibition of discrimination) taken together with Article 11 of the Convention (freedom of association). The Court noted that a fundamental problem with prosecution is that it, being based on the principle of personal responsibility, requires proof without "reasonable doubt" of the existence of direct intent on the part of one of the key executives of the company for a finding of discrimination towards union members. Moreover, the role of victims of discrimination in the initiation and conduct of criminal proceedings is minimal. The Court thus was not convinced that prosecution, which depends on the ability of the public prosecution to expose and prove the direct intention to discriminate against union members, could create a sufficient and practical redress against anti-union discrimination.¹²

¹⁰ Trudovoi kodeks Rossiiskoi Federatsii [Labor Code of the Russian Federation], Federal Law No. 197-FZ, 2001, art. 3 [Labor Code] (Rus.).

¹¹ Ugolovnyi kodeks Rossiiskoi Federatsii [*Criminal Code of the Russian Federation*], Federal Law No. 63 - FZ, 1996, chapter 19, art.136, 145 (Rus.).

¹² Danilenkov and others v Russia, No 67336/01, [2009] ECHR, para. 136.

Furthermore, although there are mechanisms to protect employees' rights through the Federal Labor Inspectorate or courts, employees seldom use these bodies. This is either because they are unaware of their rights, or simply out of fear of losing their jobs.

Social realities

Stereotypes are pervasive in Russian society, resulting in strongly held views about the traditional roles of men and women. Women are considered primarily responsible for childcare and family responsibilities, which has a profound impact on their ability to advance in the public sphere, in politics, in government postings and leadership positions at work, etc. Gender-role stereotypes are reinforced in schools, by the mass media and even by government-led initiatives that focus on women's reproductive functions to the exclusion of other pressing issues.

There are also some demographic factors that increase a woman's determination to improve her position. Many women are divorced and, as a result, are the main breadwinners in their families. They have to earn good salaries in order to survive and raise their children.

There is now a younger generation of women who are well-educated and living in a comparatively open society. This means that they can compare their lives with those of Western women and they want to change their lives for the better, especially if their mothers had bad experiences in the days of the Soviet Union.

There is a significant gender difference in the time it takes for unemployed people to get a job. This lower level of achieving employment by women is associated with poorer opportunities in employment and competition failures in the labour market, reflecting, in particular, discriminatory practices of Russian employers. At the same time, the greater period of searching for employment may reflect more passive behavior by women; they may be less active in finding a job, or may have less incentive to find employment, because of family responsibilities. Given that long-term unemployment leads to great losses in human capital and creates a relatively high cost for households, it can be concluded that, although the scale of unemployment equally affects men and women, the consequences are different for them.

The wage level is one of the most important indicators. Table 3 illustrates the gender wage gap in Russia during 2013. It indicates that the increase in participation by women in employment has not resulted in any significant reduction in the gap between earnings of men and women. At a time when the majority of the employed population is working for hire, wages largely

determine the level of the material well-being of individuals and households, and the economic opportunities of investment in human development. Russian women were paid about 75 percent of the total salary of men in Soviet times. Now, on average, women get about 60 percent. Note however that such statistics are not particularly reliable because of inadequacies in data collection in this field.

In addition, the level of wages shows the effectiveness of the economic impact of human capital. Gender equality of wages in many respects is also the basis for intra-alignment positions of men and women, and provides a more equal ability to pay family expenses, and is the basis for the economic independence of women.

Some groups of women are particularly vulnerable to the inequality in the workplace. This includes women who live in rural areas, migrant women, youth, the elderly and the disabled. Young and the elderly are at opposite ends of the spectrum, but both of these groups are experiencing particular difficulties. Young women have a higher unemployment rate than men of the same age.

Table 3. The average monthly wage of women and men in 2013.

Sector	Wage (in rubel)		Ratio of women's wages to men's wages, %	Share of women in the total number of employees, %
	Female	Male		
Mining and quarrying	38,889	51,054	76.2	21.2
Manufacturing	24,608	33,043	74.5	39.5
Production and distribution of electricity, gas and water	25,872	31,100	83.2	32.3
Construction	31,844	37,680	84.5	18.9
Trade	27,878	34,928	79.8	59.3
Hotels and restaurants	23,505	29,175	80.6	72.5
Transport and communications	28,349	37,719	75.2	35.4
Education	22,031	22,260	99.0	76.7
Medicine	23,208	25,571	90.8	79.2
Total	24,722	33,301	74.2	53.6

Source: Russian Federation, Federal State Statistics Services. The average monthly wage of women and men in 2013.

The difference in earnings between men and women, as a rule, is due to inequality in the distribution of men and women in specific occupations and industries (horizontal segregation), inequality in wages in the occupations and activities (vertical segregation), and a low value being placed on the work being done by women.

If the differences in the quality characteristics of the work of men and women had been the main cause of unequal pay, then one would expect that the same performance level of economic activity would lead to the formation of the same level of wages. However, this is not the case.

