

# Fertility Policy: The Hidden Trap of Female Employment

Shixi Jin<sup>1, †</sup>, Ning Liu<sup>2, †</sup> and Chuanyu Ma<sup>3, †, \*</sup>

<sup>1</sup> Shenzhen Senior High School, Shenzhen, China

<sup>2</sup> Department of foreign languages, Nankai University Binhai College, Tianjin, China

<sup>3</sup> School of Education, Communication & Society, King's College London, London, UK

<sup>†</sup> These authors contributed equally Author

\* Corresponding author: shixi.jin@kcl.ac.uk

**Abstract.** As the only country in the world to have a fertility policy, the impact of China's fertility policy has been the focus of research by scholars. With several changes in China's fertility policy, some scholars have critically analyzed the employment impact of several fertility policies on women. However, these studies lack a temporal framework to identify the dynamic impact of the policy change on women's employment from a historical perspective. This paper, therefore, explores the impact of changes in China's fertility policies on women's employment through a historical institutionalist research paradigm by collecting the content of fertility policies and their impact on women's employment since the founding of the People's Republic of China. The study shows that fertility issues have become an important determinant of women's employment and that government efforts to support fertility policies are essential in creating a favorable employment environment for women. This paper introduces several changes to China's fertility policy, followed by this paper's analysis of the negative impact of the fertility policy on women's employment. Finally, this paper makes recommendations on how to mitigate the negative impact of fertility policies on women's employment. This paper exposes the contradictory relationship between childbirth and female employment due to the formulation of fertility policies and the lack of supporting governmental action. The analysis also highlights the impact of historical policies on the present and the future.

**Keywords:** women; policy; employment; discrimination.

## 1. Introduction

The family planning policy has long been one of the most fundamental population reproduction policies in China, and it has had a profound impact on China's social development, especially on China's population growth. However, as the 21st century enters its second decade, China's family planning policy is facing a series of challenges due to the emergence of an aging population, downward pressure on economic development, and the impact of new epidemics, and is in urgent need of adjustment to adapt to the changing times and Chinese society. On the other hand, since China's reform and opening up policy, the education level of Chinese women has increased significantly, the number of educated women has gradually become equal to that of men, and more and more women are entering various positions in Chinese society. In the academic field, many Chinese and even international scholars have in recent years initiated extensive discussions on theories of China's family planning policy adjustment and population growth. Given the above background, this article will analyze in detail the impact of China's family planning policy adjustment on women's employment in China.

Based on the research paradigm of historical institutionalism, the article firstly presents a systematic historical review of the evolution of China's family planning policy into four stages: exploration and establishment, strict implementation, two-child policy, and three-child policy, followed by an analysis of the favorable and unfavorable effects of the family planning policy, especially the one-child policy, the two-child policy, and the upcoming three-child policy, on women's employment in China. Finally, we provide measures to mitigate the negative effects of family planning policies on women through the tripartite perspective of policy planning, social opinion, and supervision by relevant government departments. This study has theoretical significance

in solving the employment problems of Chinese women, safeguarding the rights and interests of Chinese women at work, and realizing the positive interaction and joint development between the adjustment of family planning policies and women's employment. It will help readers to understand the organic connection between the changes in China's family planning policy and the employment problems of Chinese women, and acknowledge the shortcomings and improvements of the current Chinese family planning policy in the face of women's employment problems, and to provide new theoretical suggestions for the future "three-child" policy in China.

## **2. Evolution of China's Family Planning Policy since 1949**

### **2.1 Exploring and Establishing the Family Planning Policy (1961-1979)**

During the 12 years since the founding of the People's Republic of China in 1949, the Chinese government's fertility policy has been liberal, open, and encouraging, and no fertility policy was formulated to control population growth. However, as China's society and economy gradually recovered from the civil war and public health care standards continued to rise, excessive population growth became a burden on China's social and economic development at this time. By early 1961, the Chinese government realized the critical importance of solving the problem of rapid population growth, and in December 1962, it issued the "Instruction of the Central Committee of the Communist Party of China and the State Council on Seriously Promoting Family Planning" and made corresponding adjustments to related policies, such as no longer subsidizing poor families who had over-born children, which marked the beginning of China's planned and organized efforts to establish its family planning policy.[1] This marked the beginning of China's planned and organized search for its family planning policy. Unfortunately, this exploration was interrupted by the political storm of the Cultural Revolution in 1969, and the family planning policy was not implemented until 1978, when the National People's Congress (NPC), China's highest authority, adopted Article 58 of the new Constitution at its fifth session, stating that "the state advocates and promotes family planning. [1] It was not until 1978, when the National People's Congress, China's highest authority, adopted article 58 of the new constitution, stating that "the state advocates and promotes family planning", and enshrining family planning in the fundamental law of the country, that China figured out its fertility policy, which was finally established and began to be promoted throughout China.

### **2.2 Strict Implementation of Family Planning and the One-Child Policy (1979-2013)**

Although the family planning policy was established and spread throughout the country, the population had soared to one billion by 1978, and the problem of rapid population growth was still prominent. In February 1982, the Chinese government proposed in the "Instruction on Further Improving Family Planning Work" that "a couple should have only one child", and at the same time, the relevant legislative provisions were revised accordingly. The New Marriage Law, which came into effect in 1981, included the words "practicing family planning" in Article 2 of the General Provisions. In the 21st century, China continued to implement the one-child policy, especially in the eastern coastal provinces, and the policy was strictly enforced, with huge fines, often hundreds of thousands of RMB, imposed on parents who had over-born children.

The establishment and implementation of the one-child policy promoted the systematic and legalized development of China's family planning policy, contributed to the stability of population growth, and had a positive impact on the rapid and stable social and economic development of China in the late 20th and early 21st centuries. However, the strict and even severe implementation of the one-child policy has had a series of negative effects in China: (1) It has contributed to the formation of China's elderly demographic structure and has laid the groundwork for the future aging of China's population. (2) The increase in abuse of women and female infanticide in some areas where traditional attitudes are deeply rooted has subjected the family planning policy to criticism from both domestic and international public opinion (3) The high fines for over-birth have placed a financial burden on some single mothers. Therefore, changes still need to be made to this strict family planning policy.[2]

### **2.3 Limited Relaxation of Family Planning Policy and Implementation of the "Two-Child" Policy (2013-2019)**

After entering the second decade of the 21st century, China's basic population situation has undergone new changes. On the one hand, the natural population growth rate has been declining, from 4.95% in 2012 to 3.81% in 2018.[3] On the other hand, China's elderly population accounted for 12.6% of the total population in 2019 and has entered an aging society, with the demographic dividend disappearing. Based on this status quo, the government and relevant state agencies are also planning and adjusting the original family planning policy, and China began a limited relaxation of its fertility policy, first when the Chinese government introduced a separate two-child policy for one-child couples nationwide in December 2013 based on a policy trial in some regions, and soon afterward the Standing Committee of the National People's Congress voted in 2015 to adopt The Amendment to the Law of the People's Republic of China on Population and Family Planning (Draft) was voted by the Standing Committee of the National People's Congress in 2015, advocating for couples to have two children, and the full two-child policy was then implemented nationwide.

This fertility policy, which is based on adherence to family planning, not only further improves China's national fertility policy, but also helps to slow down the aging trend of China's population. However, many young couples are hesitant or even negative about having a second child in the face of both economic and life pressures, and Chinese women, who are the main recipients of children, face a greater risk of rejection when seeking employment due to raising a second child, so the two-child policy has not had the desired social effect.