Regular wage statistics from a gender perspective did not exist until recently. Only in the last few years has it been possible to estimate the

gender wage gap. In general, the overall gender gap in wages is comparable to the level observed in many developed countries, however an alarming trend is an increase in the gender gap. The ratio of women's wages to men's wages is fairly stable and fluctuates at a level of 60 percent. However, a comparison of the average wage levels, while remaining an important indicator of the relative economic position of women and men, hides the reasons for this difference. The existing gap cannot be attributed only to the inferior position of women in the economy as compared to men, or only to discriminatory factors. The qualitative characteristics of human capital between men and women, their modes of employment may differ materially, and these differences also contribute to the average gap in wages.

Women who have completed or are continuing education in graduate school earn on average less than men with only a high school education. Women with higher education have higher earnings compared to only one category of men - those with an incomplete secondary education.

Women's wages increase with age, reaching a peak at age 44 and then begin to fall. For men, the average decline begins earlier - at age 38. If we examine the available sample as a generation, it can be said that women's earnings vary from year to year, but not as much as the earnings of men. The female age-earnings profile is lower than men and is more subtle. The gender wage gap decreases as a person approaches retirement age (Roschin 2015).

An essential determinant of gender differences in pay is occupational segregation, which accounts for 15 percentage points of discontinuity. In relation to occupational segregation, the lowest returns are observed in those occupational groups dominated by women, the highest returns are in the traditional "male" occupations.

Gender segregation is manifested in an asymmetric distribution of men and women in the different structures: industrial, professional and official. It is usually separated by horizontal and vertical segregation. Horizontal segregation manifests itself in a variety of professional groups, and the vertical of the same job category. Sectoral and occupational segregation can be considered in this case, the horizontal, and the job - vertical segregation.

Currently, statistical data gives only sectoral and occupational segregation by gender. Moreover, occupational segregation cannot be considered only as horizontal. An important area of women's employment is the service industry where nearly 60 percent of employees are women. The expansion of the service sector in the last third of the Twentieth Century stimulated a growth in women's employment, created jobs and demand for female labor, but at the same time contributed to the increased gender segregation in the labor market. The highest concentration of female

employment in this period was observed in sectors such as health, physical culture and social welfare, education, culture and arts and finance, credit and insurance.

In addition to problems related to gender segregation of women in the labor market, discrimination by employers influences the gender gap. Discrimination is unequal opportunities in the labor market for employees with a particular attribute, who have a similar performance capacity as other employees (group discrimination), or unequal opportunities for individual workers compared to workers with similar characteristics of the quality of labor (individual discrimination). In Russia, 54 percent of employers consider women to be less valuable employees, compared with men, and 40 percent of employers believe that their company is not interested in attracting a female labor force (Levada Center 2010).

While women in Russia have a higher level of education than men, women with higher qualifications generally are less competitive in the labor market than men. This greatly complicates the re-employment of unemployed women.

It is thereby possible to identify the following types of discrimination in the labor market based on the scope or the results:

1. Discrimination in hiring (or, conversely, in cases of dismissal). This occurs when particular groups of the population, all other things being equal, are the last to be hired and the first to be fired.
2. Discrimination in access to certain professions or positions. This occurs when any group of people are prohibited from, or have restricted access to, certain types of activities, occupations, positions, despite the fact that they are able to carry out these works.
3. Discrimination in pay. This arises in the case of lower wages for some workers than others for the performance of the same work. That is, when the pay differences are unrelated to differences in efficiency.
4. Discrimination in promotions in a professional career. This occurs when workers as a discriminated group are limited in their upward mobility.
5. Discrimination in education or training. This may be expressed as limited access to education and training, or in the provision of educational services of lower quality. This kind of discrimination cannot be fully attributed to the fact of discrimination in the labor market, because work is usually preceded by obtaining an education.

Numerous studies on the part of employees and employers show that the most urgent kind of discrimination in the labor market is discrimination in hiring and firing. Discrimination in the Russian labor market is not direct but covert discrimination, which is evident in the policy of recruitment and promotion, and reflects the gender preferences of employers in relation to certain jobs or activities. Such covert discrimination contributes to the formation of horizontal and vertical segregation in the labor market.

Conclusions

Social realities

Increased participation of women in the labor force has not resolved the differences between men and women in employment. While the level of economic activity and type of work activity is relatively similar for men and women, women continue to work in conditions of horizontal and vertical segregation in the labor market and receive less pay on average. Thus, to eliminate the economic basis of gender inequality, it is not enough to ensure equal participation of men and women in the labor force. To achieve this result, it will be necessary to change the structure of demand in the labor market and current practices in hiring and promotion of staff, and to raise the profile and prestige of positions held by women.