### **2.4 Further Relaxation of the Fertility Policy and the Imminent Opening of the Era of the Three-Child Policy (2021-Present)**

After 2020, China's social and economic development has slowed down significantly due to the impact of the epidemic spread of COVID-19, the economic downturn and employment pressure have increased, and the already poor progress of the previously enacted two-child policy has been affected by the limited progress. Even less optimistic is the fact that Chinese women's willingness to have children is currently very low, with as many as 53.3% of them saying they would not have a second child in the latest survey report released by the China Women's Federation. [4] Coupled with the rising cost of childcare in China, the country's family planning policy still needs to be adjusted. Faced with this situation, the Political Bureau of the Central Committee of the Communist Party of China, one of the cores of China's power decision-making, met on May 31, 2021, and considered the Decision on Optimizing Fertility Policy for Long-term Balanced Population Development, advocating the implementation of a three-child policy to cope with population aging and downward economic pressure. Only some Chinese frontier cities have started to implement this policy, while others are still hesitant to do so, so the three-child policy will face considerable problems and China's family planning policy still has a long way to go. [2]

In summary, the changes in China's family planning policy since 1949 have gone through four important stages: exploration and establishment, strict implementation, the one-child policy, the two-child policy, and the upcoming three-child policy, all of which are closely linked to the development of Chinese society in light of China's national conditions. Although the policy adjustments did not completely solve China's demographic problems, did not resist the aging of China's population since the end of the 20th century, and did not adequately protect the rights and interests of the main subject of childbearing: women, it is undeniable that the continuous changes in this policy have effectively restrained China's population growth from spiraling out of control and have contributed to the social and economic transformation of China since the reform and opening up. It has also contributed to China's social and economic transformation since the reform and opening up. In the foreseeable future, China's family planning policy will keep pace with the development of Chinese society and interact with the changes in China's population size and growth.

### **3. Changes in Maternity Policies Highlight the Negative Impact of Female Employment in China**

The changing nature of maternity policies has caused women varying degrees of distress, with the more apparent changes highlighting the impact on women's employment. This section will present a chronological account of how fertility policies affect women's employment status in China. This section will look at the phenomenon of fertility policies, followed by a critical analysis of the explicit and implicit effects of the phenomenon on women's employment.

#### **3.1 One-Child Policy**

The One Child Policy, the first fertility policy introduced in China, has profoundly impacted the country's demographic and cultural aspects. It also linked women's employment to childbirth, setting the tone for the phenomenon that women's employment in China was affected by the maternity policy. The One Child Policy was introduced at a time when China was in the process of nationalizing its market enterprises with the introduction of childcare benefits [5]. Mothers were able to place their children in childcare and go to work at little cost, and women played a greater and more equal role in society. However, as China's reform and opening-up policy took effect in later years, Chinese companies were gradually privatized, and the corresponding childcare benefits were abolished [6]. The combination of a culture that positioned women as the ones who should take care of the family and the model structure of the nuclear family led to an acceptance that women's future employment would be heavily weighted towards family and children [7]. That fact has led to a large number of women leaving the workplace to return to their families. In conclusion, without the help of complementary policies, the one-child policy has led to women being trapped in negative workplace stereotypes, causing many women to return to their families.

#### **3.2 Two-Child Policy**

In 2015, China implemented a comprehensive two-child policy. While this policy has, to some extent, encouraged people to have children and fulfill their desire to have more than one child, it has also exacerbated women's employment disadvantages. Firstly, there is potential discrimination against women in the recruitment process by employers. From a functionalist perspective, Parsons suggests that the family and the gendered division of labor within the family reinforce the family's overall stability [8]. These traditional family structures mean that women are expected to take on more responsibility for the family. If women have a second child, they are seen to sacrifice more time to care for them. As the number of children, a woman may have increased, the concern on the part of employers that female employees are being pulled away from their families and children by a large number of their thoughts and energy is even more acute. Women's employment disadvantages are reflected in the recruitment process and formal jobs. The survey shows that 64.5% of people claim to have faced gender discrimination in the recruitment process [9]. That phenomenon means that gender discrimination is present as early as entry into the workplace and affects women's positions of power in the workplace. Secondly, the increased cost of maternity leave for female employees makes employers more likely to choose male employees. Employers are concerned that the female employees they recruit who have never had children will not have two children in the first few years of employment, which will result in the female employee working for a brief period. Moreover, companies do not like to hire female workers because of the lack of capacity to work on maternity leave and the extra cost of hiring new people to do the job [10]. For this reason, many employers are reluctant to hire such workers because of the perceived additional cost of time and money. Shen and Jiang also interviewed an HR expert to determine the extent to which female fertility affects their tendency to recruit male employees [11]. Thirdly, childbirth and parenting relief will take away women's time to improve themselves and hinder their workplace development. In addition to the gender discrimination in the workplace that affects women as a result of corporate profit-seeking, women's absence from the workforce has a further negative impact on their ability to rejoin that market later. When these women want to rejoin the workforce after their children have grown up,

they may find they lack competitiveness and face great difficulty in improving or adapting their skills and qualifications. A second birth may require them to resign from their jobs to meet family responsibilities, which hinders women's career development and makes it more difficult for them to advance in society. This can deprive them of the best employment opportunities. Overall, the second-child policy will amplify the negative impact of environmental and personal reasons for women's employment because of the potential increase in the number of births to women.

### **3.3 Three-Child Policy**

In 2021, China again liberalized its maternity policy by introducing the third child policy. Unlike the two-child policy, which magnified the employment disadvantages of women due to childbirth, women are not only aware of the existence of employment disadvantages. However, they are also concerned about the implementation of complementary policies related to the third child [12]. The availability of complementary policies will largely influence their decision to have a third child. Some of the female respondents in the study admitted that their employers' unwillingness to cover the costs of their decision to have children made the decision difficult. Unless gender discrimination in the labor market is systematically addressed, the choice to have three children will hurt women's employment trajectory. At the same time, Shen Yang says the current policy focuses on protecting women's rights and interests. For example, by encouraging localities to develop parental leave programs, the current policy is raising the cost of hiring female employees for employers, which will increase discrimination against women when hiring [11]. In other words, the current policy only emphasizes the 'protection of women, rather than attempting to promote equality of power between companies, families, and women themselves. In conclusion, according to female respondents and experts, the implementation of policies related to the three-child policy will affect whether the disadvantages of women in the workplace are alleviated.

## **4. Strategies to Mitigate the Impact of Maternity Policies on Women's Employment**

oo reduce the adverse effects brought by the change in family planning, the government should start from three aspects: system adjustment, propaganda, and supervision.

### **4.1 Adjustment of Rules**

Improving the welfare of pregnant women, providing certain benefits to women who do not have formal jobs during their maternity leave, assisting women who have formal jobs to return to companies, and improving women's employment environment are several ways of the adjustment of rules. These methods are very important because they can only protect the women who are pregnant but also improve citizens' confidence in the government.

#### **4.1.1 Improving the welfare**

Improving the welfare of pregnant women and companies can effectively reduce the negative effect caused by women's maternity leave. Many women do not have enough money to take care of themselves when they are pregnant, so the government should avoid the phenomenon by providing them with welfare. What's more, if companies' benefits will not be harmed by maternity leave, women will not be discriminated against in the labor market. Therefore, women will be more willing to give birth to children, and the conditions for women will become better.

#### **4.1.2 Providing certain benefits**

Providing certain benefits to women who do not have formal jobs during their maternity leave is very necessary because many women who have temporary jobs will lose their jobs after they are pregnant. Because no company can provide them additional benefits, governments should take responsibility to ensure that pregnant women still have a stable income.

#### **4.1.3 Assisting women who have formal jobs to return to the companies**

Assisting women who have formal jobs to return to the companies provides women opportunities to restore the workforce. During maternity leave, women will not only lose the chance to earn money but also lose some professional skills. They will be mentally and physically weakened after giving birth to babies. Therefore, it is the responsibility of governments to help women return to their work. The government needs street offices to help pregnant women and women after childbirth to restore their ability to work. Governments should provide material subsidies and supplements to women on maternity leave to help their bodies return to their pre-pregnancy state as soon as possible. 2. Governments should give a period before the end of maternity leave for women to familiarize themselves with their jobs so that they will not be quiet because they are unskilled and inefficient since they have been out of work for too long.