Of course, for adult men and women it remains a challenge getting a decent job, supporting their family and taking care of family members, as well as the fulfillment of their obligations to enterprises, communities and society. Women face systematic barriers in almost all areas of employment, depending on: whether they have paid work (on a full-or part-time basis); the type of work they receive or from which they are displaced; the availability of additional income, the amount of their wages, benefits and working conditions; their access to higher-paying "male" professions; the instability of their jobs or businesses; the lack of a pension, lack of time, and resources or information needed to ensure realization of their rights. With regard to changes in the gender division of labor within the household and the transition to a more equitable distribution of responsibilities, men are privileged at a time when both members of a family or a partnership have income, at the expense of a more balanced combination of work and family life, more personal contact with the children and participation in family life, as well as due to less vulnerability to economic shocks.

The core elements of decent work are socially defined in the role of women and men, the biological differences between men and women, as well as the way in which these aspects are mated at work. The role of women and men is determined by social groups and cultural traditions. Much of the

roles of men and women in the workplace are perceived as inherent in men and women. This separation occurs to workers taking into account such features as age, race, ethnicity, religion and culture, and this is affected by the socio-economic classes and political environment.

Significant progress has been made in recent years to move towards gender equality, and the position and activity of a number of governments have demonstrated a positive attitude to the problem. The range of actions taken include the introduction of gender equality in national programs and action plans, including the establishment of national institutions for the promotion of a broader participation of women in development issues. Significant steps have also been taken towards improving women's access to education, employment, productive resources and property rights. Nevertheless, much remains to be done.

Attitudinal realities

Labour discrimination can take many forms. It may include discrimination on the grounds of sex, religion, race, political opinion, age, medical record, sexual preference, trade union activity, marital status, nationality, disability (physical, intellectual or psychiatric).

In legal practice, sexual preferences are apparent. Women are viewed by employers as "more expensive to employ and less reliable" than men. Russian law extends numerous protections and benefits for pregnant and nursing women as well as women with small children. These privileges (when we discuss the discrimination issue) create problems for women. Employers may not be interested in hiring women if a law protecting women with children is enacted. If we have a law limiting the work week for women with children, today employers will try to fire the women with children, and tomorrow they will fire all the women who might have children.

Television advertising supports the ideology of a woman as a beautiful housewife and you can hardly find a good journal where a women's career and issues of female leadership are discussed. The Levada Center NGO asked 1600 men what they valued most in women. The overwhelming preferences were thrift (56 percent), followed by good looks (39 percent), thoughtfulness (38 percent) and fidelity (37 percent). At the bottom of the list were: independence (6 percent), temperament (7 percent) and the ability to deal with misfortune (9 percent). For the record, only 31 percent of the male respondents thought a woman's intellect was important. The poll also asked what characteristics most women exhibited: beauty and thoughtfulness (both 47 percent) led the pack; logic (7 percent) and a creative mind (8 percent) trailed near the bottom (Levada Center no date).

Attitudinal realities and legislation

Women in Russia need special protection both in the social and legal context. In the law, there are built-in sexual preferences. Women can be viewed by employers as "more expensive to employ and less reliable" than men. Russian law extends numerous protections and benefits for pregnant and nursing women as well as women with small children. These privileges (when we look at the discrimination issue) create difficulties for women seeking employment. Employers tend not to hire employees that they think will cost them more than other candidates for the job.

Realities for women in Russia

In different Russian cities, some women were asked: "What was the best moment of your life?". They answered: "When my daughter got married, when my son entered the university, or when my husband became a general." And then I would ask again: "But what's the most important thing that's happened in your life?" And they would answer: "That is my life." (Levada Center n.d.).

This reflects the fact that there is a general tendency to consider women as a secondary labor force or as a reserve. According to patriarchal traditions, men are the main breadwinners and women are something additional to their husbands and it is considered that the size of her salary should reflect this prejudice. Of course, some men know that women can be very professional and productive, but the prejudice discussed above justifies discrimination and possibly saves money for the employer. Gender discrimination, then, is pervasive in the hiring and promotion processes in both private and State enterprises in Russia, even if the private sector has a much greater level of discrimination problems which needs State attention and control.

Areas of concern - what is the solution?

We suggest the following actions:

1. The government has to create a mechanism to fight against discrimination.
2. New legislation is required in relation to gender equality including special procedural safeguards. In Russia, most of the legal norms relating to equality and discrimination are substantive rules and the law clearly lacks sufficient procedural safeguards against discrimination.

3. Adopting procedural safeguards could help to raise the number of discrimination claims which it currently is rather low, for example, claims for unfair dismissal on other grounds.
4. Gender discrimination is pervasive in the hiring and promotion processes in both private and State enterprises. But in the private sector has much more discrimination issues and needs in State attention and control.
5. It is important to teach women how to set up their own businesses and to encourage them to work in the mass media so that they can use their power to change stereotypes. More movies need to be made showing elegant, professional women in positions of power.
6. The Office of the Prosecutor must pay more attention to the issue of discrimination in labour.

In conclusion, it should be noted that Russia's labour law is an evolving area of law, which continues to change and improve. This improvement reflects the economic and social challenges of Russia's society, given global trends in labour relations, taking into account the processes of globalization of economic, and social and cultural life.

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