#### **4.1.4 Improving women's employment environment**

Improving women's employment environment enables women to have more job opportunities because supervision is not always effective. Therefore, providing women more jobs is fairer for them to promote gender equality in the labor market. Because the physical differences between males and females do not play a major role in the labor market nowadays, women are competent for many jobs. Gender should not be a restriction of the job. In addition, governments could also encourage women to start up businesses by themselves and give them subsidies. 1. Government should publicize the opinion that women can also start their businesses and advertise the successful female entrepreneurs. 2. Governments can give women subsidies if they are starting their businesses. [13].

### **4.2 Paying Attention to Propaganda**

Propaganda is a necessary way to awaken the public to notice the serious problem of discrimination against women in the labor market.

#### **4.2.1 Increase the mainstream media's image shaping for the new era of female**

As the traditional Chinese thought that men are superior to women is deeply rooted in people's minds, most people still have gender discrimination against women subconsciously. Therefore, the publicity of the media enables them to realize the injustice of their behavior and thus improve the phenomenon of gender equality in society. The shaping of female images in the new era can also make women realize their strength, and then they will choose to treat themselves equally and fight for their rights when they encounter gender discrimination [14]. For example, when the mainstream media use cartoon characters to promote awareness of a good family atmosphere, they will avoid adding stereotypes to the cartoon images of women, like they are tied to the kitchen sink. Instead, they tend to use more efficient and capable images to describe women. Therefore, people's subconscious contempt for women will be gradually reversed.

#### **4.2.2 Pay attention to children's education**

Since most people in China hold the idea that men are superior to women, so many parents unconsciously teach girls to be patient when teaching their children and tell them to put family first in everything. These thoughts lead some women to choose to have children at a very young age. Some even quit their jobs to prepare for pregnancy. This phenomenon will lead to women being unwelcome in the labor market because their job stability cannot be guaranteed. Therefore, education for girls in schools is very important, and schools should teach girls proper values. The children's texts will have a whole chapter of articles written by women writers. In history books, the deeds of female heroes are also listed. This design has imperceptibly shaped the idea that women can also be independent and self-reliant to children so that girls will have a correct understanding of their values.

### **4.3 Improving Supervision**

To better supervise these measures conducive to the implementation of family planning policy, relevant departments need to clarify their respective responsibilities and division of labor [14], and

the legislature needs to improve related laws and regulations, by adding channels for help and reporting [15].

#### **4.3.1 Clarifying responsibilities**

Relevant departments need to clarify their respective responsibilities so that they will finish their mission. A lot of the lack of supervision is because the division of tasks is not clear. For example, the street office may think that the women's Federation would take care of the local health problems of pregnant women, so it did not take any action, but because the women's federation did not receive clear instructions, neither side took any action.

#### **4.3.2 Improving related laws and regulations**

Improving related laws and regulations, like adding channels for help and reporting provides females with ways to protect themselves. Sometimes it is difficult for the government to supervise everyone, so women can protect their rights by reporting. This kind of reporting channel also serves as a warning to companies that they will not break the law.

### **5. Conclusion**

The three changes in fertility policy all have an impact on female employment, and this adverse impact is most obvious after the three-child policy. After the two-child policy was introduced in 2015, women had to spend more time raising children. Several interviews with companies confirmed that the two-child policy has made them more cautious about hiring women. Under the three-child policy, this adverse effect is magnified. Some of the benefits that encourage women to have more children make it more expensive for businesses to hire people, which makes them even less willing to hire women.

To solve this problem, the government needs to reduce the adverse impact of the three-child policy from three aspects: policy adjustment, propaganda and strengthening supervision, so that the fertility policy can give full play to its best advantages. The changes include increased subsidies, benefits, and help for women returning to work after giving birth. Cultural publicity includes increasing the mainstream media's image shaping for the new era of females and paying attention to children's education. More regulation needs to clarify government responsibilities as well as improve the related laws and regulations. This study mainly focuses on the negative impact of the fertility policy on female employment and gives some targeted suggestions. However, due to the subtle differences in fertility policies in different regions of China, it is impossible to fully implement these recommendations when they are implemented. Therefore, more studies are needed to truly experiment with these methods in the future.

At present, due to the increasingly serious problems caused by the aging population, the government will provide more and more subsidies and welfare to encourage women to give birth in the future, which will bring burdens to enterprises and increase the cost of hiring women, which has the opposite effect on the relevant suggestions given in this article. Future research should consider the pressure on women's employment brought by various social factors and how to make women willing to bear the cost of bearing children. After two changes in the fertility policy in ten years, the abolition of the fertility policy was inevitable. Corporate discrimination against women goes further, not just to those of childbearing age who do not have three children. Therefore, more research should be devoted to what impact these complex social factors will have on women's employment in the future, and how to address women's persistent concerns about the cost of childbirth.

### **References**

- [1] Zhang Xinman. The Evolution of China's Family Planning Policy since the Founding of the People's Republic of China, City Commission of Family Planning and Reproduction, Jinan, 1986.

- [2] Shen Che, Wang Ling S. Interactive development: The Evolution of Fertility Policy and Maternity Protection in the Past 70 Years since the Founding of New China and Its Prospects, School of Management, Central University for Nationalities, Beijing, 100081, Social Security Studies No 6,2019.
- [3] Wang Yi N. The Characteristics of China's Population and the Transformation of Family Planning Policy in the New Era, Party School of the CPC Wuhu Municipal Committee, Wuhu, Anhui 241000, China. CN6 1-1499/C, 2020.
- [4] Zhong shuiyin 1 Zhang Qi 2 J. New Orientation of China's Population Policy in the Great Turning Point: Doing Nothing and Activey Doing Something (1. Center for Population-Resource-Environment Economics, Wuhan University, Wuhan, Hubei Province 430072, China 2. Institute of Economic Research, Wuhan University, Wuhan, Hubei 430072,China) j.of Wuhan Uni.of sci. &Tech.(Social Science Edition) Vol.22,No2, Apr.2020.
- [5] Zhao Menghan. From motherhood premium to motherhood penalty? Heterogeneous effects of motherhood stages on women's economic outcomes in urban China. Population Research and Policy Review, 2018, 37(6):967-1002.
- [6] Cook S., Dong Xiao-yuan. Harsh choices: Chinese women's paid work and unpaid care responsibilities under economic reform. Development and Change, 2011, 42(4): 947–965.
- [7] Zuo Jiping, Bian Janjie. Gendered Resources, Division of Housework, and Perceived Fairness-A Case in Urban China. Journal of Marriage and Family, 2001, 63(4):1122–1133.
- [8] Szelényi S., Olvera J. The declining significance of class: Does gender complicate the story?-Comments. Theory and Society, 1996, 25(5): 725–730.
- [9] CGTN. China sets new rules to ban discrimination in online job recruitment. December, 24, 2020. Retrieved on August, 8, 2022. Retrieved from: <https://news.cgtn.com/news/2020-12-24/China-sets-new-rules-to-ban-discrimination-in-online-job-recruitment-WtPZ90fL4A/index.html>
- [10] Zhao Qiwu, Peng Zhaoqi. Economic analysis of the gender discrimination in employment under the background of universal two-child policy. 2016 International Conference on Industrial Economics System and Industrial Security Engineering, 2016, 1-5.
- [11] Shen Yang, Jiang Lai. Labor Market Outcomes of Professional Women with Two Children after the One-Child Policy in China. Journal of Social Issues, 2020, 76(3): 632–658.
- [12] Jiemianxinwen. After three-child policy: in the workplace, the fertility policy affects the development of women; Within the family, the power relationship between husband and wife is difficult to change. August, 27, 2021. Retrieved on August, 8, 2022. Retrieved from: <https://baijiahao.baidu.com/s?id=1709220200909765814&wfr=spider&for=pc>.
- [13] Tian Na, Research on female employment under the background of two-child policy. Shandong Normal University, Jinan, 2017.
- [14] Zhou Yan, Female employment research under the circumstance of new fertility policy of Shenyang. Shenyang Normal Univeristy, 2020.
- [15] Yang Wei, Research on women's labor rights protection under the background of open two-child policy, Legal and Economy, 2019, 04: 139-140.